



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

**PLAN COMMISSION MEETING AGENDA**  
**Thursday, August 8, 2024 at 5:00 P.M.**

**SPECIAL WORKSHOP (5:00 P.M.) at Community Room**

- A. Call to Order and Roll Call**
- B. Unified Development Ordinance (UDO) Rewrite Task Force: draft Noise Ordinance, Performance Standards (Section 15-5-13 in Article 5) and Natural Resource Protection (Article 7).** Session prepared by planning staff and project consultants Houseal Lavigne Associates and Birchline Planning, LLC.

**REGULAR MEETING (6:00 P.M.) at Council Chambers**

- A. Call to Order and Roll Call**
- B. Approval of Minutes**
  - 1. Approval of the regular meeting of July 18, 2024.
- C. Public Hearing Business Matters**
  - 1. **Federal Emergency Management Agency (FEMA) Floodplain Insurance Rate Maps (FIRM) and City of Franklin Floodplain Ordinance.** Proposal to update the City of Franklin Floodplain Ordinance text and map. Citywide.
  - 2. **Field 99, Special Use.** Request to operate a soccer training facility upon property located at 11141 W. Forest Home Avenue ( Tax Key No. 704-9990-003).
  - 3. **College Avenue Associates LLC, Natural Resource Special Exception (NRSE), Certified Survey Map, and Site Plan.** Request for proposed impacts and disturbance of approximately 2,244 square feet of wetland buffer and 2,161 square feet of wetland setback, a Certified Survey Map creating two parcels with the reconfiguration of three existing properties, and a Site Plan for the construction of an access drive and modifications to landscaping, lighting, parking, and building elevations upon properties located at 2821 W. College Avenue, 6311 S. 27th Street and 6341 S. 27th Street (Tax Key Nos. 714-9968-003, 714-9972-003, and 714-9973-000).
  - 4. **SAIA Motor Freight Line, LLC, Major Planned Development District (PDD) Amendment, Special Use, and Site Plan Amendment.** Request to amend Section 15-3.0444 of the Unified Development Ordinance Planned Development District No. 39 (Mixed Use Business Park) to allow truck terminals and freight transfer facilities as a Special Use and to revise Design Standards, a request for a Special Use to allow a truck terminal and freight transfer facility with outdoor storage and parking of vehicles, equipment, and trailers and a Site Plan Amendment for exterior building and site modifications upon property located at 10613 South 27th Street (Tax Key No. 951-9996-019).

**D. Citizen comment period.** Citizens may comment upon the Business Matter items set forth on this Meeting Agenda.

**E. Business Matters**

1. **Little Cancun LLC, Site Plan Amendment.** Request for approval of an outdoor patio, fence, and associated site modifications upon property located at 7273 South 27th Street (Tax Key No. 761-9990-002).
2. **Ridgewood Reserve, Preliminary Plat.** Request for the creation of nine single-family residential lots and one outlot upon four existing parcels generally located to the north of West Drexel Avenue, east of South Ridgewood Drive, and west of South 76th Street (Tax Key Nos. 792-9003-000, 792-9005-000, 792-9994-000, and 792-9996-003).
3. **Federation of Croatian Societies, Inc., Site Plan Amendment.** Request for the installation of a turf field, exterior lighting, fencing, parking, retaining wall, sun shades, and associated grading and storm water management modifications upon properties located at 9100-9140 and 9220 South 76th Street (Tax Key Nos. 884-9995-000 and 884-9996-000).

**F. Adjournment**

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The YouTube channel “City of Franklin WI” will live stream the Plan Commission meeting so the public can watch and listen to it at <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: August 22, 2024.

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

Mayor John Nelson called the July 18, 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 Mayor John Nelson, City Engineer Glen Morrow and Commissioners Kevin Haley and Michael Shawgo. Excused was Alderwoman Courtney Day and Commissioners Rebecca Specht and Patrick Leon. Also, present were City Attorney Jesse Wesolowski, Principal Planners Régulo Martínez-Montilva and Marion Ecks, and Alderwoman Michelle Eichmann.

**B. Approval of Minutes – Regular Meeting of June 20, 2024**

Commissioner Haley moved and City Engineer Morrow seconded a motion to approve the June 20, 2024 meeting minutes. On voice vote, all voted ‘aye’; motion carried (4-0-3).

**C. Public Hearing Business Matters**

- 1. Update to the fee schedule of the Unified Development Ordinance (UDO).** Ordinance to amend the Unified Development Ordinance text in Section 15-9.0401 Administrative Fees A. Fee Schedule to adjust the application fees and to allow charging developer’s deposit for new planned development district and preliminary plat applications.

Principal Planner Martínez presented the Unified Development Ordinance Text Amendment request. The Official Notice of Public Hearing was read in to the record by Principal Planner Martínez and the Public Hearing opened at 6:07 pm and closed at 6:08 pm.

City Engineer Morrow moved and Commissioner Haley seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance text in §15-9.0401 Administrative Fees, §15-9.0401a. Fee Schedule, to increase the zoning and land division application fees and to provide for requiring a developer’s deposit for new Planned Development District and Preliminary Plat applications, subject to technical corrections by staff (City of Franklin, applicant). On voice vote, all voted ‘aye’; motion carried (4-0-3).

- 2. Fox Glen Corp. Natural Resource Special Exception (NRSE)** for unpermitted impacts to wetland setback and buffer, and floodplain, on property located at 11027 S 27TH ST / 978 9998 000 and 0 W South County Line Rd. / 978 9999 001.

Principal Planner Ecks presented the Natural Resource Special Exception request. The Official Notice of Public Hearing was read in to the record by Principal Planner Ecks and the Public Hearing opened at 6:38 pm and closed at 6:45 pm.

City Engineer Morrow moved and Commissioner Haley seconded a motion to recommend approval of the Fox Glen Natural Resource features Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council with consideration of the Environmental Commission Recommendations. On voice vote, all voted 'aye'; motion carried (4-0-3).

**D. Citizen comment period.** Citizens may comment upon the Business Matter items set forth on this Meeting Agenda.

The citizen comment period opened at 6:49 p.m. and closed at 6:51 p.m.

**E. Business Matters**

**1. Housing Affordability Report 2021-2023,** presentation by City Development staff.

Principal Planner Martínez presented the Housing Affordability Report.

City Engineer Morrow moved and Commissioner Shawgo seconded a motion to accept and place on file. On voice vote, all voted 'aye'; motion carried (4-0-3).

**2. Cindy Dawes, Miscellaneous.** Request for approval to allow for the installation of a fence within the 20-foot Private Planting Screen upon Lot 12 in Block 1 of the Tuckaway Green Subdivision, on property located at 7524 S 77th Street (792 0012 000).

Principal Planner Martínez presented the Miscellaneous application request.

Commissioner Haley moved and Commissioner Shawgo seconded a motion to recommend approval of a Resolution authorizing the installation of a fence within the 20 foot private planting screen plat restriction, upon lot 12 in block 1 in Tuckaway Green subdivision (7524 South 77<sup>th</sup> Street). On voice vote, all voted 'aye'; motion carried (4-0-3).

**F. Adjournment**

Commissioner Haley moved and Commissioner Shawgo seconded to adjourn the meeting at 7:17 pm. On voice vote, all voted 'aye'; motion carried (4-0-3).



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# MEMORANDUM

**Date:** July 30, 2024

SENT VIA EMAIL

**To:** City of Franklin UDO Update Task Force  
Régulo Martínez-Montilva, AICP, Principal Planner  
Marion Ecks, AICP, Principal Planner

**From:** Jackie Berg, AICP, Practice Lead  
Ruben Shell, AICP, Senior Planner  
Hema Dunakhe, Planner II  
Houseal Lavigne Associates

Juli Beth Hinds, AICP, Principal  
Birchline Planning

**Re: Franklin, WI UDO Update  
Task Force Meeting - Draft Noise and Vibrations Ordinance, Draft UDO Article 5 Section 15-5-13 – Performance Standards, and Draft UDO Article 7 - Natural Resource Protection Standard**

The purpose of this memorandum is to provide an overview of the materials to be covered during the August 8, 2024, meeting of the UDO Update Task Force including:

- The draft Noise and Vibrations Ordinance (proposed be established in the municipal code of ordinances);
- Additions to Article 5 of the draft UDO to address performance standards for new development; and
- Article 7 Natural Resource Protection Standards of the draft UDO. Draft Noise and Vibrations Regulations.

## Draft Municipal Code Chapter 183; Article XIII - Noise and Violations

### *Background and Stakeholder Input*

Throughout the UDO update project, the City heard substantial concerns about Franklin’s existing noise regulations. Residents expressed concerns about recent developments that were either allowed to negate the City’s noise standards through development approval process or were not being held to comply fully with the City’s adopted noise regulations. Upon further discussion, City staff revealed difficulties with the City’s existing noise regulations:

- Some of the City’s noise regulations are contained in Section 15.3.1107 of the UDO, while others are in Chapter 183; Article XIII of the Municipal Code. These differing locations make the noise regulations difficult to administer.
- The noise regulations in the Municipal Code do not contain strong provisions for enforcement and compliance. The City should seek to specify the parties responsible for monitoring and enforcing the noise regulations.

PLANNING

DESIGN

DEVELOPMENT

- The existing noise regulations are not clear whether the maximum noise allowed is based on the use of the subject property generating the noise or the use of the adjacent properties affected by the noise. Regulations should be revised to clearly state the primary use of the properties affected by the noise, regardless of the zoning district.
- The existing noise regulations contain ranges for the maximum levels of noise allowed, which the City should consider replacing with definite maximum noise levels allowed.
- All the proposed uses that generate noise should be required to submit a noise study to be reviewed during the development approval process and should be required to go through the Conditional Use process.

Using this feedback, the project team first examined how other Wisconsin communities regulate noise in their municipal codes and zoning regulations. Taking this information along with resident feedback, the team drafted updates to the City's existing noise regulations. The major goals of the noise ordinance updates were to ensure the regulations are objective and easy-to-interpret, specify parties responsible for administering the regulations, and ensure that City is able to fully vet and regulate noise impact of new development through the development review process.

### *Proposed Noise Regulations Updates*

The City's draft noise regulations are proposed to be established as a new Chapter 183; Article XIII - Noise and Violations in the municipal code. Organizing the regulations entirely within the Municipal Code rather than in both the UDO and the municipal code as they are today presents advantages for enforcement. Locating the standards in the municipal code clarifies that City law enforcement is responsible for enforcing the regulations rather than Planning and Development staff, ensuring more efficient enforcement of complaints and violations in the future.

**Section 183-39(A)** defines and establishes regulations for three different types of noise;

- **Continuous noise**, which remains constant over a period such as live music;
- **Intermittent noise**, which fluctuates over time such as a sports event; and
- **Impulse/impact noise**, which occurs instantaneously such as fireworks.

**Section 183-39(B)** establishes maximum continuous and intermittent noise allowed dependent on the neighboring use and maximum allowed repetitions of impulse/impact noise allowed from a source within 24 hours.

**Section 183-41** then establishes standards for how noise is measured. In instances where noise is measured based on a complaint, the section establishes standards for measuring stationary noise at the property line, and mobile noise at a specified distance to a vehicle and height above ground level. The Section also provides a clear connection between noise standards in the UDO and future enforcement through a noise mitigation and management plan as well as a clear connection between special event permitting standards in another section the Municipal Code to address sound monitoring for special events.

**Section 183-42** establishes exemptions from the noise ordinance standards, including for certain types of common noise-generating equipment and establishes exceptions for Special Events.

**Section 183-44** defines the City of Franklin Police Department as the organization responsible for enforcing the noise ordinance. Procedures for the Police Department to inspect sites are established with the consent of the property owners or with a warrant. The Section then establishes clear language allowing the Police Department to remedy violations and enact penalties for violations.

### **Draft UDO Article 5 Section 15-5-13 – Performance Standards**

A streamlined set of general Performance Standards that establish a limitation on noise, vibration, dust and air pollution, odor, and similar impacts, are proposed to be established in Section 15-5-13 of Article 5 of the draft UDO. These performance standards are high level and do not include standards for measurement or enforcement moving forward as those standards should be located only in the Municipal Code. Instead, the performance standards will ensure that the City has the standards needed to make sure new development and redevelopment considers and mitigates off site impacts prior to development, with the goal of minimizing future potential impact as much as possible. Section (B) of the Performance Standards require that an applicant provide a sound study concurrent with a Conditional Use Permit application for any conditional use or development that

would contain outdoor activities or operation. The allowed uses table was examined to ensure that applicable uses are currently proposed to require a conditional use permit and found that no revisions to the table are needed. The section contains requirements for a noise mitigation and management plan that would allow City decision makers to fully assess noise impacts on the community through the Conditional Use Permit process.

## Draft UDO Article 7 - Natural Resource Protection Standards

This section outlines the proposed approach to the re-write of the City's standards for natural resource protection, contained primarily in Article 7 of the draft UDO. Franklin has a strong reputation for environmental quality, and for the degree to which natural resources are protected during new development and redevelopment. However, some of the standards and required mitigation have, over the years, become challenging for the City to review and enforce, and for applicants to meet in a responsible and effective manner. Input and direction received from City and external stakeholders regarding their experience administering and complying with the current UDO called for reorganization of existing standards and procedures, and new approaches. Therefore, a substantive re-write of the City's standards, and a new method of addressing mitigation requirements, is being drafted as part of the UDO update. Input from the Environmental Commission is sought on key aspects of the update, including:

- Re-organizing the discussion of standards and procedures
- Clarifying the City's tree protection standards to focus on high-value trees and stands of trees.
- Adding a clear stream/wetland buffer requirement and variance approval procedure
- Providing multiple different means to mitigate impacts to degraded wetlands, including on- or off-site actions that improve water quality
- Eliminating the requirement to mitigate impacts on "steep slopes"
- Establishing new ratios required, and new options, for mitigation of resource impacts.
- Creating a Mitigation Standards Guide outside the UDO itself, which would provide technical guidance on required protections and options for mitigation. The very DRAFT table of contents and introduction is included with this memo.

### Current Natural Resource Protection Plan Structure

The Natural Resources standards in Section 15-4.0101 of Franklin's current UDO identify a set of natural features as requiring identification and, if proposed to be modified or developed, mitigation. Today, the Franklin UDO requires preparation of a "Natural Resource Protection Plan" (NRPP) for any project that would take place on land containing one or more of the following natural features:

- Steep slopes," defined as lands ranging from 10% to 30%+ grade
- "Mature" and "young" woodlands and forests, whose definition is shown at right
- Lakes, ponds, and streams
- Shoreline buffers
- Floodplains and floodways
- Wetlands and shoreland wetlands
- Wetland buffers

#### WOODLAND, MATURE

An area or stand of trees whose total combined canopy covers an area of one acre or more and at least 50% of which is composed of canopies of trees having a diameter at breast height (DBH) of at least 10 inches; or any grove consisting of eight or more individual trees having a DBH of at least 12 inches whose combined canopies cover at least 50% of the area encompassed by the grove. However, no trees planted and grown for commercial purposes should be considered a mature woodland.

#### WOODLAND, YOUNG

An area or stand of trees whose total combined canopy covers an area of 0.50 acre or more and at least 50% of which is composed of canopies of trees having a diameter at breast height (DBH) of at least three inches. However, no trees planted and grown for commercial purposes shall be considered a young woodland.

The standards and procedures in Article 4 work to protect natural features through three basic requirements:

**“Density Factoring”:** Land area that is within the boundaries of one of the protected resources may not be used to calculate the allowable number of dwelling units or other development permitted on a site under Part 3 of the UDO (densities and dwellings).

**Preparation of a Natural Resource Protection Plan (NRPP):** Any projects affecting identified resources require preparation of an NRPP by a qualified consultant, usually a Wisconsin “Assured Delineator” of wetlands and/or Professional Engineer.

**Mitigation:** Impacts to defined resources require on-site mitigation, following a mix of guidance and standards under Section 15-4.0103, unless the required mitigation is waived or varied through approvals by the Plan Commission and/or Common Council. Mitigation is NOT dependent on the condition or setting of the site; projects on redevelopment sites are subject to the same requirement for mitigation as projects affecting natural resources in the City’s southwest quadrant.

### *Stakeholder Input*

During the “Diagnostics” process for the UDO update, stakeholders within and outside the City had many comments on the Natural Resource standards related to purpose, process, and especially to outcomes. Franklin was cited almost universally as having very high standards for quality of life and resource protection. However, the impact of the Natural Resource standards as currently drafted was cited as leading to complex, long, and unpredictable review processes; significant expense for applicants; and importantly, in many cases, to poor environmental outcomes. Stakeholders noted three substantive issues in particular:

In redevelopment settings, the requirement to mitigate 1.5 times the area of any wetland or wetland buffer affected on the same site as a development led to requirements to create wetlands on sites and in areas where there is little to no chance of establishing a functioning wetland.

The definition of “woodlands” does not distinguish between high-value trees and Oak Savannah, and lower-value or even undesirable species. Removal of Ash trees and invasive species, like Common buckthorn (*Rhamnus cathartica*), requires mitigation under a strict reading of the current code.

While impacts on streams, ponds, and wetlands or buffers require mitigation, effective vegetative buffers are not required to be established after development, undermining the value of the protection process.

Other stakeholder input concerned the overall lack of organization of the Natural Resource protection article, and uncertainty in the review process. Staff noted that they often do not have the technical knowledge needed to determine whether a proposed mitigation plan is either sufficiently compensatory or likely to thrive; and neither the Plan Commission nor Common Council has specific expertise either, leading to uncertainty in review.

### *Proposed Structure*

The draft UDO is intended to keep Franklin’s high standards for resource protection, while accomplishing these goals:

- Protect the defined Primary, Secondary, and Isolated Natural Resource Corridors defined by the Southeastern Wisconsin Regional Planning Commission (SEWRPC); this will have the effect of protecting “clusters” of resources (including Franklin’s Oak-Savannah complex) with one well-recognized and well-documented resource category, thus streamlining plan preparation and facilitating project review.
- Allow for a variety of mitigation options that respond to site-specific conditions, ensuring that mitigation investments actually lead to environmental benefit
- Identify and protect high-value resources, especially trees and forest resources
- Ensure that surface waters and wetlands are effectively buffered with quality vegetation after development occurs
- Provide for technical guidance and review of resources and mitigation proposals by qualified professionals, both within and outside City staff
- Clarify the review procedures so “the right board reviews the right issues.”

The draft reorganizes all of the Natural Resource Protection standards into a new Article 7. Importantly, the draft proposes to move all technical guidance regarding mitigation of natural resources into a Mitigation Guide, which would not be part of the UDO; rather, it would be administrative guidance of the City, similar to the public works and engineering standards that are in



place today. This is intended to ensure that technical issues for resource protection and mitigation - such as issues around soils, plant selection, forestry practices stormwater calculations, and tree planting.

The following current sections of the UDO are incorporated into the draft of Article 7:

- 15-3.0500 - 3.0502 Calculation of the Area of Natural Resources to Be Protected
- 15-4.0101 Natural Resource Protection Standards
- 15-4.0102 Natural Resource Features Determination
- 15-4.0103 Natural Resource Features Mitigation & Mitigation Calculation Worksheet
- 15-7.0201 Natural Resource Protection Plan Requirements
- 15-7.0506 Natural Resource Protection Plan Required
- 15-9.0100 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
- 15-10.0208 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

The proposed new organization, and key provisions, are:

**15-07.01 - Natural Resource Protection Standards Established:** This section establishes the applicability of the standards and prohibits impacts on defined resources without a permit. \*\*Clearing of invasive and low-value trees is explicitly permitted upon issuance of a zoning permit.

**15-07.02 - Natural Resource Features Determination:** The features proposed to be protected through preparation and review of NRPPs are (1) SEWRPC primary, secondary, and isolated resources; (2) woodlands/forests, except for invasive and low value species which may be removed; (3) surface waters (lakes, ponds, and streams), wetlands, and associated buffers; and (4) shoreland wetlands, which are not likely to be an issue. Mitigation of floodplains, which is already strictly regulated under mandatory floodplain procedures, and steep slopes, which generally do not occur in Franklin, would no longer be required.

- “Woodlands” would be redefined. A recommended definition of “Woodland” may be *“An area covered in trees which may include a forest or woodland. A forest has a largely closed canopy wherein the branches and foliage of trees interlock overhead to provide extensive and nearly continuous shade. A woodland allows sunlight to penetrate between the trees, limiting shade. Woodlands may support an understory of shrubs and herbaceous plants, including grasses.”*
- Surface waters and wetlands would be required to have a permanent, perennial vegetative buffer established, which is not presently required.
- Artificial and degraded wetlands, [as defined in Wisconsin statutes](#), would be exempt from protection: *“Degraded wetland” means a wetland subjected to deleterious activities, such as drainage, grazing, cultivation, increased stormwater input, or partial filling, to the extent that natural wetland characteristics are severely compromised and wetland function is substantially reduced.* The requirement to re-create new wetlands on sites where degraded wetlands were affected by redevelopment was one of the most frequently cited and frustrating situations stakeholders raised. In the new proposal, mitigation – in the form of creating new green stormwater infrastructure, supplemental tree planting, or re-vegetation of impervious areas or poor-quality vegetated areas – would be required at 1.5 times the area affected.

**15-07.03 - Natural Resources Protection and Mitigation Plans.** This section provides clear standards for the review process. \*\*This section would contain the minimum mitigation ratios for each type of resource. The Environmental Commission’s input will be welcome on these.

**15-07.04 - Standards for Natural Resource Feature Mitigation.** This section refers to a new mitigation guide, and also outlines requirements such as financial sureties, easements for permanent protection of conservation areas, and the use of off-site mitigation where appropriate.

**15-07.05 - Administration and Special Exception.** Finally, the administrative procedures are consolidated and clarified. Importantly, this section would authorize the City to retain technical consultants to help review plans for technical issues, so that these issues can be determined effectively rather than “bogging down” the review process.

### *A Note on Shoreland Wetlands*

It is important to note that the draft UDO will contain the mandatory language regulating Shoreland Wetlands. However, these provisions rarely, if ever, apply to land development in the City of Franklin. For reference, shoreland wetlands are defined in Wisconsin statutes as “...wetlands of 5 acres or more, and all portions of wetlands of 5 acres or more, which are shown on the final wetland inventory maps and which are located in shorelands within the incorporated area of the city or village.” “Shorelands” are “...the area within the following distances from the ordinary high-water mark of navigable waters, ...**(a)** One thousand feet from a lake, pond or flowage. If the navigable water is a glacial pothole lake, this distance shall be measured from the high-water mark of the lake. **(b)** Three hundred feet from a river or a stream or to the landward side of the floodplain, whichever distance is greater.”

## Article XIII. Noise and Vibrations

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### 183-38. General Provisions

- A. **Purpose.** The City of Franklin recognizes that excessive noise and high levels of vibration severely threatens public health and welfare, public safety, quality of life, and property values. Therefore, it is the policy of the City to prevent and decrease excessive noise that may jeopardize public health, safety, or welfare, harm property values, or impair the quality of life within the City.
- B. **Applicability.** This article shall apply to all sound and vibration originating within the limits of the City, except as may be subject to Chapter 178, Nuisances, § 178-1, or § 183-49.

### 183-39. Stationary Noise Limitations

- A. **Types of Stationary Noise.**
  - 1. **Continuous Noise (i.e., Concerts, live music).** Noise which remains constant and stable over a given period of time at least one minute.
  - 2. **Intermittent Noise (i.e., Baseball).** Any noise which goes on and off during a course of measurement of at least five minutes, but which exceeds 10 seconds in duration each time it is on.
  - 3. **Impulse/Impact Noise (i.e., Fireworks).** Noise which occurs suddenly and is typically generated by the rapid release of compressed gases (impulse) or the collision of solid objects (impact) and is defined as the instantaneous change in sound pressure over a short period of time.

**B. Maximum Allowed Stationary Noise Level.**

1. **Maximum Continuous and Intermittent Noise Level.** All continuous and intermittent noise emitted from any stationary source, as measured from the property line, shall not exceed the dB(A) limits established in Table 183-39(B)(1).

Table 183-39(B)(1): Maximum Allowed Continuous and Intermittent Noise Level				
Time of Day	Measurement Metric	Receiving Land Use (As Defined in UDO)		
		<i>Residential; Place of Assembly; Institutional</i>	<i>Agricultural; Recreation; Lodging; Retail; Service; Eating and Drinking</i>	<i>Vehicle Related; Industrial; Utility and Transportation</i>
Maximum Daytime dB(A)	Continuous, 5-Minute Leq	50	65	75
	Intermittent, 1-Minute Leq			
Maximum Nighttime dB(A)	Continuous, 5-Minute Leq	45	60	70
	Intermittent, 1-Minute Leq			

2. **Maximum Impulse/Impact Noise Level.** All planned impulse/impact noise shall be reported to the Department a minimum of 24 hours prior to the generation of the noise. In no instance shall impulse/impact noise exceed the dB(A) limits, as measured at the property line, established in Table 183-39(B)(2).

Table 183-39(B)(2): Maximum Allowed Impulse/Impact Noise Level in dB(A)		
<i>Maximum Noise Level L<sub>max</sub></i>	<i>Number of Repetitions</i>	<i>Maximum Duration (per 24-hour period)</i>
140 dB(A) or more	1	1 hour
less than 140 dB(A)	10	1 hour

**183-40. Mobile Noise Limitations**

- A. **Maximum Allowed Mobile Noise Level.** No person may operate or permit the operation of a motor vehicle on a public right-of-way within the City under any conditions of grade, load, acceleration, or deceleration in a manner which exceeds the sound level limits specified in Table 183-40(A) for the category of vehicle at the posted or advisory speed:

Table 183-40(A): Maximum Motor Vehicle Permissible Sound Levels, dBA Highway Operations Speed Limit		
<i>Vehicle Class</i>	<i>35 mph or less</i>	<i>Above 35 mph</i>
All motor vehicles or combination vehicles having a Gross Vehicle Weight Rating or Gross Combined Weight Rating of less than 10,000 pounds, including passenger motor vehicles, amphibious craft on land, and dune buggies	72 dBA	79 dBA
All motor vehicles or combination vehicles having a Gross Vehicle Weight Rating or Gross Combined Weight Rating of less than 10,000 pounds, including passenger motor vehicles, amphibious craft on land, and dune buggies	86 dBA	90 dBA
Motorcycles	78 dBA	87 dBA

## 183-41. Measuring Noise

### 1. Noise Monitoring.

- a. **Complaint-Based Monitoring.** After receiving a noise complaint, the Department shall measure stationary noise, in accordance with the standards of this subsection, to determine if the noise level is in violation of the standards of this Chapter.
- b. **Special Event and On-Going Monitoring.** If on-going sound monitoring is a condition of the approval of a conditional use permit or special event permit, an automated remote sound level monitoring device shall be utilized and real time results shall be shared with the City of Franklin Police Department. If noise exceeds the established maximum, the Police Department shall proceed to Violation Remedies (Section 183-44(B)) and surpass the noise measuring requirements of this section.

### 2. Equipment.

- a. **Stable Noise.** Stable noise measurement shall be made with an ANSI S1.4 (Type 1) integrating sound level meter for precision and accuracy.
- b. **Mobile Noise.** Mobile noise measurement shall be made with either an ANSI S1.4 (Type 1) integrating sound level meter for precision and accuracy.

### 3. Location of Sound Level Meter.

- a. **Stable Noise.** Noise measurements shall be made at the nearest lot line of the premises from which a noise complaint is received. The sound level meter shall be placed at a height of at least three (3) feet above the ground and at least three (3) feet away from walls, barriers, obstructions, and other sound-reflective surfaces.
- b. **Mobile Noise.**
  - I. **Distance.** Noise measurements shall be conducted at a distance of 25 feet from the closest approach to the vehicle.
  - II. **Height.** Measurements shall be taken at a height of three to five feet above ground level.

### 4. Duration of Measurement.

- Noise measurements shall be made for one-minute intervals over a ten-minute period.

### 5. Required Metrics.

- Noise violation complaints shall be calculated utilizing the metrics detailed in subsection a and b below, based on the receiving land use.
- a. **Residential; Place of Assembly.** A-weighted Equivalent Continuous Sound Level (LAeq).
  - b. **Institutional; Recreation; Lodging; Retail; Service; Eating and Drinking; Vehicle Related; Agricultural; Industrial; Utility and Transportation:** Equivalent Continuous Sound Level (Leq).

## 183-42. Stationary and Mobile Noise Limitation Exemptions and Exceptions

- A. **Stationary and Mobile Noise Limitation Exemptions.** The following types of stationary and mobile noise shall be exempt from the standards of this Article.
1. **Airplanes.** Aircraft operations which are controlled specifically by federal law and enforcement shall be exempted from the provisions of this Chapter.
  2. **Construction Sites, Public Utilities, Public Works.** The daytime criteria as set forth in Section 183.39 shall not apply to construction sites, public utilities and public works projects and operations from 7am to 7pm Monday through Saturday, inclusive; provided, however, that noise production shall be minimized through proper equipment operation and maintenance. Stationary equipment on construction projects lasting more than ten (10) days within residential districts shall be shielded or located so as not to cause unnecessary noise.
  3. **Emergency Sound and Operations.** The provisions of this article shall not apply to the emission of sound to alert persons to an emergency or perform emergency work. Emergency short-term operations necessary to protect health and welfare, such as utility and street repair, fallen tree removal, or emergency fuel oil delivery, shall be exempt from Section 183.39, provided reasonable steps are taken to minimize noise.
  4. **Home Appliances:** Home appliances used as intended are exempt.
  5. **Lawn Mowers, Garden Tools, etc.** Power equipment such as lawn mowers, small lawn and garden tools, riding tractors and snow removal equipment which is necessary for the maintenance of property, is kept in good repair and maintenance and which equipment, when new, would not comply with the standards set forth in this Chapter, shall be exempted from the provisions of Section 183-45. No person shall operate such equipment, with the exception of snow removal equipment, during the hours of 9:00 P.M. through 7:00 A.M., inclusive.
  6. **Noises required by Law.** The provisions of Section 183.39 shall not apply to any noise required specifically by law for the protection of the safety of people or property.
  7. **Occasionally Used Safety Signals:** Occasionally used safety signals, warning and emergency signals, and emergency pressure relief valves are exempt.
  8. **Sirens, Whistles, and Bells (Public Purpose):** Sirens, whistles, and bells maintained and used solely for a public purpose are exempt from the sound level standards of this ordinance.
  9. **Unamplified Human Voice:** Unamplified human voice, when not intended to disrupt the peace, is exempt.
  10. **Vehicles (Normal Use):** Noises of vehicles used for normal vehicle use activities, as the vehicles were originally intended, are exempt.
  11. **Voices of Animals and Agricultural Equipment:** The lowing of cattle, the clucking of fowl, the neighing of horses, the baying of hounds, or other sounds of reasonably cared-for agricultural or domestic animals, as well as the sound of necessary farming equipment for a bona fide agricultural operation, are exempt.
- B. **Exceptions for Special Events.** A special event, as defined and regulated by Section 121-9 of the Franklin Municipal Code, may exceed the stationary noise limitations established in Section 183-39, if:
1. A maximum dB(A) is established as a part of the special event license;
  2. An automated remote sound level monitoring device is utilized and real time results are shared with the City of Franklin Police Department; and
  3. A single point of contact for noise management and mitigation is identified and their contact information shared with the City of Franklin Police Department.

### 183-43. Vibration Limitations

- A. **Adoption by Reference.** Except as otherwise specifically provided in this article, the provisions of Ch. SPS 307, Wis. Adm. Code, as amended from time to time, are hereby adopted by reference and made a part of this article as though fully set forth herein, exclusive of provisions relating to penalties. Any act required to be performed or prohibited by Ch. SPS 307 is required or prohibited by this article.
- B. **Contractor Notification.** In addition to pre-blast notice required by Ch. SPS 307.41, Wis. Adm. Code, the contractor shall notify the Department as well as residents and property owners at least 24 hours prior to the initial blasting at a blast site. The notification can be done in writing or verbally.

### 183-44. Enforcement, Violation Remedies, and Penalties

#### A. Enforcement Responsibility.

1. **Administration.** The noise control program established by this article shall be administered by the City Police Department.
2. **Powers of the Police Department.** To implement and enforce this article and for the general purpose of sound and vibration abatement and control, the Department shall have, in addition to any other authority vested in it, the power to:
  - a. **Inspection.**
    - I. Stop and inspect any motor vehicle or motorcycle operated on public rights-of-way, public spaces or private property open to the public, reasonably suspected of violating any provision of this article;
    - II. Enter and inspect any place open to the public during the operating hours \ without consent and without a warrant;
    - III. Enter and inspect any private property or place with consent or with a warrant.
  - b. **Records.**
    - I. Require the owner or operator of any commercial or industrial activity to establish and maintain records of noise levels and activities.
    - II. Prescribe and collect reports on noise emissions, compliance with noise regulations, and mitigation efforts that the Department may reasonably prescribe.

#### B. Violation Remedies.

1. **Immediate Termination Order.** Upon confirmation of a noise violation, the Police Department is authorized to issue an immediate termination order to the responsible party, requiring the immediate reduction of noise to permissible levels.
2. **Shutdown of Machines, Devices, or Equipment.** If the noise source is a machine, device, or equipment, the responsible party shall shut down such machine, device, or equipment immediately upon receiving the order from the Police Department.
3. **Cessation or Modification of Activities or Events.** For noise generated by activities or events, the responsible party must immediately stop or modify the activity to comply with noise limits.
4. **Temporary Seizure of Equipment.** If the responsible party fails to comply with the Immediate Termination Order, the Police Department is authorized to temporarily seize the noise-producing equipment. Seized equipment will be returned once compliance is assured and any applicable fines or fees have been paid.

**C. Penalties.**

1. Any person who violates any provision of this article shall be subject to a penalty, as detailed in Table 183-44(C)(1).

Table 183-44(C)(1): Noise and Vibrations Penalties	
Violation	First Offense
Stationary Noise	\$450
Mobile Noise	\$500
Vibration	\$550

2. The penalty shall double for each subsequent offense. For example, if the penalty for a first offense is \$450, the penalty for the second offense would be \$900, third offense \$1,800, fourth offense \$3,600, etc.
3. In addition to penalties, the Department shall implement additional monitoring for properties with three or more violations within a specified timeframe and for special events with excessive or continuous noise. This monitoring may include permanent sound devices or temporary portable equipment to measure and report sound levels over time, as determined by the Department.
4. Each motor vehicle or motorcycle permitted to be operated in a single space at one time shall constitute a separate offense.

**183-45. Definitions**

- A. All terminology used in this article not defined below shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body.
- B. As used in this article, the following terms shall have the meanings indicated:
  1. **Airblast.** An airborne shock wave resulting from detonation of explosives.
  2. **A-Weighted Sound Level.** The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.
  3. **Daytime.** Daytime shall be considered the hours between 7am and 10pm.
  4. **Decibel (Db).** A unit measuring the volume of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure which is 20 micropascals (20 micronewtons per square meter).
  5. **Department.** The City Police Department.
  6. **Emergency.** Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.
  7. **Emergency Work.** Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.
  8. **Equivalent A-Weighted Sound Level (LEQ).** The constant sound level that in a given situation and time period conveys the same sound energy as the actual time varying A-weighted sound.
  9. **Nighttime.** Nighttime shall be considered the hours between 10pm and 7am.
  10. **Noise.** Any sound that which is unnecessary, excessive, unnatural, annoying, prolonged or unusually loud in relationship to its time, place and use effect.



11. **Sound.** An oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that cause compression and rare action of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.
12. **Sound Level Meter.** The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B or C, as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.
13. **Sound Pressure.** The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space as produced by sound energy.
14. **Sound-Amplifier.** Any machine or device for the amplification of the human voice, music or any other sound, but shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.
15. **Stationary Noise:** Noise which the source thereof is either affixed to or operated upon a fixed point of land, building or other real property.
16. **Unreasonable Annoyance.** An excessive, repeated noise, action or other disturbance that is not justified by reason.
17. **Vibration.** An oscillatory motion of solid bodies of deterministic or random nature described by displacement, velocity, or acceleration with respect to given reference point.

## Article 5. General Development Standards

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### 15-5-01. Off-Street Parking and Loading

- A. **Applicability.** The off-street parking and loading provision provisions of this Article shall apply as follows.
1. **No Off-Street Parking Required.** The off-street parking maximums in **Section #-#-##** establish maximum quantities of off-street parking that may be provided for each use on a lot. The off-street parking maximums do not constitute a parking requirement. Applicants may provide off street parking less than the maximum established for the applicable use.
  2. **Existing Uses Established Prior to the Effective Date of This Ordinance.** This article shall not require the reduction or addition of any parking or loading spaces for uses existing as of the effective date of this UDO.
- B. **Off-Street Parking Limited.**
1. **Maximum Requirements.** To minimize the creation of impervious surface, no off-street parking area shall be designed or used to provide a greater number of off-street parking spaces than the limit established in **Table #-#-##**.
  2. **Parking Increases Allowed.** The Zoning Administrator may allow an increase in the number of off-street parking spaces allowed of up to thirty (30) percent of the spaces provided above the maximum when the following provisions are met.
    - a. The additional spaces over the maximum are surfaced with a permeable paving system or one hundred (100) percent of the first half (1/2) inch of runoff from the additional parking area is treated with green infrastructure.
    - b. Additional parking area landscaping equivalent to an area fifteen (15) percent greater the minimum square feet of parking area landscaping specified in **Section #-#-##** is provided.

- c. The parking lot perimeter landscape zone required in **Section ###-##-###** is at least ten (10) feet in width.
  - d. No more than fifty (50) percent of the parking spaces over the maximum parking allowed shall be located in the front yard.
3. **Calculations.** The following rules shall apply when calculating the specified maximum quantity of parking spaces.
- a. **Area Measurements.** Parking calculations shall be based upon the definition of Gross Floor Area as defined in this UDO.
  - b. **Fractions.** When measurements of the maximum quantity of off-street parking spaces result in a fractional number, the resulting number shall be rounded up to the next higher whole number.
  - c. **Combined Uses on the Same Parcel.** When a combination of the uses in **Table ###-##-###** are located on the same parcel, the maximum quantity of off-street parking allowed shall be the largest quantity allowed for any of the individual uses.
  - d. **Uses Not Listed.** Off-street parking spaces for uses not listed in **Table ###-##-###** shall be provided for a use deemed similar, as determined by the Plan Commission.

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<b>Table 15-5-01(B): Maximum Parking Requirements</b>	
<b>Use</b>	<b>Maximum Parking</b>
<i>Residential Uses</i>	
Single-Family	2 / dwelling
Duplex	
Townhouse	1.5 / dwelling
Multifamily Building	
Multifamily Complex	
Multifamily, above ground floor only	
Community Living, 1-15 Persons	2 / dwelling
Community Living, 16 + Persons	3 / dwelling
Senior Housing, Assisted Living	1 / dwelling
Senior Housing, Nursing Care	0.5 / dwelling
Senior Housing, Total Life Care	
<i>Institutional</i>	
Educational Facility	As determined by the Plan Commission
Governmental Uses	
Health Care Facility	0.5 / bed for in-patient facilities; 0.5 / examining or operating room for out-patient facilities
Cemetery	As determined by the Plan Commission
<i>Place of Assembly</i>	
Indoor Commercial Place of Assembly, ##### sqft or less	1 / 3 Individuals at Maximum Occupancy
Indoor Commercial Place of Assembly, more than ##### sqft	
Outdoor Commercial Place of Assembly	
Noncommercial Place of Assembly, ##### sqft or less	
Noncommercial Place of Assembly, more than ##### sq ft	
<i>Recreation, Amusement, and Lodging</i>	
Campground	1 / camp site
Lodging House	1 / lodging unit
Hotel	
Recreation Area	
Short Term Rental	
<i>Retail Uses</i>	
Adult Establishment	1 / 250 sq ft
Retail, less ##### sqft or less	
Retail, More Than ##### sqft	
Multitenant Shopping Center	1 / 200 sq ft
Wholesale Establishment	1 / 250 sq ft
<i>Service</i>	
Animal Boarding Facility/Kennel and/or Veterinary Service	1 / 300 sq ft
General Service, ##### sqft or less	
General Service, more than ##### sqft	
Financial Institution	

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Funeral Home	
Office, above ground floor only	
Office, ##### sqft or less	
Office, more than ##### sqft	
Office Complex/Business Park	
<i>Eating and Drinking Uses</i>	
Bar/Tavern	
Brewery/Winery/Distillery	
Brewery/Winery/Distillery Tasting Room	1 / 150 sq ft
Food Truck Court	
Micro Brewery/Winery/Distillery	
Restaurant	
<i>Vehicle Related Uses</i>	
Carwash	1 / stall
Vehicle Fuel Sales	1 / 250 sq ft
Auto Sales/Rental and Service	1 / 500 sq ft
Major Automotive Repair	
Minor Automotive Repair	3 / Service Bay
<i>Agricultural</i>	
Community Garden	0.25 per garden plot or as determined by Plan Commission
Crop Production	
Animal Husbandry	1 or as determined by Plan Commission
Indoor Agriculture	
Nursery Retail	1 / 500 sqft
Nursery Wholesale	
<i>Industrial Uses</i>	
Artisan Manufacturing	
Brewery/Winery/Distillery	
Composting/ Recycling Facility	
Distribution Facility	1 / 1,000 sq ft
Equipment Rental, Sales, and Service	
Extractive Industry	
Heavy Industry	
Home Improvement Center/ Lumberyard	
Landfill	As determined by the Plan Commission
Solid Waste Facility	
Light Industry	
Self-Service Storage Facility	1 / 1,000 sq ft
Storage Yard	
Warehouse	
<i>Utility and Transportation</i>	
Airport/ Heliport	As determined by the Plan Commission

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Helistop	
Loading Areas, Parking Areas, and Landing Strips As a Principal Use	
Railroad Use	
Sanitary Sewer or Water Supply Lines	
Solar Farm	
Telecommunications Tower	
Wastewater Treatment Ponds and Facilities	
Waterborne Transportation Uses	
Wind Farm	
<b>Accessory Uses</b>	
Accessory Dwelling, Detached / Attached	1 / dwelling
Accessory Dwelling, Internal	
Accessory Retail	1 / 250 sq ft
Accessory Structure	
Artisan Workshop	
Drive Through	
Donation Drop Box	
Outdoor Activity/Operation/Storage	
Outdoor Dining	n/a
Outdoor Display/Sale of Merchandise	
Home Based Business	
Solar Energy Collection System, canopy	
Solar Energy Collection System, ground mounted	
Solar Energy Collection System, roof mounted	
<b>Temporary Uses</b>	
Construction Related	
Farmers Market	
Food Truck Court	
Seasonal Sales	As required through Temporary Use Permit process

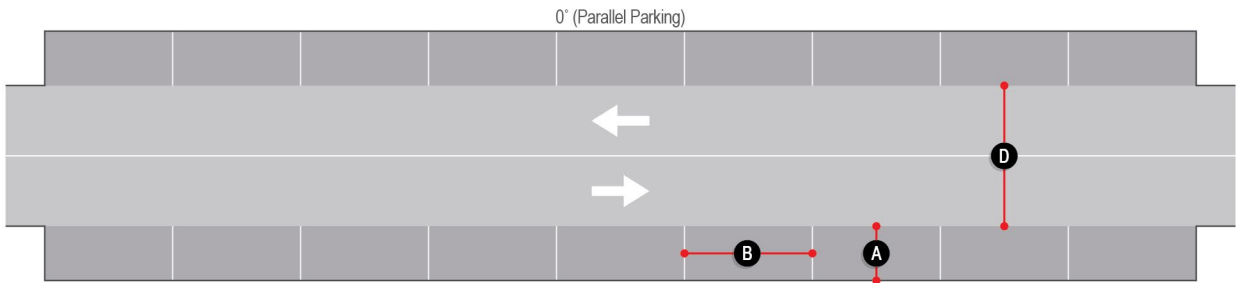
C. **Off-Street Parking Design, Location, and Size.** In all districts and in connection with every use, there shall be provided at the time any use or building is erected, enlarged, extended, or increased, off-street parking stalls for all vehicles in accordance with the regulations of this section.

1. **Access and Cross-Access.**

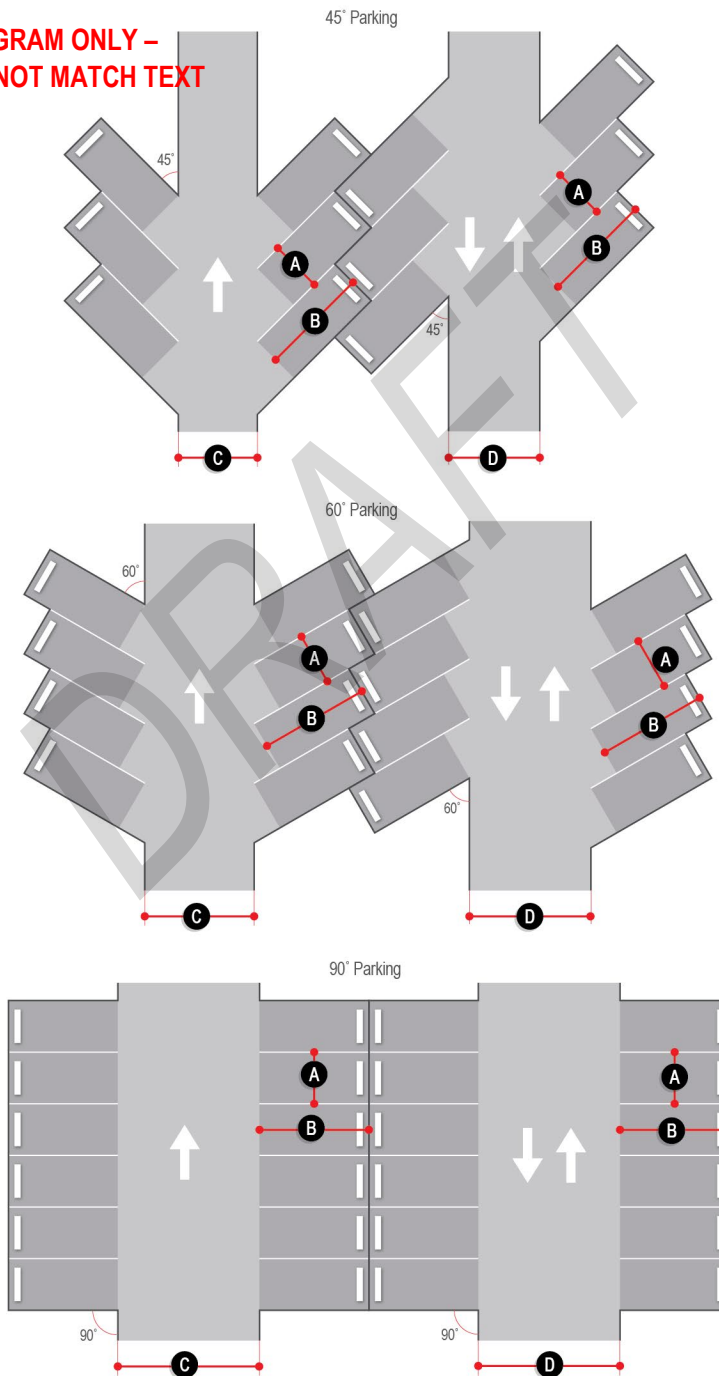
- a. **Access.** Adequate access to a public street shall be provided for each off-street parking lot. Each required off-street parking space shall open directly onto an aisle meeting the requirements specified in **Table ##-###.**
- b. **Cross Access.** To facilitate vehicular access between adjoining developments and to minimize off-street parking area access points along streets and alleys, all development other than single-family residential development located on a lot fronting on a collector or arterial roadway shall comply with the following standards:
  - i. Internal vehicular circulation systems shall be designed to allow for vehicular cross-access between the development's off-street parking areas and off-street parking areas in an adjoining non-single-family development, or to the boundary of an adjoining vacant parcel.

- II. Required vehicular cross access between adjoining off-street parking areas shall be provided through the use of a single two-way maneuvering lane or two one-way maneuvering lanes that comply with the requirements of **Table 15-5-01** are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
  - III. Vehicular cross access between off-street parking areas on adjoining lots shall cross the lot line at right angles or as close to right angles as possible to provide site access.
  - IV. The Zoning Administrator or their designee may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area, would create unsafe conditions, or if the Zoning Administrator determines there exists an inability to connect to the adjacent property due to a site constraint.
  - V. Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Milwaukee County Register of Deeds before issuance of a building permit for the development.
  - VI. **Zoning Administrator Waiver.** The Zoning Administrator or their designee may waive the cross access requirement in any instance in which site conditions, including lot configuration, topography, or size, would prohibit the connection's establishment when the waiver does not obviate state or county requirements.
2. **Standards For Parking Spaces, Aisles, and Parking Bays.** Minimum parking space and aisle dimensions shall be in accordance with the standards specified in **Table ##-#-##**.

Parking Angle (Degrees)	(A)	(B)	(C)	(D)	Depth of Interlocking Spaces	Overhang
	Space Width	Space Depth	Aisle Width (1-Way)	Aisle Width (2-Way)		
0	10'	22'	12'	18'	n/a	n/a
45	10'	17'	12'	18'	28.25'	1.5'
60	10'	18'	16'	18'	32'	1.5'
90	10'	18'	24'	24'	36'	n/a



**EXAMPLE DIAGRAM ONLY –  
REFERENCES DO NOT MATCH TEXT**

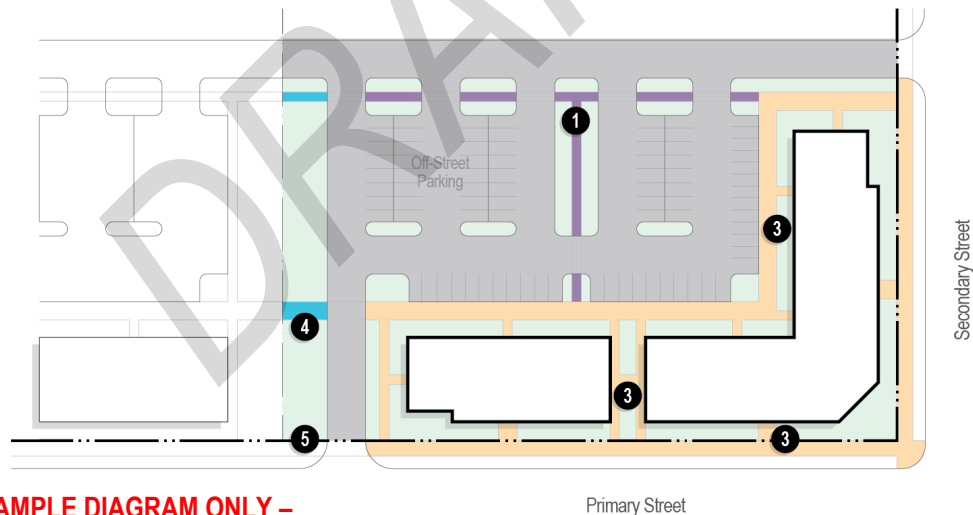




3. **Location on Lot.** Any off-street parking provided shall be located on the same lot as the use being served, or within the limits of a common parking lot serving one or more buildings.
4. **Setback Required.** Off-street parking spaces and aisles shall be set back from front, street side, interior side, and rear property lines as follows.
  - a. **In Residential Districts.** Off-street parking shall be set back at least six (6) feet from lot lines.
  - b. **In Nonresidential Districts.** Off-street parking shall be set back at least ten (10) feet from lot lines, except when a larger setback is explicitly required by this section.
5. **Minimum Distance of Truck Parking from Any Residential Zoning District.** No designated truck parking shall be allowed within one hundred fifty (150) feet of any residential district.
6. **Permanent Off-Street Parking Area Surfacing.** All permanent open, off-street loading and parking spaces shall be improved with a dust-free, all-weather paving system and stormwater management measures as approved by the City Engineer.
7. **Temporary and Event Off-Street Parking Area Surfacing.** All off-street parking serving a temporary use or event may be surfaced with grass or gravel subject to the approval of a temporary use permit as specified in **Section ##-#-##**.
8. **Edging and Stormwater Management.**
  - a. **Approved Edging and Stormwater Management Required.** Concrete curb and gutter, wheel stops, or an equivalent barrier sufficient to prevent cars from driving into or on any landscaped area shall be installed at the perimeter of all new off-street parking areas, and around all interior landscape areas. A barrier of a minimum of 4" in height generally shall be provided except where required to allow for stormwater inflows as part of an approved stormwater management plan. Curb and gutter shall not be required for additions to existing parking areas where curb and gutter is not present, is not installed on the adjacent street right-of-way, or is not anticipated to be constructed on the street right-of-way in a future street.
  - b. **Minimum Distance of Required Concrete Curbing from Property Lines.** Perimeter edging for off-street parking areas shall be installed a minimum of ten (10) feet from a property line as measured from the back of curb to prevent the parked vehicles from extending over any lot lines.
9. **Off-Street Parking Stalls.** Off-street parking stalls shall be marked by painted lines or other approved material and shall be maintained to be legible at all times.
10. **Parking of Trucks and Equipment.** The parking of trucks or other vehicular equipment of a commercial or industrial nature shall be allowed subject to the following regulations.
  - a. Agricultural equipment shall be allowed in the R-C - Conservation Residence, R-SE - Suburban/Estate Residence, A - Agricultural, or A-P - Agricultural Prime District.
  - b. The parking of any passenger automobiles, panel trucks, vans, or pick-up trucks, each individually exceeding eight thousand (8,000) pounds manufactured Gross Vehicle Weight in a residential district, P Park and Open Space, or I - Institutional District, FW - Floodway, GFP - General Floodplain, or FF - Floodfringe District shall require a Temporary Use Permit as specified in **Section ##-#-##**.
  - c. Any vehicle over eight thousand (8,000) pounds rated Gross Vehicle Weight may be parked in districts not previously mentioned in the normal course of business in conjunction with a commercial or industrial use of the subject property. Any overnight parking shall be allowed only with a Conditional Use.

11. Pedestrian Circulation Standards.

- a. Off-street parking areas serving multifamily, mixed-use, and nonresidential development and consisting of twenty (20) or more off-street parking spaces shall incorporate on-site circulation systems exclusively for the use of pedestrians and other non-motorists to navigate the site. Pedestrian circulation systems are encouraged in off-street parking areas with fewer than twenty (20) spaces but are not required.
- a. The on-site pedestrian circulation system shall comply with all ADA standards.
- b. The on-site pedestrian circulation system shall be marked, shall connect all buildings on the site to one another, and shall provide connections to required parking spaces.
- c. The on-site pedestrian circulation system must connect building entrances to adjacent public rights-of-way when public sidewalks are either existing or planned. The on-site pedestrian circulation system shall form a direct route between the building entrance and adjacent public right-of-way that does not require significant out-of-direction travel unless approved as follows.
  - i. For pedestrian circulations system with a significant out-of-direction travel, the applicant must submit sufficient evidence of the special conditions to support such alternative design. Special conditions may include, but not limited to, presence of natural resources, steep slopes, street grades, landscape features and building orientation or similar.
- d. The on-site pedestrian circulation system shall provide at least one (1) connection to all adjacent properties along a shared street frontage. Connections must provide access to existing walkways on adjacent properties, or to the likely future location of walkways on those properties. The Zoning Administrator may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.



**EXAMPLE DIAGRAM ONLY –  
REFERENCES DO NOT MATCH TEXT**

**D. Snow Storage Requirements For Off-Street Parking and Loading Areas.**

1. **Snow Storage Prohibited in Required Off-Street Parking, Drive, and Loading Areas.** The storage of snow for more than forty-eight (48) hours is hereby prohibited in provided off-street parking, driveway, and loading areas.
2. **On-Site Snow Storage Standards for Parking and Loading Areas.** If an off-site snow repository is not used, adequate on-site snow storage shall be provided using the following standards:
  - a. A minimum site area representing ten (10) percent of the total required off-street parking or loading area, inclusive of access drives, shall be provided as the snow storage area.
  - b. The required snow storage area may be paved or unpaved. In either case, provision for adequate drainage of the snow storage area shall be provided to accommodate snowmelt, and no snowmelt shall drain onto abutting properties.
3. **Use of Setbacks, Yards, Bufferyards, and Stormwater Management Facilities for Snow Storage.** Required setbacks, yards, and bufferyards may be used to accommodate the required snow storage area. However, landscaped areas specified in **Section ##-##-##** shall not be used as snow storage areas. Stormwater management facilities shall not be used as snow storage areas unless specifically approved by the City Engineer as part of a stormwater management plan per **Section 15-18.0600 of the Franklin Municipal code.**

**E. Off-Street Bicycle Parking.**

1. **Location.**
  - a. Required bicycle parking shall be provided on the same lot as the use it is intended to serve.
  - b. Bicycle parking spaces shall be adequately lit and located such that they are highly visible from the street and/or building entrance(s) from points where bicyclists approach the site.
  - c. The location of bicycle parking shall not conflict with pedestrian and/or vehicle circulation.
  - d. Bicycle parking shall be sited within fifty (50) feet of a building's main entrance. If provided indoors, bicycle parking shall be located within a common area designated for secure bicycle storage.
  - e. Bicycle parking adjacent to a pedestrian walkway shall be sited to ensure that a minimum five (5) foot walkway clearance is maintained.
2. **Design Criteria.** All bicycle parking facilities shall be designed in accordance with standards established by the National Association of City Transportation Officials.
3. **Dimensional Standards.**
  - a. Each bicycle parking space shall be a minimum of six (6) feet in length.
  - b. Bicycle racks shall be located at least three (3) feet in all directions from any obstruction, including but not limited to other bicycle racks, walls, doors, posts, columns, or landscaping.
  - c. A minimum vertical clearance of seven (7) feet shall be maintained above all bicycle parking facilities.
4. **Off-Street Bicycle Parking Required.**
  - a. Bicycle parking as specified in this subsection shall be required for all multifamily residential, mixed-use, and nonresidential development. Vehicle-related uses as defined in this UDO shall be exempt from the requirement.
  - b. The number of required bicycle parking spaces shall be equal to five (5) percent of the off-street vehicle parking spaces provided, up to ten (10) required bicycle parking spaces.

- c. When the required amount of bicycle parking is less than two (2) spaces, the use shall provide a minimum of two (2) spaces in a bicycle parking area.
- d. Off-street bicycle parking spaces provided on vertical racks mounted on a building wall shall not count toward the minimum quantity required.

F. **Electric Vehicle Charging Stations.**

1. **OPTION 1 - REQUIREMENT**

- a. **Applicability.** The requirements for electric vehicle charging stations shall apply to new parking lots or parking lots undergoing substantial improvement as defined in this UDO.
- b. Any parking structure or parking area in the R-M - Multiple-Family Residence District shall install the infrastructure required to accommodate a minimum of one (1) electric vehicle charging station for every twenty-five (25) off-street parking spaces.
- c. Any parking structure or parking area in a commercial or mixed-use district shall install the infrastructure required to accommodate a minimum of one (1) electric vehicle charging station for every fifty (50) off-street parking spaces.
- d. Required electric vehicle charging stations shall comply with the use-specific standards for electric vehicle charging stations in **Section ##-##-##**.

2. **OPTION 2 - INCENTIVE**

- a. **Applicability.** All parking lots may utilize the Electric Vehicle Charging Station incentive.
- b. For any applicant providing ten (10) or more electric vehicle charging stations on-site, twenty (20) percent of the applicable permit fee required per the City of Franklin fee schedule may be waived by the Zoning Administrator.
- c. Electric vehicle charging stations shall comply with the use-specific standards for electric vehicle charging stations in **Section ##-##-##**.

G. **Off-Street Loading.**

- 1. **Purpose.** The purpose of this Section is to prevent congestion of public rights-of-way and private lots to promote the safety and general welfare of the public by establishing minimum requirements for the provision of loading facilities on various sites.
- 2. **Location.** All required loading spaces shall be located on the same lot as the use served. No permitted loading space shall be located within forty (40) feet of the nearest point of intersection of any two streets. No loading space shall be located in a required side yard abutting a parcel in a residential zoning district, a parcel with an existing residential use, or in a required front yard.
- 3. **Access.** Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement. Loading spaces on lots located adjacent to public ways shall be so situated as to enable the vehicles to back into the loading dock from areas other than public ways unless as otherwise approved by the Plan Commission. The blocking of loading spaces by other loading spaces, permanent or moveable structures of any type, including trash receptacles or compactors, shall be prohibited.
- 4. **Surfacing.** All open, off-street loading and parking spaces shall be improved with asphalt, concrete, or a permeable paving system approved by the City Engineer, and with stormwater management facilities as approved by the City Engineer.
- 5. **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any residential or nonresidential zoning districts.

6. **Maneuvering Space Required to Service Outdoor Loading Areas.** Adequate off-street truck maneuvering area shall be provided on-site and shall not interfere with internal site circulation, ingress or egress to the site, access to or use of required off-street parking areas and pedestrian circulation areas. Maneuvering areas shall not be provided within any public street right-of-way or other public lands except as may be allowed by the Plan Commission for properties in the B-P - Business Park and LI - Limited Industrial Districts where permanently dead-ended streets and cul-de-sacs may serve as off-street truck maneuvering. The Plan Commission shall consider the number of proposed loading docks, the proposed use and frequency of loading and unloading and the number of businesses located on the dead-end street or cul-de-sac and determine that the adjacent businesses will not be adversely impacted or affected.
7. **Interference With Fire Exit or Emergency Access Prohibited.** Off-street loading facilities shall be designed so as not to interfere with any fire exits or emergency access facilities to either a building or site.
8. **Required Loading Spaces.** The number of loading spaces provided shall be determined by the developer and shall provide for adequate space for standing, turning, loading, and unloading services in a manner that does not interfere with vehicle or bicycle parking, drive aisles, pedestrian walkways, or landscaped areas.

## 15-5-02. Driveways

- A. **Driveways on Controlled Access Arterials and Highways Prohibited.** No direct private access shall be permitted to the existing or proposed rights-of-way of expressways or to any controlled access arterial street without permission of the highway agency with access control jurisdiction.
- B. **Right Angles Required.** Driveways shall cross the lot line at right angles or as close to right angles as possible to provide site access.
- C. **Arterial Street and Highway Access and Street Intersections.** No new direct public or private access shall be permitted to an arterial street or highway within one-hundred and fifteen (115) feet of the intersection of the right-of-way lines of another arterial street or highway unless approved by the Plan Commission.
- D. **Single-Family and Duplex Driveway Standards.** A single slab or ribbon driveway from the property line to legal, on-site parking shall be provided and shall be in conformance with the following criteria.
  1. **Limit of One.** One (1) single slab or ribbon driveway and one (1) curb cut shall be permitted per seventy-five (75) feet of lot frontage.
  2. **Single-Slab Driveway Design Standards.**
    - a. Single-slab driveways shall not exceed twenty (20) feet in width at the property line.
    - b. **Surfacing.**
      - I. Single-slab driveways shall be surfaced with an all-weather, dustless concrete material which may include decorative concrete, patterned concrete, exposed aggregate concrete, concrete pavers, permeable paver blocks, or similar materials approved by the City Engineer.

### Asphalt Surfacing Option 1 - Allowance for Driveways Constructed Prior to UDO Adoption

- II. Single-slab driveways surfaced with asphalt and constructed prior to the adoption date of this UDO **MM/DD/YYYY** shall be allowed to continue or be reconstructed in kind.

### Asphalt Surfacing Option 2 - Allowance for Driveways Over a Set Length

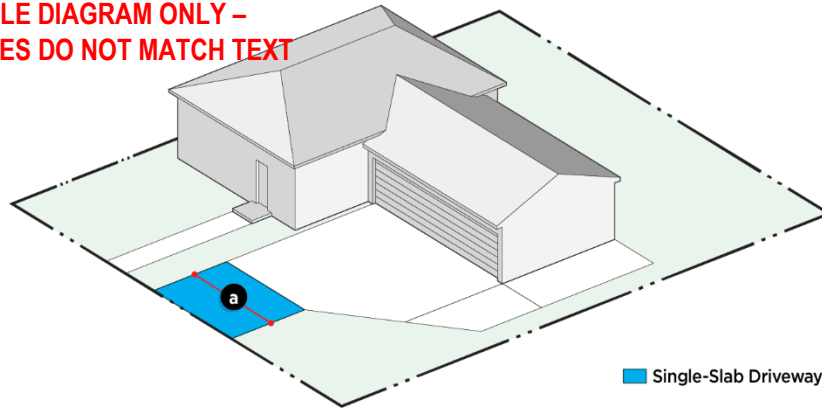
- III. Driveways longer than fifty (50) feet may be surfaced with asphalt.

### Asphalt Surfacing Option 3 - Allowance for Driveways in Low-Density Residential Districts.

- IV. Driveways on lots in the R-C - Conservation Residence District and R-SE Suburban/Estate Residence District may be surfaced with asphalt.

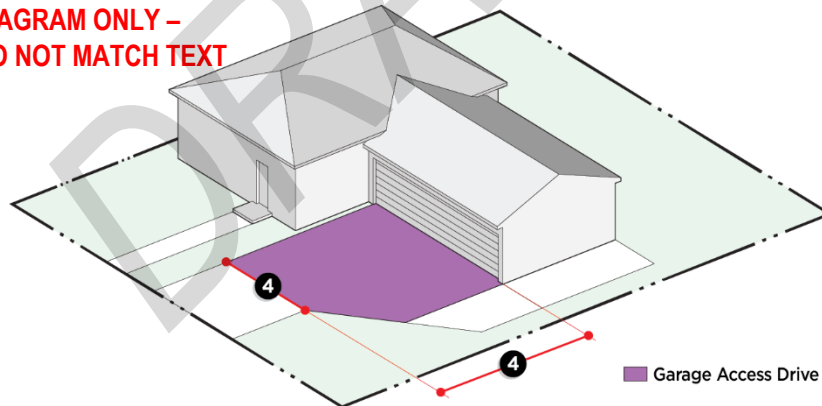
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REFERENCES DO NOT MATCH TEXT



3. **Garage Access Drive.** A garage access drive is permitted and shall meet the standards below.
  - a. **Width.** The maximum width of a garage access drive shall be the width of the garage, as measured from the garage door(s) plus an additional three (3) feet on either side of the garage door(s).
  - b. **Length.** The maximum length of a garage access drive shall be sixteen (16) feet from the garage doors.
  - c. **Taper.** The garage access drive shall taper, within ten (10) feet, back to the maximum driveway width.
  - d. **Surfacing.** Garage access drives shall adhere to the surfacing requirements for single-slab driveways in **Section ###-###-###**.

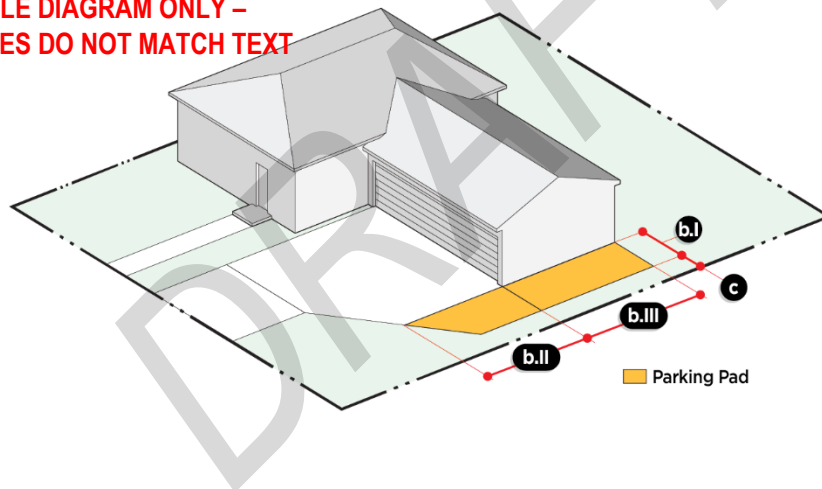
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4. **Parking Pad.**

- a. **Limit of One.** A garage access drive may be extended to include one (1) parking pad.
- b. **Configuration.**
  - I. A parking pad shall be a minimum of nine (9) feet and a maximum of ten (10) feet in width.
  - II. The portion of the parking pad adjacent to the garage access drive shall have a maximum length of twenty (20) feet, as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.
  - III. The portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.
- c. **Location.** The parking pad shall be set back a minimum of five (5) feet from any side property line.
- d. **Screening.** A fully opaque fence with a minimum height of six (6) feet shall be constructed in the side yard abutting the parking pad.
- e. **Surfacing.** A parking pad may be surfaced with asphalt, concrete, grass, gravel, or a permeable paving system. The first half (1/2) inch of runoff over the entire surface shall be treated with green infrastructure if the parking pad is surfaced with asphalt or concrete.

**EXAMPLE DIAGRAM ONLY –  
REFERENCES DO NOT MATCH TEXT**





E. **Townhouse, Multifamily, and Nonresidential Driveway Standards.**1. **Location.**

- a. Where an off-street parking area of a corner lot abuts an alley or a corner side street, access to the off-street parking area shall be obtained from a driveway off the alley or corner side street.
- b. No lot other shall have multiple driveways for purposes of vehicular ingress and egress without a minimum three hundred (300) foot separation between such curb cuts along a street, unless otherwise approved by the City Engineer.

## GRAPHIC IN DEVELOPMENT

2. **Townhouse Driveway Design Standards.**

- a. One-way driveways for townhouse uses shall be a minimum of ten (10) feet wide and a maximum of twenty (20) feet wide at the property line.
- b. Two-way driveways for townhouse uses shall be a minimum of twenty (20) feet and a maximum of thirty-three (33) feet in width at the property line.
- c. Driveways for townhouse uses shall comply with the surfacing standards for single-slab driveways as specified in **Section ##-#-##**.

## GRAPHIC IN DEVELOPMENT

3. **Multifamily and Nonresidential Driveway Standards**

- a. One-way driveways for multifamily and nonresidential uses shall be a minimum of ten (10) feet wide and a maximum of thirty-three (33) feet wide at the property line.
- b. Two-way driveways for multifamily and nonresidential uses shall be a minimum of twenty (20) feet wide and a maximum of thirty-six (36) feet wide at the property line.
- c. Driveways for multifamily uses shall comply with the surfacing requirements for single-slab driveways in **Section ##-#-##** above. Asphalt shall be prohibited for driveways serving lots with a nonresidential use.
- d. Islands between the vehicle lanes in opposing directions shall be provided at driveway openings with a minimum width of twelve (12) feet and located six (6) feet from all lot lines.
- e. **Setbacks Required.**
  - I. **Pedestrian Entrance.** Driveways for all retail, service, eating and drinking, vehicle-related, and industrial uses shall be at least two hundred (200) feet from any pedestrian entrance to any institutional or place of assembly use.
  - II. **Property Line.** No driveway shall be located closer than ten (10) feet to any front, street side, side, or rear property line except as follows.
    - i. Where a shared driveway between neighboring lots or parcels is provided to serve as access to a State or County Highway for the purposes of highway safety as approved by either the Wisconsin Department of Transportation or Milwaukee County Highway Department, any minimum driveway setback as required by this Section may be waived, provided that such waiver of setback is for the shared driveway that is constructed over or abutting property lines of lots or parcels that benefit from the shared driveway.

- ii. Approved access points to public streets or cross access between neighboring properties as required in **Section ##-##-###** may be allowed to cross the required setbacks at or as close to right angles as possible to provide site access.

## GRAPHIC IN DEVELOPMENT

- f. **Edge Barrier Required.** Concrete curb and gutter, or an equivalent barrier of a minimum of four (4) inches in height, shall be installed along the length of all new driveways serving multifamily, mixed-use, or nonresidential development.
  - I. The edge barrier may be interrupted where necessary to provide for stormwater outflows.
  - II. This provision may be waived by the Plan Commission for additions to existing structures located in areas without a predominance of curb and gutter when curb and gutter is not installed on the adjacent street right-of-way or is not anticipated to be constructed on the street right-of-way in a future street reconstruction in a reasonable period of time.

### 15-5-03. Required Landscaping

- A. **Landscaping Required.** Landscaping is required in the form of on-lot landscaping, street bufferyards, peripheral bufferyards, and in off-street parking areas and in areas where vegetative mitigation (see **Section 15-4.0103** of this Ordinance) is required. The area and/or length of each, as required herein must be measured in order to determine the amount of landscaping required.
- B. **Exemptions and Modifications.** All developments shall meet the provisions of this Division except as specifically exempted below:
  - 1. Residential Development on Existing Lots of Record in the A - Agricultural, A-P - Prime Agricultural, and Residential Districts.
  - 2. Additions to Existing Buildings where the Total Floor Area is not Increased More than Ten (10) Percent. Additions to existing buildings where the total floor area is not increased more than ten (10) percent of the existing total floor area.
  - 3. Additions to Buildings Which Increase Overall Building Area from Ten (10) to Fifty (50) Percent. Additions to buildings which increase their overall building area from ten (10) to fifty (50) percent shall conform to the landscaping standards set forth in this Division reduced by up to thirty (30) percent.
  - 4. Floodplain and Wetland Areas. Areas located within the FW - Floodway and FF - Floodfringe Districts are exempt from the landscaping requirements set forth in this Section except where mitigation or restoration is required by this UDO.
- C. **Bufferyards to Ameliorate Nuisances Between Certain Adjacent Zoning Districts.** A bufferyard is a combination of a setback and a visual buffer or barrier and is a yard or area together with the planting and/or landscape structure required thereon. The amount of land, the type of planting, and the amount of planting specified for each bufferyard requirement of this UDO are designed to ameliorate nuisances between certain adjacent zoning districts. Bufferyards are also designed to ensure a desired character along public streets and roads.
- D. **Bufferyards Required to Separate Different Zoning Districts.** Bufferyards shall be required to separate different zoning districts from each other. Bufferyards function to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.
- E. **Integration with Stormwater Management.** Vegetated features designed and installed to provide stormwater infiltration or treatment, including but not limited to bioretention areas or rain gardens, vegetated swales, or deep-rooted plantings with amended soils, may be incorporated into landscaped areas and bufferyards required under this Section. The plant selection requirements of this Section may be varied in order to accommodate planting plans specific to a vegetated stormwater

infiltration or treatment area, provided the overall landscaping and/or screening plan installed is equivalent or greater to the amount required under this Division.

**15-5-04. Minimum Landscape Standards.**

A. **Standard Plant Units.** This Section defines the standard plant unit and its definitions of this Section. The following **Table 15-5.0302** specifies the plant unit requirements. Tree requirements shall refer to the diameter measured six (6) inches above root flare. For purposes of this Section, bioretention plantings shall be equivalent to small flowering shrubs or native grasses/forbs at a rate of 9 SF of plantings per large deciduous shrub, small flowering shrub, or native grass/forb.

**Table 15-5-0302(A): Standard Plant Units**

Planting Type	Planting size		Land Use Type		
	Minimum Diameter/Size	Minimum Height	Multi-Family	Retail, Service, Institutional, Place of Assembly, Vehicle-Related, and Similar	Industrial
Canopy/Shade Tree	3" diameter at 6" above root flare	--	1.5/ dwelling unit	1/5 parking spaces	1/10 parking spaces
Evergreen Tree OR Ornamental Tree	-- 3" diameter at 6" above root flare	6' --	1/dwelling unit	1/5 parking spaces	1/10 parking spaces
Evergreen Shrub OR Large Deciduous Shrub	18" wide --	-- 3'	1/dwelling unit	1/5 parking spaces	1/10 parking spaces
Small Flowering Shrubs OR Native Grasses/Forbs OR Bioretention Plantings	-- 1 gallon pot 3" - 4" pot (or as specified by Landscape Architect)	18" --	3/dwelling unit	1/5 parking spaces	1/10 parking spaces
			Per storm water management plan; Max Spacing 18" on center; 9 SF = one 18" small flowering shrub or 1 gallon pot of native grasses/forbs		

B. **Definition and Conditions.** The following definitions and conditions shall apply to the application of **Table 15-5.0302**.

1. **Trees.**

- a. Canopy/Shade trees are deciduous trees providing over-hanging canopy at maturity.
- b. Evergreen Trees refers to coniferous trees, tamarack trees, and upright-growing arborvitae; bush-type arborvitae may be used as an Evergreen Shrub.
- c. Ornamental Trees are flowering and/or fruit bearing trees, normally growing to full growth shorter than a shade tree.

GRAPHIC IN DEVELOPMENT

- 2. The number of plantings required per parking space shall be rounded to the next highest range. For example, fifty-two (52) spaces in a commercial development shall require eleven (11) shade trees, not ten (10).
- 3. The minimum number of plantings shall be five (5) per property for each type.
- 4. The minimum amount of landscaping shall be twenty (20) canopy/shade trees per acre, twenty (20) evergreen trees per acre, ten (10) ornamental trees per acre, and thirty (30) small shrubs per acre. Each acre shall be divisible, rounded to the next number of plantings (i.e., 1.68 acres = 34 shade trees).

5. In the event ornamental trees and/or shrubs are not appropriate for a development, then those types may be replaced by the following schedule:
    - a. One (1) canopy/shade tree for every one (1) required ornamental tree.
    - b. One (1) canopy/shade tree or evergreen tree for every two (2) required large deciduous or evergreen shrubs.
  6. In the event evergreen trees are not appropriate for a non-multi-family development, then each required evergreen tree may be replaced by a canopy/shade tree.
  7. Tree requirements are stated in terms of the required diameter measured six (6) inches above root flare.
- C. **Bufferyard.** When development abuts or is across a street from a residential zoning district or existing residential use, or an existing, less intensive use as determined by the Zoning Administrator the following bufferyard requirements shall apply:
1. Additional planting density shall be required; for the site as a whole, the minimum density of plantings required in **Table 15-5.0302** shall be increased by twenty (20) percent.
  2. Emphasis shall be on placing the increased amount of plantings within the bufferyard, except where preservation of existing plant material does not allow additional plantings, or where a combination of fencing and landscaping is provided to accommodate vegetated stormwater management areas.
  3. A combination of evergreen trees (which may include arborvitae), other deciduous vegetation, and fencing are recommended within the buffer yard. The minimum planting height of evergreens and fencing at installation shall be six (6) feet.
  4. On-site pedestrian circulation systems provided on-site, whether required in **Section 15-5-##** or not, may traverse a bufferyard required in this subsection subject to Zoning Administrator approval.

- D. **Credit For Preserved Existing Plant Materials.** The preservation of healthy, existing plant materials is strongly encouraged. [REF TO NATURAL RESOURCE STANDARDS – removal of invasives] Where plant materials and trees are to be preserved on the site, the following shall apply:
1. In a non-bufferyard landscape area, preservation of existing canopy/shade trees, evergreen trees, and ornamental trees over six (6) feet in height with a minimum diameter of three inches (3") measured six inches (6") above root flare shall replace one (1) equivalent type of required planting.
  2. In a bufferyard landscape area, existing canopy/shade trees, evergreen trees, and ornamental trees over six (6) feet in height shall replace one-half (1/2) an equivalent type of required planting.
  3. In either a non-buffer or bufferyard, existing large deciduous or evergreen shrubs over five (5) feet in height shall replace one (1) required large shrub planting.
  4. Plantings to be preserved including exact location, size, and type shall be shown on the submitted landscape plan and in any required maintenance and replacement schedules. The City Forester may be consulted to determine the likelihood of survival of canopy/shade, evergreen, and ornamental trees through construction, and may specify required measures for construction-phase protection as a condition of approval of the landscape plan.
- E. **Alternative Minimum Landscape Surface Ratio.** Use of the Alternative Minimum Landscape Surface Ratio shall require a minimum diameter measured six (6) inches above root flare of three (3) inches for canopy/shade trees and two (2) inches for ornamental trees, and a minimum height of six (6) feet for evergreen trees, along with an increase by twenty (20) percent of the minimum quantity of plantings required by Table 15-5.0302. If a bufferyard is present, then the required quantity of plantings increases to thirty (30) percent.
- F. **Ground Cover.** All areas not covered by buildings or paving shall be covered with landscaping. The specific type(s) of groundcover to be used shall be shown on the landscape plan.
1. Open areas not covered by formal landscape plantings shall be planted with deep-rooted plantings (which may include native short-stature grasses or forbs), low growing ground cover, or other living landscape materials, except where existing natural vegetation of the site makes such plantings impossible.
  2. The use of conventional sod or turf grass as ground cover should be limited to those areas planned for active or passive recreation use, or other areas where substantial use of the area is anticipated.
  3. The use of low-growing ground cover on slopes to provide stabilization and where appropriate, pollinator habitat, is encouraged.
  4. The use of salt-tolerant species is recommended in all parking lot landscaped islands and perimeter areas.
  5. Low-growing ground cover such as Barren Strawberry (*Waldesteinia*) is preferred to grass. The use of stone, wood chips, artificial or plastic mulches, or other non-living material to cover more than twenty-five (25) percent of any parking lot landscaped island shall be prohibited.
- G. **Placement.** Generally, placement of all types of plantings shall be dispersed across the entire site at discretion of developer, with the following minimum guidelines:
1. Species of plantings best suited for high traffic areas shall be placed in the highest vehicular and pedestrian traffic areas.
  2. Native species of canopy/shade trees should be placed away from the highest vehicular and traffic areas.
  3. Plantings shall be located so as not to obscure vehicle sight lines.
  4. Plantings shall be located so future growth is not over a sidewalk or parking/ drive area.
  5. Plantings shall be located to soften tall and long building walls.

6. Plantings within buffer yards, in combination with any fencing provided, shall provide visual opacity within two (2) years of planting.
7. Any fruit, nut, or seed-bearing trees shall be located away from parking/drive areas and pedestrian walkways.
8. Canopy/shade trees and evergreen trees shall be separated from one another to ensure the health and longevity of the trees. In no instance shall canopy/shade or evergreen trees be located closer than five (5) feet from one another.

**G. Landscape Plan Contents.**

1. Landscape Plans shall be prepared by a professional Landscape Architect or Landscape Designer. Each Landscape Plan shall include:
  - a. Preparer's name and date of preparation.
  - b. A base site plan that matches the site plan submitted for approval, showing planting locations and existing plantings to be preserved, and the Landscape Surface Ratio percentage.
  - c. A planting schedule of common names, botanical names, and planting sizes and quantities of all planting materials and ground cover.
  - d. Calculations showing how the plan meets or exceeds the minimum quantity of plant materials required, including calculations of preserved plant materials, landscape area plantings, and bufferyard plantings.
  - e. A diagram or plan showing the integration of drainage patterns and stormwater management measures with landscape areas.
2. Landscape Plans shall be submitted with the initial application subject to the following procedures.
  - a. An applicant must at a minimum file a preliminary landscape plan generally depicting the landscaping for the site at the time of initial application filing.
  - b. Landscape Plans must be approved by the Zoning Administrator and, where integrated with a Stormwater Management Plan, the City Engineer.

## 15-5-05. General Landscaping Requirements

- A. **Physical Containment of Landscaped Areas.** All landscaped areas located within or adjacent to a parking area, or adjacent to a public street or sidewalk, shall be designed to contain landscape materials and to prevent vehicular encroachment through the use of concrete curbing, headers of a minimum four (4) inches in height, or wheel stops.
- B. **Artificial Landscape Materials.** Artificial trees, shrubs, turf, or plants shall not be permitted as landscaping.
- C. **Groundcover.** The use of landscape fabrics or mulches under all areas landscaped with non-living materials, except as required per an approved stormwater management plan, is recommended to prevent weed growth.
- D. **Irrigation.** Appropriate on-site, outdoor water supply (e.g., underground or drip irrigation, hose bibs, etc.) that provides complete coverage to all new living landscaped areas sufficient to provide for plant establishment and ongoing maintenance is required. Watering systems shall be designed to water landscaped areas efficiently and avoid irrigation of adjacent parking areas and access drives, sidewalks, buildings, and public streets. If hose bibs are used, they must be located within one hundred (100) feet of any landscaped area. Temporary or permanent irrigation of bioretention areas or other vegetative stormwater management areas shall be implemented per an approved Stormwater Management Plan, or as specified by a Landscape Architect or landscape designer on the approved landscape plan.
- E. **Location.** New vegetation shall be selected, planted, and maintained so that at maturity it will not interfere with utility lines, snow storage areas, vehicular parking, pedestrian circulation, traffic sight visibility at driveways and street intersections, and will not cause damage or upheaval of sidewalks and pavement.
- F. **Installation.**
1. **Timing of Installation.** Landscaping and irrigation shall be installed in accordance with the approved landscape plan prior to issuance of a Zoning Compliance Permit or commencement of operations. The City will have the right to refuse approval of any project not meeting the provisions of this Section.
  2. **Surety to Include the Cost of Ground Cover.** The cost of vegetative ground cover shall be reflected in the financial surety held in accordance with this Division.
  3. **Return of Financial Surety.** When it is determined that the landscaping and watering systems have been installed in accordance with the approved plans, the City shall return the surety to the applicant.
- G. **Maintenance.**
1. **Responsibility for Maintenance.**
    - a. Maintenance of all landscaping shall be the responsibility of the owner, lessee, heirs, assigns, agents, homeowners' association, or other liable entity of the property and shall consist of regular watering, pruning, mowing, fertilizing, removal and replacement of irrigation systems, and architectural features.
    - b. The owner or liable entity in control of any private premises shall at all times maintain the premises free of litter and weeds.
    - c. Landscape maintenance shall be coordinated, where applicable, with maintenance provisions in an approved Stormwater Management Plan.
  2. **Landscape Phasing.** Future building pads within a phased development shall be maintained in a dust-free condition vegetated with groundcover.
- H. **Preservation of Existing Trees During Grading.** During grading operations, those existing trees to be preserved and retained as a part of the subdivision, certified survey map, or condominium approval (See [§ 15-8.0204](#) of this Ordinance) shall be protected through the following measures:

1. All trees to be retained shall be identified on site by flagging tape. Trees selected for transplanting shall be flagged with a separate distinguishing color.
  2. Construction limit fencing shall be erected at the perimeter drip line of all trees to be retained and all protected areas as identified in a Natural Resource Protection Plan. Tree protection devices shall be installed where required over tree roots, branches and/or tree trunks, as identified in the Natural Resource Protection Plan.
  3. Fences and tree protection devices installed shall be maintained and all construction materials, supplies and equipment shall be kept outside of the protected areas throughout construction.
- I. **Plant Replacement.** Any plant materials included in an approved landscaping plan that do not survive a plant establishment period of two (2) years after installation shall be replaced with plant material(s) of the same or like species of equal size within the next planting season, but in any event, within six (6) months of the plant's demise. Said replacement shall be made by the property owner or, in the case of landscape plant materials located within a landscape easement under the control of a homeowners' association, the homeowners' association shall be responsible for said replacement.
- J. **Plant Material Species Mixture.**
1. All landscape plant materials selected shall be adequately mixed so that no singular species exceeds forty (40) percent of the total planting requirements. Where four (4) or more canopy/shade trees are to be installed, at least two (2) species of canopy/shade tree must be installed that include one or more species suitable to the region, such as but not limited to Sugar Maple, Red Maple, Red Oak, Tilia Americana and improved cultivars, or Hybrid Elm.
  2. For every ten (10) trees a minimum of three (3) different species are recommended.
  3. Trees shall be selected from a tree species list as recommended by the City Forester.
- K. **Invasive Species Prohibited.** Plant species listed in **WI Ch. NR 40** invasive species plant list shall not be used in any landscape areas.

## 15-5-06. Minimum Landscaping Standards for Off-Street Parking Areas and Lots

- A. **Minimum Landscaping Requirements for Residential, Mixed-Use, and Nonresidential Off-Street Parking Areas and Lots.** Each residential, mixed-use, and nonresidential off-street parking lot shall contain landscaping within the parking lots, along the perimeter of parking lots, and along adjoining entrance drives and circulation drives.
1. A minimum of ten (10) percent of the interior area of the parking lot shall be landscaped, with a minimum total interior planting area of three hundred (300) square feet.
  2. The minimum dimension of any planting area shall be nine (9) feet by eighteen (18) feet, with a minimum planting depth of three (3) feet.
  3. A minimum of two (2) cubic feet of soil volume per one (1) square foot of projected tree canopy at maturity shall be provided per canopy/shade or ornamental tree planted in an interior parking lot island.
  4. In general, larger, contiguous planting areas are preferred over smaller planting areas in order to promote healthy plant growth.

### GRAPHIC IN DEVELOPMENT

- B. **Existing Vegetation May Count Toward the Provision of Minimum Off-Street Parking Landscape Requirements.** Existing trees that can, in the opinion of the City Forester, be preserved in a healthy condition after construction, shall count toward the minimum off street parking landscape requirements. The City Forester shall find that conditions during and after construction:
1. Shall not cut off the tree from a reasonable supply of water,



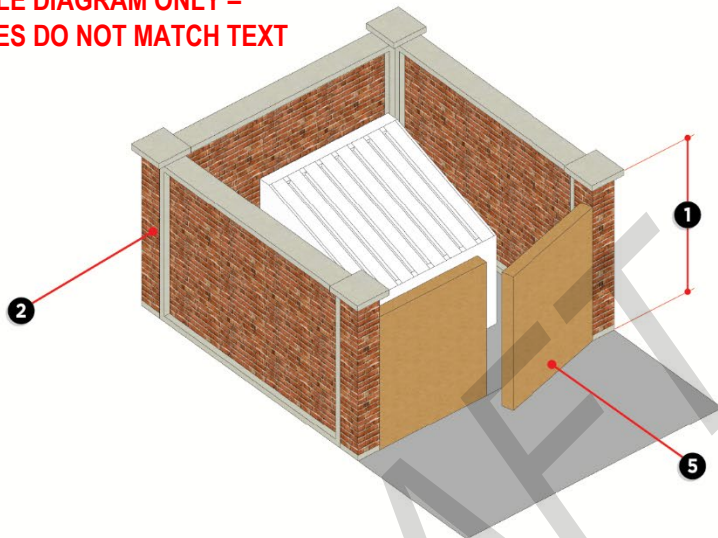
2. Shall incorporate sufficient soil volume (i.e. 2 cubic feet of soil per 1 square foot of projected canopy area at maturity) and protected from compaction, with the area under the canopy remaining undisturbed; and
  3. Plantings that are preserved within parking lot islands shall be located within islands with a minimum of three hundred (300) square feet in area.
- C. **Barriers Required to Contain Landscape Areas.** The barrier around landscape areas may incorporate wheel-stops, provided the area of vehicle overhang does not exceed two (2) feet and does not damage or interfere with the landscaping. Where vehicle overhangs abut required landscape areas, a minimum five (5) foot wide planting area is required for a single vehicle overhang, and an eight (8) foot wide planter for a double vehicle overhang is required. Vehicle overhang into the public right-of-way is not permitted.
- D. **Uses Not Permitted in Required Landscaped Areas.** Parking (except where vehicle overhang is permitted), buildings, and display of equipment or vehicles are not permitted in required landscaped areas. Required landscaped areas shall not be used for snow storage.
- E. **Required Landscape Materials Not to Constitute a Driving Hazard.** To ensure that landscape materials do not constitute a driving hazard, trees used to landscape parking islands shall have a clear trunk height of six (6) feet; mature shrubs, groundcover, or other landscaping material shall not exceed three (3) feet in height. The landscaped area within these planters may be used to satisfy, to the extent provided, the landscaping requirements.

### 15-5-07. Screening

- A. **Grease Traps, Trash, and Recycling Receptacles.** The following regulations shall apply to all nonresidential, mixed use, and multifamily development.
1. **Visibility From Public Right-of-Way Prohibited.** Grease traps, trash, and recycling receptacles shall be located to be completely concealed from visibility from any public right-of-way. The Zoning Administrator may provide an exemption from these requirements when the Zoning Administrator determines that the site's conditions require the exemption.
  2. **Screening Required.**
    - a. Grease traps, trash, and recycling receptacles shall be screened on three (3) sides with a solid, opaque material with a minimum height of six (6) feet and a maximum height of eight (8) feet.
    - b. Materials used for screening shall complement the exterior building cladding materials of the primary building.
    - c. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
    - d. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
    - e. Shrubs, native grasses, or other vegetation shall be installed along the exterior of the enclosure, except for the enclosure openings, to provide a softening effect.
    - f. Enclosure openings shall be gated with an opaque material.
    - g. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
    - h. Property owners shall be responsible for ensuring that grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
    - i. Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
    - j. Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.

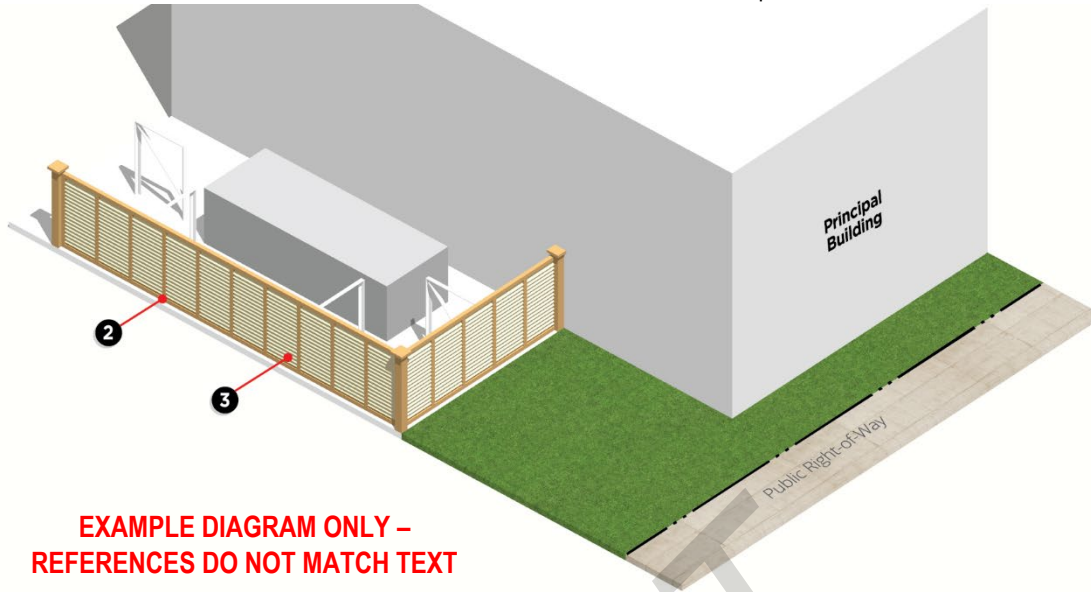
- k. All enclosures shall be curbed, graded and drained in a manner that prevents the discharge of contaminated runoff to surface waters or storm drainage facilities.
- l. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
- m. Grease traps, trash, and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

**EXAMPLE DIAGRAM ONLY –  
REFERENCES DO NOT MATCH TEXT**

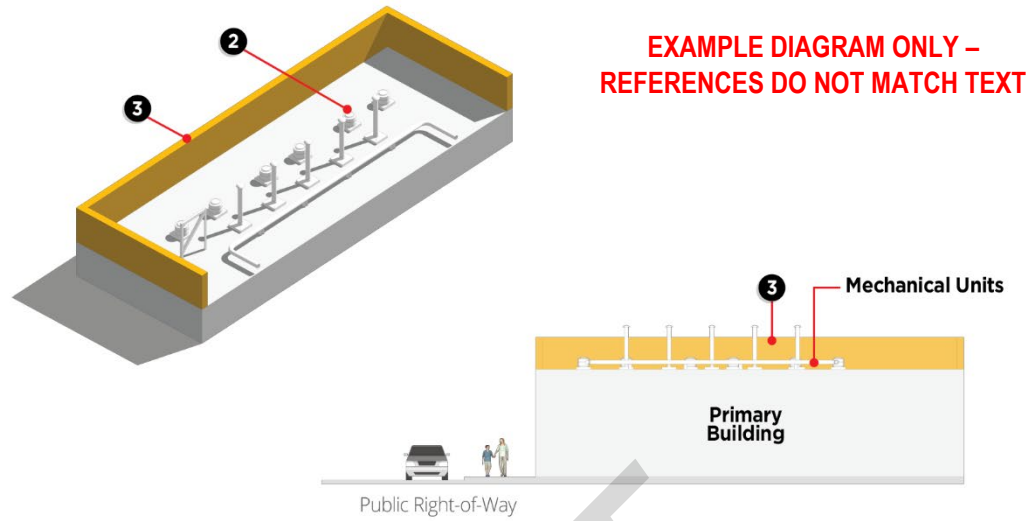


- B. **Ground/Wall Mounted Mechanical Units.** The following regulations shall apply to all ground/wall-mounted mechanical units, including but not limited to generators, air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment. Tanks and / or silos accessory to a brewery, winery, and/or distillery or microbrewery, microwinery, or microdistillery are exempt from these requirements.
1. Locating mechanical units within the primary building is strongly encouraged to minimize exterior visual impacts. Ground-mounted mechanical units are prohibited within the front yard, regardless of whether screening is provided.
  2. Ground/wall mounted mechanical units that are visible from any public right-of-way or adjacent residential property shall be screened from public view.
  3. Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty (20) percent visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.

- Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

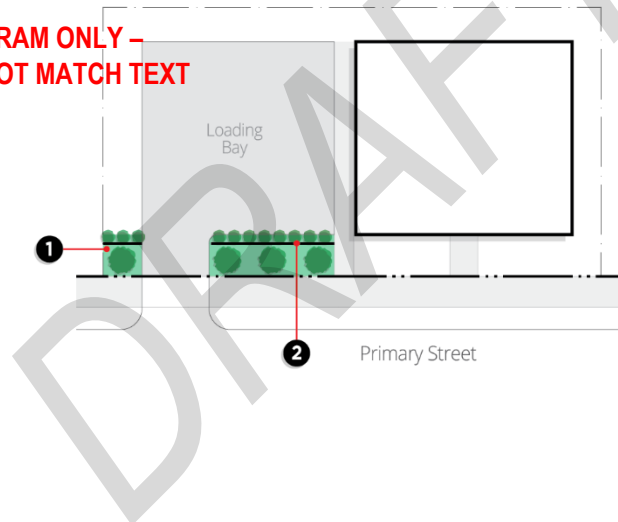


- C. Roof Mounted Mechanical Units.** The following regulations shall apply to all roof mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment which service multifamily, non-residential, or mixed-use developments.
  - Locating mechanical units within the primary building is strongly encouraged to minimize exterior visual impacts.
  - Roof mounted mechanical units that are visible from the closest right-of-way line or adjacent residential property shall be completely screened from public view from those locations.
  - Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.
  - Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.
  - Additional screening may be required due to topographic differences in the adjoining properties.



- D. **Off-Street Loading Areas.** Off-Street loading areas that are visible from any property in a residential district shall be completely screened from view with a bufferyard as specified in [Section ###-#-##](#).

EXAMPLE DIAGRAM ONLY -  
REFERENCES DO NOT MATCH TEXT



## 15-5-08. Fencing

### A. General Provisions.

1. **Maintenance Required.** All fences shall be maintained in good repair and in structurally sound condition. All fences shall be constructed and maintained in a good aesthetic condition and of such materials and colors so as not to adversely affect the value, visual character, and visual appeal of adjoining property or property in the immediate neighborhood. All fences shall be constructed and maintained straight, plumb, and of an even height along its length, except for such deviations as required by grade.
2. **Building Permit Required.** No fence shall be constructed in the City without first obtaining a Building Permit as specified in **Section ##-##-##**.
3. **Material Storage Prohibited.** No materials shall be stored between a fence located adjacent to a lot line and the lot line. No materials shall be stored against the fence on its interior side.
4. **Snow Fencing Allowed.** Snow fencing will only be allowed between November 15<sup>th</sup> and April 15<sup>th</sup> of each year. No Building Permits for the installation of said snow fencing shall be required.
5. **Utilities.** An applicant seeking to construct a fence shall call Diggers Hotline or similar service to obtain information on the location of underground utilities located on-site.
6. **Finished Side Facing Adjacent Property.** Fencing shall be constructed with the finished or decorative side facing the adjacent or abutting property or street.

- B. **Height.** Fence height shall be the vertical distance measured from the mean elevation of the natural lot grade along the fence to the highest point on the fence, excluding fence posts and supports. Fence posts and supports may protrude an additional six (6) inches above the highest point on the fence.

C. **Location.** All fences allowed in this Section shall be located:

1. Wholly within property lines; no part of the fence, post hole, or fence material may encroach or cross a property line
2. A minimum of one (1) foot from any property line abutting a right-of-way,
3. A minimum of one (1) foot from any City easements unless otherwise approved by Common Council
4. Outside of a vision clearance area as detailed in **Section ##-##-##**,
5. In a manner which does not block access to underground utility access structures or fire hydrants, and

D. **Material Standards.**

1. **Materials Permitted.** Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
  - a. Masonry
  - b. Vegetation (including but not limited to “green wall” systems),
  - c. Wood, chemically treated or naturally resistant to decay,
  - d. Wood Composites,
  - e. Aluminum,
  - f. Vinyl/PVC,

- g. Wrought Iron,
  - h. Trellises composed of materials allowed in this subsection, and
  - i. As approved by the Zoning Administrator or their designee.
2. **Chain Link Fences.** Chain link fences shall be allowed in the interior side or rear yard on a lot with any single-family or duplex use.
  3. **Masonry Fences.** Masonry fences shall be prohibited in the Floodplain Districts. The Zoning Administrator may forward applications for masonry fences to the City Engineer for further review on sites outside the Floodplain Districts on which drainage and flooding concerns are present. Adverse impact of drainage and flooding shall constitute the ground for denial of the application.
- E. **Fences on Lots with Single-Family and Duplex Uses.** Fences on lots with single-family and duplex uses shall meet the requirements established below. Barbed wire, razor wire, agricultural fencing, or unconventional materials such as plywood or tarps or others as determined by the Zoning Administrator shall be prohibited on lots with single-family and duplex uses. All fences shall be erected so that the posts and all other supporting members face inward toward the owner's property.
1. **Fences in Front and/or Street Side Yards.**
    - a. **Height.** Fences in front and/or street side yards shall not exceed four (4) feet in height except fences in street side yards which may have a maximum height of six (6) feet if located at least five (5) feet from the property line.
    - b. **Materials.** Fences in front yards and/or street side yards shall be of non-sight barrier construction and have a maximum opacity of fifty (50) percent except for fences in street side yards, which may be one hundred (100) percent opaque if located a minimum of seven (7) feet from the street side lot line.

**EXAMPLE DIAGRAM ONLY –  
REFERENCES DO NOT MATCH TEXT**



**2. Fences in Interior Side and Rear Yards.**

- a. **Height.** The maximum height of a fence in interior side yards and rear yards shall be six (6) feet. A height of up to eight (8) feet shall be allowed for fences in rear yards abutting an arterial road.
- b. **Materials.** Fence materials utilized in interior side yards and rear yards shall complement fence materials utilized in other yards. Fences in interior side and rear yards may be one hundred (100) percent opaque.

**F. Fences on Lots with Townhome, Multifamily, Mixed-Use, and Nonresidential Uses.**

1. **Height.** The maximum height of fences on a lot with townhome, multifamily, mixed-use, and nonresidential uses shall not exceed six (6) feet.
  - a. **Rear Lots Abutting An Arterial Road.** A height of up to eight (8) feet shall be allowed for fences in rear yards abutting an arterial road.
  - b. **Plan Commission Exception.** The Plan Commission may approve a height above six (6) feet for a fence located in any lot where the proposed increase provides a functional or aesthetic benefit for the proposed use.
2. **Location.** Fences on lots with townhome, multifamily, mixed-use, and nonresidential uses shall be located in rear and interior side yards only, with the exception of fences on lots in the LI - Limited Industrial District which may be located in street side, interior side, and rear yards only. Fences located in the street side yard in the LI - Limited Industrial District shall be buffered from the sidewalk by a landscaped area as specified in **Section #-#-##**.
3. **Barbed Wire.** In the LI - Limited Industrial District, barbed wire may be utilized in interior side and rear yard fences and shall be limited to a maximum height of one (1) foot, and a maximum of three (3) strands of wire. The barbed wire shall not be included in the determination of fence height.

## 15-5-09. Retaining Walls

- A. **Applicability.** The standards of this Section shall apply to retaining walls constructed in any zoning district.
- B. **Location.**
1. **General Location Standards.** All retaining walls shall be located as follows:
    - a. **Setbacks and Location.**
      - I. Retaining walls shall be wholly within property lines; no part of the retaining wall or material may encroach or cross a lot line.
      - II. The setback from any lot line for retaining walls shall be at least five (5) feet;
      - III. The setback and location standards specified in **Section ##-#-####** above shall be exempted for retaining walls maintained by a homeowners association that span multiple lots so long as the retaining wall features are documented in an approved subdivision agreement.
    - b. **General Location Standards.** Retaining walls shall be a minimum of:
      - I. Five (5) feet from any property line abutting a right-of-way,
      - II. One (1) foot from any City easements unless otherwise approved by Common Council
      - III. In a manner which does not block access to underground utility access structures or fire hydrants, and
      - IV. A minimum horizontal distance of four (4) feet is required between walls installed in a tiered installation. The area between the tiers shall be graded with no more slope than needed to facilitate shedding of surface waters and must be landscaped with natural material and be properly maintained.
- C. **Design.**
1. Retaining walls shall not exceed four (4) feet in height above the natural lot grade at the wall's location.
  2. Retaining walls shall not exceed the height of the grade that is supported.
  3. The exterior of all retaining walls shall be natural materials, decorative wall blocks, textured concrete, or other similar materials as approved by the Zoning Administrator. The use of standard concrete block or untreated landscape ties are prohibited.
  4. Any wall more than three (3) feet in height above the natural lot grade shall be stamped and signed by a professional engineer and submitted to the City Engineer for approval.
  5. A safety guard rail or fence shall be installed along any portion of a retaining wall exceeding three (3) feet in height.
- D. **Maintenance and Installation.**
1. The long-term durability and maintenance of retaining walls shall be the sole responsibility of the property owner.
  2. Retaining walls shall not interfere with the surface water drainage pattern and shall not be constructed in drainage swales.

## 15-5-10. General Townhouse, Multifamily, Mixed-Use, and Nonresidential Design Standards

- A. **Applicability.** The standards of this section shall apply to all townhome, multifamily, mixed-use, and nonresidential development.



- B. **Exterior Building Cladding Materials.** Allowable exterior building cladding materials shall be as detailed in **Table ##-###** below. Glazing shall not be included in the façade material calculations. When part of a common development, buildings shall utilize materials that are consistent with or complement surrounding development.

<b>Table 15-5-10(B): Exterior Building Cladding Materials</b>						
District	Building Façade Elevation	Masonry (1)	Lap Siding, Stucco (2)	EIFS, Concrete	Architectural Metal Siding (3)	Vinyl Siding, Unfinished Concrete Block
<i>R-M - Multi-Unit Residential, Commercial and Mixed-Use, I - Institutional, and B-P - Business Park Districts</i>	<i>Front, Street Side</i>	Min. 50%	Max. 50%	Max. 15%	Max. 15%	Not permitted
	<i>Interior Side</i>	Min. 25%	Max. 75%	Max. 25%	Max. 25%	Not permitted
	<i>Rear</i>	Any % allowed	Any % allowed	Max. 25%	Max. 25%	Max. 25%
<i>LI - Limited Industrial District</i>	<i>Front, Street Side</i>	Min. 30%	Max 60%	Max. 30%	Max. 30%	Not permitted
	<i>Interior Side</i>	Any % allowed	Max. 80%	Max 40%	Max 40%	Not permitted
	<i>Rear</i>	Any % allowed	Any % allowed	Max. 40%	Max. 40%	Max. 40%
<b>Notes</b>						
(1) Masonry shall include brick, stacked stone, stone, stone masonry units, and architectural concrete masonry units.						
(2) Lap siding shall include cementitious fiber board.						
(3) Architectural metal siding shall not be corrugated.						

**GRAPHIC IN DEVELOPMENT**

- C. **Façade Articulation.** Articulation involves the horizontal and vertical variation of the façade so that walls are subdivided into bays or sections that are vertically proportioned. The following provisions for façade articulation shall apply to any building elevations facing a public right of way or property in a residential district.
1. The frontage of the building shall be divided into architecturally distinct sections or bays with each section taller than it is wide.
  2. Sections or bays shall be visually established by architectural features such as columns, ribs, pilasters, piers, recesses, projections, windows, awnings, arcades, or an equivalent element that visually subdivides the wall with a roof or cap features that provides a rational terminus and integrates with the overall design of the façade.
  3. The required dividing elements shall have a minimum width of one (1) foot and minimum projection to width ratio of 1:4.

**GRAPHIC IN DEVELOPMENT**

D. **Roofline Modulation.** The width of any continuous flat roofline should not extend more than one-hundred (100) feet without modulation. Modulation shall consist of either one or a combination of the following treatments:

1. For flat roofs or facades with a horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two feet or ten (10) percent of the wall height.
2. For gable, hipped, or gambrel roofs a minimum slope of three (3) feet vertical to twelve (12) feet horizontal.

E. **Glazing.**

1. **Transparency Zone.** Glazing that is transparent under all lighting conditions shall extend from a base of contrasting material (not exceeding four (4) feet in height above the adjacent grade) to at least the height of the door head. **Table ##-###** details the minimum required percentage of square footage in the transparency zone that must have a glazing treatment.

District	Elevation Facing Yard	
	Front	Street Side
B-SM	50%	40%
B-MU	40%	30%
B-N	40%	30%
B-G	30%	20%
B-R	30%	20%
LI	30%	20%
I	30%	20%

2. **Upper Story Glazing.** A minimum of twenty (20) percent of the square footage of upper stories of buildings in the B-SM - Saint Martin’s Road Historic Village Business and B-MU - South 27<sup>th</sup> Street Mixed-Use Districts shall include glazing.
3. **Glazing to be Dispersed.** Required glazing shall not be aggregated into a single, undivided area of glazing treatment. Individual glazing areas shall not span more than fifteen (15) linear feet.
4. **Entrance Orientation.** Main entrances to buildings shall be oriented toward the primary street adjoining the subject property. Secondary entrances are encouraged along secondary streets or along building frontages not adjoining a street.

**15-5-11. Outdoor Lighting**

- A. **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall-mounted accent lighting, shall either have a fixture cutoff classification of “Full Cutoff” or be fully shielded, unless otherwise expressly permitted in this UDO.
- B. **LED Fixtures.** All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
  - 1. **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
  - 2. **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.

C. **Pole Mounted Outdoor Lighting.**

- 1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with required landscape zones.
- 2. **Maximum Lighting Height.** Pole-mounted fixtures shall be mounted at heights as specified in **Table 15-#-##**.

Table 15-5-11(C)(2): Maximum Lighting Height	
District	Maximum Permitted Luminaire Height
A, A-P, R-C, R-SE, R-SR	10
R-M, R-V, B-SM	15
B-N, B-MU	20
All Other Districts	25
<b>Notes</b>	
A post height of 60 feet shall be allowed for outdoor place of assembly uses including ball diamond, playing fields, golf driving ranges, tennis courts and similar outdoor recreational facilities.	

- D. **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- E. **Outline Lighting, Flickering, and Flashing Prohibited.** Outline lighting shall be prohibited from signs, buildings, and structures. No flickering or flashing lights shall be permitted.
- F. **State Requirements For Street Lighting.** Street lighting shall conform to the standards set forth by the State of Wisconsin for State Trunk Highways, Milwaukee County for County Trunk Highways, and the City for City streets and highways.
- G. **Maximum Light Level at Property Line.**
  - 1. On lots adjacent to lots in a Nonresidential District, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be one-half (0.5) maintained foot candles at any property line.
  - 2. On lots adjacent to lots in a Residential District, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.
  - 3. The Zoning Administrator may approve light level in excess of the limits of this section at a front property line for lighting fixtures that meet the City’s specifications for streetlighting as specified in **Section 15-#-##(F)**.

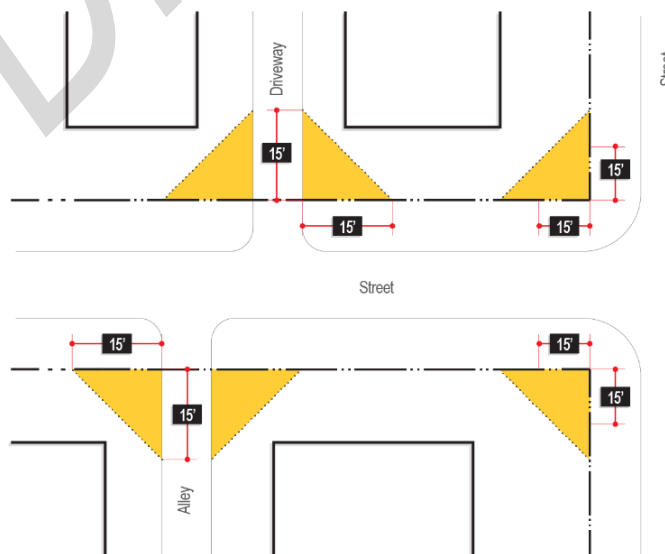
H. **Light Level Measurement.**

1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.
2. **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall have:
  - a. Cosine and color correction,
  - b. An accuracy tolerance of no greater than plus or minus five (5) percent, and
  - c. Been calibrated within the last two (2) years.

**15-5-12. Vision Clearance Areas**

- A. No visual obstructions, such as structures, parking, or vegetation, taller than three (3) feet above grade shall be permitted in any district in the triangular area of the lot measured as a set distance from the center of the intersection of a driveway and a street or from the center of the intersection of two (2) or more streets. This area shall be referred to as a clear sight triangle and shall be determined as follows:
  1. In the case of an arterial or collector street intersecting with another arterial or collector street, the clear sight triangle shall be sixty (60) feet from the center of the intersection of the two (2) streets.
  2. In the case of the intersection of any two (2) other street types or between a street and a driveway, the clear sight triangle shall be thirty (30) feet from the center of the intersection of the two (2) streets or between the street and the driveway.

**EXAMPLE DIAGRAM ONLY –  
REFERENCES DO NOT MATCH TEXT**



### 15-5-13. Performance Standards

- A. Any use established in the City of Franklin shall be operated in such a manner as to comply with applicable performance standards set forth governing noise, smoke, particulate matter, toxic or noxious matter, odors, fire and explosive hazards, vibration, radiation or glare or heat; and no use already established on the effective date of this chapter shall be so altered or modified as to conflict with, or further conflict with, applicable performance standards. Failure to comply with such applicable performance standards shall constitute a nuisance.
1. **Noise.** No activity or use shall be conducted in a manner that generates a level of noise greater than that allowed by the Franklin Municipal Code.
  2. **Vibration.** No activity or use shall be conducted in a manner that generates earthborn vibration that can be detected at any point off the lot on which the use is located.
  3. **Dust and Air Pollution.** Dust and air pollution carried by the wind from sources such as storage areas, yards, parking areas, equipment, and the like, within lot boundaries, shall be kept to a minimum by appropriate landscaping, screening, paving, wetting, or other acceptable means.
  4. **Hazardous, Radioactive, and Toxic Materials.** No activity or use shall produce hazardous, radioactive, or toxic material without prior notice to the City. Notice shall be given to the **Community Development Director** at least thirty (30) days before the operation commences. The transport, handling, storage, discharge, clean up, and disposal of all hazardous, radioactive, or toxic materials, including waste, shall comply with applicable Federal, State, County, and local regulations.
  5. **Odor.** No activity or use shall be conducted in a manner that generates odors of such intensity and character as to be harmful to the health, welfare, or comfort of the public. Any such use shall be stopped or modified to remove the odor.
  6. **Fire and Explosion Hazards.** Materials that present potential fire and explosion hazards shall be transported, stored, and used only in conformance with all applicable Federal, State, County, and local regulations.
- B. **Sound Study.**
1. **Applicability.** Concurrent with the approval of a conditional use permit for a development or use proposed to include outdoor activities or operations, a sound study and noise mitigation and management plan shall be approved by the City.
  2. **Requirements.** A sound study and noise mitigation and management plan prepared by a professional acoustical consultant or engineer shall meet the following requirements.
    - a. **Comparative Analysis of Existing Noise Environment.** A comparison of current ambient noise levels at the project site and sites within 250 feet of the project site, to the established noise standards of the local noise ordinance.
    - b. **Project Noise Emissions.** A description of the types and anticipated noise levels of noise emissions from the project during construction and operation (decibel levels, variations).
    - c. **Noise Mitigation Strategies.** A plan to reduce noise and comply with noise standards (barriers, quieter equipment, operating hour limitations).
    - d. **Noise Mitigation and Management Plan.** A document outlining the noise mitigation strategies and management activities that the use shall operate under, and which shall be adopted as the conditions of the approval of the conditional use permit.

3. **Review and Determination.** The City shall review the submitted documentation to assess the potential noise impact of the proposed project and determine if modifications to site design, layout, landscape, or other development or use features are necessary to ensure compliance with the Municipal Code.

DRAFT



## Reorganized & Amended Natural Resource Protection Standards

CURRENT SECTIONS of the UDO incorporated into the draft of Article 7

- 15-3.0500 – 3.0502 Calculation of the Area of Natural Resources to Be Protected
- 15-4.0101 Natural Resource Protection Standards
- 15-4.0102 Natural Resource Features Determination
- 15-4.0103 Natural Resource Features Mitigation & Mitigation Calculation Worksheet
- 15-7.0201 Natural Resource Protection Plan Requirements
- 15-7.0506 Natural Resource Protection Plan Required
- 15-9.0100 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
- 15-10.0208 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

ADDITIONAL GUIDANCE and STANDARDS:

NEW Stand Alone Shoreland Wetland Ordinance

NEW City of Franklin Natural Resource Mitigation Guidance (including mitigation worksheet)

'RELOCATED' City of Franklin Site Intensity Calculation Worksheet (will be within UDO)

In the draft, items that refer to sections of the UDO are shown in **[bracket highlight]**. Final references will be inserted once the full UDO draft has been reviewed by the City.



## Article 7. Natural Resource Protection Standards

### 15-07.01 Natural Resource Protection Standards Established

#### A) Establishment

The Natural Resource Protection Standards set forth in this Article, and requirements for preparation and approval of a Natural Resource Protection Plan, are established herein. Guidance documents including but not limited to application forms and checklists are incorporated into this Article 7 by reference.

#### B) Purpose and Intent

- 1) **Protection of Natural Resource Features.** It is the purpose of this Article to ensure the protection and enhancement of specific **Natural Resource Features**, as defined in this Ordinance, within the City of Franklin as the City develops. This Article further recognizes that landforms, parcel size and shape, and natural resource features vary from site to site and that development regulations must take into account these variations.
- 2) **Natural Resource Protection Plan.** It is the further purpose of this Article to set forth requirements and standards for preparation of a Natural Resource Protection Plan by any applicant for development on a parcel within the City of Franklin containing **Natural Resource Features**, as defined herein.
- 3) **Surface Water Protection Standards.** It is the further purpose of this Article to provide for the protection and improvement of surface waters and wetlands in the City of Franklin. It is the intent of this Article to lead to the protection, establishment and maintenance of natural areas, topography and vegetation along the City's surface waters in order to reduce hazards from flooding, prevent erosion, and maintain the natural functions of surface waters and wetlands. It is the further intent of these standards to limit the extent of land disturbance and creation of new impervious surfaces within or adjacent to surface waters and wetlands, and to minimize, as feasible, the impact of existing culverts, driveways and roads, drainage features, and impervious surfaces thereon.
- 4) **Mitigation.** The City of Franklin recognizes that, under certain circumstances, the orderly development of the City and the provision of essential services may necessitate limited impacts on protected Natural Resource Features as defined in this Ordinance. The intent of this Article is not to provide for or allow mitigation under all circumstances, but rather to set specific standards to be applied only under certain circumstances when the extent of or the nature of the Natural Resource Features on a site, when balanced against the benefit of the proposed development to the





community, considering practicable alternatives available for the development, render strict application of these standards impractical or counter-productive, to allow for mitigation approach, so that the functions and values of Natural Resource Features in the City will be preserved or enhanced.

C) Applicability

Except as specifically provided in this Subsection, all development in the City of Franklin occurring on a parcel or parcels where Natural Resource Features are present shall comply with the standards set forth in this Article.

- 1) **Disturbance of Protected Areas Prohibited.** Except where provided in this Article, any area containing Natural Resource Features required to be protected under this Article (hereinafter a “Protected Area”) shall remain undisturbed and in a natural state except where impact, modification, or mitigation is specifically allowed or approved.
- 2) **Tree and vegetation cutting, clearing, and removal.**
  - (a) The clearing, cutting, or removal of trees or vegetation within a Protected Area as defined in this Article is subject to these natural resource protection standards and to the City’s [TREE STANDARDS REF]. Application for cutting, clearing, or removal of vegetation and trees in an area of protected features shall require authorization under the procedures this Article to ensure that required protection levels are met.
  - (b) Removal of dead, diseased, or invasive species from a woodland or forest. Notwithstanding any provision of this Article, the clearing and removal of dead or diseased trees, and the removal of invasive species listed as “prohibited,” “prohibited/restricted,” or “restricted” by the Wisconsin Department of Natural Resources, pursuant to NR 40, shall be permitted within any woodland or forest area only upon issuance of a Zoning Permit from the City of Franklin.
  - (c) The City Forester may be consulted in the issuance of any such permits.
  - (d) The City Forester may condition or limit the removal of dead or diseased trees and the removal of invasive species in accordance with best practices for forest and invasive species management.
- 3) **Construction of Public Streets, Sidewalks, and Trails.** Impacts to Natural Resource Features from the construction of public streets, sidewalks, or trails shall be permitted subject to the following limitations and conditions:
  - (a) The City Forester has inspected the plan and the site, including review of trees or wooded areas to be cut or disturbed, and has made a positive recommendation



- as to the plan's compatibility with the continued health of forest resources and trees within the City of Franklin.
- (b) Crossings of wetlands, surface waters, and associated buffer areas are designed to minimize the distance and extent of disturbance, with crossings designed as close to a ninety-degree (90°) angle as is practicable for the particular site and segment.
  - (c) The City Engineer has inspected the plan and has made a positive recommendation as to the plan's compatibility with City engineering standards for surface water crossings.
  - (d) Prior to commencement of construction, all other required governmental permits and approvals related to surface waters and wetlands have been issued, including but not limited to those required by the Wisconsin Department of Natural Resources and United States Army Corps of Engineers.
  - (e) Any areas of construction-related disturbance within a Protected Area shall be restored pursuant to Section [RESTORATION] of this Article 7 immediately following construction.
- 4) **Single- and two-family residential development on existing lots exempted.** The provisions of this Article shall not apply to the construction of single-family and two-family residential development located on non-divisible existing lots of record within existing platted Subdivisions (with an approved Final Plat), Certified Survey Maps, and Condominiums existing as of August 1, 1998, or for which a Natural Resource Protection Plan was filed on or before August 1, 1998.
- 5) **Applicability to Floodplain/Floodway Lands.** Floodplains and floodways as defined and regulated in Division 15-8 of this Ordinance shall not constitute a separate category of Natural Resource Features for purposes of determining required mitigation under this Article.
- 6) **Essential Services and Associated Easements Exempted.** The standards in this Article shall not be applicable to essential services and easements associated therewith, as defined in [former § 15-11.0103] of this Ordinance. However, any areas of construction-related disturbance within a Protected Area shall be restored to the restoration standards of [RESTORATION] of this Article immediately following the construction of the essential service(s).
- 7) **Exceptions for Accessory Uses and Site Modifications.**



- (a) The modification of approved buildings, sites, or structures, and the addition of new accessory structures, shall not require review for Natural Resource Protection impacts provided all of the following conditions are met:
  - (i) The total impervious surface area on the parcel is not increased by more than 50% or 2,500 square feet, whichever is smaller.
  - (ii) Any new or modified impervious surface area is located at least one hundred feet (100') at its closest point from the boundary of any Protected Area as defined in the applicable Natural Resource Protection Plan.
- (b) Notwithstanding the provisions of (a), where the Plan Commission or City Engineer (as applicable) determines that the modification or addition is likely to result in impacts to the Protected Area or will be inconsistent with the conditions of the Natural Resource Protection Plan, a new or modified Natural Resource Protection Plan may be required to be prepared. Any such determination may be appealed under the provisions of [Appeals procedure] of this Ordinance.

**NOTE:** Sections 8 and 9 are legacy requirements that applied to past survey maps, which (presumably) contain the language that would trigger a requirement for an NRPP if the underlying site is modified. \*\*Request City Attorney to consider whether these sections are necessary or could be addressed with a footnote to the UDO.

- 8) Institutional Properties Divided by Public Street or Utility Extensions.
  - (a) A Natural Resource Protection Plan shall not be required with an application for certified survey map approval where a single property zoned I-1 Institutional District is divided as a result of a public work of improvement for street extension purposes, with related public sanitary sewer and water work for which special assessment was made, into two or more parcels through the property fee acquisition by the City for the extension of the public street. The foregoing exclusions from Natural Resource Protection Plan submission requirements for certified survey map applications shall only be available upon the conditions that:
    - (i) in lieu of the Plan submission requirement, the certified survey map application shall be accompanied by the "best available information" as to the existence of any natural resource features, such as existing topographical maps, wetland inventories, and other such inventories as may be available; and
    - (ii) that a Natural Resource Protection Plan must be submitted upon any further development of any portion of the mapped property.
  - (b) A Natural Resource Protection Plan shall also not be required with an application for certified survey map approval where lots are being created from a larger



surrounding parcel, with the larger in area in relation to the lots created remnant parcel being vacant, or already having being developed by the existence of a principal structure and not being the subject of current further development application, and with the only natural resources within the map area being upon the remnant parcel and being more than 500 feet away from the lots being created. The foregoing exclusion from Natural Resource Protection Plan submission requirement for certified survey map applications shall only be available upon the conditions that

- (i) in lieu of the Natural Resource Protection Plan submission requirement, the Certified Survey Map application shall show upon its face the existence of any natural resource features, as identified in § 15-4.0102, located on the parcels of the Certified Survey Map based upon the "best available" information;
- (ii) that a Natural Resource Protection Plan must be submitted upon any further development of the "remnant" parcel; and
- (iii) the following note shall be placed upon the face of such Certified Survey Map: "The Natural Resource Features identified herein are not based upon field surveys. In the event of further land division or development of a parcel herein with any such Natural Resource Feature, a complete NRPP with field surveys is required for said parcel" For the purposes of this section, the Zoning Administrator shall not require that the "best available" information be a "first source" of information, as identified in § 15-4.0102A., B., C., D.

- 9) Lands Adjoining Tax Incremental Districts. A Natural Resource Protection Plan (and related requirements, such as the submission of conservation easements, etc.) shall not be required with an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only, provided with regard to such remaining established residential dwelling building use parcel or parcels that:
- (a) in lieu of the Natural Resource Protection Plan submission requirement, the Certified Survey Map application shall show upon its face the existence of any natural resource features, as identified in § 15-4.0102, located on the parcels of the Certified Survey Map based upon the "best available" information;
  - (b) that a Natural Resource Protection Plan must be submitted upon any further development of the "remaining established residential dwelling building use parcel or parcels"; and



- (c) the following note shall be placed 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."

D) Enforcement.

Any person or entity violating any provision of this Article 7 and any property owner upon whose property there exists or occurs a violation of this Article 7, shall be subject to the penalty and remedy provisions of [penalty and remedy] of this Ordinance. In addition, the provisions of this Article 7 may be enforced by the City by way of all other legal and equitable remedies and the undertaking by the City to cure any violations or complete any plans, work or measures in furtherance thereof, with the costs of such undertaking to be assessed against the property owner and entered upon the tax roll pursuant to the procedures for a special charge under § 66.0627, Wis. Stats. Any violation of this Article 7 is hereby declared to be a public nuisance.

15-07.02 **Natural Resource Features** Determination

- A) Protected **Natural Resource Features**. The following natural resources are protected under the provisions of this Article 7.
- 1) ~~Steep Slopes~~. ~~Steep slopes shall be as defined in Division [DEFINITIONS] of this Ordinance.~~
  - 2) **Woodlands**. Woodlands shall be as defined in [DEFINITIONS] of this Ordinance.
  - 3) **Surface Waters**. Surface waters shall include lakes, ponds, and streams. Lakes and ponds are to be determined through the use of the definitions of "Lake" and "Pond" as set forth in Division 15-11.0100 of this Ordinance. **Streams** shall be as defined in [DEFINITIONS] of this Ordinance or as determined by a field survey.
  - 4) **Surface Water and Wetland Buffers**.
    - (a) Surface water and wetland buffers, as defined in [DEFINITIONS] of this Ordinance, shall be established or maintained as demarcated, vegetated, and minimally disturbed land areas within the area extending horizontally from the ordinary high water mark of lakes and ponds, from the centerline of streams, or from the boundary of wetlands as determined under subsection (5) below, with the following widths: **NOTE: These widths are proposed & open to policy direction**



ZONING DISTRICT	BUFFER WIDTH
Residential Districts: RC-1, R-1, R-2	50 feet
Residential Districts: R-MF, V-R	30 feet
Non-Residential Districts	30 feet
Area of parcel at time of application:	
<1 acre	10 feet
1 acre – 2 acres	20 feet
2 acres – 3 acres	25 feet
More than 3 acres	30 feet

- (b) Land Combination. In an application for land combination or certified survey map, the proposed total area of all parcels to be combined shall determine the required width of the buffer.
- (c) Notwithstanding subsection (a) above, surface water and wetland buffers shall be applied to the area of land adjacent to any stream segment that is fully and permanently enclosed within a drainage structure, such as a pipe or culvert, as of the Effective Date of this Ordinance.
- 5) **Wetlands and Shoreland Wetlands.** Wetlands and shoreland wetlands as defined in [NEW SHORELAND WETLAND] of the Franklin Municipal Code.
- 6) **Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas Defined by SEWRPC.** Those areas on the [CITY OF FRANKLIN MAP] of areas designated by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) as Primary Environmental Corridors, Secondary Environmental Corridors, or Isolated Natural Resource Areas shall be Protected Areas for purposes of this Article. The City of Franklin Map, as most recently amended, shall be used to determine the extent of such areas to be protected under the standards of this Article 7.
- B) Measurement of Natural Resource Features and Protected Area.
- 1) The area containing one or more Natural Resource Features shall be delineated and its total area calculated in acres and square feet to establish the area and location of the Protected Area. Any Protected Area containing two or more Natural Resource Features shall indicate which resources are present within the Protected Area
  - 2) All land area within a proposed development, Certified Survey Map, Subdivision Plat, or Condominium consisting of the natural resource features defined in this Ordinance shall be accurately measured using the following sources, scales, and approaches.



- 3) Measurement of Specific Natural Resource Features
- ~~(a) **Steep slopes.** Steep slopes are to be determined through the use of the following sources and/or methods in the order indicated below. If the first source is considered inaccurate or inappropriate, as determined by the Zoning Administrator, the second source shall be used:~~
- ~~(i) Topographic survey prepared by and certified by a Wisconsin registered land surveyor at a contour interval of not less than two feet.~~
  - ~~(ii) Large scale one inch equals 100 feet City of Franklin topographic maps.~~

**NOTE:** The definition of “woodland” includes but is not limited to “forests” as defined in Wisconsin law. A definition of “woodland” for protection needs to be finalized with the City Forester, staff, and task force.

- (b) **Woodland.** The determination of woodland boundaries shall be based on the sources in the order indicated below. If the first source is considered inaccurate or inappropriate, as determined by the Zoning Administrator, the succeeding source shall be used:
- (i) For all woodland areas within 100 linear feet of an area to be disturbed on a site, and for all trees (other than diseased, dead, or invasive species) greater than eight inches diameter at breast height lying outside a natural resource area, a field survey of trees compiled by a registered land surveyor based on identification by a landscape architect, forester, arborist, ecologist, or botanist.
  - (ii) For all areas planned to be left undisturbed on a site during construction and upon completion, which are more than 100 linear feet from an area of disturbance, the boundary of the woodland or forested area.
  - (iii) One inch equals 400 feet aerial photographs prepared by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and available from SEWRPC (most recent date only).
- (c) **Lakes, Ponds, and Streams.** The ordinary high water mark of lakes and ponds, and the centerline of streams, shall be determined through the use of the definitions of "Lake," "Pond," and "Stream" as set forth in [DEFINITIONS] of this Ordinance and the sources in the order indicated below. If the first source is considered inaccurate or inappropriate, as determined by the Zoning Administrator, the succeeding source shall be used:
- (i) Topographic survey prepared by and certified by a Wisconsin registered land surveyor at a contour interval of not less than two feet.
  - (ii) Large scale one inch equals 100 feet City of Franklin topographic maps.



(iii) U.S.G.S. 7.5-minute topographic quadrangle maps.

**(d) Wetlands, Shoreland Wetlands, and Wetland Buffers.** Wetlands shall be delineated in accordance with Chapter NR 103, Wis. Adm. Code; Chapter NR352, Wis. Adm. Code; and the 1987 US Army Corps of Engineers Wetland Delineation Manual.

(i) The area of wetlands, shoreland wetlands, and wetland buffers (in square feet and acres) shall be measured and graphically delineated on the "Natural Resource Protection Plan based on a delineation prepared in accordance with the Wisconsin DNR 2019 Wetland Screening and Delineation Procedures ([https://dnr.wisconsin.gov/sites/default/files/topic/Wetlands/2019\\_Wetland\\_Screening\\_and\\_Delineation\\_Procedures.pdf](https://dnr.wisconsin.gov/sites/default/files/topic/Wetlands/2019_Wetland_Screening_and_Delineation_Procedures.pdf))

(ii) Wetland and wetland buffer delineation shall be prepared by a consultant certified as a Wisconsin DNR Assured Delineator (<https://dnr.wisconsin.gov/topic/Wetlands/assurance.html#s1>). Submittal of a certification consistent with Wisconsin DNR standards shall be required with the submittal.

(iii) Duration of delineation.

(i) No delineation shall be valid for any purpose required under this Article after the expiration of five years from the date the delineation was performed.

(ii) While delineations performed within the five years preceding the submission may be submitted for purposes of this Article, a current re-delineation may be required where there exists extrinsic evidence of or cause to reasonably believe that such original delineation is incorrect or that the wetland boundary has changed substantially, considering the size and quality of the wetland and the circumstances of any proposed development impact upon the wetland, since the original delineation.

(iii) Notwithstanding the foregoing, surface water buffers shall not be required to be designated or protected for artificial or degraded wetlands as defined under subsections (D)(1) and (D)(2) below.

**(e) Surface Water Buffers.**

(i) Surface water buffers shall be measured at a consistent horizontal distance following the ordinary high water mark of a lake or pond, or the center line of a stream.

**(f) Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas Defined by SEWRPC** shall be based on the most current City of Franklin Map thereof, or as determined by SEWRPC pursuant to 15-07.02(A)(6).





### C) Relationship to Floodplain and Flood Hazard Area Impacts

- 1) Floodplain, floodway, and flood hazard areas shall not constitute a separate category of natural resources for purpose of this Article.
- 2) Any areas defined as a floodplain, floodway, or flood hazard area pursuant to Article 8 of this Ordinance shall require review and approval under the provisions of Article 8.
- 3) Notwithstanding the foregoing, any impacts to a Natural Resource Feature as defined in this Article shall be subject to the provisions of this Article, regardless of location within a floodplain, floodway, or flood hazard area.

### D) Exemptions

- 1) **Exemption of Artificial Wetlands.** The following artificial wetlands are exempt from the wetland provisions of this Article unless the Wisconsin Department of Natural Resources determines, under the provisions set forth under NR 103.06(4) of the Wisconsin Administrative Code, that the artificial wetland has significant functional values or uses under NR 103.03 (1)(e), (f) or (g) of the Wisconsin Administrative Code:
  - (a) Sedimentation and stormwater detention basins and associated conveyance features operated and maintained only for sediment detention and flood storage purposes.
  - (b) Active sewage lagoons, cooling ponds, waste disposal pits, fish rearing ponds and landscape ponds.
  - (c) Actively maintained farm drainage and roadside ditches.
  - (d) Artificial wetlands within active nonmetallic mining operations.

### 2) Exemption of Degraded Wetlands; Mitigation Required

- (a) In the event a wetland delineation prepared pursuant to this Article demonstrates conclusively that wetland resources on the site are degraded, as defined under Subsection (c) below, the degraded wetland areas shall not require protection under the provisions of this Article, unless located within a SEWRPC Primary or Secondary Environmental Corridor or Isolated Natural Area as defined under Subsection (B)(7) above.
  - (i) Where a degraded wetland is located within the boundaries of a SEWRPC Isolated Natural Resource Area, exemption of the degraded wetland shall require a written determination from SEWRPC that loss of the degraded wetland shall not contribute to a loss of protected natural resource functions.
  - (ii) In the absence of such a determination from SEWRPC, the requirements of this Article related to wetlands and wetland buffers shall apply.



- (b) No Special Exception approval, waiver, or demonstration of avoidance shall be required to permit disturbance or land development within a degraded wetland.
- (c) Notwithstanding subsection (b), this provision shall not relieve any applicant of the obligation to secure all applicable state and federal wetland permits as apply to a site or development.
- (d) Any applicant proposing to impact a degraded wetland shall complete on- or off-site mitigation at the ratio specified in Table [MITIGATION] by completing one of the following site improvements in conjunction with the impact:
  - (i) The inclusion of green stormwater management features, as defined in the [STORMWATER ORDINANCE], providing capture of the first one inch of runoff over all new or expanded impervious areas on the site; or
  - (ii) The use of deep-rooted vegetation native to Southeastern Wisconsin in the landscape plan, in an area equal or greater in size to the degraded wetland, with fencing or other barriers to prevent routine mowing or abuse of the plantings; or
  - (iii) Supplemental tree planting in excess of the requirements of [LANDSCAPE 15.XXX] or any mitigation required by Section [mitigation] of this Article, with a projected tree canopy area at maturity equivalent or greater to the total area of the degraded wetland; or
  - (iv) Any combination of (ii) and (iii) above equivalent to [1.5 TIMES] the area of the degraded wetland. **NOTE:** 1.5 times is suggested; needs City direction
- (e) Demonstration of Degraded Condition. An applicant seeking exemption under this Section shall demonstrate through a site-specific analysis prepared by a qualified wetland delineator that:
  - (i) Site conditions exhibit impacts to topography, soils, native vegetation or hydrology that have degraded a wetland and are not likely to be reversible.
  - (ii) The project, including its landscaping plan, does not involve the planned introduction of non-native or invasive wetland plants.
  - (iii) In the opinion of the City Engineer, removal or filling of the degraded wetland will not result in the creation of adverse drainage or flooding impacts on City streets or adjacent properties.
  - (iv) Removal or filling of the wetland will not:
    - (1) involve any activities in navigable waters with prior history as a stream
    - (2) cause significant adverse impacts to a cold water community, as defined in s. NR 102.04 (3)(a).
    - (3) cause significant obstruction of fish passage to existing spawning areas.
    - (4) cause significant adverse impacts to state threatened or endangered resources.
    - (5) cause significant adverse impacts to historical or cultural resources and will comply with s. 44.40, Stats.



- (f) Positive finding required; remedy. In the event an applicant fails to demonstrate to the **satisfaction of the Plan Commission** that the area meets all of the standards for exemption and mitigation under this Section, the wetland shall be regulated as a Natural Resource Feature under (B)(5) above.
- E) **Surface Water and Wetland Buffer Standards.** Within a Wetland and Stream Buffer, as defined in this Article:
- 1) Unless authorized under Section 15-07.04(F)(8) of this Ordinance, no new or expanded impervious surface or building area shall be established or expanded within a Wetland and Stream Buffer.
  - 2) The expansion of pre-existing structures within Wetland and Stream Buffers shall be permitted only in accordance with the approval standards for **non-conforming structures in Section 15-XXX** of this Ordinance.
  - 3) No part of any new residential lot shall be established within a Surface Water and Wetland Buffer after the effective date of this Ordinance.
  - 4) Any approvals issued for land disturbance or land development on a site containing a Surface Water and Wetland Buffer, other than for modification of a single-family or two-family dwelling on a non-divisible lot existing as of the effective date of this Ordinance, shall include provisions to demarcate, with sturdy plantings, fencing, or a combination thereof, a boundary line along the edge of the Surface Water and Wetland Buffer on the site. Guidance from the City of Franklin Natural Resource Mitigation Guide shall be used to determine the sufficiency of proposed measures.
  - 5) All lands within a Surface Water and Wetland Buffer shall be left in an undisturbed, naturally vegetated condition. Supplemental planting and landscaping shall be permitted but may not include turf, sod, or other lawn grass; nor any invasive plant species on the Wisconsin Chapter 40 NR Invasive Species List.
  - 6) The clearing of trees that are not dead, diseased, or invasive, and the clearing of any other vegetation other than invasive species on the Wisconsin Chapter 40 NR Invasive Species List, is permitted only upon application to and **approval of the Zoning Administrator under Section 15-XXX**.
  - 7) All Surface Water and Wetland Buffers established in conjunction with approvals under this Article shall be protected through a deed restriction and a conservation easement.

### 15-07.03 Natural Resources Protection and Mitigation Plans

- A) Natural Resource Protection Plan Required



If any Natural Resource Feature as defined and described in [15-07.02] of this Article is present on the property for which a Site Plan review, Certified Survey Map (except as otherwise provided for by the exclusions as identified in § 15-3.0501C.), Subdivision Plat, or Condominium is requested, a Natural Resource Protection Plan drawn to the same scale as the Site Plan, Certified Survey Map, Preliminary Plat, or Condominium submission shall be prepared in accordance with the measurement methods and sources outlined in Subsection (B) below. The Natural Resource Protection Plan shall show the following:

- 1) Sheet 1 – Existing Conditions
  - (a) Proposed Name. The proposed name of the development, project, Certified Survey Map, Subdivision Plat, or Condominium.
  - (b) Location. The location of the proposed development, project, Certified Survey Map, Subdivision Plat, or Condominium.
  - (c) Contact Information. The names, addresses, telephone numbers, and email addresses of the Owners, Subdividers, Lessee and/or Developer.
  - (d) Date. Date of the "Natural Resource Plan" submittal and all applicable revision dates.
  - (e) Scale, North Arrow, and Contours, at a maximum two-foot contour interval.
  - (f) Site Boundary. The boundary line of the site with dimensions and bearings, indicated by a solid line.
  - (g) Site Acreage. The total area of the site.
  - (h) Lot Lines, Right-of-Way Lines, and Easements. The location of all proposed lot lines, right-of-way lines, and easements.
  - (i) Existing Features. The location, ownership, widths, and names (if available) of all existing and previously platted streets, rights-of-way, parks, and other public or open spaces located within or adjacent to the subject property.
  - (j) Easements and Neighboring Property Boundaries. The location and dimensions of all permanent easements on the subject property boundary lines and adjacent to the site.
  - (k) Tree species and locations. The plan shall indicate the location and species of all trees (other than invasive plant species on the Wisconsin Chapter 40 NR Invasive Species List) greater than eight inches (8") diameter at breast height that are located outside a Protected Area as defined in this Article.
  - (l) Degraded or artificial wetlands. The location and area of all degraded or artificial wetlands, as defined under Section (X) above.
  - (m) Existing Natural Resource Features. The location, extent, and area in square feet and acres of all existing Natural Resource Features, as defined and described in Section 15-6.02(A), shall be indicated, including the following:
    - (i) Areas of steep slopes, indicating the location of slopes of 10% to 19%, 20% to 30%, and greater than 30%.



- (ii) The boundaries of all existing woodland or forest areas
  - (iii) The Ordinary High Watermark of all lakes and ponds
  - (iv) The top of bank and centerline of all streams
  - (v) The location and approximate width of any portion of a stream that is fully enclosed within a culvert or pipe
  - (vi) The extent of floodplain, floodway, and flood hazard areas.
  - (vii) The boundary of all delineated wetlands or shoreland wetlands
  - (viii) The boundary of all SEWRPC Primary and Secondary Environmental Corridors and Isolated Natural Resource Areas
  - (ix) For all areas not within the boundaries of a Natural Resource Area, the types and extents of existing land cover and vegetation.
  - (x) Shading or other means of indicating where natural resource boundaries overlap or coincide.
- 2) Sheet 2 – Proposed Construction Disturbance
- (a) The perimeter of the area of all Natural Resource Features as enumerated in Subsection (1)(l, k, and m) above.
  - (b) Scale, North Arrow, and Contours, at a maximum two-foot contour interval.
  - (c) The location of all trees to be preserved and removed (other than diseased, dead, or invasive trees, in accordance with 15.0601(C)(3)) located outside of natural resource protection areas.
  - (d) The proposed limits of construction disturbance, including but not limited to all areas for stockpiling, equipment storage, temporary or permanent stormwater management features, cutting, and grading, clearly indicating where any such disturbance will take place within a natural resource area, with the area of the disturbance indicated in square feet.
  - (e) Clear indication of all areas of proposed disturbance. A table shall be included on the sheet indicating the area of disturbance of each Natural Resource Feature, and the area and extent of any overlapping Natural Resource Features to be affected.
  - (f) Indication of any disturbance proposed to support Essential Services, as defined in this Ordinance, or public roads, paths, and trails, as described in 15.0601(C)(4).
  - (g) Indication of all areas where post-construction mitigation is proposed.
- 3) Sheet 3 – Proposed Final Conditions
- (a) The proposed location and area of all buildings and site improvements, including all building footprints, impervious surfaces, utilities, easements, and rights-of-way
  - (b) Scale, North Arrow, and Contours, at a maximum two-foot contour interval.
  - (c) The boundaries of all proposed residential lots, where applicable



- (d) The proposed boundaries of all Protected Areas, indicating the type of Natural Resource Feature or Features within each area.
  - (e) The location and horizontal width of all proposed surface water buffers
  - (f) The type and location of landscaping, fencing, or other means of permanent demarcation of surface water buffers in accordance with the standards in [REF] below.
  - (g) Proposed stormwater management features, including all vegetated stormwater management measures, ponds, and swales or other conveyances.
  - (h) The landscaping plan, including the location of all trees to be planted or preserved and the types of vegetative cover proposed outside natural resource protection areas.
- 4) Sheet 4 – Mitigation Plan (where applicable). A mitigation plan for all Natural Resource Features proposed to be affected and mitigated, utilizing the City of Franklin Natural Resource Mitigation Guide, including the following:
- (a) Locations and dimensions of the site(s) where mitigation will be implemented.
  - (b) Where applicable, a signed attestation from the owner(s) of any other sites where mitigation is proposed to be implemented, indicating the owner’s concurrence with the proposed plan and willingness to accept a permanent deed restriction and conservation easement for the area where mitigation will occur
  - (c) Planting plans, soil specifications, and depths and dimensions of planting areas
  - (d) Other information as required to determine conformance with the standards of this Article.
- 5) Supporting Information
- (a) Memoranda, surveys, illustrations, or studies regarding woodlands, surface waters, and wetlands
  - (b) Where applicable, a wetland delineation report, including as applicable documentation of degraded wetlands.
  - (c) Tables and worksheets demonstrating the extent of natural resource areas present on site, extent of natural resource areas to be impacted and mitigated during construction, the final extent of mitigation required, and how conformance with the required mitigation ratios is achieved.
  - (d) Sample documents indicating the form of easements, covenants, or other legal mechanism proposed for the protection of natural resources.
  - (e) Other information as needed to demonstrate compliance with the standards in this Article.
- B) Calculation of Impact and Required Mitigation



- 1) Table 15-XX shall be used to determine the required mitigation area for each Natural Resource Feature approved to be mitigated.
- 2) Areas where Natural Resource Features coincide shall be clearly noted, measured, and indicated in Table 15-XX.
- 3) All areas of proposed temporary (i.e., construction-phase) disturbance and permanent (i.e., post-construction) disturbance of each Natural Resource Feature shall be measured and clearly indicated in Table 15-XX.
- 4) The acreage of each natural resource feature shall be multiplied by its respective natural resource protection standard to determine the amount of mitigation required, if any.
- 5) Overlapping areas.
  - (a) Where the boundary of a Protected Area includes more than one Natural Resource Feature, the highest mitigation factor of all of the resources found within the area shall be utilized to determine the required area of mitigation.
  - (b) Notwithstanding (a) above, if a Protected Area contains a Surface Water and Wetland Buffer that is not proposed to be disturbed in construction or post-construction phases, the next highest mitigation factor may be utilized.



**TABLE 15-X: City of Franklin Natural Resources Mitigation Ratios**

	A	B	C	D	E	F = (D + (.5*E))*A
	Mitigation Factor	Total Area on Site (SF)	Proposed Area of Construction Disturbance (SF)	Permanent Impact Area (SF)	Proposed Area of Post-Construction Mitigation (SF)	Mitigation Required (SF)
SEWRPC Primary Environmental Corridor	1.0	10,000	2,000	500	1,500	[(500)+ (1,500*.5)] * 1.0 =1,250 x 1 = 1,250 SF
SEWRPC Secondary Environmental Corridor	.75	2,000	1,000	750	250	[(750) + (250 * .5)] * .75 = 875 SF
SEWRPC Isolated Natural Resource	1.0					
Steep Slopes, 10-19%	.25	Per discussion and direction from the City Engineer at the 8/3/2023 hearing, it is recommended that steep slopes NOT be mitigated.				
Steep Slopes, 20-30%	.75					
Steep Slopes, >30%	1.0					
*Surface Water Buffers	1.25					
Woodland	.75					
Degraded Wetland	1.5					
*Wetland	1.5					
**OVERLAPPING AREAS	Use highest Mitigation Factor of all resources present within the area					
*Lakes and Ponds	1.0					
Total Mitigation Required						

\*Direct impacts to Surface Water and Wetland Buffers, Wetlands, Lakes, and Ponds allowed only with special exception under Section **X**.

\*\*Where Natural Resource Features other than delineated wetlands and surface waters overlap, use the highest mitigation factor of the resources found within the protection area.

\*\*\*If Surface Water and Wetland Buffers are present but undisturbed during construction and post-construction phases, mitigation is not required and the highest mitigation factor of any other impacted/affected resource shall apply.





15-07.04 Standards for Natural Resource Feature Mitigation

- A) **Mitigation Guidance Incorporated by Reference.** The City of Franklin Natural Resource Mitigation Guide, as amended, shall guide the design and review of any proposed mitigation.
- B) **Surety Required.** Staff may recommend, and the Plan Commission or Common Council may require, a Letter of Credit or another surety, as approved by the City Attorney, to ensure the completion and establishment of Natural Resource Feature mitigation and any conditions imposed pursuant to this Article 7.
- C) For all mitigated Natural Resource Features, deed restrictions, conservation easements, and landowner agreements permanently conserving the land shall be required in a form acceptable to the City Attorney.
- D) All conserved or mitigated areas, whether on or off site, shall be demarcated with a combination of fencing, planting, and signs to prevent mowing, snow storage, or other abuse of the area.
- E) **Off Site Mitigation**
- 1) Off-site mitigation may be permitted by the Plan Commission provided:
    - (a) The Plan Commission determines that off-site mitigation is a desirable alternative to mitigation on-site and will achieve greater overall benefit to the City of Franklin and the Natural Resource Features to be mitigated.
    - (b) All off-site mitigation shall occur within the City of Franklin.
  - 2) All off-site mitigation shall require the recording of deed restrictions and conservation easements for the area of the property on which mitigation occurs, in a form acceptable to the City Attorney.
- F) **Mitigation of Specific Natural Resources.** In its review and approval of a Natural Resource Protection Plan and any mitigation measures, the Plan Commission shall be guided by the following:
- ~~1) **Steep slopes.** Impacts to steep slopes shall be mitigated with any combination of:
    - (a) Supplemental on or off site tree planting in excess of the requirements of [15-xx LANDSCAPE] and subsections (2) and (3) below.
    - (b) Enhancement or establishment of Surface Water or Wetland buffers in accordance with subsection (8) below.~~



~~(c) Mitigation of wetlands or shoreland wetlands in accordance with subsections (5) and (7) below.~~

**2) Woodland.**

(a) Mitigation plans for woodlands shall follow the City of Franklin Natural Resource Mitigation Guidelines.

(b) Species of trees and plants used in the mitigation of woodland and forests shall be subject to review by the City Forester to ensure that species selected for mitigation are likely to be successful within the area of the City where proposed, and represent an equal or greater value in promoting the health and integrity of the City's forest resources relative to the resources impacted by the project.

(c) Surety or other financial instrument sufficient to replace the required plantings shall be retained by the City for a period of two (2) years after planting to ensure establishment and plant growth.

(i) The surety may be released after 2 years provided the City Forester has inspected the site and determined that plant establishment has occurred.

(ii) If the City Forester has determined that remedial planting is required, the surety shall be extended for another 2 years after the date of remedial planting.

(d) No tree cutting or removal, subsequent to the adoption of this Ordinance, shall reduce the woodland/forest natural resource features protection requirements of this Ordinance, other than removal of invasive plant species on the Wisconsin Chapter 40 NR Invasive Species List.

**3) Trees outside natural resource areas**

(a) Existing trees with a caliper of 8 inches or greater diameter at breast height (other than removal of invasive plant species on the Wisconsin Chapter 40 NR Invasive Species List) that are removed shall be replaced one-for-one on the site, in addition to any woodland area mitigation required.

(b) In the event the City Forester determines that replanting is not advisable on the site, the applicant shall pay the City a fee in lieu per tree based on the City's established fee schedule at the time a [WHAT KIND OF] permit is obtained.

(c) Cutting of or damage to trees planted as mitigation shall constitute a violation of this Article and shall be subject to enforcement under [SECTION].

**NOTE:** Need policy direction on when and at what step fees should be paid

**4) SEWRPC Primary and Secondary Resource Corridors and Isolated Natural Areas**

(a) Mitigation of impacts to SEWRPC Primary and Secondary Resource Corridors and Isolated Natural Areas shall be based on the nature of the Natural Resource



Features in the affected area, as documented in the Natural Resource Protection Plan. Mitigation may include, but not be limited to:

- (i) Tree planting in accordance with the standards in (XX) above
  - (ii) Stream and Wetland Buffer restoration or establishment along surface waters or wetlands with inadequate or no buffering, in accordance with Subsection
  - (iii) Restoration of eroded or impacted stream channels
  - (iv) Wetland restoration or enhancement, where consistent with Wisconsin DNR standards.
- (b) The land upon which the mitigation is to take place shall be protected with a deed restriction and a conservation easement.
- (c) Off-site mitigation
- (i) At the discretion of the Plan Commission, applicants may provide for the permanent protection of an equivalent area of any combination of SEWRPC Primary or Secondary Resource Corridor, or Isolated Natural Area, within the City of Franklin, so long as the total area conserved is of sufficient size to meet the required mitigation area pursuant to this Article.

**5) Shoreland Wetlands.**

- (a) Impacts to shoreland wetlands shall be governed by approvals issued pursuant to [new section of municipal code] and shall be contingent upon receipt by the City of permits from the Wisconsin Department of Natural Resources and United States Army Corps of Engineers, as applicable
- (b) Mitigation shall occur at the ratio for wetlands in Table 15-07.X in strict accordance with the most recent [Guidelines for Wetland Compensatory Mitigation in Wisconsin](#).
- (c) All conserved shoreland wetlands and any associated mitigation shall be protected with a deed restriction and a conservation easement.

**6) Lakes and Ponds.**

- (a) Direct impacts to Lakes and Ponds may be mitigated at the ratio in Table 15-07.X only if the impact and mitigation is part of an approved stormwater management plan that meets, at a minimum, all of the following criteria:
  - (i) The time of concentration of stormwater flows remains unchanged or is lengthened.
  - (ii) Stormwater storage capacity is maintained or increased.
  - (iii) No flooding or adverse drainage conditions on adjoining properties will be created.
- (b) Approvals shall be contingent upon receipt by the City of permits from the Wisconsin Department of Natural Resources and United States Army Corps of Engineers, as applicable.



7) **Wetlands.**

- (a) Impacts to wetlands, other than degraded or artificial wetlands as defined in this Article, shall be approved for mitigation at the ratio in **Table 15-07.X.**
- (b) Permits shall be contingent upon receipt by the City of permits from the Wisconsin Department of Natural Resources and United States Army Corps of Engineers, as applicable.
- (c) Wetland restoration shall follow the principles set forth in the most recent [Guidelines for Wetland Compensatory Mitigation in Wisconsin.](#)
- (d) **[need a statement on off-site mitigation/purchase of banking]**

8) **Surface Water or Wetland Buffers.**

- (a) The Plan Commission may approve construction-phase (i.e., temporary) or post-construction (i.e., permanent) impacts within an existing or proposed Surface Water or Wetland Buffer only upon finding that:
  - (i) The authorized reduction in the width or area of the buffer is the minimum necessary to allow the proposed use to function efficiently on the project site
  - (ii) The reduced buffer, and its associated planting plan, will be sufficient to protect the associated surface water or wetland so as to prevent loss of function or flooding.
  - (iii) Sufficient planting, fencing, or other demarcation will be provided during construction to protect the buffer from activities and damage such as mowing, storage, parking, or snow storage
- (b) Impacts within Surface Water or Wetland Buffers shall include without limitation the following:
  - (i) Construction-phase disturbance, including clearing, grubbing, and disturbance of the surface grade.
  - (ii) The construction of new or expanded structures or impervious surface area
  - (iii) Clearing or mowing, or the establishment of actively maintained vegetation such as turfgrass, planted islands, or landscaped strips.
  - (iv) Permanent or temporary stormwater ponds.
- (c) If a new Surface Water or Wetland Buffer is established at a width less than required in this Article, the difference in surface area between the required and proposed Wetland or Surface Water Buffer shall be mitigated at the required ratio in **Table 15-07.X.**
- (d) **Specific Standards for Surface Water and Wetland Buffer Mitigation.** Where mitigation is approved, in addition to the standards in the City of Franklin Mitigation Guidance, the following specific standards shall be met:



- (i) The perimeter of any existing Surface Water or Wetland Buffer impacted by an approved development, and the perimeter of all new or restored buffers provided as mitigation, shall be established or re-established with plantings, fencing, or a combination thereof.
- (ii) The Plan Commission may approve the restoration or establishment of a new surface water or wetland buffer on an existing developed site within the City of Franklin as mitigation for impacts on a Natural Resource Feature under this Article. The Plan Commission may deviate from the strict numeric requirements of the mitigation ratio where the following conditions apply:
  - (1) The proposed buffer has a minimum width of five feet (5') at its narrowest point and a minimum total area of one hundred fifty square feet (150 SF).
  - (2) In the opinion of the City Engineer, the proposed buffer would provide a material benefit to water quality, flooding, and storm water management.
  - (3) The combination of impervious surface area removed (if any), the amount of impervious surface area draining to the new or restored buffer, the degree of planting provided, and the width and size of the buffer represent, in the opinion of the City Engineer, sufficient benefit to water quality, flood prevention, and stormwater management to offset the development impact.

#### 15-07.05 ADMINISTRATION; SPECIAL EXCEPTION

##### A) Natural Resource Protection Plan Review Procedures

- 1) Staff shall make a recommendation to the Plan Commission as to the completeness of a Natural Resource Protection Plan and the sufficiency of proposed mitigation, based on the standards and procedures set forth in section 15-07.04 above.
- 2) The Natural Resource Protection Plan and mitigation plan, if applicable, shall be incorporated into the findings of fact and decision for the project and shall be binding on all future approvals, subject to any amendments approved under the provisions of this Article.
- 3) Technical Review.
  - (a) Where the Plan Commission determines that there is a material dispute as to the nature, location, extent, or quality of one or more natural resources present, or on the viability or approach to mitigation proposed, the Plan Commission may contract for review of the Natural Resource Protection Plan by a qualified



professional. [note: under the City's current provisions for a special exception applicants are charged for these costs; see 15-07.05(B)(2)(e)(3) below]

(b) The objective of any such review shall be to establish a factual basis for determining whether a Natural Resource Protection Plan and any proposed mitigation meets the objective standards and ratios in this Article and the City of Franklin Mitigation Guidance.

(c) Where applicable the written report from any such review and the Plan Commission's findings shall be transmitted to the Common Council for use in its review. [IF NEEDED]

## B) Special Exception

1) A Special Exception to the provisions of this Article shall be required for:

- (a) Any construction or permanent impacts to shoreland wetlands, wetlands, lakes, ponds, or streams;
- (b) Any permanent, unmitigated impacts to any surface water or wetland buffers not meeting the standards in 15-07.04(F)(8);
- (c) Any reduction in the required mitigation ratios in Table [15-XX REF];
- (d) Any modification of the financial surety requirements in Section [X-X]; and
- (e) Any appeal of a Plan Commission's final determination of a natural resource feature pursuant to 15-07.02.

2) **Common Council Review.** Upon recommendation by the Plan Commission, the Common Council may grant a Special Exception to the provisions of this Article in accordance with the procedures in this Section.

- (a) Burden of Proof. The applicant shall have the burden of proof to present evidence sufficient to support the findings required under sub. 2 below.
- (b) A minimum of one (1) Class II Public Hearing shall be required. The Class II Public Hearing may be conducted by the Plan Commission, with a recommendation made to the Common Council. The Common Council may, at its discretion, warn an additional Class II Public Hearing prior to its action on the Special Exception.
- (c) Criteria for Approval. 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 may be granted only upon a finding by the Plan Commission and concurrence by the Common Council:



- (i) That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection (i) does not apply to an application to improve or enhance a natural resource feature); and
- (ii) Compliance with the strict provisions of this Article will:
  - (1) be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives; or,
  - (2) unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives; and
  - (3) the Special Exception, including any conditions imposed under this Section will:
    - a. 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 Article; and
    - d. Preserve or enhance the quality of the natural resource affected.
- (d) In making its recommendation, the Common Council shall consider factors such as:
  - (1) The impact on physical characteristics of the 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 circumstance 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) The proposed degree of noncompliance with the requirement of this Article to be allowed by the Special Exception;
  - (4) The project's proximity to and character of surrounding property;
  - (5) Purpose of the zoning district of the area in which property is located and neighboring area; and
  - (6) Any potential for negative effects upon adjoining property from the Special Exception if authorized.
- (e) Conditions of Special Exception. Any Special Exception granted under the authority of this Section shall be conditioned upon the applicant first obtaining all other necessary approval(s) from all other applicable governmental agencies and shall also set forth conditions that the Common Council deems necessary, including, but not limited to, conditions that:



- (1) Prescribe the duration of the Special Exception (i.e., permanent, a specified length of time; or a time period during which the property is owned or occupied by a particular person);
- (2) Require additional mitigation beyond measured proposed in the Natural Resource Protection Plan and Mitigation Plan, provided such measures are related to and roughly proportional with the degree of impact authorized;
- (3) Require payment or reimbursement by the applicant to the City of any costs, expenses, professional fees (including the fees of a person recognized with knowledge and experience in natural systems) or legal fees reasonably incurred by the City in reviewing or processing the application for Special Exception. The Common Council may also require the posting of a bond or letter of credit to cover the costs of such expenses and fees. An applicant may obtain the review of the amounts imposed under this Subsection pursuant to Division 15-9-10 of this Ordinance.

*DRAFT*





REPORT TO THE PLAN COMMISSION

Meeting of July 18, 2024
Natural Resource Special Exception

RECOMMENDATION: City Development staff recommends approval of the proposed Draft Ordinance.

Table with 2 columns: Field Name and Value. Fields include Project Name, Applicant, Property Address/Tax Key Number, Aldermanic District, and Staff Planner.

The City of Franklin Unified Development Ordinance includes a Floodplain Zoning Ordinance that complies with Federal Emergency Management Agency (FEMA) requirements for the community to participate in the National Flood Insurance Program.

- The current City of Franklin Floodplain Zoning Ordinance is available online as Attachment 1 of the Unified Development Ordinance: https://ecode360.com/33224107
• Information about floodplain management including Federal and State requirements; the DNR website has extensive resources: https://dnr.wisconsin.gov/topic/FloodPlains

This City's ordinance, including the maps that outline the areas subject to regulation, require occasional updates. FEMA completed their review and public comment period for these maps in 2023, and notified the City that such an update is needed.

The project was initially presented to Common Council on July 2, 2024 for feedback. Common Council commented on possible participation in two new options for the ordinance: Act 175, and the Community Rating System.

Staff revised the model ordinance to concord with the City's policies and requirements for natural resource protection and administrative procedures. The areas protected by the updated maps within the Franklin corporate boundary have not changed from the current FIRMs.

### Major Changes

The proposed Draft Ordinance differs from the existing ordinance primarily in that it allows for Franklin to participate in WI Act 175. In 2020 the State of Wisconsin enacted Act 175, which allows communities to establish standards for nonconforming structures in the floodplain that do not rely on a calculation of the structure's value – the “50 percent rule.” Under this rule, structures that are improved beyond 50 percent of their value must either come into conformity with the ordinances or be removed. With the proposed update, property owners instead have the option to update structures to floodproof them to the minimum Federal standards, and the structures are then no longer subject to cost-based regulation. Broadly speaking, this is a less restrictive requirement than state and local ordinances, while still requiring flood safety measures of property owners.

Franklin may opt to participate in this provision by adopting the necessary language in the updated ordinance. The draft ordinance reflects this language, primarily through the addition of language to section 6.1 (4)) Nonconforming Uses. Guidance from WI DNR regarding Act 175 is attached for additional information.

Staff also reviewed for the option to participate in the Community Rating System (CRS) program for possible discounted rates to homeowners on flood insurance. Because the City has open floodplain violations requiring a Community Assistance Visit (CAV), we are not eligible for this program until the CAV is resolved. Staff recommends revisiting this discussion at the conclusion of the CAV. Updating the ordinance would require a text amendment.

The deadline for adoption of the ordinance in order to meet FEMA requirements for this update is September 10, 2024. An approximate timeline for the project is attached, along with the DNR letter initiating the project.

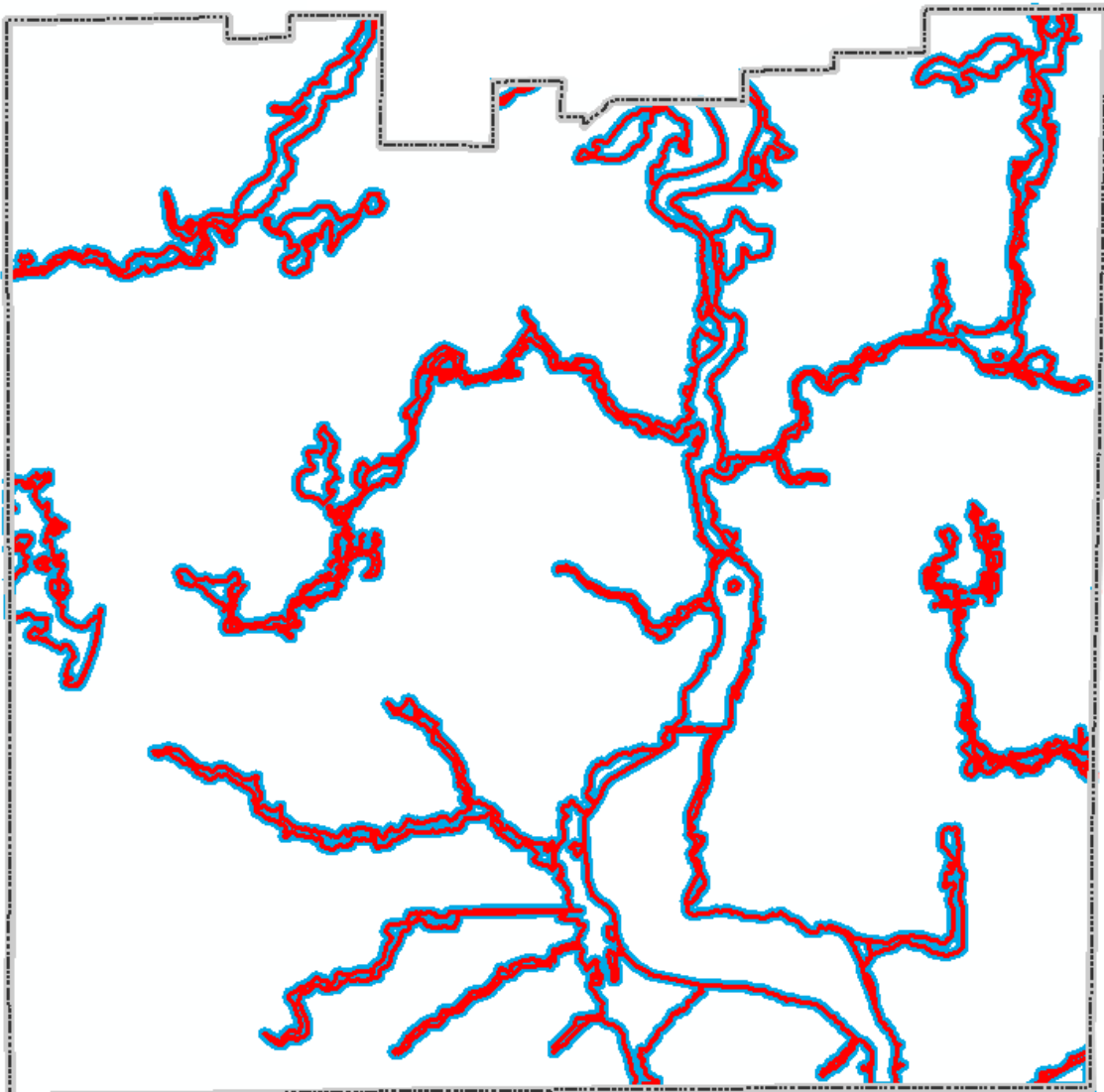
### Attachments

- Map of existing and proposed FIRM boundaries
- DNR letter to City of Franklin, with required timeline for review and adoption
- DNR Act 175 Guidance
- Draft Floodplain Ordinance

Date: July 31, 2024  
To: City of Franklin Plan Commission  
From: Marion Ecks, AICP  
RE: Federal Emergency Management Agency's Floodplain Insurance Rate  
Maps (FIRM) and City of Franklin Floodplain Ordinance

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The City of Franklin GIS team conducted a comparison of the 100 year proposed FEMA 2024 A and AE zones (in red) vs the 2028 A and AE zones (in blue). No changes have been made.



MX



Monday, April 29, 2024

The Honorable Mr. John Nelson, Mayor  
City of Franklin  
9229 W LOOMIS RD  
FRANKLIN WI 53132-9630

Electronic delivery via email: jnelson@franklinwi.gov

Subject: Ordinance adoption notice for City of Franklin. FEMA Community ID: 550273.

Dear Mr. John Nelson,

Recently, the City of Franklin received a Letter of Final Determination (LFD) date of October 24, 2024, from the Federal Emergency Management Agency (FEMA) notifying the City that updated Flood Insurance Rate Maps (FIRMs) and the Flood Insurance Study (FIS) for Milwaukee County must be adopted into the local floodplain ordinance within six months. The City ordinance must be updated and approved by DNR and FEMA no later than **October 24, 2024, or your community will be suspended from the National Flood Insurance Program (NFIP).**

This letter, and the information listed below explain how to set up the ordinance and the ordinance adoption process. This information was provided as attachments to the same email that contained this letter.

- FIRM and FIS Information – lists out the FIRM panels, FIS numbers and the effective dates needed for the official maps section of the local floodplain ordinance.
- Checklist for standard model ordinance – used to match local sections to state model sections, to ensure all applicable text is included. Completing this document is required if the local ordinance has language that varies from the state model. An editable version in Word format is attached.
- WDNR current standard model ordinance – to be used for the update of your community ordinance. The state standard model meets the minimum requirements of the NFIP and Chapter NR116, Wisconsin Administrative Code. An editable version in Word format is attached.
- [Adopting an ordinance](#)- a step-by-step guide quick guide outlining the adoption process.
- [Checklist for ordinance updates](#)– a checklist describing what is needed for the ordinance adoption process and to receive the DNR approval.
- Ordinance adoption timeline – an outline of steps, with timeframe for each, to receive the DNR approval before the FEMA deadline.

DNR staff are prepared to assist you in the ordinance review and adoption process, provide example public notices and explain state and federal regulatory requirements. Communities are encouraged to have DNR staff review the draft local floodplain ordinance well before the ordinance is presented to the local governing body for adoption in order to ensure compliance with the NFIP and Chapter NR116, Wisconsin Administrative Code. We advise you to start on this process as soon as possible to allow for the time necessary to complete the adoption process and to allow for any unintentional delays. FEMA will not permit extensions beyond the October 24, 2024, deadline. **If the ordinance is not legally adopted by the community and approved by the DNR and FEMA, the community will be immediately suspended from the NFIP.**

The federal consequences of being suspended from the NFIP are:

1. No resident will be able to purchase a federal flood insurance policy. Those that may have had policies will no longer have coverage after the current policy renewal date, however no flood claims would be paid out until the community rejoins the program.
2. Federal officers and agencies are prohibited from approving any financial assistance for acquisition, construction, repair, or maintenance purposes in an area of special flood hazard in the community.
3. Public facilities and citizen owned structures, during a federally declared flood disaster, are not eligible for the full assistance that normally would be available to communities that are members of the NFIP.
4. Development potential may be affected in your community. FEMA will not approve a Letter of Map Revision based on Fill (LOMR-F) because the community acknowledgement form cannot be signed if the community is not a participant in the NFIP.

The process for amending a local floodplain ordinance is:

- **Ordinance amendment draft (recommended)**- submit draft ordinance to your DNR Floodplain Management contact for review 2-4 weeks prior to the public hearing to ensure it is compliant with the minimum standards of the NFIP and Chapter NR116, Wisconsin Administrative Code before adoption. We advise the Community to adopt the DNR model as it does meet current minimum standards for the NFIP and Chapter NR116. However, the community may be more restrictive than the minimum standards, if desired.
- **Notice of public hearing (Class2)** - the publication or posting of a public hearing notice for two consecutive weeks with the final notice being published or posted **no less than seven (7) days** prior to the public hearing. It is critical that the notice is published/posted correctly because if it is not, it may not be valid, and the community would be required to go through the adoption process again.
- **Decision of governing body**- once an amended floodplain ordinance has been adopted, please submit the following information in electronic format PDF to your DNR Floodplain Management contact within ten (10) days after adoption:
  1. A certified copy of the adopted ordinance.
  2. An affidavit of publication of the notice of public hearing from the newspaper with the notice. If the notice was posted, a notarized affidavit by the local official (usually the clerk) stating that the notice of public hearing was posted in three public places (with date and location), together with the notice, or posted in one public place and placed electronically on the municipality internet site per s. 985.02(2)(a).
  3. An affidavit of publication of the notice of the enacted ordinance from the newspaper with the notice. If the notice was posted, a notarized affidavit by the local official (usually the clerk) stating that the notice of public hearing was posted in three public places (with date and location), together with the notice, or posted in one public place and placed electronically on a municipality internet site per s. 985.02(2)(a).
- Upon receipt DNR staff will review the documents to issue the approval and coordinate the FEMA approval for the community.

If you have any questions concerning this letter or need further information on the ordinance adoption process or the Wisconsin model ordinance, please reach out to the Floodplain Management Program contact identified in the email sent to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mia Van Horn". The signature is fluid and cursive, with the first name "Mia" being the most prominent.

Mia A. Van Horn  
Floodplain Zoning Ordinance Coordinator  
Wisconsin Department of Natural Resources  
Madison office

Copy to:            Ms. Marion Ecks - City of Franklin, via [mecks@franklinwi.gov](mailto:mecks@franklinwi.gov)  
                         Shirley J Roberts - City of Franklin, via [sroberts@franklinwi.gov](mailto:sroberts@franklinwi.gov)  
                         Michelle M Hase, P. E. - Wisconsin DNR, via [michelle.hase@wisconsin.gov](mailto:michelle.hase@wisconsin.gov)

Ordinance Adoption Steps	Who is responsible	Deadlines from the start date of LFD	Date Completed
LFD begin date	FEMA	4/24/2024	
DNR sends letter to community to follow up on letter from FEMA	DNR	5/1/2024	
DNR reaches out to community to offer assistance for Community's choice to either (1) draft updated ord using model -- <b>OR</b> -- (2) creates own format with completed crosswalk	DNR	5/1/2024 - 5/4/2024	
If community wants DNR assistance, DNR to provide community with first draft using MODEL including all Official Maps info (leaving only a few areas for community to complete and opportunity to discuss with Corporate Counsel) -- OR -- Community provides DNR with draft ordinance and a completed Crosswalk worksheet.	Community and DNR		
If not using model: DNR reviews crosswalk and community draft	DNR		
Finalized and approvable draft ordinance to be complete and ready for public hearing	Community and DNR	5/24/24-7/24/24	
Publish/Post Class 2 notice (for 2 consecutive weeks with 2nd week being a minimum of 7 days before the date of the public hearing) for public hearing <b>no later than</b> 14 days prior to scheduled hearing date (recommended to be completed earlier to provide more than 14 days between notice and hearing date)	Community		
Complete Public Hearing for ordinance review and adoption	Community		
Official adoption of Ordinance by the community ( <b>should be minimum of 30 days before the deadline in cell 16C</b> )	Community		
Publish/post Class 1 notice of enacted ordinance	Community		
Community receives Class 1 notice Affidavit	Community		
Community submits all final documents to DNR for review and compiling state approval packet	Community	9/24/2024	

DNR completes approval letter and sends to community, closes out DNR records (FAD) and uploads packet into FEMA database	DNR		
State approval packet must be provided to FEMA with enough time for FEMA to review and approve	DNR	10/10/2024	
Final Approval	FEMA	10/24/2024	



DNR sends state letter to community to follow up with LFD from FEMA

DNR reaches out to community to offer assistance for Community's choice to either (1) draft updated ord using model -- **OR** -- (2) creates own format with completed crosswalk

DNR to provide community with first draft using MODEL including all Official Maps info (only a few areas for community to complete and opportunity to discuss with Corporate Counsel) -- **OR** -- Community provides DNR with draft ordinance and a completed Crosswalk worksheet.

If not using model: DNR reviews crosswalk and community draft

Finalized and approvable draft ordinance to be complete and ready for public hearing

Publish/Post Class 2 notice for public hearing no later than 14 days prior to scheduled hearing date (can be completed earlier to provide more than 14 days between notice and hearing date)

Complete Public Hearing for ordinance review and adoption

If separate board/council meeting for official adoption, hold special meeting for community approval to adopt

Publish/post Class 1 notice of enacted ordinance

Community receives Class 1 notice Affidavit

Community submits all final documents to DNR for review and compiling state approval packet

FEMA deadline - state approval packet must be received by FEMA on or before this date

## ACT 175 (s. 87.30 (1d)(d) Stats.) Guidance

The WDNR floodplain model ordinance includes the acceptable regulatory standards required in Ch. NR116, Wis. Admin. Code with supplemental wording intended to ensure that the minimum requirements for participation in the National Flood Insurance Program (44 C.F.R. §§59-72) are met or exceeded in all circumstances. The floodplain model ordinance now includes language for communities choosing to adopt changes consistent with 2019 Act 175.

Act 175 was enacted March 2020 and created § 87.30 (1d) (d), Wis. Stats. This Act changes how Ch. NR116, Wis. Admin. Code may require local governments to regulate nonconforming structures in the floodplain. To participate in the National Flood Insurance Program, however, communities must still adopt and enforce regulations that meet the NFIP's minimum standards, which are unchanged. § 87.30 (1d) (d) creates an exception to the state's "50% rule" for structures in the floodplain. The state's "50% rule" says no modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of the local floodplain ordinance.

Essentially, in a floodplain zoning ordinance that has incorporated Act 175, if a nonconforming structure is altered to meet the federal minimum standards applicable to new construction and substantial improvements, and the living quarters in the nonconforming building are elevated to be at or above the flood protection elevation, then the Department is prohibited from imposing cost-based regulation or restrictions to the structure (i.e., "50% Rule"). It is important to note that structures modified to meet the requirements of § 87.30 (1d) (d) are not transformed into conforming structures. They are still considered nonconforming structures and are subject to all other non-cost-based regulations and restrictions applicable to nonconforming structures.

The NFIP minimum standards require a participating community to regulate all development, including all improvements to all structures in special flood hazard areas. The appropriate minimum standards must be applied to substantial improvements, modifications, additions, and repair or other improvement of substantially damaged buildings, without regard for whether such buildings are "nonconforming" with regard to ordinances adopted to meet Ch. NR116 regulations or other state or local zoning regulations.

Act 175 did not change any city, village, or county floodplain ordinance authority and communities are able to maintain their current ordinance and incorporate higher standards into their floodplain zoning ordinance.

Communities should decide whether to incorporate Act 175 into the floodplain ordinance or maintain their current framework for regulating nonconforming structures based on an assessment of local flood risks. Once the local flood risks are identified and an appropriate zoning approach is determined, some communities may choose to maintain existing floodplain zoning and implement higher standards, while others may modify their ordinances to adopt this new minimum standard. (see [WDNR floodplain model ordinance.](#))

1. When Act 175 is incorporated into an ordinance there is a potential for the community to allow modifications, additions, substantial improvements, maintenance and repairs to existing nonconforming structures in excess of the State's 50% Rule once the minimum requirements of **Appendix A** are met. This creates two classifications of nonconforming structures:
  - a. Class 1: Nonconforming structures that do not meet Appendix A minimum requirements and continued to be subject to the State's 50% Rule.
  - b. Class 2: Nonconforming structures meeting Appendix A minimum requirements and no longer subject to the State's 50% Rule.
  
2. For ordinances without Act 175 – repair/maintenance/modification/substantial improvement of structures in the floodplain is limited by the 50% rule as expressed in NR116.
  - a. No modification, addition, maintenance, or repair can be made on a structure in the floodway if the cost exceeds 50% of the present equalized assessed value of the structure;
  - b. If a structure in the floodway is substantially damaged by a flood, it must be removed from the floodway;
  - c. No modification, addition, maintenance, or repair can be made on a structure in the floodfringe if the cost exceeds 50% of the present equalized assessed value of the structure unless the structure is modified to conform to the floodplain ordinance;
  - d. In addition all standards for nonconforming structures in the floodplain, listed in Nonconforming Uses in Section 6.0 of the state model, must be followed.

## Appendix A

For communities incorporating Act 175 into its ordinance, non-conforming structures not subject to the State 50% Rule must meet the following minimum standards:

- (1) Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;
- (2) The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;
- (3) The nonconforming building is permanently changed to conform to the applicable requirements of the general standards applicable to all floodplain districts;
- (4) The building is permanently changed to conform to all applicable requirements in the community's floodplain zoning ordinance such as Hydraulic and Hydrologic Analyses (H & H), lowest floor elevations, anchoring, mechanical and utility equipment elevations, floodproofing standards, and must not obstruct flow of floodwater or cause any increase in flood levels.

NOTE: Incorporating Act 175 into the local ordinance still requires the zoning administrator to carefully review and apply applicable portions of Nonconforming Uses in section 6.0 of the model ordinance because the structure is still a nonconforming structure.

- (5) If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of the floodfringe district.
- (6) New construction and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation.
- (7) New construction and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
  - a. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of paragraph vii above.
  - b. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed.
- (8) Fully enclosed areas below the lowest floor of new construction and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the

entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:

- a. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide a total net area of not less than one square inch for every square foot of enclosed area;
  - b. The bottom of all openings must be no higher than one foot above the adjacent grade;
  - c. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters.
- 9) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- 10) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH on existing sites in an existing manufactured home park that is not undergoing expansion and on which a manufactured home has not incurred substantial damage as a result of flood must be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- 11) Recreational vehicles placed on sites within zones A1-30, AH, and AE must either
- a. Be on site for fewer than 180 consecutive days; or
  - b. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
  - c. Meet the elevation and anchoring requirements for manufactured homes in paragraph ix above.
- 12) In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including new construction, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- 13) In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring new construction, substantial improvement, and other development to meet paragraphs (6) through

(12) (inclusive) above. If floodway data are available, the community must select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any point.

- 14) In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, no new construction, substantial improvement, or other development (including fill) may be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- 15) Notwithstanding the requirements of paragraphs (12) and (14) above, the community may permit certain development in zones A1-30 and AE where a floodway has not been delineated, which will increase the water surface elevation of the base flood by more than one foot, or in a regulatory floodway, which will result in an increase in base flood elevations, if the community first obtains a Conditional Letter of Map Revision (CLOMR) from FEMA and fulfills the requirements of Section 65.12 of Title 44, Code of Federal Regulations.
- 16) In zone AO, new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified).
- 17) In zone AO, new construction and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in paragraph vii above.

Floodplain Ordinance for City of Franklin, WI

Effective: Proposed for September 10, 2024

A cooperative effort of  
WI Department of Natural Resource (DNR)  
and  
Federal Emergency Management Agency (FEMA)

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## **1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE, AND GENERAL PROVISIONS**

### **1.1 STATUTORY AUTHORIZATION**

This ordinance is adopted pursuant to the authorization in s. 61.35 and 62.23, for villages and cities; and the requirements in s. 87.30, Stats.

### **1.2 FINDING OF FACT**

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare, and tax base.

### **1.3 STATEMENT OF PURPOSE**

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

### **1.4 TITLE**

This ordinance shall be known as the Floodplain Zoning Ordinance for the City of Franklin, Wisconsin.

### **1.5 GENERAL PROVISIONS**

#### **(1) AREAS TO BE REGULATED**

This ordinance regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30, AE, on the Flood Insurance Rate Map. Additional areas identified on maps approved by the Department of Natural Resources (DNR) and local community may also be regulated under the provisions of this ordinance, where applicable.

#### **(2) OFFICIAL MAPS & REVISIONS**

Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (a) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the City Clerk, City of Franklin, WI.

(a) **OFFICIAL MAPS**: Based on the Flood Insurance Study (FIS):

1. Flood Insurance Rate Map (FIRM), panel number **55079C0137F, 55079C0139F, 55079C0141F, 55079C0142F, 55079C0143F, 55079C0144F, 55079C0161F, 55079C0162F, 55079C0163F, 55079C0164F, 55079C0206F, 55079C0207F, 55079C0209F, 55079C0226F, 55079C0227F, 55079C0228F, 55079C0229F,** dated **10/24/2024**
2. Flood Insurance Study (FIS) for **Milwaukee County** here, dated **10/24/2024**



3. **(If applicable)** Letter of Map Revision (case number and effective date).
7. **(If applicable)** Conditional Letter of Map Change (case number and issue date)

Approved by: The DNR and FEMA



(3) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The flood hazard areas regulated by this ordinance are divided into districts as follows:

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

(4) LOCATING FLOODPLAIN BOUNDARIES

Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0 *Amendments*. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 *Amendments*.

- a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- b) Where flood profiles do not exist for projects, including any boundary of zone A, AO, the location of the boundary shall be determined by the map scale.

(5) REMOVAL OF LANDS FROM FLOODPLAIN

- a) Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0 *Amendments*.

- b) The delineation of any of the Floodplain Districts may be revised by the community where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
  - 1. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation;
  - 2. The fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F;
- c) Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

(6) COMPLIANCE

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

(7) MUNICIPALITIES AND STATE AGENCIES REGULATED

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

(8) ABROGATION AND GREATER RESTRICTIONS

- a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted

under s. 62.23 for cities; or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

- b) This ordinance is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) INTERPRETATION

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

(10) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) SEVERABILITY

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) ANNEXED AREAS FOR CITIES AND VILLAGES

The Milwaukee County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR 59-72, *National Flood Insurance Program (NFIP)*. These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

**2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS**

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.

- 1) If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall:
  - a. be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
  - b. be constructed with flood-resistant materials;
  - c. be constructed by methods and practices that minimize flood damages; and
  - d. Mechanical and utility equipment must be elevated to or above the flood protection elevation.

- 2) If a subdivision or other proposed new development is in a flood-prone area, the community shall assure that:
  - a. such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the flood-prone area;
  - b. public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
  - c. adequate drainage is provided to reduce exposure to flood hazards.

All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 7.1(2).

## **2.1 HYDRAULIC AND HYDROLOGIC ANALYSES**

- 1) No floodplain development shall:
  - a. Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
  - b. Cause any increase in the regional flood height due to floodplain storage area lost.
- 2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of s. 8.0 *Amendments* are met.

## **2.2 WATERCOURSE ALTERATIONS**

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 2.1 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 8.0 *Amendments*, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

## **2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT**

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams, and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 8.0 *Amendments*.

## **2.4 PUBLIC OR PRIVATE CAMPGROUNDS**

Public or private campgrounds shall not be permitted in flood hazard areas.

## **3.0 FLOODWAY DISTRICT (FW)**

### **3.1 APPLICABILITY**

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.1(5).

### **3.2 PERMITTED USES**

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
  - they meet the standards in s. 3.3 and 3.4; and
  - all permits or certificates have been issued according to s. 7.1.
- 1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture, and wild crop harvesting.
  - 2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
  - 3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap, and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
  - 4) Uses or structures accessory to open space uses or classified as historic structures that comply with s. 3.3 and 3.4.
  - 5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
  - 6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
  - 7) Public utilities, streets and bridges that comply with s. 3.3(3).
  - 8) Portable latrines are not permitted in flood hazard zones.
  - 9) Public or private wells used to obtain potable water for recreational areas are not permitted in flood hazard zones.
  - 10) Wastewater treatment ponds or facilities permitted under s. NR 110.15(3)(b), Wis. Adm. Code.
  - 11) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

### **3.3 STANDARDS FOR DEVELOPMENT IN THE FLOODWAY**

#### **1) GENERAL**

- a. Any development in the floodway shall comply with s. 2.0 and have a low flood damage potential.
- b. Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to s. 2.1 and 7.1(2)(c). The analysis must be completed by a registered professional engineer in the state of Wisconsin.
- c. Any encroachment in the regulatory floodway is prohibited unless the data submitted for

subd. 3.3(1)(b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in s. 1.5(5).

## 2) STRUCTURES

Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- a. Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- b. Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
  1. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;
  2. Have structural components capable of meeting all provisions of Section 3.3(2)(g) and;
  3. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 3.3(2)(g).
- c. Must be anchored to resist flotation, collapse, and lateral movement;
- d. Mechanical and utility equipment must be elevated to or above the flood protection elevation; and
- e. Must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.
- f. For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets s. 3.3(2)(a) through 3.3(2)(e) and meets or exceeds the following standards:
  1. The lowest floor must be elevated to or above the regional flood elevation;
  2. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  3. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
  4. The use must be limited to parking, building access or limited storage.
- g. Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:

1. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
  2. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 3.4(4) and 3.4(5);
  3. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
  4. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
  5. Placement of utilities to or above the flood protection elevation.
- 3) **PUBLIC UTILITIES, STREETS AND BRIDGES**  
Public utilities, streets and bridges may be allowed by permit, if:
- a. Adequate floodproofing measures are provided to the flood protection elevation; and
  - b. Construction meets the development standards of s. 2.1.
- 4) **FILLS OR DEPOSITION OF MATERIALS**  
Fills or deposition of materials may be allowed by permit, if:
- a. The requirements of s. 2.1 are met;
  - b. No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
  - c. The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
  - d. The fill is not classified as a solid or hazardous material.

### **3.4 PROHIBITED USES**

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- 1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- 2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- 3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- 4) Any private or public sewage systems;
- 5) Any public or private wells which are used to obtain potable water;
- 6) Any solid or hazardous waste disposal sites;
- 7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and



- 8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

#### **4.0 FLOODFRINGE DISTRICT (FF)**

##### **4.1 APPLICABILITY**

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.1(5).

##### **4.2 PERMITTED USES**

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 4.3 are met, the use is not prohibited by this, or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

##### **4.3 STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE**

Section 2.0 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 6.0 *Nonconforming Uses*;

###### **(1) RESIDENTIAL COMMERCIAL, MANUFACTURING AND INDUSTRIAL USES**

Residential, commercial, manufacturing and industrial uses are prohibited in floodfringe areas. See s. 7.3(4) for variance information.

###### **(2) ACCESSORY STRUCTURES OR USES**

In addition to s. 2.0, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

###### **(3) STORAGE OF MATERIALS**

Storage of materials is prohibited in floodfringe areas.

###### **(4) PUBLIC UTILITIES, STREETS AND BRIDGES**

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 7.5.
- b) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

###### **(5) SEWAGE SYSTEMS**

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 7.5(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

###### **(6) WELLS**

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 7.5(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(7) SOLID WASTE DISPOSAL SITES

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(8) DEPOSITION OF MATERIALS

Any deposited material must meet all the provisions of this ordinance.

(9) MANUFACTURED HOMES

Manufactured homes are prohibited in floodfringe areas. See s. 7.3(4) for variance standards.

(10) MOBILE RECREATIONAL VEHICLES

Mobile recreational vehicles are prohibited in floodfringe areas. See s. 7.3(4) for variance standards.

## 5.0 OTHER FLOODPLAIN DISTRICTS

### 5.1 GENERAL FLOODPLAIN DISTRICT (GFP)

1) APPLICABILITY

The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in s. 1.5(2)(a).

2) FLOODWAY BOUNDARIES

For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in s. 1.5(2)(a), the boundaries of the regulatory floodway shall be determined pursuant to s. 5.1(5). If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of s. 3.0. If the development is located entirely within the floodfringe, the development is subject to the standards of s. 4.0.

3) PERMITTED USES

Pursuant to s. 5.1(5) it shall be determined whether the proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (s. 3.2) and Floodfringe (s. 4.2) Districts are allowed within the General Floodplain District, according to the standards of s. 5.1(4) provided that all permits or certificates required under s. 7.1 have been issued.

4) STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

Section 3.0 applies to floodway areas, determined to pursuant to 5.1(5); Section 4.0 applies to floodfringe areas, determined to pursuant to 5.1(5).

a) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:

1. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
2. If the depth is not specified on the FIRM, two feet (2) above the highest adjacent natural grade or higher.

- b) New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
  - c) In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.
  - d) All development in zones AO and zone AH shall meet the requirements of s. 4.0 applicable to flood fringe areas.
- 5) **DETERMINING FLOODWAY AND FLOODFRINGE LIMITS**  
 Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the zoning administrator shall:
- a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures and the flood zone as shown on the FIRM.
  - b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.
    1. A Hydrologic and Hydraulic Study as specified in s. 7.1(2)(c).
    2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location, and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information.
    3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

## **6.0 NONCONFORMING USES**

### **6.1 GENERAL**

- 1) Applicability
  - a) The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with s. 87.30, Stats. and §§ NR 116.12-14, Wis. Adm. Code and 44 CFR 59-72., these standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.
  - b) As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value, and a list of the costs of those activities associated with changes to those buildings.

- 2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:
- a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- e) No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(1).
- g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed, or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the

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

- h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met, and all required permits have been granted prior to the start of construction:

#### 1. Residential Structures

- a. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts, or perimeter walls. Perimeter walls must meet the requirements of s. 7.5(2).
- b. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.
- c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. In A Zones, obtain, review, and utilize any flood data available from a federal, state or other source.
- e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
- f. in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

#### 2. Nonresidential Structures

- a. Shall meet the requirements of s. 6.1(2)(h)1a-f.
  - b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 7.5 (1) or (2).
  - c. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 5.1(4).
- 3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with s. 3.3 (1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 7.5 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 6.1 (2)(h)1 if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.
- 4) Notwithstanding anything in this chapter to the contrary, modifications, additions, maintenance, and repairs to a nonconforming building shall not be prohibited based on cost and the building's nonconforming use shall be permitted to continue if:

- a) Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;
- b) The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;
- c) The nonconforming building is permanently changed to conform to the applicable requirements of 2.0;
- d) If the nonconforming building is in the floodway, the building is permanently changed to conform to the applicable requirements of 3.3(1), 3.3(2)(b) through (e), 3.3(3), 3.3(4), and 6.2. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 5.1(5). If the encroachment is in the floodway, it must meet the standards in section 3.3(4);
- e) If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of 4.3 and 6.3;
- f) Repair or reconstruction of nonconforming structures and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation;
- g) Repair or reconstruction of nonconforming structures and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:
  - i. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of s. 6.1(4)(g) above.
  - ii. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed;
- h) Fully enclosed areas below the lowest floor of repair or reconstruction of nonconforming structures and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Subsequent improvements to repaired or reconstructed nonconforming structures must not increase the degree of their nonconformity. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:
  - i. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide a total net area of not less than one square inch for every square foot of enclosed area.

- ii. The bottom of all openings must be no higher than one foot above the adjacent grade.
  - iii. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters;
- i) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;
- j) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH on existing sites in an existing manufactured home park that is not undergoing expansion and on which a manufactured home has not incurred substantial damage as a result of flood must be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;
- k) Recreational vehicles placed on sites within zones A1-30, AH, and AE must either:
  - i. Be on site for fewer than 180 consecutive days; or
  - ii. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
  - iii. Meet the elevation and anchoring requirements for manufactured homes in s. 6.1(4)(i) above;
- l) In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including repair or reconstruction of nonconforming structures, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;
- m) In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring repair or reconstruction of nonconforming structures, substantial improvement, and other development to meet ss. 6.1(4)(f) through (l) (inclusive) above. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 5.1(5). If the encroachment is in the floodway, it must meet the standards in section 3.3(4). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

- n) In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, repair or reconstruction of nonconforming structures, substantial improvement, or any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 5.1(5). If the encroachment is in the floodway, it must meet the standards in section 3.3(4). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;
- o) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity; or
- p) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in s. 6.1(4)(g) above. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity.

## **6.2 FLOODWAY DISTRICT**

- 1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
  - a) Has been granted a permit or variance which meets all ordinance requirements;
  - b) Meets the requirements of s. 6.1;
  - c) Shall not increase the obstruction to flood flows or regional flood height;
  - d) Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation; and,
  - e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    - 1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    - 2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    - 3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    - 4. The use must be limited to parking, building access or limited storage.



- 2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and Ch. SPS 383, Wis. Adm. Code.
- 3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair, or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, s. 7.5(3) and chs. NR 811 and NR 812, Wis. Adm. Code.

### **6.3 FLOODFRINGE DISTRICT**

- 1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of s. 4.3 except where s. 6.3(2) is applicable.
- 2) Where compliance with the provisions of subd. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Zoning and Building Appeals, using the procedures established in s. 7.3, may grant a variance from those provisions of subd. (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
  - a) No floor is allowed below the regional flood elevation for residential or commercial structures;
  - b) Human lives are not endangered;
  - c) Public facilities, such as water or sewer, shall not be installed;
  - d) Flood depths shall not exceed two feet;
  - e) Flood velocities shall not exceed two feet per second; and
  - f) The structure shall not be used for storage of materials as described in s. 4.3(5).
- 3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, s. 7.5 (3) and ch. SPS 383, Wis. Adm. Code.
- 4) All new wells, or addition to, replacement, repair, or maintenance of a well shall meet the applicable provisions of this ordinance, s. 7.5 (3) and ch. NR 811 and NR 812, Wis. Adm. Code.

## **7.0 ADMINISTRATION**

Where a zoning administrator, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

### **1.1 ZONING ADMINISTRATOR**

#### **1) DUTIES AND POWERS**

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- b) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate
- c) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- d) Keep records of all official actions such as:
  - 1. All permits issued, inspections made, and work approved;
  - 2. Documentation of certified lowest floor and regional flood elevations;
  - 3. Floodproofing certificates.
  - 4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
  - 5. All substantial damage assessment reports for floodplain structures.
  - 6. List of nonconforming structures and uses.
- e) Submit copies of the following items to the Department Regional office:
  - 1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
  - 2. Copies of case-by-case analyses and other required information.
  - 3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- g) Submit copies of amendments to the FEMA Regional office.

2) LAND USE PERMIT

A land use permit shall be obtained before any development; repair, modification, or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

- a) GENERAL INFORMATION
  - 1. Name and address of the applicant, property owner and contractor;
  - 2. Legal description, proposed use, and whether it is new construction or a modification;
- b) SITE DEVELOPMENT PLAN
 

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

  - 1. Location, dimensions, area and elevation of the lot;
  - 2. Location of the ordinary highwater mark of any abutting navigable waterways;

3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on-site sewage systems or private water supply systems;
5. Location and elevation of existing or future access roads;
6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

c) **HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT**

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. Zone A floodplains and in AE zones within which a floodway is not delineated:

a. Hydrology

- i. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic modeling

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

- i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
- ii. channel sections must be surveyed.
- iii. minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
- iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

- v. the most current version of HEC-RAS shall be used.
  - vi. a survey of bridge and culvert openings and the top of road is required at each structure.
  - vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
  - viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high-water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
  - ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.
- c. Mapping
- A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.
- i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
  - ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

## 2. Zone AE Floodplains

- a. Hydrology
 

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
- b. Hydraulic model
 

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

  - i. Duplicate Effective Model
 

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

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

- vii. Both the current and proposed floodways shall be shown on the map.
- viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

d) EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.

3) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt, or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- b) Application for such certificate shall be concurrent with the application for a permit;
- c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- d) The applicant shall submit a certification signed by a registered professional engineer, architect, or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 7.5 are met.
- e) Where applicable pursuant to s. 5.1(4), the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
- f) Where applicable pursuant to s. 5.1(4), the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by s. 5.1(4).

4) OTHER PERMITS

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

**7.2 ZONING AGENCY**

- 1) The Plan Commission shall:
  - a) oversee the functions of the office of the zoning administrator; and
  - b) review and advise the governing body on all proposed amendments to this ordinance, maps, and text.

- c) publish adequate notice pursuant to Ch. 985, Stats., specifying the date, time, place, and subject of the public hearing.
- 2) The Plan Commission shall not:
- a) grant variances to the terms of the ordinance in place of action by the Board of Zoning and Building Appeals; or
  - b) amend the text or zoning maps in place of official action by the governing body.

### **7.3 BOARD OF APPEALS**

The Board of Appeals, created under 62.23(7)(e), Stats., for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the Board.

#### 1) POWERS AND DUTIES

The Board of Appeals shall:

- a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

#### 2) APPEALS TO THE BOARD

- a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

#### b) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES

1. Notice - The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place, and subject of the hearing; and
- c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The board shall:

- a. Resolve boundary disputes according to s. 7.3(3);
- b. Decide variance applications according to s. 7.3(4); and
- c. Decide appeals of permit denials according to s. 7.4.

- c) DECISION: The final decision regarding the appeal or variance application shall:

1. Be made within a reasonable time;

2. Be sent to the Department Regional office within 10 days of the decision;
3. Be a written determination signed by the chairman or secretary of the Board;
4. State the specific facts which are the basis for the Board's decision;
5. Either affirm, reverse, vary or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

3) BOUNDARY DISPUTES

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.
- b) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 8.0 *Amendments*.

4) VARIANCE

- a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
  1. Literal enforcement of the ordinance will cause unnecessary hardship;
  2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
  3. The variance is not contrary to the public interest; and
  4. The variance is consistent with the purpose of this ordinance in s. 1.3.
- b) In addition to the criteria in subd. (a), to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
  1. The variance shall not cause any increase in the regional flood elevation;
  2. The applicant has shown good and sufficient cause for issuance of the variance;
  3. Failure to grant the variance would result in exceptional hardship;



4. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
  5. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
- c) A variance shall not:
1. Grant, extend or increase any use prohibited in the zoning district;
  2. Be granted for a hardship based solely on an economic gain or loss;
  3. Be granted for a hardship which is self-created.
  4. Damage the rights or property values of other persons in the area;
  5. Allow actions without the amendments to this ordinance or map(s) required in s. 8.0 *Amendments*; and
  6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- d) When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

#### **7.4 TO REVIEW APPEALS OF PERMIT DENIALS**

- (1) The Zoning Agency (s. 7.2) or Board shall review all data related to the appeal. This may include:
  - a. Permit application data listed in s. 7.1(2);
  - b. Floodway/floodfringe determination data in s. 5.1(5);
  - c. Data listed in s. 3.3(1)(b) where the applicant has not submitted this information to the zoning administrator; and
  - d. Other data submitted with the application or submitted to the Board with the appeal.
- (2) For appeals of all denied permits the Board shall:
  - a. Follow the procedures of s. 7.3;
  - b. Consider zoning agency recommendations; and
  - c. Either uphold the denial or grant the appeal.
- (3) For appeals concerning increases in regional flood elevation the Board shall:
  - a. Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 8.0 *Amendments*; and

- b. Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

## **7.5 FLOODPROOFING STANDARDS**

- (1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards in ss. 2.0, 3.0, 4.0, or 5.1.
- (2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
  - a. certified by a registered professional engineer or architect; or
  - b. meeting or exceeding the following standards:
    - 1. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    - 2. the bottom of all openings shall be no higher than one foot above grade; and
    - 3. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (3) Floodproofing measures shall be designed, as appropriate, to:
  - a. Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
  - b. Protect structures to the flood protection elevation;
  - c. Anchor structures to foundations to resist flotation and lateral movement;
  - d. Minimize or eliminate infiltration of flood waters;
  - e. Minimize or eliminate discharges into flood waters;
  - f. Placement of essential utilities to or above the flood protection elevation; and
  - g. If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    - 1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    - 2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    - 3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    - 4. The use must be limited to parking, building access or limited storage.

## **7.6 PUBLIC INFORMATION**

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

## **8.0 AMENDMENTS**

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1.

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.1. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. 8.1.

## **8.1 GENERAL**

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 8.2 below. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in s. 1.5 (2)(b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

## **8.2 PROCEDURES**

Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats. The petitions shall include all data required by s. 5.1(5) and 7.1(2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

## **9.0 ENFORCEMENT AND PENALTIES**

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

## **10.0 DEFINITIONS**

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES – Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
2. AH ZONE – See “AREA OF SHALLOW FLOODING”.
3. AO ZONE – See “AREA OF SHALLOW FLOODING”.
4. ACCESSORY STRUCTURE OR USE – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.
5. ALTERATION – An enhancement, upgrade or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
6. AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
7. BASE FLOOD – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

8. BASEMENT – Any enclosed area of a building having its floor sub-grade on all sides.
9. BUILDING – See STRUCTURE.
10. BULKHEAD LINE – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
11. CAMPGROUND – Any parcel of land which is designed, maintained, intended, or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
12. CAMPING UNIT – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.
13. CERTIFICATE OF COMPLIANCE – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
14. CHANNEL – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
15. CRAWLWAYS or CRAWL SPACE – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
16. DECK – An unenclosed exterior structure that has no roof or sides and has a permeable floor which allows the infiltration of precipitation.
17. DEPARTMENT – The Wisconsin Department of Natural Resources.
18. DEVELOPMENT – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
19. DRYLAND ACCESS – A vehicular access route which is above the regional flood elevation, and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.
20. ENCROACHMENT – Any fill, structure, equipment, use or development in the floodway.
21. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – The federal agency that administers the National Flood Insurance Program.
22. FLOOD INSURANCE RATE MAP (FIRM) – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

23. FLOOD or FLOODING – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:
- The overflow or rise of inland waters;
  - The rapid accumulation or runoff of surface waters from any source;
  - The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
  - The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.
24. FLOOD FREQUENCY – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.
25. FLOODFRINGE – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.
26. FLOOD HAZARD BOUNDARY MAP – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.
27. FLOOD INSURANCE STUDY – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.
28. FLOODPLAIN – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.
29. FLOODPLAIN ISLAND – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
30. FLOODPLAIN MANAGEMENT – Policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
31. FLOOD PROFILE – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
32. FLOODPROOFING – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
33. FLOOD PROTECTION ELEVATION – An elevation of two feet of freeboard above the Regional Flood Elevation. (Also see: FREEBOARD.)
34. FLOOD STORAGE – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

35. FLOODWAY – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
36. FREEBOARD – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
37. HABITABLE STRUCTURE – Any structure or portion thereof used or designed for human habitation.
38. HEARING NOTICE – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
39. HIGH FLOOD DAMAGE POTENTIAL – Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
40. HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
41. HISTORIC STRUCTURE – Any structure that is either:
- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  - Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
  - Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.
42. INCREASE IN REGIONAL FLOOD HEIGHT – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.
43. LAND USE – Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)
44. LOWEST ADJACENT GRADE – Elevation of the lowest ground surface that touches any of the exterior walls of a building.
45. LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement).
46. MAINTENANCE – The act or process of ordinary upkeep and repairs, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems, or structures.

47. MANUFACTURED HOME – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."
48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.
49. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.
50. MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.
51. MOBILE RECREATIONAL VEHICLE – A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."
52. MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.
53. MODEL, DUPLICATE EFFECTIVE – A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.
54. MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.
55. MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man-made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.
56. MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.
57. MUNICIPALITY or MUNICIPAL – The county, city or village governmental units enacting, administering, and enforcing this zoning ordinance.
58. NAVD or NORTH AMERICAN VERTICAL DATUM – Elevations referenced to mean sea level datum, 1988 adjustment.



59. NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea level datum, 1929 adjustment.
60. NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of a floodplain zoning regulation adopted by this community and includes any subsequent improvements to such structures.
61. NON-FLOOD DISASTER – A fire or an ice storm, tornado, windstorm, mudslide, or other destructive act of nature, but excludes a flood.
62. NONCONFORMING STRUCTURE – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)
63. NONCONFORMING USE – An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)
64. OBSTRUCTION TO FLOW – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.
65. OFFICIAL FLOODPLAIN ZONING MAP – That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.
66. OPEN SPACE USE – Those uses having a relatively low flood damage potential and not involving structures.
67. ORDINARY HIGHWATER MARK – The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
68. PERSON – An individual, or group of individuals, corporation, partnership, association, municipality, or state agency.
69. PRIVATE SEWAGE SYSTEM – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.
70. PUBLIC UTILITIES – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer, and storm sewer.
71. REASONABLY SAFE FROM FLOODING – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
72. REGIONAL FLOOD – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or

exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

73. **START OF CONSTRUCTION** – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
74. **STRUCTURE** – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lakebed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
75. **SUBDIVISION** – Has the meaning given in s. 236.02(12), Wis. Stats.
76. **SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.
77. **SUBSTANTIAL IMPROVEMENT** – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.
78. **UNNECESSARY HARDSHIP** – Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.
79. **VARIANCE** – An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.
80. **VIOLATION** – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.
81. **WATERSHED** – The entire region contributing runoff or surface water to a watercourse or body of water.
82. **WATER SURFACE PROFILE** – A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow.

A water surface profile of the regional flood is used in regulating floodplain areas.

83. WELL – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

DRAFT



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

**Meeting of August 8, 2024**

**Special Use Application**

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**RECOMMENDATION:** City Development Staff recommends approval of the Special Use Permit and revised parking plan for Field 99, subject to the conditions within the draft resolution.

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<b>Project Name:</b>	Field 99 Special Use
<b>Property Owner:</b>	BAST MARSHALL LLC
<b>Applicant:</b>	Kelley Legler, Field 99
<b>Property Address/Tax Key Number:</b>	11141 West Forest Home Avenue/704 9990 003
<b>Aldermanic District:</b>	District 6
<b>Agent:</b>	Kelley Legler, Field 99
<b>Zoning District:</b>	M-1 Limited Industrial District and C-1 Conservancy District
<b>Use of Surrounding Properties:</b>	M-1 zoned property to the north, south, east, and M-1, I-1 and R-3 zoned properties on the west
<b>Application Request:</b>	Approval of a Special Use Permit for Field 99
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate

---

**Project Description and Analysis**

At their May 9, 2024, meeting, the Plan Commission recommended approval of the Special Use Application for Field 99 with the added condition that the applicant obtain a parking agreement with the adjacent property owner, Holz Motors, to provide overflow parking for the subject use. The Plan Commission indicated that if a parking agreement could not be obtained, the application must be brought back to the Plan Commission for further review.

The applicant has not pursued the shared parking agreement further, but rather, submitted a revised parking plan for consideration. As such, the applicant is requesting approval of the Special Use without the shared parking condition.

The revised parking plan includes the originally proposed 18 parking spaces located along the west side of the fence as well as 8 paved and 13 unpaved parking spaces along the east end of the parking lot and soccer field area.

Staff does not object to the quantity of parking provided for the subject use. Furthermore, the applicant has been utilizing this site for this use with parking as it currently exists and has not had issues with parking. As such, staff recommends that the additional parking, particularly the area of unpaved parking, be removed from the revised site plan and not required.

The May 9<sup>th</sup> staff report is attached for additional information regarding this use.

**Staff Recommendation**

The Department of City Development staff recommends approval of the Special Use Application for Field 99, subject to the conditions in the draft resolution.



**REPORT TO THE PLAN COMMISSION**

**Meeting of May 9, 2024**

**Special Use Application**

---

**RECOMMENDATION:** City Development Staff recommends approval of the Special Use Permit for Field 99, subject to the conditions within the draft resolution.

---

<b>Project Name:</b>	Field 99 Special Use
<b>Property Owner:</b>	BAST MARSHALL LLC
<b>Applicant:</b>	Kelley Legler, Field 99
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<b>Application Request:</b>	Approval of a Special Use Permit for Field 99
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate

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**Project Description and Analysis**

The applicant has filed a Special Use application to allow for Field 99 to operate a soccer training facility at 11141 West Forest Home Avenue.

The business use includes both indoor and outdoor youth soccer training for all ages. The interior space is approximately 1,600 square feet, and will be utilized during the months of November through April. The exterior of the site consists of a soccer field, which will be used during the months of April through November. The typical hours of operations will be Monday through Friday from 5:00 p.m. to 8:00 p.m.

According to the applicant, no more than 40 people are anticipated onsite at any given time. The outdoor sessions will have 36 players or less per session. The building will be utilized for smaller sessions consisting of 15 players or less. The building has a restroom, and a portable outdoor bathroom will be provided as well. According to the applicant there are currently eight training coaches with typically no more than three coaches onsite at any given time.

There are 18 parking spaces available between 5:00 p.m. and 8:00 p.m. The applicant has noted that the adjacent property owner, Holz Motors, has additional parking available if needed.

The outdoor field is about 60,500 square feet, which requires 16 parking spaces. The indoor facility requires three parking spaces. Considering the parking provided onsite and the overflow parking available on the adjacent property, staff does not anticipate any parking issues. Moreover, it should be considered that this type of use will have many students being dropped off and picked up.

The building was painted, but no significant exterior site or building changes were completed or are currently proposed. The applicant intends to utilize existing site lighting for their use.

The subject use is classified under Standard Industrial Classification Code No. 7991 Physical Fitness Facilities and SIC Code No. 7999, Amusement and Recreation Services, Note Elsewhere Classified, which are both allowed as a Special Use in the M-1 District.

Applicant has submitted responses to the Special Use standards for Plan Commission and Common Council review.

### **Staff Recommendation**

The Department of City Development staff recommends approval of the Special Use Application for Field 99, subject to the conditions in the draft resolution.

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

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A SPECIAL USE FOR AN INDOOR AND OUTDOOR YOUTH  
SOCCER TRAINING BUSINESS USE UPON PROPERTY LOCATED AT 11141 WEST  
FOREST HOME AVENUE (KELLEY LEGLER, FIELD 99, APPLICANT) (BAST  
MARSHALL, LLC, PROPERTY OWNER)

---

WHEREAS, Kelley Legler of Field 99 having petitioned the City of Franklin for the approval of a Special Use for an indoor and outdoor youth soccer training business use upon property located at 11141 West Forest Home Avenue, zoned M-1 Limited Industrial District. The property which is the subject of the application bears Tax Key No. 704 9990 003 and is more particularly described as follows:

Parcel 2 of Certified Survey Map No. 4056 being a part of the Northeast 1/4 of Section 6, in Township 5 North, Range 21 East, in the City of Franklin, dated May 5, 1981, and recorded in the Register of Deeds office for Milwaukee County, on July 13, 1981, on Reel 1388, Images 687 to 689 inclusive, as Document No. 5487949.

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of May, 2024, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that they will not have an undue adverse impact upon adjoining property; that they will not interfere with the development of neighboring property; that they will be served adequately by essential public facilities and services; that they will not cause undue traffic congestion; and that they will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Kelley Legler, Field 99, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:



1. That this Special Use is approved only for the use of the subject property by Kelley Legler, Field 99, successors and assigns, for an indoor and outdoor youth soccer training business use, which shall be developed in substantial compliance with, and operated and maintained by Kelley Legler, Field 99, pursuant to those plans date-stamped, \_\_\_\_\_, 2024 and annexed hereto and incorporated herein as Exhibit A.
2. Kelley Legler, Field 99, 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 Kelley Legler, Field 99 Special Use, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the Kelley Legler, Field 99 Special Use for the property located at 11141 West Forest Home Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

BE IT FURTHER RESOLVED, that in the event Kelley Legler, Field 99, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall

be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this 20th day of August, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 20th day of August, 2024.

APPROVED:

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

ATTEST:

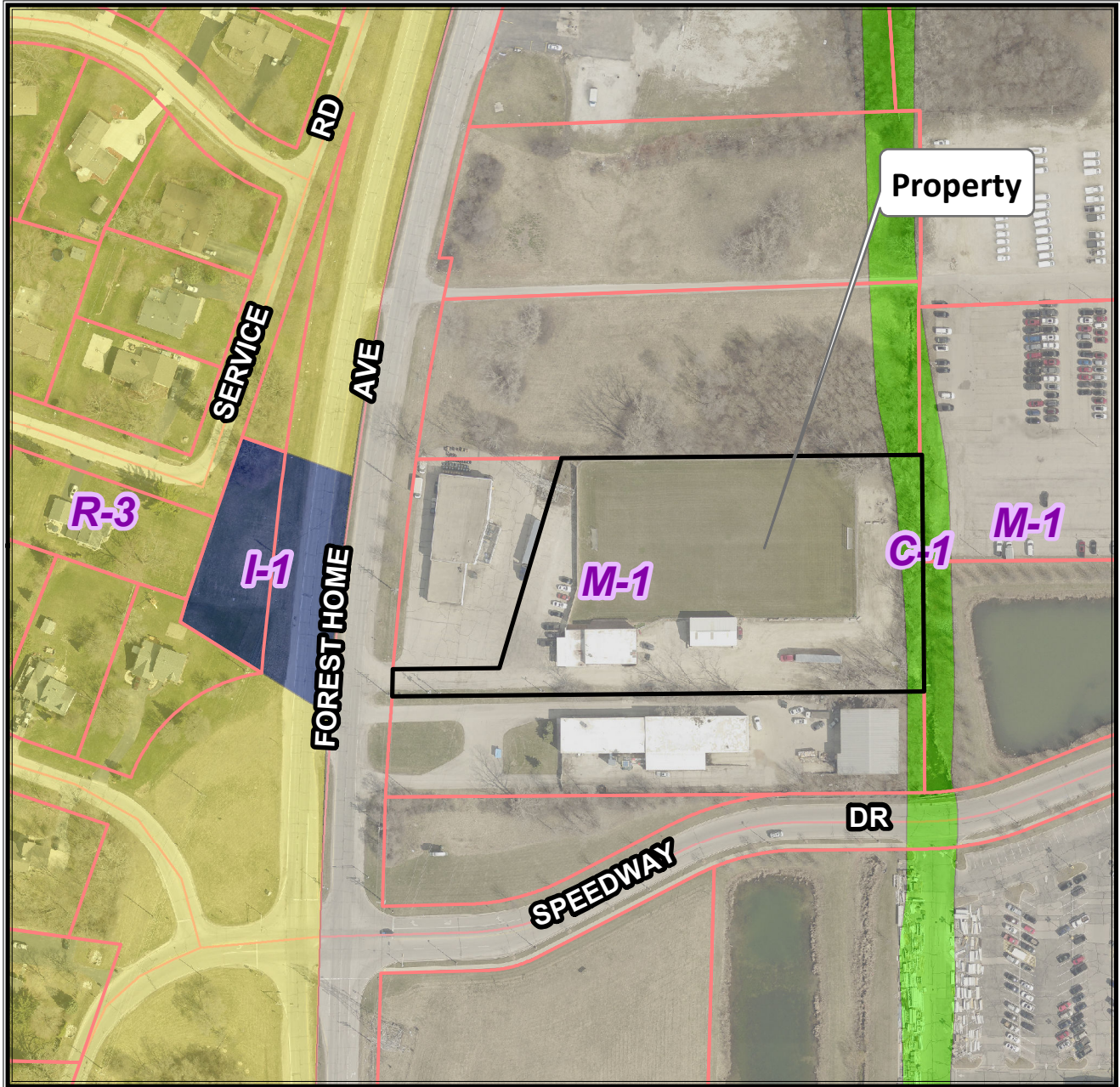
\_\_\_\_\_  
Shirley J. Roberts, City Clerk

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

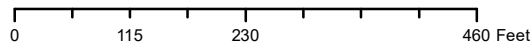
EXHIBIT A

ATTACHED HERETO

11141 W. Forest Home Ave.  
TKN 704 9990 003



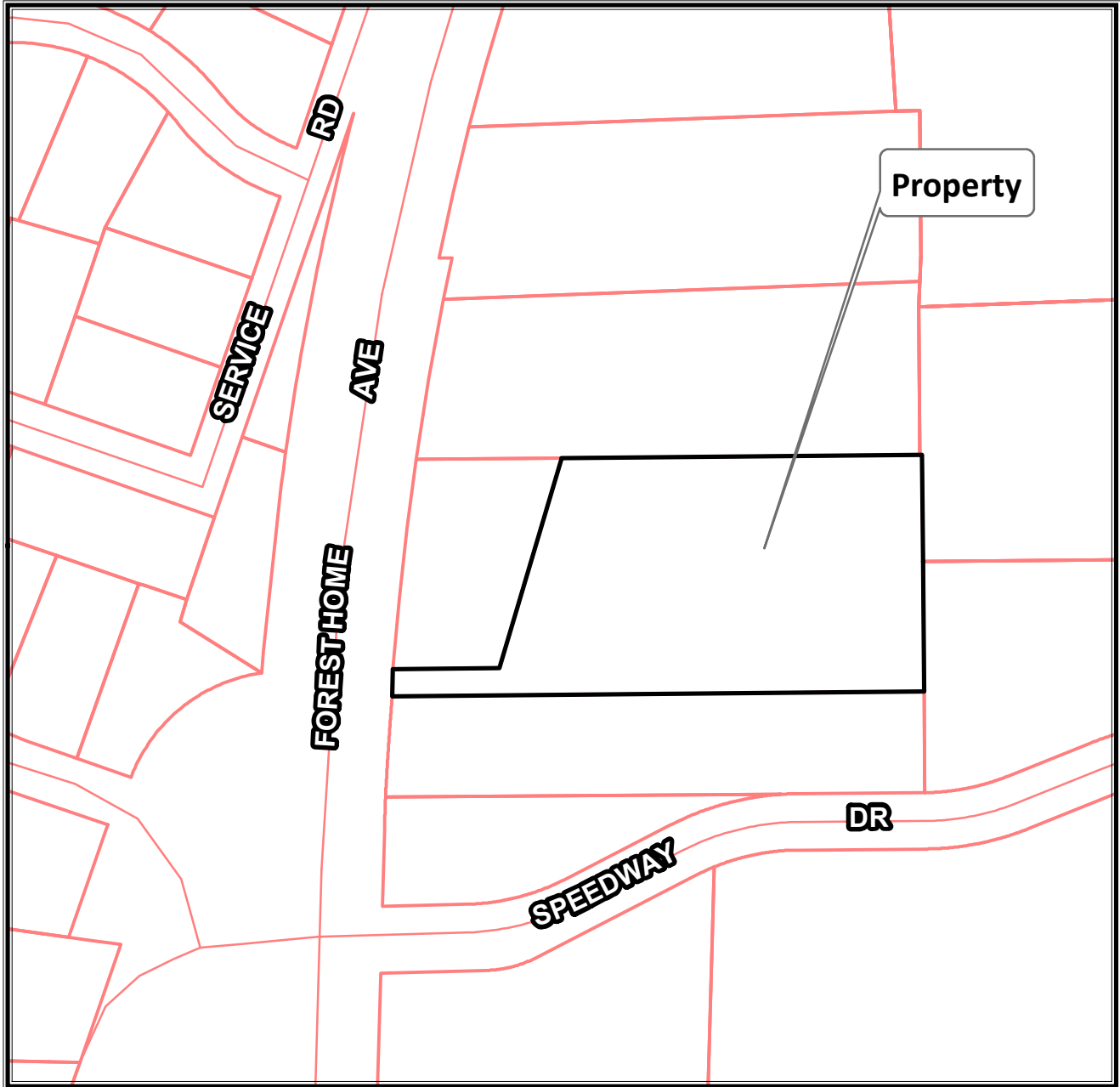
Planning Department  
(414) 425-4024



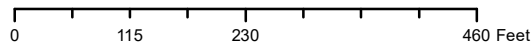
2021 Aerial Photo

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

11141 W. Forest Home Ave.  
TKN 704 9990 003



**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.*



FIELD 99

[www.field99.com](http://www.field99.com)

[kelly@field99.com](mailto:kelly@field99.com)

11141 W FOREST HOME AVE

FRANKLIN, WI 53132

Field 99 is a soccer training field and facility available to all ages of athletes in soccer clubs throughout the southeastern Milwaukee area. This company offers high level training for athletes to increase individual performance while working with professional soccer players as coaches. Owned and operated by soccer player Andre Hayne, partnering with soccer parents within the community, this company provides a service locally, where families travel to Madison and Green Bay area for elite soccer training.

Field 99 offers soccer training indoors during the months of November - April (1600 sq ft garage) and outdoors during the months April - November (established grass field). The exterior is surrounded by fencing and netting to ensure proper safety for patrons. Indoor and outdoor public bathrooms available for our clientele to use year round.

**Soccer Training Field & Facility**

3.2 acres of field for spring, summer, fall

**field 99**

1600 sq ft for indoor winter training

11141 W FOREST HOME AVE - FRANKLIN

LOOK FOR GO RITEWAY BUSSING

GO RITEWAY TRANSPORTATION GROUP

ENTER HERE

**11141 W FOREST HOME AVENUE FRANKLIN, WI 53132**  
**FIELD 99**

**DIVISION 15-3.0700**

**SPECIAL USE STANDARDS AND REGULATIONS**

**SECTION 15-3.0701**

**GENERAL STANDARDS FOR SPECIAL USES**

A. ***General Standards.*** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:

1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

*Response: Our facility consists of a big grass outdoor space, a small warehouse, two offices, one bathroom and a parking lot. The business purpose is to run soccer training sessions for young athletes around the community. The outdoor space features roughly 3 acres of grass space that will allow us to run soccer sessions with plenty of space without having the need for any changes for 36 players or less per session. The indoor space will be used for smaller sessions of 15 or less players during the winter/cold period. We have a bathroom and a portable outdoor bathroom for our clientele.*

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

*Response: No major changes necessary for running our services. The small warehouse was gutted to amply space used, and walls/ceilings painted. No other major change will be put in effect.*

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

*Response: No major changes necessary for running our services. No other major change will be put in effect.*

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

*Response: All public facilities already provided by Go Riteway Transportation, our landlord.*

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

*Response: The road where the business building is located won't have much increase in traffic, as we won't have more than 40 people at the same time. Our majority service hours are M-F after 5pm and late, which has less traffic.*

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

*Response: No major changes necessary for running our services. No other major change will be put in effect.*

7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

*Response: We will comply with the standards of such regulations recommended by the Plan Commission.*

- B. **Special Standards for Specified Special Uses.** When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

*Response: We will comply with the special standards of such regulations recommended by the Plan Commission.*



C. ***Considerations.*** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

*Response: This is a new business providing additional soccer training for youth players around the community. Many soccer clubs exist around us and perform their own training but as a club neutral facility, we will be able to provide additional services to all the players from around the area and clubs. We welcome all ages to participate in our facility and become a community safe space for children to feel comfortable and welcome, all within our fenced in field and facility. The coaches are mentors and public figures within the community and are recognized within the soccer community. Field 99 wants to give back and coordinate with non profit organizations to create opportunities for youth.*

2. **Alternative Locations.** Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

*Response: There are no outdoor fields and warehouse space within Franklin already established that can offer indoor and outdoor training for youth soccer, without building.*

3. **Mitigation of Adverse Impacts.** Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

*Response: No changes will be made that will affect any mitigation.*

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

*Response: The Field 99 field and facility will encourage more businesses that coordinate with our organization as sponsors, creating more awareness, revenue and support.*

## Franklin Department of City Development

APPLICANT: Kelley Legler, Field 99

SUBJECT PROPERTY: 11141 West Forest Home Avenue, property zoned M-1  
Limited Industrial District

TAX KEY NUMBER: 704 9990 003

### **1. How many employees are there?**

Field 99 has eight training coaches that consult for Field 99. At most, we have three coaches on site offering services for clients in soccer training.

### **2. How many striped parking spaces are provided for this use?**

Go Riteway Transportation provides 18 car stalls in the front lot of the building and per our agreement with them, Field 99 is allowed to use the back lot for additional and overflow parking.

Our services run opposite hours of Go Riteway Transportation so there is typically plenty of parking for coaching staff and clients. Parents will be dropping off clients / carpooling to limit traffic in the front parking lot of the building.

### **3. Is there existing or proposed exterior lighting? Will portable lights or other types of temporary lighting be used?**

Go Riteway added exterior lighting for their transportation lot which we use for exterior lighting. No additional lighting is needed.

### **4. How late will the facility be open? Services are until 8PM with staff on site until 9PM. All training runs after all Go Riteway bus drivers are g**

**5. Will the soccer field ever be used to host games or other types of events?** Our soccer fields are not regulation size and we will not be hosting competitive events to the public. Any events on the soccer field are for clients and for recreational / training use.

### **6. Is Field 99 an LLC or corporation or other type of entity?**

Field 99 is not an LLC, it is an established partnership, currently.

**7. Please provide a site plan, map or aerial that shows the property with the Plan Commission submittal.**



Field 99  
11141 W Forest Home Avenue  
Franklin, WI 53132  
[www.field99.com](http://www.field99.com)

REVISED

SITE CALCULATIONS		
LOCATION		REGION AREA
1 SITE AREA (EXISTING BUILDING)	3777	
2 EXISTING GRAVEL & ASPHALT	13602	
3 HARDSCAPE TOTAL	0	
4 TOTAL SITE GREEN SPACE	46625	
	50402	
	85618	
85,618 / 136,020 = 63% (30% MIN GREENSPACE REQUIRED)		



DESIGNBUILD

262.367.3600

DESIGNING EXCELLENCE. BUILDING TRUST.

ISSUE DATES

BUDGET:

OWNER REVIEW: PROPOSAL: PLAN COMMISSION: SUBMITTAL STATE/LOCAL PERMIT: RECORD DRAWINGS: 9-12-22

REVISIONS: CITY COMMENT UPDATES 12-14-22

KEY PLAN

COMPANY

PROJECT NAME: GO RITEWAY -FRANKLIN  
PROJECT DESCRIPTION

STREET ADDRESS: 11141 W. FOREST HOME AVE.  
CITY / STATE / ZIP: FRANKLIN, WI

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE ARCHITECT: ENGINEER: REVIEWED BY:

SHEET TITLE: SITE PLAN

PROJECT NUMBER: C101

P13404

**Legend**

- Drainageway Easement
- Ordinary High Water Mark
- Parking Stalls
- Study Area
- Existing Grass
- Remove Gravel and Vegetate
- Impacted Area For Parking
- Buffer/Setback Area
- Stream
- Wetland Delineation



SITE PLAN

NORTH

LEADERS

ENGINEERS

CONTRACTORS

ARCHITECTS

12/14/2022 11:47:50 AM



MSI GENERAL CORPORATION  
 P.O. BOX. 7  
 OCONOMOWOC, WI 53066  
 PHONE: 262-367-3661

WWW.MSIGENERAL.COM  
 SINGLE SOURCE RESPONSIBILITY™

ISSUE DATES:

Proposal:	xx/xx/xxxx
Contract:	xx/xx/xxxx
State Submittal / Permit:	xx/xx/xxxx
Record Drawings:	xx/xx/xxxx

REVISIONS:

1	---

PROJECT ADDRESS:

PROJECT NAME  
 GO Riteway  
 STREET ADDRESS  
 11141 W. Forest Home Ave.  
 CITY / STATE / ZIP  
 Franklin, WI

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

Architect: Engineer: Reviewed By:

BJZ -- --

Sheet Title:

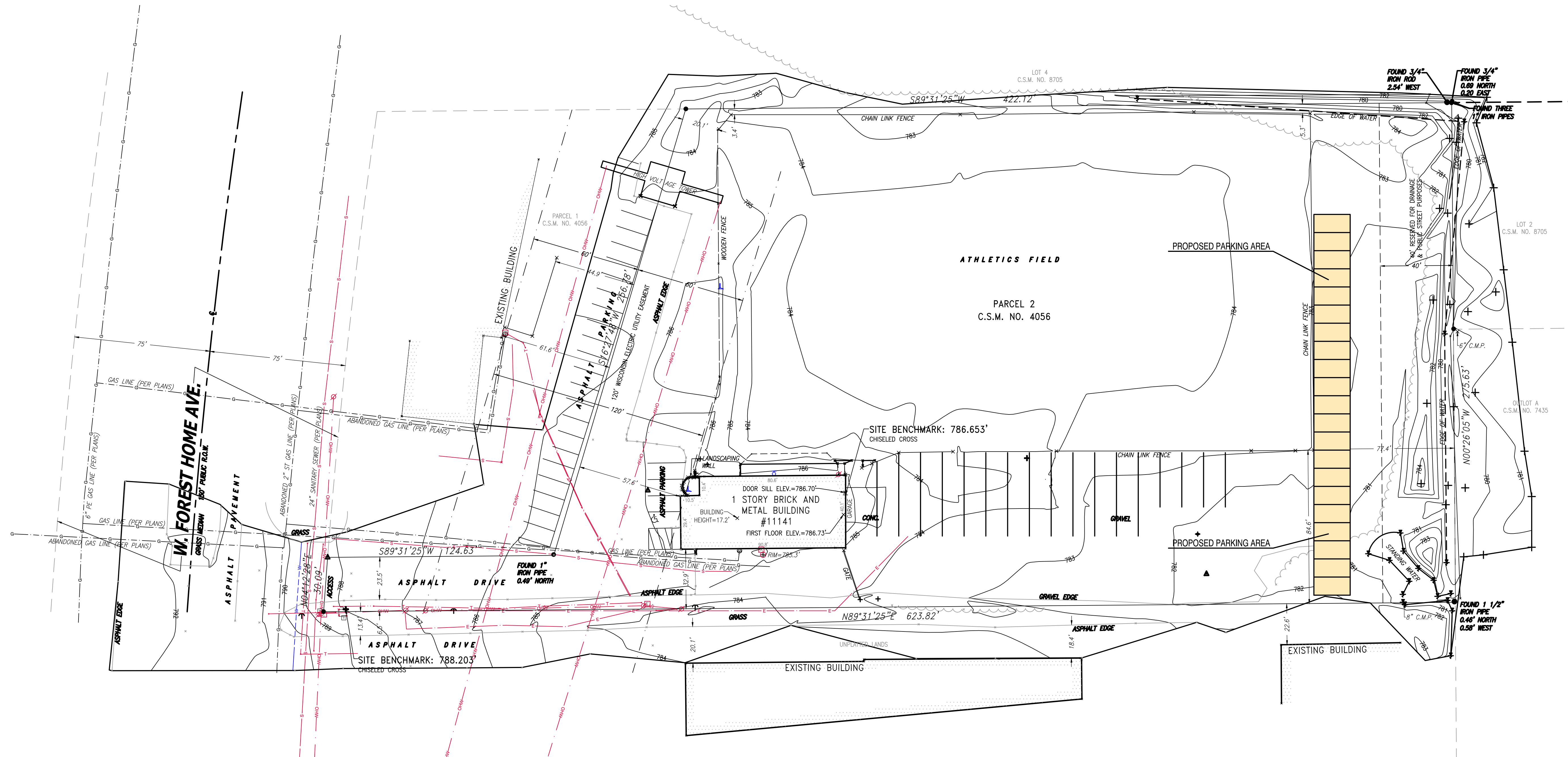
SITE PLAN

Sheet Number:

C-001

Project Number:

P13404



1" = 30'-0"



## CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of August 8, 2024

**Natural Resource Special Exception, Certified Survey Map, and Site Plan**


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**RECOMMENDATION:** A motion to approve the Natural Resource Special Exception, Certified Survey Map, and Site Plan, subject to staff recommended conditions of approval.

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<b>Project Name:</b>	College Avenue Associates Natural Resource Special Exception, Certified Survey Map, and Site Plan
<b>Project Location:</b>	6311 S. 27 <sup>th</sup> Street (Tax Key No. 714 9968 003), 6341 S. 27 <sup>th</sup> Street (Tax Key No. 714 9972 003), and 2821 W. College Avenue (Tax Key No. 714 9973 000)
<b>Property Owner:</b>	Collins College Avenue LLC (6311 S. 27 <sup>th</sup> Street), Salvation Army, An Illinois Corp (6341 S. 27 <sup>th</sup> Street), and College Avenue Associates LLC (2821 W. College Avenue)
<b>Applicant:</b>	Ted Balistreri, College Avenue Associates LLC
<b>Agent:</b>	Justin Johnson, JSD Professional Services, Inc.
<b>Current Zoning:</b>	B-2 General Business District
<b>2025 Comprehensive Plan:</b>	Commercial
<b>Applicant's Action Requested:</b>	Recommendation to the Common Council for approval of the Natural Resource Special Exception Application and Certified Survey Map, and approval of the Site Plan.
<b>Planner:</b>	Nick Fuchs, Planning Associate

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**Introduction**

On December 11, 2023, the applicant submitted an application requesting approval of a Natural Resource Special Exception, Certified Survey Map, and Site Plan. The applications are being submitted to provide additional access to and the redevelopment of property located at 6311 S. 27<sup>th</sup> Street.

**Project Description**

The subject applications involve the vacant property located at 2821 W. College Avenue, the former KFC site at 6311 S. 27<sup>th</sup> Street, and the Salvation Army property located at 6341 S. 27<sup>th</sup> Street. As indicated, the overall goal of the project is to provide additional access to the 6311 S. 27<sup>th</sup> Street site and complete modifications in anticipation of a new tenant for the existing building.

**Natural Resource Special Exception (NRSE)**

The NRSE request is to allow for impacts to wetland buffer and wetland setback resulting from the grading and construction of the new drive upon 2821 W. College Avenue. More specifically,

the applicant is proposing to disturb 2,244 square feet of wetland buffer and 2,161 square feet of wetland setback. The impacts to young woodlands are within the allowed disturbance limits of Part 4 of the UDO.

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

The Natural Resource Protection Plan Exhibit of the applicant's submittal provides Site Intensity and Capacity Calculations in accordance with Division 15-3.0500 as well as Natural Resource Protection Plan information.

The plan shows the parcels to be created, the proposed driveway, and the impacts to protected natural resource features. A Wetland Delineation Report was also provided. This report is dated June 4, 2018 and was updated on April 19, 2019. It was completed by Helianthus, LLC. More specifically, Kristi Sherfinski completed the wetland delineations who is listed by the WDNR as an Assured Delineator.

One wetland area was found, located on the 2821 W. College Avenue parcel. The total area of the wetland onsite is 7,938 square feet. There is also young woodland within this area; however, the wetland carries the more restrictive protection standards. This report also notes that there is no mapped SEWRPC Environmental Corridor within the project area.

The Wetland Delineation Report characterizes this wetland as highly degraded due to dumping of trash over the years. The wetland area is also described as being dominated by common buckthorn. The report states that "A buffer zone based on 10% of the average width of the wetland, with a minimum of 10 feet and a maximum of 30 feet, will be necessary for any new development." *As such, it is recommended that this minimum setback requirement be met.*

*It is also recommended that the applicant improve the wetland and remaining wetland buffer and wetland setback by removing trash and debris as well as performing invasive species removal within these areas. A plan providing wetland, wetland buffer, and wetland setback enhancements shall be submitted to the Planning Department for review and approval.*

It must be noted that the UDO requires a 30-foot wetland buffer and 50-foot wetland setback regardless of the conditions of the wetland.

For mitigation, the applicant is proposing to establish a larger wetland buffer area, which is shown on the NRPP Exhibit. The UDO outlines the following mitigation standards per Section 15-4.0103B.4. and 5.

5. Wetland Buffers. Disturbed wetland buffers may be mitigated (as allowed by this Part 4 for non-residential development or required by a grant of Special Exception for residential development) by the restoration of the disturbed wetland buffer to a wetland buffer of equal or greater quality than that existing prior to disturbance and/or through

expansion of other existing wetland buffer and/or creation of new wetland buffer on the same property on which the wetland buffer disturbance occurred. Where new wetland buffer is created or expanded, mitigation requires new/expanded wetland buffer at a ratio of 1.5 times the wetland buffer acreage permanently disturbed. Restored and created new wetland buffer shall be planted with native plant species and provide for soils of equal or greater quality than those found in the disturbed wetland buffer. Restored and created new wetland buffer shall comply with the minimum width of 30 feet as required under § 15-4.0102H. of this Part 4.

*A Conservation Easement shall be submitted for all remaining natural resources to be protected. This shall include the wetland, wetland buffer, wetland buffer mitigation area, and a minimum of fifty percent of the young woodland. The Conservation Easement boundary shown on the plans shall be revised to include the same.*

*Restoration is recommended for areas of disturbance in accordance with §15-4.0102I for appropriate plantings.*

#### Certified Survey Map (CSM)

The proposed CSM creates two parcels with the reconfiguration of three existing properties located at 2821 W. College Avenue, 6311 S. 27<sup>th</sup> Street and 6341 S. 27<sup>th</sup> Street.

The proposed Lot 1 has an area of 1.58-acres and Lot 2 has an area of 1.51-acres. These lots both conform to the minimum standards of the B-2 District. Note a portion of 2821 W. College Avenue will be added to the Salvation Army property, 6341 S. 27<sup>th</sup> Street, in order for that property to conform to the minimum B-2 District Landscape Surface Ratio of 0.35.

There are minor technical corrections needed on the CSM, such as including all owner signatures and the Mayor's middle initial in the signature line on Sheet 10. As such, staff recommends that *the applicant must resolve any technical corrections required by the Engineering or Planning Department, or the City Attorney's Office prior to the recording of the Certified Survey Map.*

#### Site Plan

As stated, the Site Plan Application is to allow for the construction of an access drive and modifications to landscaping, lighting, parking, and building elevations.

Currently, this property can only be accessed by southbound traffic along S. 27<sup>th</sup> Street through the Salvation Army property to the south. The proposed access drive, which extends to College Avenue would allow northbound traffic to access the site via College Avenue and provides a way for customers exiting the site to travel northbound.

Note the South 27th Street Design Overlay District do not apply to this project as a new building nor a building addition are being proposed.

The redone parking lot will include 19 parking spaces, including one ADA space. A tenant is unknown but future tenants must fall within applicable parking quantity requirements. Generally, the nineteen provided parking spaces will accommodate most retail uses. The majority of retail uses require 5 parking spaces per 1,000 square feet of floor area. For this building, that would



equate to about 14 spaces. A restaurant use would require significantly more parking (20/1,000 square feet of gross floor area for seating areas and 6.5/1,000 for kitchen and employee service areas).

Lighting changes are planned; however, a detailed Lighting Plan has not yet been provided. Staff recommends that a Lighting Plan, in conformance with Division 15-5.0400 of the Unified Development Ordinance, shall be submitted to the Planning Department for review and approval.

Plantings are being added along the west side of the new drive and throughout the existing 6311 S. 27<sup>th</sup> Street property as shown on the Landscape Plan.

Building changes include painting existing EIFS on the building, removing walls that are already partially demoed on the north, south, and east elevations, and removing the drive through window.

Signage will require separate review and approval.

Staff also recommends final Engineering Department review and approval of grading, erosion control, utilities, and storm water management plans, as may be applicable, shall be granted prior to any land disturbance.

### **Recommendation**

A motion to recommend approval of the Natural Resource Special Exception request to allow disturbance of approximately 2,244 square feet of wetland buffer and 2,161 square feet of wetland setback, subject to conditions within the draft Standards, Findings, and Decision form.

A motion to recommend approval of a 2-Lot Certified Survey Map for properties located at 2821 College Avenue, 6311 S. 27<sup>th</sup> Street, and 6341 S. 27<sup>th</sup> Street, subject to the conditions within the draft resolution.

A motion to approve a Site Plan to allow for the construction of an access drive and modifications to landscaping, lighting, parking, and building elevations.

Standards, Findings and Decision  
of the City of Franklin Common Council upon the Application of Ted Balistreri of  
College Avenue Associates, LLC, applicant, for a Special Exception  
to Certain Natural Resource Provisions of the City of Franklin  
Unified Development Ordinance

Whereas, Ted Balistreri of College Avenue Associates, LLC, applicant, having filed an application dated December 11, 2023, 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 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 \_\_\_\_\_, 2024 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 \_\_\_\_\_, 2024 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 6311 and 6341 South 27th Street and 2821 West College Avenue, zoned B-2 General Business 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 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 December 11, 2023, by Ted Balistreri of College Avenue Associates, 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, the applicant notes any occupant hoping to redevelop this site will need a new access drive. Based on location, existing conditions, and consideration of future development this is the best location of that drive.*

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: *The applicant notes that no reasonable alternative exist for connection between the established points on College Avenue and the Salvation Army parking lot.; or*

b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives: *The applicant notes there is no reasonable alternative locations for the access drive. If this drive is not allowed, activating the former KFC with a meaningful user will be very difficult.*

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 the applicant states that "The existing site is overgrown and deteriorating. Redevelopment will improve the quality of the site."; and*

b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: *The applicant states that "The proposed request makes a concerted effort to meet the "avoid or minimize" requirement, and as such would be in line with the process used for other similar applications."*

c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: *Applicant represents that the proposed request makes a concerted effort to meet the "avoid or minimize" requirement, and as such would be in line with the process used for other similar applications.; 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.*

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: *The applicant states that “The proposed access drive has been designed so as to minimize natural resource impacts while maximizing future developability of the subject properties. It also considers the needs of existing adjacent properties (Salvation Army) and allows for retrofitting into future stormwater management facilities, should there be a larger redevelopment plan brought forward.”*

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 “A new access drive is required to replace the drives removed when the intersection of College Ave and 27th was improved by the Wisconsin DOT.”*

3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The applicant states that “The proposed access drive will be used to access existing (Salvation Army) and redevelopment (KFC) sites and will promote future redevelopment of other properties at this corner.”*

4. Aesthetics: *The applicant states, “The existing site is overgrown and in need of redevelopment. The existing wetland sits out of view and is highly degraded due to frequent trash dumping.”*

5. Degree of noncompliance with the requirement allowed by the Special Exception: *The applicant states that “We believe that this request is within the limits of what may be considered for approval through the NRSE process.”*

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 “Improvement of the existing site will bring the site in line with surrounding development.”*

7. Zoning of the area in which property is located and neighboring area: *Surrounding zoning consists of B-2 General Business District to the south, east, and west and R-8 Multiple-Family Residence District to the south. The City of Greenfield is located to the north. The applicant further states that, “Although surrounding lots have*

*residential property they are zoned for business. This access drive could potentially be used for future development.”*

8. Any negative affect upon adjoining property: *No negative affect upon adjoining property is perceived. 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 has indicated that there are no impacts associated with the NRSE.*

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 \_\_\_\_\_, 2024 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 the issuance of any Occupancy Permits;*
- 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 Ted Balistreri of*

- College Avenue Associates, LLC, applicant, and all other applicable provisions of the Unified Development Ordinance.*
- 4) *A buffer zone based on 10% of the average width of the wetland, with a minimum of 10 feet and a maximum of 30 feet shall be maintained with the approval of this Natural Resource Special Exception.*
  - 5) *The applicant shall improve the wetland and remaining wetland buffer and wetland setback by removing trash and debris as well as performing invasive species removal within these areas. A plan providing wetland, wetland buffer, and wetland setback enhancements shall be submitted to the Planning Department for review and approval*
  - 6) *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.*
  - 7) *that the applicant restore any temporarily disturbed wetland buffer and wetland setback to the standards of UDO §15-4.0102I for wetland setback and UDO §15-4.0103B5 for wetland buffer.*
  - 8) *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 20th day of August, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 20th day of August, 2024.

APPROVED:

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John R. Nelson, Mayor

ATTEST:

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Shirley J. Roberts, City Clerk

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

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 7-30-24]*

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

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (TED BALISTRERI, COLLEGE AVENUE ASSOCIATES, LLC, APPLICANT) (6311 S. 27TH STREET, 6341 S. 27TH STREET, AND 2821 W. COLLEGE AVENUE)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a redivision of:

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE SOUTH 00°16'38" WEST ALONG THE EAST LINE OF SAID 1/4 SECTION 238.03 FEET; THENCE SOUTH 88°47'37" WEST 83.03 FEET TO A POINT ON THE WEST LINE OF SOUTH 27TH STREET AND THE POINT OF BEGINNING(P.O.B.); THENCE SOUTH 00°16'38" WEST ALONG THE WEST LINE OF SOUTH 27TH STREET (U.S.H. 241), 63.50 FEET; THENCE SOUTH 05°26'15" WEST ALONG SAID WEST LINE OF 27TH STREET, 50.03 FEET; THENCE SOUTH 00°16'38" WEST ALONG SAID WEST LINE OF 27TH STREET, 61.78 FEET TO THE NORTHEAST CORNER OF PARCEL 2 OF CSM 5747; THENCE SOUTH 88°47'37" WEST ALONG THE NORTH LINE OF SAID PARCEL 2, 453.11 FEET; THENCE NORTH 00°16'38" EAST ALONG THE EAST LINE OF CERTIFIED SURVEY MAP (CSM) NO.'S 5747 AND 1673, 358.01 FEET TO A POINT ON THE SOUTH LINE OF WEST COLLEGE AVENUE; THENCE NORTH 88°47'37" EAST ALONG SAID SOUTH LINE, 135.43 FEET; THENCE SOUTH 00°16'38" WEST, 143.01 FEET; THENCE NORTH 88°47'37" EAST, 185.21 FEET; THENCE NORTH 00°16'38" EAST, 134.55 FEET TO A POINT ON AFORESAID SOUTH LINE; THENCE SOUTH 89°43'10" EAST ALONG SAID LINE, 24.93 FEET; THENCE SOUTHEASTERLY 83.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°02'16", WITH RADIUS IS 265.50 FEET AND A CHORD BEARING SOUTH 80°42'10" EAST, 83.24'; THENCE SOUTH 65°34'27" EAST, 24.08 FEET; THENCE SOUTH 31°52'37" EAST, 14.69 FEET TO A POINT ON SAID WEST LINE OF 27TH STREET; THENCE SOUTH 00°16'38" WEST ALONG SAID LINE, 135.67 FEET TO THE POINT OF BEGINNING. LANDS CONTAINING 134,529 SQUARE FEET OR 3.0884 ACRES, bearing Tax Key Numbers 714-9968-003, 714-9972-003, and 714-9973-000, Ted Balistreri, College Avenue Associates, LLC, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

COLLEGE AVENUE ASSOICATES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2024-\_\_\_\_\_

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Ted Balistreri, College Avenue Associates, 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. Ted Balistreri, College Avenue Associates, LLC, successors and assigns, and any developer of the Ted Balistreri, College Avenue Associates, LLC two (2) lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Ted Balistreri, College Avenue Associates, LLC, and the 2 lot certified survey map project for the properties located at 6311 S. 27th Street, 6341 S. 27th Street, and 2821 W. College Avenue: (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.



COLLEGE AVENUE ASSOICATES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2024-\_\_\_\_\_

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6. The applicant shall provide the City of Franklin Planning Department with a recorded cross-access easement between the proposed Lot 1 and Lot 2, prior to issuance of an Occupancy Permit for the building located on Lot 1 of the CSM.
7. The applicant shall provide a separate written Conservation Easement for Common Council review and approval, prior to recording the Certified Survey Map.
8. The Conservation Easement boundary shown on the Certified Survey Map shall be revised to include the wetland, wetland buffer, wetland buffer mitigation area, and a minimum of fifty percent of the young woodland.
9. The applicant must resolve any technical corrections required by the Engineering or Planning Department, or the City Attorney’s Office prior to the recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, College Avenue and Associates, LLC, TS College Avenue, LLC, and Salvation Army an Illinois Corp., 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 owner, College Avenue and Associates, LLC, TS College Avenue, LLC, and Salvation Army an Illinois Corp., 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 \_\_\_\_\_, 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:

\_\_\_\_\_

COLLEGE AVENUE ASSOICATES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2024-\_\_\_\_\_

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Shirley J. Roberts, City Clerk

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

PLAN COMMISSION  
RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION APPROVING A SITE PLAN FOR THE CONSTRUCTION OF AN ACCESS DRIVE AND MODIFICATIONS TO LANDSCAPING, LIGHTING, PARKING, AND BUILDING ELEVATIONS UPON PROPERTIES LOCATED AT 2821 WEST COLLEGE AVENUE, 6311 SOUTH 27TH STREET, AND A PORTION OF 6341 SOUTH 27TH STREET (TED BALISTRERI, COLLEGE AVENUE ASSOCIATES, LLC, APPLICANT (COLLEGE AVENUE ASSOCIATES, LLC, TS COLLEGE AVENUE, LLC, AND SALVATION ARMY AN ILLINOIS CORP., PROPERTY OWNERS)

WHEREAS, Ted Balistreri, College Avenue Associates, LLC having applied for approval of a proposed site plan (which is contingent upon approval of the concurrent Natural Resource Special Exception and 2 lot Certified Survey Map) to allow for the construction of an access drive and modifications to landscaping, lighting, parking, and building elevations upon properties located at 2821 West College Avenue, 6311 South 27th Street, and a portion of 6341 South 27th Street, zoned B-2 General Business District; and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0302 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan for the construction of an access drive and modifications to landscaping, lighting, parking, and building elevations upon properties located at 2821 West College Avenue, 6311 South 27th Street, and a portion of 6341 South 27th Street, as depicted upon the plans dated \_\_\_\_\_, 2024, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The properties subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Ted Balistreri, College Avenue Associates, LLC development plans dated \_\_\_\_\_, 2024.
2. Ted Balistreri, College Avenue Associates, LLC, successors and assigns, and any developer of the Ted Balistreri, College Avenue Associates, LLC development 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 Ted Balistreri, College Avenue Associates, LLC development 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

COLLEGE AVENUE ASSOCIATES, LLC – SITE PLAN  
RESOLUTION NO. 2024-\_\_\_\_\_

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§15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the Ted Balistreri, College Avenue Associates, LLC development project for the properties located at 2821 West College Avenue, 6311 South 27th Street, and a portion of 6341 South 27th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the Ted Balistreri, College Avenue Associates, LLC development project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
5. The applicant shall provide the City of Franklin Planning Department with a recorded cross-access easement between the proposed Lot 1 and Lot 2, prior to issuance of an Occupancy Permit for the building located on Lot 1 of the CSM.
6. The applicant shall provide a separate written Conservation Easement for Common Council review and approval, prior to issuance of an Occupancy Permit for the building located on Lot 1 of the CSM.
7. The Conservation Easement boundary shown on the site plans shall be revised to include the wetland, wetland buffer, wetland buffer mitigation area, and a minimum of fifty percent of the young woodland.
8. A Lighting Plan, in conformance with Division 15-5.0400 of the Unified Development Ordinance, shall be submitted to the Planning Department for review and approval.
9. Final Engineering Department review and approval of grading, erosion control, utilities, and storm water management plans, as may be applicable, shall be granted prior to any land disturbance.
10. The related Certified Survey Map must be recorded prior to the issuance of any building permits.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this

\_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

COLLEGE AVENUE ASSOCIATES, LLC – SITE PLAN  
RESOLUTION NO. 2024-\_\_\_\_\_

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APPROVED:

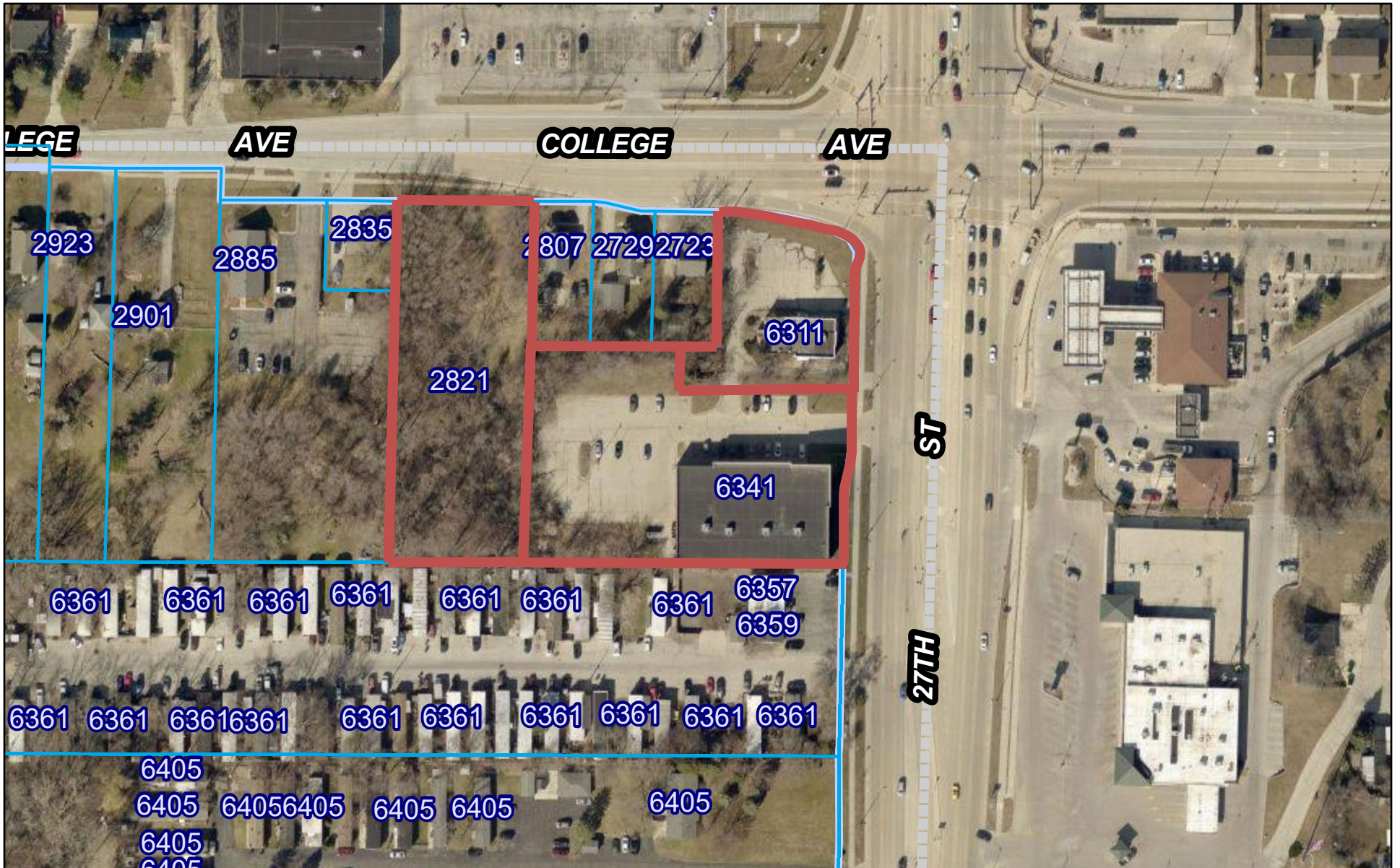
\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

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

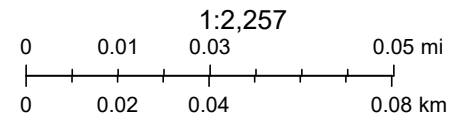
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# City of Franklin Property Viewer



7/9/2024, 9:19:41 AM

 Parcel



SEWRPC, Maxar, Microsoft, City of Franklin, WI

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
[generalplanning@franklinwi.gov](mailto:generalplanning@franklinwi.gov)  
 (414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: \_\_\_\_\_

STAMP DATE: \_\_\_\_\_ city use only

## NATURAL RESOURCE SPECIAL EXCEPTION APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: Ted Balistreri	NAME: Justin L. Johnson, P.E.
COMPANY: College Avenue Association LLC	COMPANY: JSD Professional Services, Inc.
MAILING ADDRESS: W225 N3178 Duplainville Road	MAILING ADDRESS: W238 N1610 Busse Rd. Ste 100
CITY/STATE: Pewaukee, WI ZIP: 53072	CITY/STATE: Waukesha, WI ZIP: 53188
PHONE: 262-691-3964	PHONE: 262-513-0666
EMAIL ADDRESS: ted@plmpaving.com	EMAIL ADDRESS: justin.johnson@jsdinc.com

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 6311 South 27th St	TAX KEY NUMBER: 7149968003, 7149973000
PROPERTY OWNER: College Avenue Association LLC	PHONE: 262-691-3964
MAILING ADDRESS: W225 N3178 Duplainville Rd	EMAIL ADDRESS: ted@plmpaving.com
CITY/STATE: Pewaukee, WI ZIP: 53072	DATE OF COMPLETION: _____

### APPLICATION MATERIALS

The following materials must be submitted with this application form. \*Incomplete applications and submittals cannot be reviewed.

- This application form accurately filled out with signature or authorization letters (see below).
- \$500 Application fee payable to the City of Franklin
- Word Document Legal description for the subject property.
- Three (3) collated sets of the following ...
  - Three (3) folded full size Plats of Survey, drawn to scale copies on 24" X 36" paper as required by Section 15-9.0110(B) of the Unified Development Ordinance.
  - Three (3) folded full size of the Natural Resource Protection Plan drawn to scale copies on 24" X 36" paper, see Sections 15-4.0102 and 15-7.0201 for information that must be denoted on or included with the NRPP).
  - Three (3) 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 flash drive with all plans/submittal materials.

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.

Applicant is responsible for providing Plan Commission and Environmental 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 above page detailing the requirements for NRSE approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE:	APPLICANT SIGNATURE:
NAME & TITLE: Ted Balistreri - Owner DATE: 11/08/23	NAME & TITLE: Ted Balistreri - Owner DATE: 11/08/23
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE:
NAME & TITLE: DATE:	NAME & TITLE: Justin L. Johnson, P.E. - Associate DATE: 11/08/23

**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)* Refer to Site Plan and Plat of Survey.

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 attach)* Refer to Plat of Survey.

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.

Section 15-4.0103

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

Requesting approval for disturbance of wetland buffer/setback, and tree area in SW corner of site. Approximately 0.0515 acres sf of wetland buffer and 0.0496 acres of wetland setback will be disturbed. Also, 0.2634 acres of young woodland will be disturbed. No wetland area will be impacted.

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

Requested NSRE is to allow disturbance of a portion of wetland buffer and setback, and removal of young woodland to create an access road to College Avenue for for existing properties. Existing sites currently only have access from southbound 27th Street.

4. Statement of the reasons why the particular 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 reason for the request is to add a new access drive for the lot at the corner of College and 27th. The original access drive was removed when the intersection was reconstructed. The new access drive cannot be in the location of the original access drive as that is now a right turn lane. The new drive will allow access from east and west bound lanes of College Ave and will provide access to future development should lots between the access drive and corner lot be developed in the future



a. Background and Purpose of the Project.

- i. Describe the project and its purpose in detail. Include any pertinent construction plans.

Please refer to the submitted Site Plan and Certified Survey Map applications. The project's purpose is to provide access to the former KFC so that the property can be re-activated. Access route is established by the current Salvation Army parking lot configuration, because cross-access through their property is an essential part of getting access to the KFC.

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

The site is a redevelopment of an existing property.

- 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 project needs to disturb an existing wetland setback and buffer to create an access drive for the site to replace the drive removed when the intersection of College and 27th was reconstructed. The proposed location is designed to minimize natural resource impact, while maximizing future developability of the corner. We are locked to the access points on College Ave and at the Salvation Army parking lot.

b. Possible Alternatives.

- 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.

The proposed access drive cannot connect to the drive aisle in the Salvation Army parking lot with any alternate configuration. All other routing for the access drive will result in reduced parking stalls for Salvation Army.

- 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.

Because the connection points to College Avenue and the existing Salvation Army parking lot are non-negotiable to those approving entities, the options for changing the routing between them are severely limited. The drive has been redesigned to eliminate wetland impacts, but setback and buffer impacts are unavoidable.

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

Because this proposal is for construction of a commercial driveway, reducing the pavement width is not an option. The connection point onto College Avenue is also non-negotiable to Milwaukee County.

iv. State what geographic areas were searched for alternative sites.

n/a. Because the project is an access drive to an existing building, no other areas were explored.

v. 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.

n/a. Because the project is an access drive to an existing building, no other areas were explored.

vi. State what will occur if the project does not proceed.

If the project does not proceed the existing former KFC will remain unoccupied and will continue to deteriorate. The property is unmarketable without legal access.

c. 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.

The proposed layout is the only option for connecting the College Ave access point to the existing Salvation Army parking lot. The drive has been redesigned to reduce impacts compared to the original configuration.

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

Any alternative would result in no access drive or an access drive that would not be accepted by Milwaukee County to connect to College Ave.

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

n/a

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

n/a

- d. 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.

Any alternative would result in no access drive or an access drive that would not be accepted by Milwaukee County to connect to College Ave.

- e. 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 is located in the southwest corner of the wooded lot in the area of Blount silt loam. It is a highly degraded forested wetland. The dominant species (DP1) were green ash and common buckthorn. The green ash were all heavily infected by emerald ash borer. The area was in a slight depression. Water stained leaves were seen within this depression. Soils met the hydric soil indicators for F3 Depleted Matrix and for A11 Depleted Below Dark Surface. Trash was visible throughout and dumping probably occurred over many years.

- f. 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.

A portion of the young woodland will remain after the project is completed so no species will be eliminated. The wetland will not be impacted. No threatened or endangered species exist in the wetland. An invasive species of buckthorn is the primary species within the wetland.

- ii. Storm and flood water storage.

Area draining to wetland will be reduced. All existing and proposed impervious area will be conveyed, via storm sewer, to the College Avenue storm sewer system.

- iii. Hydrologic functions.

Area draining to wetland will be reduced.

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

No effect

- v. Shoreline protection against erosion.

n/a. No navigable waterway present.

- vi. Habitat for aquatic organisms.

No effect

- vii. Habitat for wildlife.

Wooded area will be reduced but not eliminated.

- viii. Human use functional value.

The existing wetland and woodland has no human functional use.

- ix. Groundwater recharge/discharge protection.

No effect

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

Aesthetics will improve with the redevelopment of the corner lot and removal of dead ash trees and buckthorn.

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

Refer to Endangered Resources review letter.

- 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.

n/a.

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

All existing and proposed impervious area will be conveyed to public storm sewer. The proposed project is below jurisdictional stormwater management thresholds.

- 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):

Any occupant hoping to redevelop this site will need a new access drive. Based on location, existing conditions, and consideration of future development this is the best location of that drive.

- 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:

No reasonable alternative routes exist for connection between the established points on College Ave and the Salvation Army parking lot.

\_\_\_\_\_ ; or

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

There is no reasonable alternative locations for the access drive. If this drive is not allowed, activating the former KFC with a meaningful user will be very difficult.

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

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

The existing site is overgrown and deteriorating. Redevelopment will improve the quality of the site.

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

The proposed request makes a concerted effort to meet the "avoid or minimize" requirement, and as such would be in line with the process used for other similar applications.

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

The proposed request makes a concerted effort to meet the "avoid or minimize" requirement, and as such would be in line with the process used for other similar applications.

\_\_\_\_\_ ; 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*):

n/a.

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 proposed access drive has been designed so as to minimize natural resource impacts while maximizing future developability of the subject properties. It also considers the needs of existing adjacent properties (Salvation Army) and allows for retrofitting into future stormwater management facilities, should there be a larger redevelopment plan brought forward.

- 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:

A new access drive is required to replace the drives removed when the intersection of College Ave and 27th Street was improved by the Wisconsin DOT.

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

The proposed access drive will be used to access existing (Salvation Army) and redevelopment (KFC) sites and will promote future redevelopment of other properties at this corner.

- iv. Aesthetics:

The existing site is overgrown and in need of redevelopment. The existing wetland sits out of view and is highly degraded due to frequent trash dumping.

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

We believe that this request is within the limits of what may be considered for approval through the NRSE process.

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vi. Proximity to and character of surrounding property:

Improvement of the existing site will bring the site in line with surrounding development.

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

Although surrounding lots have residential property they are zoned for business. This access drive could potential be used for future development.

viii. Any negative affect upon adjoining property:

No effect.

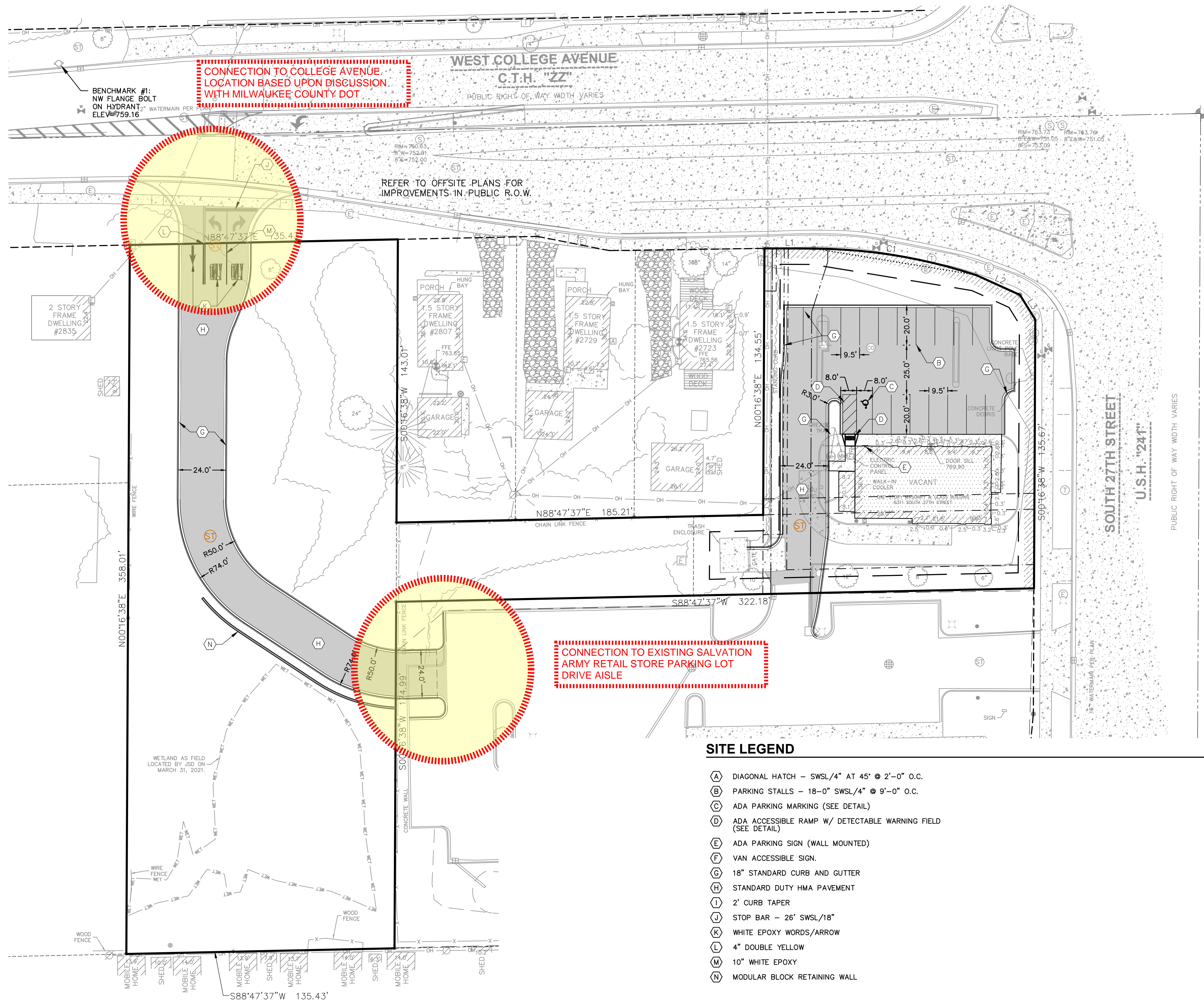
ix. Natural features of the property:

No effect.

x. Environmental impacts:

No impacts.





CONNECTION TO COLLEGE AVENUE  
LOCATION BASED UPON DISCUSSION  
WITH MILWAUKEE COUNTY DOT

CONNECTION TO EXISTING SALVATION  
ARMY RETAIL STORE PARKING LOT  
DRIVE AISLE

**SITE LEGEND**

- (A) DIAGONAL HATCH - SWSL/4" AT 45° @ 2'-0" O.C.
- (B) PARKING STALLS - 18'-0" SWSL/4" @ 9'-0" O.C.
- (C) ADA PARKING MARKING (SEE DETAIL)
- (D) ADA ACCESSIBLE RAMP W/ DETECTABLE WARNING FIELD (SEE DETAIL)
- (E) ADA PARKING SIGN (WALL MOUNTED)
- (F) VAN ACCESSIBLE SIGN
- (G) 18" STANDARD CURB AND GUTTER
- (H) STANDARD DUTY HMA PAVEMENT
- (I) 2' CURB TAPER
- (J) STOP BAR - 26' SWSL/18"
- (K) WHITE EPOXY WORDS/ARROW
- (L) 4" DOUBLE YELLOW
- (M) 10" WHITE EPOXY
- (N) MODULAR BLOCK RETAINING WALL

**BENCHMARKS**

DESCRIPTION	ELEVATION
BENCHMARK #1: HYDRANT ON NORTH SIDE OF COLLEGE AVENUE NW FLANGE BOLT ON HYDRANT	759.16

**SITE INFORMATION BLOCK**

SITE ADDRESS	6311 S 27TH STREET
MILWAUKEE, WI	
PROPERTY ACREAGE	1.803 ACRES
NUMBER OF BUILDING STORIES	1
TOTAL BUILDING SQUARE FOOTAGE	2,770 SF
NUMBER OF PARKING STALLS	
STANDARD	18
ACCESSIBLE	1
TOTAL SURFACE	19
EXISTING VS. PROPOSED SITE COVERAGE	
EXISTING IMPERVIOUS SURFACE AREA	16,490 SF
EXISTING PERVIOUS SURFACE AREA	62,050 SF
EXISTING IMPERVIOUS SURFACE AREA RATIO	0.21
PROPOSED IMPERVIOUS SURFACE AREA	21,295 SF
PROPOSED PERVIOUS SURFACE AREA	57,245 SF
PROPOSED IMPERVIOUS SURFACE AREA RATIO	0.27
PROPOSED LANDSCAPE SURFACE RATIO (LSR)	0.73
NET NEW IMPERVIOUS	4805

**PAVING NOTES**

- GENERAL
  - ALL PAVING SHALL CONFORM TO STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION, LATEST EDITION, APPLICABLE CITY OF FRANKLIN ORDINANCES.
  - ALL PAVING DIMENSIONS ARE TO FACE OF CURB UNLESS SPECIFIED OTHERWISE.
  - SURFACE PREPARATION - NOTIFY ENGINEER/OWNER OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.
  - ANY REQUIRED REPLACEMENT OF PUBLIC CURB AND GUTTER SHALL MATCH EXISTING AND MEET MUNICIPALITY REQUIREMENTS.
- ASPHALTIC CONCRETE PAVING SPECIFICATIONS
  - CODES AND STANDARDS - THE PLACING, CONSTRUCTION AND COMPOSITION OF THE ASPHALTIC BASE COURSE AND ASPHALTIC CONCRETE SURFACE COURSE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 450, 455, 460 AND 465 OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, CURRENT EDITION. HEREAFER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.
  - WEATHER LIMITATIONS - APPLY TACK COATS WHEN AMBIENT TEMPERATURE IS ABOVE 50° F (10° C) AND WHEN TEMPERATURE HAS NOT BEEN BELOW 35° F (1° C) FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION. DO NOT APPLY WHEN BASE IS WET OR CONTAINS EXCESS OF MOISTURE. CONSTRUCT ASPHALTIC CONCRETE SURFACE COURSE WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40° F (4° C) AND WHEN BASE IS DRY AND WHEN WEATHER IS NOT RAINY. BASE COURSE MAY BE PLACED WHEN AIR TEMPERATURE IS ABOVE 30° F (-1° C).
  - GRADE CONTROL - ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.
  - CRUSHED AGGREGATE BASE COURSE - THE TOP LAYER OF BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.
  - BINDER COURSE AGGREGATE - THE AGGREGATE FOR THE BINDER COURSE SHALL CONFORM TO SECTIONS 460 AND 315, STATE HIGHWAY SPECIFICATIONS.
  - SURFACE COURSE AGGREGATE - THE AGGREGATE FOR THE SURFACE COURSE SHALL CONFORM TO SECTIONS 460 AND 465, STATE HIGHWAY SPECIFICATIONS.
  - ASPHALTIC MATERIALS - THE ASPHALTIC MATERIALS SHALL CONFORM TO SECTION 455 AND 460, STATE HIGHWAY SPECIFICATIONS.
- CONCRETE PAVING SPECIFICATIONS
  - CONCRETE PAVING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 415 AND 416 OF THE STATE HIGHWAY SPECIFICATIONS.
  - CONCRETE PAVEMENT SHALL BE REINFORCED WITH NOVOMESH 950 (OR EQUAL) FIBER REINFORCEMENT AT A RATE OF 5 LBS/CUBIC YARD.
  - CURING COMPOUNDS SHALL CONFORM TO SECTION 415 OF THE STATE HIGHWAY SPECIFICATIONS.
  - CONTRACTOR SHALL PROVIDE CONTROL JOINTS AND CONSTRUCTION JOINTS OF ONE-QUARTER CONCRETE THICKNESS AT AN EQUAL RATIO OF LENGTH TO WIDTH WHEREVER POSSIBLE WITH A MAXIMUM LENGTH BETWEEN JOINTS OF 8' ON CENTER.
  - CONTRACTOR SHALL PROVIDE EXPANSION JOINTS IN SIDEWALKS AT A MAXIMUM 24' ON CENTER.
  - EXTERIOR CONCRETE SURFACES SHALL BE BROOM FINISHED.
  - ALL CONCRETE SURFACES TO BE SEALED WITH TYPE TK-26UV CONCRETE SEALANT.
- PAVEMENT MARKING SPECIFICATIONS
  - USE 4" WIDE, HIGH VISIBILITY YELLOW LATEX PAINT FOR STALL LINES.
  - MARK AND STRIPE ADA PARKING SPACES APPROPRIATELY.
  - ALL PAVEMENT MARKINGS INCLUDING: STOP BARS, CROSSWALKS, DIRECTIONAL ARROWS, PARKING STALL LINES, ADA STALL MARKINGS, NO PARKING ZONES, DROP-OFF/PICK-UP ZONES SHALL BE PAINTED WITH LATEX PAINT PER SPECIFICATIONS.
  - 2' x 4' TRUNCATED DOME WARNING DETECTION FIELD SHALL BE PLACED AT ALL ADA RAMPS.

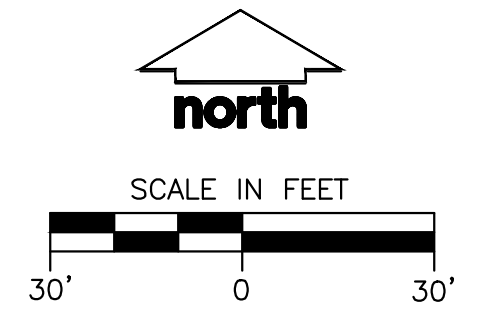
**CONSTRUCTION SEQUENCING**

- INSTALL PERIMETER SILT FENCE, INLET PROTECTION AND TEMPORARY CONSTRUCTION ENTRANCE.
- STRIP AND STOCKPILE TOPSOIL, INSTALL SILT FENCE AROUND PERIMETER OF STOCKPILE.
- ROUGH GRADE RETENTION POND AND INSTALL POND OUTLET.
- CONDUCT ROUGH GRADING EFFORTS AND INSTALL CHECK DAMS WITHIN DRAINAGE DITCHES AS NEEDED.
- INSTALL UTILITY PIPING AND STRUCTURES, IMMEDIATELY INSTALL INLET PROTECTION.
- COMPLETE FINAL GRADING, INSTALLATION OF GRAVEL BASE COURSES, PLACEMENT OF CURBS, PAVEMENTS, WALKS, ETC.
- PLACE TOPSOIL AND IMMEDIATELY STABILIZE DISTURBED AREAS WITH EROSION CONTROL MEASURES AS INDICATED ON PLANS.
- RESTORE RETENTION POND (FINAL GRADE RETENTION POND PER PLAN REQUIREMENTS)
- EROSION CONTROLS SHALL NOT BE REMOVED UNTIL SITE IS FULLY STABILIZED OR 70% VEGETATIVE COVER IS ESTABLISHED.

CONTRACTOR MAY MODIFY SEQUENCING AFTER ITEM NO. 1 AS NEEDED TO COMPLETE CONSTRUCTION IF EROSION CONTROLS ARE MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.

**LEGEND**

- PROPERTY LINE
- - - RIGHT-OF-WAY
- - - EASEMENT LINE
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- FENCE
- LIGHT POLE (REFER TO PHOTOMETRIC PLAN)
- ADA PARKING SIGN
- BOLLARD
- PARKING STALL COUNT



CREATE THE VISION TELL THE STORY

jsdinc.com

MILWAUKEE REGIONAL OFFICE  
W238 N1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

**PLAN MODIFICATIONS:**

#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	03.14.2024	REVISED DRIVE LAYOUT
3	06.03.2024	SITE PLAN SUBMITTAL
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Designed By: CAP  
Reviewed By: JLL  
Approved By: JLL

SHEET TITLE:  
**SITE PLAN**

SHEET NUMBER:  
**C2.0**

# Memorandum

Date: June 5, 2024  
(rev July 29, 2024)

To: Nick Fuchs, Planning Associate  
City of Franklin, Department of City Development

From: Justin L. Johnson, P.E.

Re: Response to Staff Comments, dated January 28, 2024: Certified Survey Map, Site Plan, and Natural Resource Special Exception applications – 6311 S. 27th Street, 6341 S. 27th Street, and 2821 W. College Avenue

JSD Project #: 18-8450

cc: Project File

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## **Department of City Development comments**

1. Certified Survey Map
  - a. Please provide the following information as required by Section 15-7.0702 of the Unified Development Ordinance:
    - i. Setbacks, Shore Buffers, Wetland Buffers, Wetland Setbacks, and Building Lines. All required setbacks, shore buffers, wetland buffers, wetland setbacks, and building lines shall be graphically indicated and dimensioned on the Certified Survey Map.

Note that building setbacks, the wetland buffer, and the wetland setback are not shown on the CSM.

**Setbacks have been added to the Certified Survey Map.**

- ii. Location of Proposed Deed Restrictions, Landscape Easements, and/or Conservation Easements. The location of any proposed deed restrictions, landscape easements, and/or conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map. The location and extent of conservation easements should be directly related to the "Natural Resource Protection Plan." Deed restrictions and/or conservation easements as required by this Ordinance shall be filed with the Certified Survey Map or submitted for review as a condition of any approval thereof, in the manner and for the purposes as set forth under § 15-7.0603D. for final plats.

Note that remaining protected natural resources must be preserved within a Conservation Easement, which shall be shown on the CSM.

**The proposed Conservation Easement linework has been added to Certified Survey Map Page 4 of 9, and directly matches the preserved wetland, wetland setback and wetland buffer shown on the Natural Resource Protection Plan.**

- b. It is recommended that the entirety of the remaining Salvation Army property be shown as part of this CSM to clearly show the acquisition and resulting parcel.

**The full Salvation Army property has been added to the CSM.**

- c. As previously discussed, the Salvation Army property must meet B-2 District and UDO standards, such as a 10-foot parking setback and a 0.35 Minimum Landscape Surface Ratio. If LSR is not met, staff suggests attaching a portion of the green space on the 2821 College Avenue property to the Salvation Army property.

**An agreement has been negotiated with The Salvation Army whereby the southwest corner of the College Avenue Associates parcel will be conveyed to The Salvation Army in order to provide them the greenspace necessary to bring their property into compliance with the 35-percent LSR requirement. Please refer to the Site Data Table on the enclosed Site Plan for the resulting LSR calculations for each property.**

## 2. Site Plan

- a. Please show all B-2 District minimum building and natural resource setbacks on Sheet C2.0.

**The requested setbacks have been added to the Site Plan.**

- b. Please note the existing zoning district on the Site Plan.

**Existing zoning notation has been added to the plan.**

- c. All easements must be shown on the Site Plan, including the conservation easement required to protect remaining natural resource features onsite.

**The Conservation Easement and Cross Access Easement have been added to the Site Plan.**

- d. Please show the vision triangle per [Section 15-5.0201](#) of the UDO, and remove obstructions if necessary.

**Because the vision triangle's purpose is to provide site lines for through and left-turning vehicles entering the intersection, it is our interpretation that the vision triangle would be measured from the primary right-of-way lines extended. That said, the geometry of right-of-way lines at this intersection is such that the vision triangle does not encroach on the property.**

## 3. Landscape Plan

- a. Bufferyards are required adjacent to single-family uses in accordance with [Section 15-5.0302C](#). It is also recommended that plantings be included within these areas.

**All of the properties in the vicinity of this proposal are zoned B-2, therefore we do not believe the bufferyard section would apply.**

- b. Please show natural resource features mitigation areas, if any.

**Mitigation is proposed in the form of an expanded wetland Buffer area. Said area is indicated on the Site Plan.**

- c. The Landscape Plan must include a minimum of five plantings of each type (Canopy/Shade Tree, Evergreens, Decorative Trees, Shrubs) per Section 15-5.0302B.3 and C.1.  
**Revised.**
- d. Please include the required number of species of plantings per Section 15-3.0302F.  
**Revised.**
- e. Please show that irrigation is provided as required by Section 15-5.0303D.  
**Irrigation is provided in the form of a hose bib at the building.**
- f. Please revise maintenance notes to include a two-year planting guarantee per Section 15-5.0303G.3. of the UDO.  
**Contractor and Owner Responsibility Note No. 5 has been revised.**

#### 4. Lighting Plan

- a. Are any lighting changes proposed?  
**There will be updated lighting in the reconfigured parking lot of the KFC property. This lighting plan has not yet been prepared, but will be submitted this week and will be in conformance with UDO requirements.**

#### 5. Natural Resource Special Exception/Natural Resource Protection Plan

- a. How was it determined that steep slopes onsite were manmade?  
**Based upon aerial photographs (attached), this site was historically relatively flat. Between 1956 and 1980, the site was filled and a large gravel parking lot constructed, with the Salvation Army building and associated parking being constructed over that gravel lot between 1980 and 2000. It is our assumption that the fill and gravel lot construction created the slopes that appear on the topographic survey today.**
- b. Sheet EX shows wetland buffer and setback north for the proposed driveway as undisturbed. Staff finds that these areas are disturbed as with the impact to the wetland itself, those areas will no longer serve or be considered buffer or setback.  
**The driveway has been reconfigured to eliminate wetland impacts and all buffer and setback impacts have been revised accordingly. Furthermore, the driveway has now been redesigned once again based on Staff comments from the NRSE submittal, with the driveway sliding north so that the proposed retaining wall is outside of the 10-foot wetland setback recommended in the Wetland Delineation Report.**
- c. Was the Wetland Delineation Report submitted to the WDNR? Did they concur with the delineation? Was the report submitted to the USACOE for a jurisdictional determination? Note

these are listed recommendations in the conclusion of this report.

**The Wetland Delineation Report was performed by an assured delineator, and as such does not need to be submitted to the Wisconsin DNR for concurrence. Prior to reconfiguring the driveway and eliminating our wetland impacts from the plan, an Army Corps of Engineers Jurisdictional Request was submitted and the response (attached) was that the subject wetland is not under their jurisdiction.**

- d. Another recommendation was for an Endangered Resources (ER) Review request to be submitted to the WDNR. Was this done yet?

**The ER Review request was submitted on March 14, 2024. Review letter is attached.**

- e. On Sheet EX, please show the dimension/distance from the edge of the wetland to the proposed drive.

**We are now proposing a retaining wall to make up the grade differential between the wetland boundary and the proposed driveway. The requested dimension has been added to the Natural Resource Protection Plan.**

- f. A portion of the mature woodland to remain directly abuts the east side of the proposed drive. How will these trees and this area be protected with the construction of the drive? Will there not be impacts from grading and construction equipment?

**Tree areas along the east side of the proposed drive are now shown as a disturbed natural resource.**

- g. As previously mentioned, staff suggests placing the drive further north, adjacent to the Salvation Army parking lot, opposed to connecting directly to it. There appears to be sufficient width to allow for a 24' wide drive and a 10' setback from the single-family residential (zoned B-2) to the north and a 10' setback from the Salvation Army parking lot to the south. Staff would also recommend a dense planting screen abutting the residential uses to the north.

**The proposed driveway has been reconfigured to avoid impacting wetlands. The area between the existing Salvation Army parking lot and the residential homes is currently wooded and that vegetation is not being impacted as part of this project, therefore a natural buffer already exists. The subject homes are also zoned B-2 matching the KFC, Salvation Army and other properties along West College Avenue, so there is no abutting use incompatibility in this case. This said, we respectfully request that no planted buffer be required.**

- h. Are additional impacts to woodland areas anticipated? If so, it is suggested to include those impacts within the current NRSE application and any mitigation plan provided. Otherwise, the remaining protected woodland areas must be made part of the conservation easement.

**The woodland impact area has been adjusted to correspond to the revised driveway configuration. Remaining natural resources will be protected under a conservation easement.**

- i. As part of a mitigation plan, it is recommended that enhancements be provided to improve the

quality and better protect the remaining wetland area, particularly considering the loss of buffer and setback. This may include invasive species removal and planting vegetation between the wetland and the proposed drive.

**Wetland impacts have been eliminated with the redesign of the proposed driveway.**

6. Based upon the current submittal, below are anticipated recommended conditions of approval:

- a. The applicant shall obtain all necessary approvals from Federal and State regulatory agencies, (§15-10.0208.B.3) prior to any land disturbing activities.

**Permits from the Wisconsin DNR and Army Corps of Engineers are no longer necessary because we are not disturbing wetlands as part of this proposal.**

- b. Mitigation in accordance with Sections 15-4.0103B.4. and 5. of the Unified Development Ordinance shall be provided.

**Mitigation of the wetland buffer is proposed at the required 1.5:1 ratio.**

- c. The applicant shall provide plans for restoration of wetland setback that conforms to the standards of §15-4.0102I for appropriate plantings. Turf grasses are prohibited. Non-vegetative cover is permitted in areas subject to erosion. Conservation and restoration information, including maintenance information, shall be included on development plans including landscape plans.

**We will work with City staff to develop a Landscape Plan meeting this requirement.**

- d. The applicant shall provide for financial sureties for implementation of restoration, if provided, as permitted by §15-4.0103.D.

**Upon acceptance of the impact areas by the Environmental Commission, we will work with City staff to determine the surety requirements.**

- e. The applicant shall provide for removal of invasive species and restoration of native wetland species within the wetland

**We will work with City staff to develop a Landscape Plan meeting this requirement.**

- f. The applicant shall submit a conservation easement 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.

**The conservation easement area has been added to the Site Plan and the Certified Survey Map. Upon approval of the easement location and configuration, we will submit a separate easement document for review and approval.**

- g. Final grading, erosion control, utilities, and storm water management plans shall be subject to Engineering Department review and approval.

**Understood.**

### **Engineering Department Comments**

7. Please see below and attached regarding the proposed Certified Survey Map.
  - a. Change the label Parcel A to Parcel 1  
**Parcel A has been renamed as Parcel 1.**
  - b. Must show the recording information for taking a part of land on the north-northwest from the unplatted land to the south.  
**The parcels are being transferred by the separate agreement between the parties in conjunction with the CSM.**
  - c. Must show the recording information for the cross access easement between the KFC and the Salvation Army Corp.  
**The cross-access easement will be finalized once the subject parcels are reconfigured by the CSM.**
  - d. Must show the location of the proposed CSM in the vicinity map.  
**The CSM location has been added to the Vicinity Map on Page 1 of the CSM.**
  - e. Must add under notes, "Parcel 1 is served by public sewer and water".  
**Note 7 has been added to Page 1 of the CSM noting that the subject lots are serviced by public sewer and water.**
  - f. Must add under the legend the symbol No Direct Access.  
**A "No Direct Access" note has been added to the Legend on Page 1 of the CSM.**
  - g. Must indicate who delineated the wetland (Wetland Delineator Certified by the State of Wisconsin) and when it was delineated.  
**Wetland Delineator's name and date of delineation have been added to Page 4 of the CSM.**
  - h. Must show the following wetland setbacks:
    - i. 30-foot buffer.  
**Added to Page 4 of the CSM.**
    - ii. 50-foot setback.  
**Added to Page 4 of the CSM.**
  - i. Must show the vision triangle at the intersections.  
**Due to intersection geometry, the vision triangle dimensions at the intersection of 27th Street and West College Avenue do not impact the subject properties.**
  - j. On page 7 of 9, under the surveyor's certificate, replace "the City of City of Milwaukee" with the Unified Development Ordinance Division-15 of the City of Franklin, Milwaukee County,

Wisconsin.

**Corrected.**

- k. On page 8 of 9, under the corporate owner's certificate insert the Unified Development Ordinance Divison-15 of the City of Franklin after the Wisconsin statutes.  
**The requested UDO reference has been added.**
- l. On page 9 of 9, replace Karen Kastenson with Shirley J. Roberts, City Clerk.  
**Corrected.**
8. Separate engineering department submittal is required. The application for this submittal can be found here <https://www.franklinwi.gov/Files/Engineering/Forms/Engineering--Storm-Water-Management-Plan-Review-Application-2022.pdf>.  
**Understood.**
9. College Avenue is a Milwaukee County Highway (CTH ZZ), work in the College Avenue right-of-way will require MCDOT coordination and approval.  
**Milwaukee County DOT review and permitting is ongoing.**
10. S. 27th Street is a Wisconsin DOT Highway (STH 241), work in the S. 27th Street right-of-way will require WisDOT coordination and approval.  
**No work is proposed in the South 27<sup>th</sup> Street right-of-way.**
11. The proposed CSM will be reviewed accordingly and subject to the review approval by MCDOT and WisDOT.  
**Understood.**

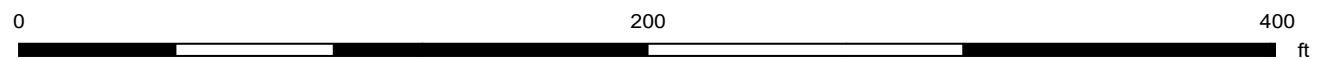




Legend

- Parcels
  - Tax Parcels
- Administrative
  - Municipal Boundaries
- Aerial Photos
  - 1956 Aerial High : 255  
Low : 0

Notes



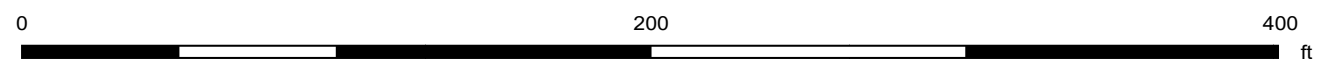
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Legend

- Parcels
  - Tax Parcels
- Administrative
  - Municipal Boundaries
- Aerial Photos
  - 1980 Aerial
  - High : 255
  - Low : 0

Notes



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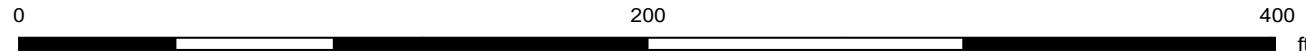
**Legend**

Parcels  
Tax Parcels

Administrative  
Municipal Boundaries

Aerial Photos  
2000 Aerial   
High : 255  
Low : 0

Notes



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**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT**  
**332 MINNESOTA STREET, SUITE E1500**  
**ST. PAUL, MN 55101-1323**

January 30, 2024

Regulatory File No. 2024-00038-TKO

College Avenue Association, LLC  
c/o: Ted Balistreri  
W225 N3178 Duplainville Rd.  
Pewaukee, WI 53072

Dear Mr. Balistreri:

This letter is in regard to an approved jurisdictional determination for the vacant KFC property at the intersection of College Ave. and 27<sup>th</sup> St., located in Section 01, Township 05 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin. The review area for our jurisdictional determination is identified on the enclosed figures labeled 2024-00038-TKO Figures 1-2 of 2.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. You are also cautioned that the area of waters described on the enclosed Jurisdictional Determination form is approximate and is not based on a precise delineation of aquatic resources.

This determination is only valid for the review area shown on the enclosed figures labeled 2024-00038-TKO Figures 1-2 of 2.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of an NRCS Certified Wetland Determination with the local USDA service center, prior to starting work.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP.

It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

Regulatory Division (File No. 2024-00038-TKO)

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five-year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

If you have any questions, please me in our Green Bay office at (651) 290-5010 or [timothy.k.orlowski@usace.army.mil](mailto:timothy.k.orlowski@usace.army.mil). In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Orłowski', written in a cursive style.

Tim Orłowski  
Project Manager

Enclosures: Approved Jurisdictional Determination Figures, Approved Jurisdictional Determination Memorandum for Record, Request for Appeal

cc:

Justin Johnson – JSD Professional Services

Michelle Soderling – WDNR (Docket # GP-SE-2024-41-00015)

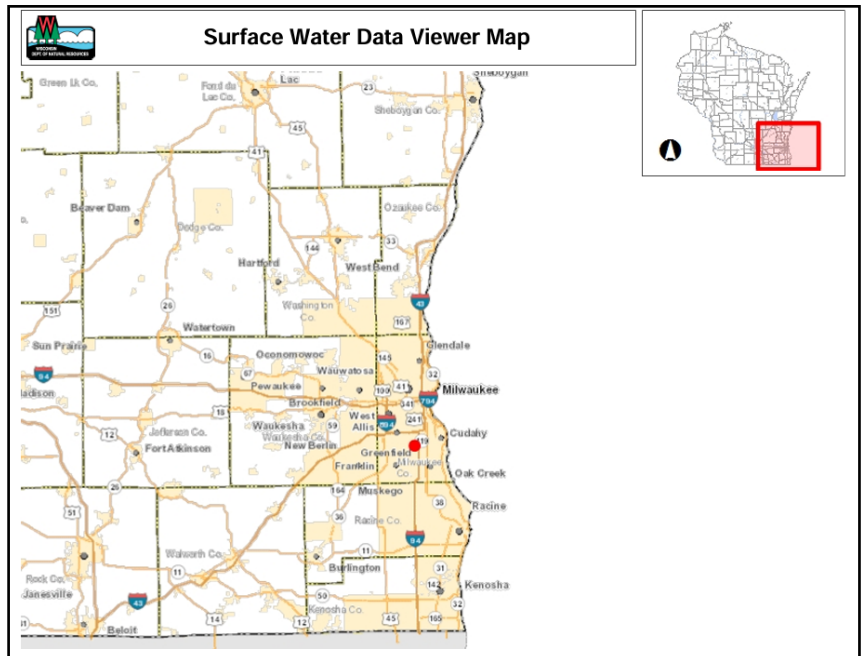
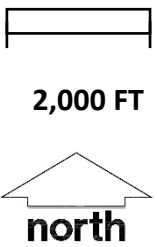
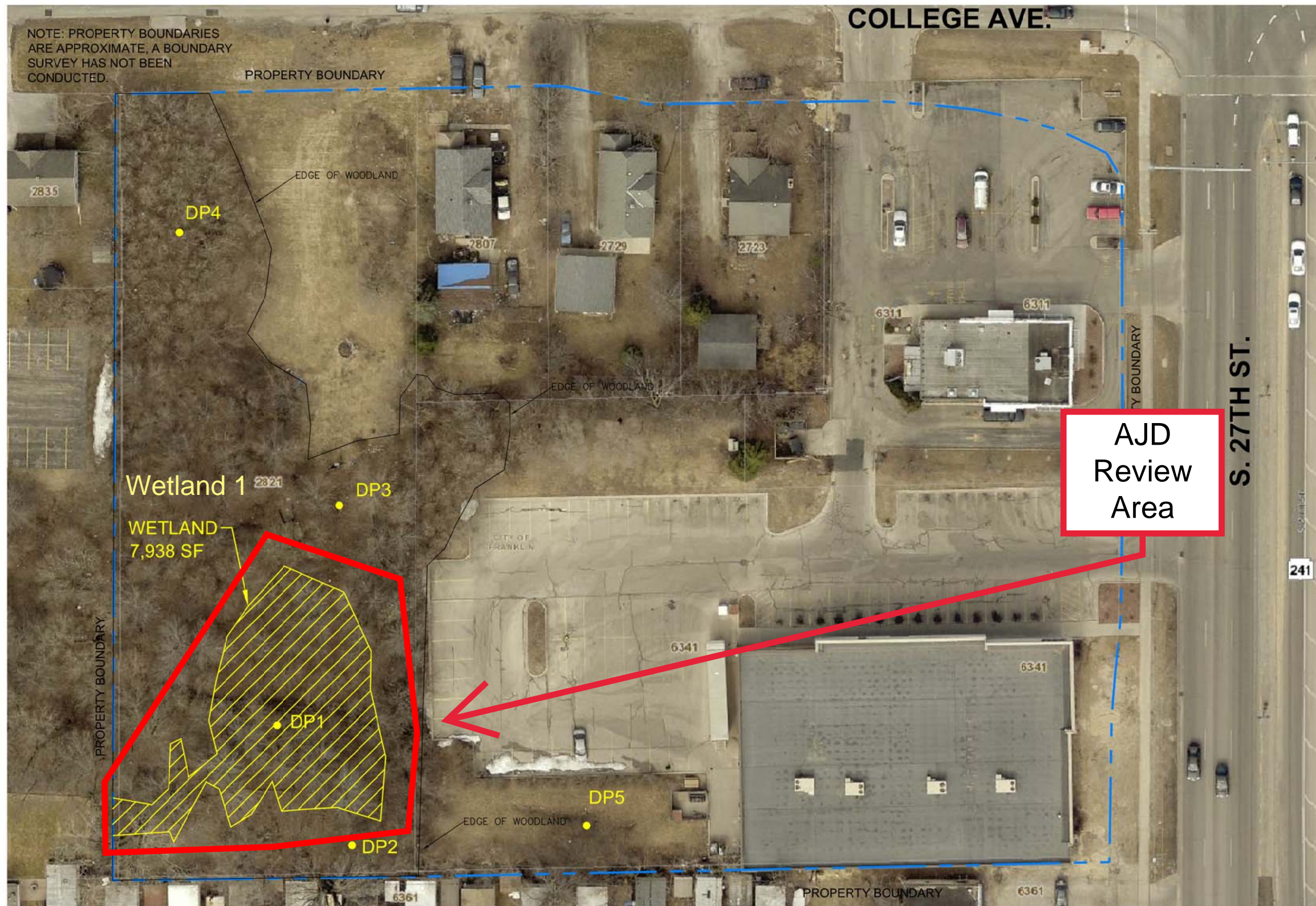
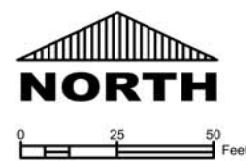


FIGURE 1. LOCATION MAP



WETLAND DELINEATED BY K. SHERFINSKI OF HELIANTHUS LLC ON MAY 18, 2018. ADDITIONAL DATA POINTS TAKEN AND WETLAND BOUNDARY ADJUSTED ON APRIL 19, 2019 BY K. SHERFINSKI.



Client Address  
 COLLEGE AVE ASSOC LLC  
 W225 N3178 DUPLAINVILLE RD  
 PEWAUKEE, WI 53072

Project Address  
**WETLAND BOUNDARY MAP**  
**COLLEGE AVENUE AND 27TH STREET**  
**FRANKLIN, WI**

Exhibit  
**FIGURE 7**  
 Project 18-8450  
 Date 04-22-2019  
 Drawn By KAS  
 Sheet W1.0

**HELIANTHUS**  
 HELIANTHUS LLC  
 247 W. FRESHWATER  
 WAY, SUITE 210  
 MILWAUKEE, WI 53204



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT  
332 MINNESOTA STREET, SUITE E1500  
ST. PAUL, MN 55101-1323

MVP

January 22, 2024

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; (88 FR 3004 (January 18, 2023) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" (8 September 2023) ,<sup>1</sup> [MVP-2024-00038-TKO MFR 1 of 1](#)<sup>2</sup>

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.<sup>3</sup> AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.<sup>4</sup>

On January 18, 2023, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule"). On September 8, 2023, the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),<sup>5</sup> the 2023 Rule as amended,

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<sup>1</sup> While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

<sup>2</sup> When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, the territorial seas, or interstate water that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

<sup>3</sup> 33 CFR 331.2.

<sup>4</sup> Regulatory Guidance Letter 05-02.

<sup>5</sup> USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.



## MVP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [MVP-2024-00038-TKO](#)

as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

### 1. SUMMARY OF CONCLUSIONS.

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).
  - i. [Wetland W-1, non-jurisdictional \(0.18-acre \(7,938 SF\). Lat/Long: 42.9294, -87.9511\)](#)

### 2. REFERENCES.

- a. "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule")
- b. "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (September 8, 2023)
- c. *Sackett v. EPA*, 598 U.S. \_\_, 143 S. Ct. 1322 (2023)

3. REVIEW AREA. [The review area sits in the southwest portion of an approximately 4.5-acre property, southwest of the intersection of College Ave. and 27<sup>th</sup> St., in the City of Franklin. The review area is identified by a red polygon on the attached Figures 1 - 2 of 2. There are no other JDs associated with the review areas. The review area is located in Section 01, Township 05 N, Range 21 E, City of Franklin, Milwaukee County, WI. See attached figures, labeled 2024-00038-TKO Figures 1-2 of 2. HUC 10: Root River \(0404000203\). Lat/Long: 42.9294, -87.9511](#)

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS CONNECTED. [N/A](#)<sup>6</sup>

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER. [\[N/A\]](#)

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<sup>6</sup> This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.

## MVP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [MVP-2024-00038-TKO](#)

6. SECTION 10 JURISDICTIONAL WATERS<sup>7</sup>: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.<sup>8</sup> [N/A]
  
7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended, consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.
  - a. Traditional Navigable Waters (TNWs) (a)(1)(i): [N/A]
  - b. The Territorial Seas (a)(1)(ii): [N/A]
  - c. Interstate Waters (a)(1)(iii): [N/A]
  - d. Impoundments (a)(2): [N/A]
  - e. Tributaries (a)(3): [N/A]
  - f. Adjacent Wetlands (a)(4): [N/A]
  - g. Additional Waters (a)(5): [N/A]

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<sup>7</sup> 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

<sup>8</sup> This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

## MVP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), MVP-2024-00038-TKO

### 8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified in the 2023 Rule as amended as not “waters of the United States” even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature within the review area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).<sup>9</sup> N/A
- b. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Wetland W-1 is not a TNW, territorial sea, or interstate water and therefore is not an (a)(1) water. Review of a 2019 Helianthus delineation report, Google Earth and historic aerial images, Milwaukee County GIS, and LiDAR (hillshade and DEM GIS layers from the Mississippi Valley Division Regulatory Viewer) indicate that wetland W-1 is a depressional wetland, surrounded by upland. The wetland does not physically abut a relatively permanent paragraph (a)(2) impoundment or a jurisdictional (a)(3) tributary and is not separated from a jurisdictional water by a natural berm, bank, dune, or similar natural landform. The assessed wetland sits approximately 1,100 feet from the closest tributary (Unnamed Tributary to Root River (WBIC 2900)). However, there are no ditches, swales, pipes, or culverts that connect the wetland to downstream jurisdictional waters.

Wetland 1 is a non-tidal wetland that does not have a continuous surface connection to a relatively permanent jurisdictional water and as such does not meet the definition of adjacent and cannot be evaluated as an (a)(4) adjacent wetland. The wetland is not an intrastate lake or pond that meets the relatively permanent standard and cannot be evaluated as an (a)(5) water: lakes and ponds not identified in (a)(1) - (a)(4). Therefore, the wetland is not jurisdictional under the 2023 Revised Definition of ‘Waters of the United States’; Conforming” 88 FR 61964 Final Rule.

Wetland W-1 is a depressional wetland which sits within the southwest portion of the vacant KFC property at the southwest corner of College Ave. and 27<sup>th</sup> St. in Franklin. The wetland is surrounded by upland in all directions besides the southwest, where boundaries continue outside the review area. Boundaries

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<sup>9</sup> 88 FR 3004 (January 18, 2023)

## MVP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), MVP-2024-00038-TKO

gradually transition to delineated uplands at the north and south. Fill material from a commercial development bound the wetland on the east, while fill from a residential development bounds it to the northwest. Review of LiDAR shows a discrete drainage feature exiting the wetland at its southwest boundary, with topography sloping down to the west. This feature continues west for approximately 250 feet where it then enters a slight depressional area, and the feature loses definition, as it enters a grassed lawn and the northern portion of the adjoining trailer park to the southwest of the review area. An extension of the drainage feature can be seen exiting this depressional low spot, but an abrupt topographic rise can be seen at its western edge. This rise severs any continuous surface connection to a downstream water as topography continues to gradually slope to the west. Another topographic low spot sits to the west of this rise. A discrete feature can be seen exiting this low spot for approximately 80 feet where it then again loses its definition, and drainage would disperse. Water continuing downslope would be transported via overland sheet flow, as no continuous surface connection to downstream waters is evident.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

- a. No field visits were conducted. Desktop review evaluation was conducted on 1/22/2024.
- b. AJD Application "2024-00038-TKO 20240104 APP.pdf" in the administrative record, 1/22/2024.
- c. Mississippi Valley Division Regulatory Viewer, 1/22/2024.
- d. Wisconsin DNR Surface Water Data Viewer, 1/22/2024.
- e. Milwaukee County GIS Interactive Mapping, 1/22/2024.

10. OTHER SUPPORTING INFORMATION. [N/A]

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

<b>Applicant:</b> College Ave Association (Ted Balistreri)	<b>File No.:</b> 2024-00038-TKO	<b>Date:</b> 01/30/2024
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I -** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

- A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
  - **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT:** You may accept or appeal the permit
- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
  - **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.
- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
  - **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:

Tim Orłowski  
U.S. Army Corps of Engineers  
Green Bay Field Office  
211 N. Broadway St, Suite 221  
Green Bay, WI 54303  
(651) 290-5010

If you only have questions regarding the appeal process you may also contact the Division Engineer through:

Administrative Appeals Review Officer  
Mississippi Valley Division  
P.O. Box 80 (1400 Walnut Street)  
Vicksburg, MS 39181-0080  
601-634-5820 FAX: 601-634-5816

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:



State of Wisconsin / DEPARTMENT OF NATURAL RESOURCES

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

101 S. Webster St.  
Box 7921  
Madison, WI 53707-7921

April 8, 2024

Justin L Johnson  
JSD Professional Services, Inc  
W238 N1610 Busse Road, Suite 100  
Waukesha, WI 53188

SUBJECT: Endangered Resources Review (ERR Log # 24-291)  
Proposed 27th and College Redevelopment, Milwaukee County, WI (T05N R21E S01)

Dear Justin L Johnson,

The Bureau of Natural Heritage Conservation has reviewed the proposed project described in the Endangered Resources (ER) Review Request received March 15, 2024. The complete ER Review for this proposed project is attached and follow-up actions are summarized below:

Required Actions: 0 species

Recommended Actions: 3 species

No Follow-Up Actions: 6 species

Additional Recommendations Specified: Yes

This ER Review may contain Natural Heritage Inventory data (<http://dnr.wi.gov/topic/NHI>), including specific locations of endangered resources, which are considered sensitive and are not subject to Wisconsin's Open Records Law. Information contained in this ER Review may be shared with individuals who need this information in order to carry out specific roles in the planning, permitting, and implementation of the proposed project. **Specific locations of endangered resources may not be released or reproduced in any publicly disseminated documents.**

The attached ER Review is for informational purposes and only addresses endangered resources issues. **This ER Review does not constitute DNR authorization of the proposed project and does not exempt the project from securing necessary permits and approvals from the DNR and/or other permitting authorities.** Please contact the ER Review Program whenever the project plans change, new details become available, or more than a year has passed to confirm if results of this ER Review are still valid.

Please contact me at 608-419-2005 or via email at [anna.rossler@wi.gov](mailto:anna.rossler@wi.gov) if you have any questions about this ER Review.

Sincerely,

*Anna Rossler*  
Endangered Resources Review Program

cc:

**Endangered Resources Review for the Proposed 27th and College Redevelopment, Milwaukee County**  
**(ER Log # 24-291)**

**Section A. Location and brief description of the proposed project**

Based on information provided by the ER Review Request form and attached materials, the proposed project consists of the following:

<b>Location</b>	Milwaukee County - T05N R21E S01
<b>Project Description</b>	The proposed project will involve the redevelopment of an existing 2,770 square foot restaurant and will include the reconfiguration of the associated parking lot and the addition of a new driveway connection west of the existing building. The total property area is 1.747 acres. The total project disturbance is approximately 0.84 acres.
<b>Project Timing</b>	May 1, 2024- Oct 31, 2024
<b>Current Habitat</b>	The current habitat types on-site are 54% woods, 30% developed area, 10% wooded wetlands, and 6% mowed lawn.
<b>Impacts to Wetlands or Waterbodies</b>	There are no known waterbodies located on or adjacent to the project area. There has been one wetland delineated on the southwest portion of the site. The wetland was delineated by Helianthus.
<b>Property Type</b>	Private
<b>Federal Nexus</b>	No

*It is best to request ER Reviews early in the project planning process. However, some important project details may not be known at that time. Details related to project location, design, and timing of disturbance are important for determining both the endangered resources that may be impacted by the project and any necessary follow-up actions. Please contact the ER Review Program whenever the project plans change, new details become available, or more than a year has passed to confirm if results of this ER Review are still valid.*

**Section B. Endangered resources recorded from within the project area and surrounding area**

	<b>Group</b>	<b>State Status</b>	<b>Federal Status</b>
Rusty Patched Bumble Bee Federal High Potential Zone	Bee	NA	HPZ
Southern Dry-mesic Forest ( <i>Southern dry-mesic forest</i> )	Community	NA	
Prairie Crayfish ( <i>Procambarus gracilis</i> )	Crustacean~	SC/N	
Swamp Darner ( <i>Epiaeschna heros</i> )	Dragonfly~	SC/N	
Ephemeral Pond	Other~		
Smooth Black-haw ( <i>Viburnum prunifolium</i> )	Plant	SC	
Plains Gartersnake ( <i>Thamnophis radix</i> )	Snake~	SC/H	
Butler's Gartersnake ( <i>Thamnophis butleri</i> )	Snake~	SC/H	
Blanding's Turtle ( <i>Emydoidea blandingii</i> )	Turtle~	SC/P	SOC

*For additional information on the rare species, high-quality natural communities, and other endangered resources listed above, please visit our Biodiversity (<http://dnr.wi.gov/topic/EndangeredResources/biodiversity.html>) page. For further definitions of state and federal statuses (END=Endangered, THR=Threatened, SC=Special Concern), please refer to the Natural Heritage Inventory (NHI) Working List (<http://dnr.wi.gov/topic/nhi/wlist.html>).*

**Section C. Follow-up actions**

**Actions that need to be taken to comply with state and/or federal endangered species laws:** None



**Actions recommended to help conserve Wisconsin's Endangered Resources:**

**• Rusty Patched Bumble Bee Federal High Potential Zone - Bee**

**State Status: NAFederal Status: HPZ**

<b>Impact Type</b>	Impact possible
<b>Recommended Measures</b>	Other
<b>Description of Recommended Measures</b>	<p>This project occurs within the Rusty Patched Bumble Bee Federal High Potential Zone and may contain suitable habitat for the bee. Take of the bee is prohibited per the federal Endangered Species Act. However, because this project has no federal nexus, follow-up actions are recommended and not required.</p> <p>Recommended follow-up actions for the Rusty patched bumble bee include following the conservation measures outlined in the USFWS Conservation Management Guidelines for the Rusty Patched Bumble Bee (<i>Bombus affinis</i>) document. (<a href="https://www.fws.gov/midwest/endangered/insects/rpbb/pdf/ConservationGuidanceRPBBv1_27Feb2018.pdf">https://www.fws.gov/midwest/endangered/insects/rpbb/pdf/ConservationGuidanceRPBBv1_27Feb2018.pdf</a>. ):</p> <p>For tree clearing/thinning conservation measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Implement best management practices (BMPs), especially those that serve to minimize the spread of invasive species and to avoid or minimize soil compaction. Visit (<a href="https://www.stateforesters.org/newsroom/state-forestry-bmps/">https://www.stateforesters.org/newsroom/state-forestry-bmps/</a>) for up to date information about BMP recommendations by state.</li> <li>• Avoid or minimize soil disturbance and heavy equipment operation during overwintering (mid October- mid March)</li> <li>• Avoid or minimize forest management that may destroy spring blooming flowers during their bloom periods.</li> <li>• Consider thinning or single tree selection and dense invasive shrub removal that may improve overwintering and spring foraging habitat.</li> </ul> <p>For all other activities conservation measures include but are not limited to:</p> <ul style="list-style-type: none"> <li>• use native trees, shrubs and flowering plants in landscaping,</li> <li>• provide plants that bloom from spring through fall (refer to the USFWS RPBB Midwest Plant Guide),</li> <li>• remove and control invasive plants in any habitat used for foraging, nesting, or overwintering</li> </ul>

**• Smooth Black-haw (*Viburnum prunifolium*) - Plant**

**State Status: SC**

<b>Impact Type</b>	Impact possible
<b>Recommended Measures</b>	Surveys
<b>Description of Recommended Measures</b>	<p>Based on the photos, most of the site appears disturbed and it is unlikely that suitable habitat will be impacted. However, if suitable habitat is present, it is recommended to avoid or minimize take. Avoidance and minimization efforts may include site surveys to confirm presence/absence of species and fencing off areas of occupied habitat. Survey results should be submitted to the Endangered Resources Review Program.</p> <p>Smooth Black-haw (<i>Viburnum prunifolium</i>), a Wisconsin Special Concern plant, is found in rich, hardwood forests, often with dolomite near the surface.</p>

• **Blanding's Turtle (*Emydoidea blandingii*) - Turtle-**

**State Status:** SC/P **Federal Status:** SOC

<b>Impact Type</b>	Impact possible
<b>Recommended Measures</b>	Time of year restriction, Exclusion Fencing, Other
<b>Description of Recommended Measures</b>	<p>Since suitable nesting habitat for the Blanding's Turtle may be present within the project site, the following measures can voluntarily be implemented to avoid impacts:</p> <p>Upland nesting habitat – Avoid work in suitable upland nesting habitat (sandy and/or well-drained soils) within 275 m (900 ft) of a wetland or water body during the Blanding's turtle's nesting period (May 20 – October 15). The installation and maintenance of exclusion fencing using the WDNR Amphibian and Reptile Exclusion Fencing Protocol is an avoidance option that can be used during this period as long as the exclusion fencing is installed between October 16 and May 19. Work can then be conducted within the fenced area at any time of year as long as the fencing is maintained.</p> <p>If avoidance dates and fencing cannot be implemented, it is recommended to walk through or gently disturb the project area immediately prior to disturbance. While this will not protect nests, it may allow turtles to move out of the area and avoid take. If a turtle is found, please carefully move it to suitable habitat outside the project area.</p> <p>Please note, inactive dates are updated frequently in the Fall, and can be checked here:  <a href="https://dnr.wi.gov/topic/WildlifeHabitat/HerpRegulations.html">https://dnr.wi.gov/topic/WildlifeHabitat/HerpRegulations.html</a></p> <p>Blanding's Turtle (<i>Emydoidea blandingii</i>) is a Special Concern species in Wisconsin, utilizes a wide variety of aquatic habitats including deep and shallow marshes, shallow bays of lakes and impoundments where areas of dense emergent and submergent vegetation exists, sluggish streams, oxbows and other backwaters of rivers, drainage ditches (usually where wetlands have been drained), sedge meadows, and wet meadows adjacent to these habitats. This species is semi-terrestrial, and individuals may spend quite a bit of time on land. They often move between a variety of wetland habitats during the active season, which can extend from early-March to mid-November. They overwinter in standing water that is typically over 3 feet deep with a deep organic substrate but will also use both warm and cold-water streams and rivers where they can avoid freezing. Blanding's turtles generally breed in spring, late summer, or fall. Nesting occurs from mid-May through early-July depending on spring temperatures. They strongly prefer to nest in sandy soils and may travel up to 300m from a wetland or waterbody to find suitable nesting sites. This species appears to display nest site fidelity, returning to its natal site and nesting in a similar location annually. Young hatch from early-August through mid-October and take 17-20 years or more to reach maturity.</p>

*Remember that although these actions are not required by state or federal endangered species laws, they may be required by other laws, permits, granting programs, or policies of this or another agency. Examples include the federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, State Natural Areas law, DNR Chapter 30 Wetland and Waterway permits, DNR Stormwater permits, and Forest Certification.*

**Additional Recommendations**

Please note that plastic or polypropylene netting associated with erosion matting (also known as an erosion control blankets or erosion mesh netting) without independent movement of strands can easily entrap snakes and other wildlife moving through the area, and cause dehydration, desiccation, and eventually mortality. Biodegradable jute/twine netting with the "leno" or "gauze" weave (contains strands that are able to move independently) has the least impact on snakes.

If erosion matting will be used for this project, use the following matting (or something similar): American Excelsior "FibreNet" or "NetFree" products; East Coast Erosion biodegradable jute products; Erosion Tech biodegradable jute products; ErosionControlBlanket.com biodegradable leno weave products; North American Green S75BN, S150BN, SC150BN or C125BN; or Western Excelsior "All Natural" products.

**No actions are required or recommended for the following endangered resources:**

• **Southern Dry-mesic Forest - Community**

**State Status:** NA

<b>Impact Type</b>	No impact or no/low broad ITP/A
<b>Reason</b>	Lack of Suitable Habitat within Project Boundary
<b>Justification</b>	The designated Southern Dry-mesic Forest is not present at or adjacent to the project site. No impacts are anticipated.

• **Prairie Crayfish (*Procambarus gracilis*) - Crustacean~**

**State Status: SC/N**

<b>Impact Type</b>	No impact or no/low broad ITP/A
<b>Reason</b>	Lack of Suitable Habitat within Project Boundary
<b>Justification</b>	No suitable habitat should be disturbed. No impacts are anticipated.  Prairie Crayfish ( <i>Procambarus gracilis</i> ) is a State Special Concern species. This primarily burrowing crayfish restricted to prairie regions of southeastern Wisconsin, is the rarest crayfish in the state. It frequently burrows in banks of ponds, roadside ditches, small sluggish creeks, marshes, swamps, and small artificial lakes, as well as wet pastures and flat fields in prairies.

• **Swamp Darner (*Epiaschna heros*) - Dragonfly~**

**State Status: SC/N**

<b>Impact Type</b>	No impact or no/low broad ITP/A
<b>Reason</b>	Lack of Suitable Habitat within Project Boundary
<b>Justification</b>	No suitable habitat should be disturbed. No impacts are anticipated.  Swamp Darner ( <i>Epiaschna heros</i> ), a State Special Concern species, has been found in shady ponds, ditches, or sloughs bordering woods.

• **Ephemeral Pond - Other~**

<b>Impact Type</b>	No impact or no/low broad ITP/A
<b>Reason</b>	Lack of Suitable Habitat within Project Boundary
<b>Justification</b>	The known Ephemeral Pond is not present at or adjacent to the project site. No impacts are anticipated.

• **Plains Gartersnake (*Thamnophis radix*) - Snake~**

**State Status: SC/H**

<b>Impact Type</b>	No impact or no/low broad ITP/A
<b>Reason</b>	Lack of Suitable Habitat within Project Boundary
<b>Justification</b>	No suitable habitat should be disturbed. No impacts are anticipated.  Plains Gartersnake ( <i>Thamnophis radix</i> ), a Special Concern species in Wisconsin, prefers almost any open-canopy wetland type (not open water) and adjacent open to semi-open canopy upland, including prairies, old fields, and weedy vacant lots.

• **Butler's Gartersnake (*Thamnophis butleri*) - Snake~**

**State Status: SC/H**

<b>Impact Type</b>	No impact or no/low broad ITP/A
<b>Reason</b>	Lack of Suitable Habitat within Project Boundary
<b>Justification</b>	No suitable habitat should be disturbed. No impacts are anticipated.  Butler's Gartersnake ( <i>Thamnophis butleri</i> ), a Special Concern species in Wisconsin, prefers almost any open or semi-open canopy wetland habitat and adjacent open or semi-open canopy upland habitat, including prairies, old fields, and weedy vacant lots.

**Section D. Next Steps**

1. Evaluate whether the **'Location and brief description of the proposed project'** is still accurate. All recommendations in this ER Review are based on the information supplied in the ER Review Request. If the proposed project has changed or more than a year has passed and you would like your letter renewed, please contact the ER Review Program to determine if the information in this ER Review is still valid.
2. Determine whether the project can incorporate and implement the **'Follow-up actions'** identified above:
  - o 'Actions that need to be taken to comply with state and/or federal endangered species laws' represent the Department's best available guidance for complying with state and federal endangered species laws based on the project information that you provided and the endangered resources information and data available to us. If the proposed project has not changed from the description that you provided us and you are able to implement all of the 'Actions that need to be taken to comply with state and/or federal endangered species laws', your project should comply with state and federal endangered species laws. Please remember that if a violation occurs, the person responsible for the taking is the liable party. Generally this is the landowner or project

proponent. For questions or concerns about individual responsibilities related to Wisconsin's Endangered Species Law, please contact the ER Review Program.

- o If the project is unable to incorporate and implement one or more of the 'Actions that need to be taken to comply with state and/or federal endangered species laws' identified above, the project may potentially violate one or more of these laws. Please contact the ER Review Program immediately to assist in identifying potential options that may allow the project to proceed in compliance with state and federal endangered species laws.
  - o 'Actions recommended to help conserve Wisconsin's Endangered Resources' may be required by another law, a policy of this or another Department, agency or program; or as part of another permitting, approval or granting process. Please make sure to carefully read all permits and approvals for the project to determine whether these or other measures may be required. Even if these actions are not required by another program or entity for the proposed project to proceed, the Department strongly encourages the implementation of these conservation measures on a voluntary basis to help prevent future listings and protect Wisconsin's biodiversity for future generations.
3. If federally-protected species or habitats are involved and the project involves federal funds, technical assistance or authorization (e.g., permit) and there are likely to be any impacts (positive or negative) to them, consultation with USFWS will need to occur prior to the project being able to proceed. If no federal funding, assistance or authorization is involved with the project and there are likely to be adverse impacts to the species, contact the USFWS Twin Cities Ecological Services Field Office at 612-725-3548 (x2201) for further information and guidance.

## Section E. Standard Information to help you better understand this ER Review

**Endangered Resources (ER) Reviews** are conducted according to the protocols in the guidance document Conducting Proposed Endangered Resources Reviews: A Step-by-Step Guide for Wisconsin DNR Staff.

**How endangered resources searches are conducted for the proposed project area:** An endangered resources search is performed as part of all ER Reviews. A search consists of querying the Wisconsin Natural Heritage Inventory (NHI) database for endangered resources records for the proposed project area. The project area evaluated consists of both the specific project site and a buffer area surrounding the site. A 1 mile buffer is considered for terrestrial and wetland species, and a 2 mile buffer for aquatic species. Endangered resources records from the buffer area are considered because most lands and waters in the state, especially private lands, have not been surveyed. Considering records from the entire project area (also sometimes referred to as the search area) provides the best picture of species and communities that may be present on your specific site if suitable habitat for those species or communities is present.

**Categories of endangered resources considered in ER Reviews and protections for each:** Endangered resources records from the NHI database fall into one of the following categories:

- Federally-protected species include those federally listed as Endangered or Threatened and Designated Critical Habitats. Federally-protected animals are protected on all lands; federally-protected plants are protected only on federal lands and in the course of projects that include federal funding (see Federal Endangered Species Act of 1973 as amended).
- Animals (vertebrate and invertebrate) listed as Endangered or Threatened in Wisconsin are protected by Wisconsin's Endangered Species Law on all lands and waters of the state (s. 29.604, Wis. Stats.).
- Plants listed as Endangered or Threatened in Wisconsin are protected by Wisconsin's Endangered Species Law on public lands and on land that the person does not own or lease, except in the course of forestry, agriculture, utility, or bulk sampling actions (s. 29.604, Wis. Stats.).
- Special Concern species, high-quality examples of natural communities (sometimes called High Conservation Value areas), and natural features (e.g., caves and animal aggregation sites) are also included in the NHI database. These endangered resources are not legally protected by state or federal endangered species laws. However, other laws, policies (e.g., related to Forest Certification), or granting/permitting processes may require or strongly encourage protection of these resources. The main purpose of the Special Concern classification is to focus attention on species about which some problem of abundance or distribution is suspected before they become endangered or threatened.
- State Natural Areas (SNAs) are also included in the NHI database. SNAs protect outstanding examples of Wisconsin's native landscape of natural communities, significant geological formations, and archeological sites. Endangered species are often found within SNAs. SNAs are protected by law from any use that is inconsistent with or injurious to their natural values (s. 23.28, Wis. Stats.).

**Please remember** the following:

1. This ER Review is provided as information to comply with state and federal endangered species laws. By following the protocols and methodologies described above, the best information currently available about endangered resources that may be present in the proposed project area has been provided. However, the NHI database is not all inclusive; systematic surveys of most public lands have not been conducted, and the majority of private lands have not been surveyed. As a result, NHI data for the project area may be incomplete. Occurrences of endangered resources are only in the NHI database if the site has been previously surveyed for that species or group during the appropriate season, and an observation was reported to and entered into the NHI database. As such, absence of a record in the NHI database for a specific area should not be used to infer that no endangered resources are present in that area. Similarly, the presence of one species does not imply that surveys have been conducted for other species. Evaluations of the possible presence of rare species on the project site should always be based on whether suitable habitat exists on site for that species.

2. This ER Review provides an assessment of endangered resources that may be impacted by the project and measures that can be taken to avoid negatively impacting those resources based on the information that has been provided to ER Review Program at this time. Incomplete information, changes in the project, or subsequent survey results may affect our assessment and indicate the need for additional or different measures to avoid impacts to endangered resources.
3. This ER Review does not exempt the project from actions that may be required by Department permits or approvals for the project. Information contained in this ER Review may be shared with individuals who need this information in order to carry out specific roles in the planning, permitting/approvals, and implementation of the proposed project.

**LEGAL DESCRIPTION**

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE South 00°16'38" West ALONG THE EAST LINE OF SAID 1/4 SECTION 238.03 FEET; THENCE South 88°47'37" West 83.03 FEET TO A POINT ON THE WEST LINE OF SOUTH 27TH STREET AND THE POINT OF BEGINNING(P.O.B.); THENCE South 00°16'38" West ALONG THE WEST LINE OF SOUTH 27TH STREET (U.S.H. 241), 63.50 FEET; THENCE South 05°26'15" West ALONG SAID WEST LINE OF 27TH STREET, 50.03 FEET; THENCE South 00°16'38" West ALONG SAID WEST LINE OF 27TH STREET, 61.78 FEET TO THE NORTHEAST CORNER OF PARCEL 2 OF CSM 5747; THENCE South 88°47'37" West ALONG THE NORTH LINE OF SAID PARCEL 2, 453.11 FEET; THENCE North 00°16'38" East ALONG THE EAST LINE OF CERTIFIED SURVEY MAP (CSM) NO.'S 5747 AND 1673, 358.01 FEET TO A POINT ON THE SOUTH LINE OF WEST COLLEGE AVENUE; THENCE North 88°47'37" East ALONG SAID SOUTH LINE, 135.43 FEET; THENCE South 00°16'38" West, 143.01 FEET; THENCE North 88°47'37" East, 185.21 FEET; THENCE North 00°16'38" East, 134.55 FEET TO A POINT ON AFORESAID SOUTH LINE; THENCE South 89°43'10" East ALONG SAID LINE, 24.93 FEET; THENCE SOUTHEASTERLY 83.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°02'16", WITH RADIUS IS 265.50 FEET AND A CHORD BEARING South 80°42'10" East, 83.24'; THENCE South 65°34'27" East, 24.08 FEET; THENCE South 31°52'37" East, 14.69 FEET TO A POINT ON SAID WEST LINE OF 27TH STREET; THENCE South 00°16'38" West ALONG SAID LINE, 135.67 FEET TO THE POINT OF BEGINNING.

LANDS CONTAINING 134,529 SQUARE FEET OR 3.0884 ACRES.

TO BE KNOWN AS:

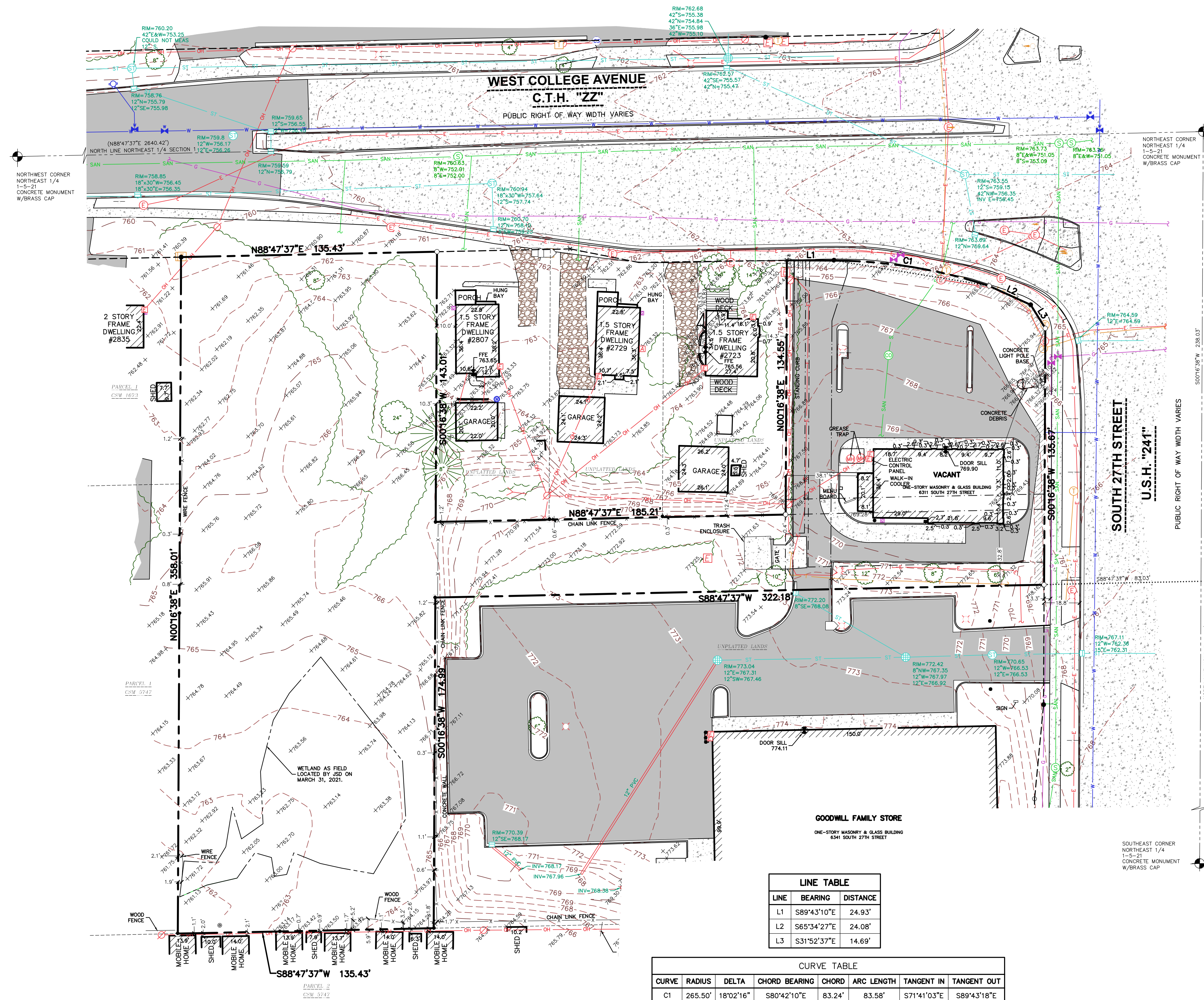
LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

JSD# 18-8450

# PLAT OF SURVEY

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

VICINITY MAP



**LEGEND**

⊗	CHISELED 'X' SET	⊙	DECIDUOUS TREE
⊙	MAG NAIL SET	⊙	CONIFEROUS TREE
⊙	3/4" x 24" REBAR SET (1.50 LBS/LF)	⊙	BUSH
⊙	GOVERNMENT CORNER	⊙	HANDICAP PARKING
⊙	CHISELED 'X' FOUND	---	PLAT BOUNDARY
⊙	1" IRON PIPE FOUND	---	CHORD LINE
⊙	3/4" REBAR FOUND	---	RIGHT-OF-WAY LINE
⊙	CONTROL POINT	---	SETBACK LINE
⊙	BENCHMARK	---	SECTION LINE
⊙	FINISHED FLOOR SHOT LOCATION	---	PARCEL BOUNDARY
⊙	BOLLARD	---	PROPERTY LINE
⊙	MAIL BOX	---	EASEMENT LINE
⊙	POST	---	LANDSCAPE LIMITS
⊙	SIGN	---	FENCE LINE
⊙	SANITARY MANHOLE	---	EDGE OF PAVEMENT
⊙	CLEAN OUT	---	CONCRETE CURB & GUTTER
⊙	HYDRANT	---	EDGE OF GRAVEL
⊙	WATER VALVE	---	SANITARY SEWER
⊙	STORM MANHOLE	---	WATER LINE
⊙	ROUND CASTED INLET	---	STORM SEWER
⊙	SQUARE CASTED INLET	---	NATURAL GAS
⊙	CURB INLET	---	OVERHEAD LINE
⊙	GAS REGULATOR/METER	---	UNDERGROUND ELECTRICAL
⊙	GAS VALVE	---	EDGE OF WOODS OR BRUSH
⊙	ELECTRIC MANHOLE	---	BUILDING
⊙	ELECTRIC PEDESTAL	---	WALL LINE
⊙	ELECTRIC METER	---	875 - INDEX CONTOUR
⊙	ELECTRIC TRANSFORMER	---	874 - INTERMEDIATE CONTOUR
⊙	AIR CONDITION UNIT	---	873 - DELINEATED WETLANDS
⊙	LIGHT POLE	---	SPOT ELEVATION
⊙	POWER POLE	---	BITUMINOUS PAVEMENT
⊙	POWER POLE W/GUY	---	RETAINING WALL
⊙	YARD LIGHT	---	CONCRETE PAVEMENT
⊙	TRAFFIC SIGNAL	---	GRAVEL
⊙	TELEPHONE MANHOLE	---	EDGE OF BITUMINOUS
⊙	TELEPHONE PEDESTAL	---	END OF FLAGGED UTILITIES

( ) DENOTES RECORDED AS MEASUREMENTS DEPICTING THE SAME LINE ON THE GROUND AS RETRACED BY THIS SURVEY

- NOTES**
- FIELD WORK PERFORMED BY ON APRIL 4, 2021.
  - BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD27.
  - ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1929 (NGVD29)
  - CONTOUR INTERVAL IS ONE FOOT.
  - SUBSURFACE UTILITIES AND FEATURES SHOWN ON THIS MAP HAVE BEEN APPROXIMATED BY LOCATING SURFICIAL FEATURES AND APPURTENANCES, LOCATING DIGGERS HOTLINE FIELD MARKINGS AND BY REFERENCE TO UTILITY RECORDS AND MAPS. DIGGER'S HOTLINE TICKET NO.'S 2021111377, 2021111389, 2021111414, 2021111432, 2021111452, 2021111453 & 2021111694, WITH A CLEAR DATE OF MARCH 25, 2021.
  - UTILITY COMPANIES CONTACTED THRU DIGGERS HOTLINE:
    - CITY OF FRANKLIN MILWAUKEE METROPOLITAN SEWERAGE DISTRICT
    - WISCONSIN DOT SOUTHEAST REGION AT&T DISTRIBUTION
    - CITY OF GREENFIELD TIME WARNER CABLE
    - WISCONSIN DOT - ITS EQUIPMENT WE ENERGIES-ELE AND WE GAS
    - CITY OF MILWAUKEE
  - BEFORE EXCAVATION, APPROPRIATE UTILITY COMPANIES SHOULD BE CONTACTED. FOR EXACT LOCATION OF UNDERGROUND UTILITIES, CONTACT DIGGERS HOTLINE, AT 1.800.242.8511.
  - THE ACCURACY OF THE BENCHMARKS SHOWN ON THIS MAP SHALL BE VERIFIED BEFORE BEING UTILIZED. JSD PROFESSIONAL SERVICES, INC. DOES NOT WARRANT THE ACCURACY OF THESE BENCHMARKS.
  - ROADWAY UTILITY RECORD DRAWINGS WERE REQUESTED FROM THE CITIES OF MILWAUKEE, FRANKLIN AND GREENFIELD. THE UTILITIES SHOWN REPRESENT FIELD LOCATED UTILITIES IN COMBINATION WITH THE SUPPLIED CITY RECORDS.

**LEGAL DESCRIPTION**

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE S00°16'38"W ALONG THE EAST LINE OF SAID 1/4 SECTION 238.03 FEET; THENCE S88°47'37"W 83.03 FEET TO A POINT ON THE WEST LINE OF SOUTH 27TH STREET AND THE POINT OF BEGINNING OF LANDS TO BE DESCRIBED; THENCE CONTINUING S88°47'37"W 322.18 FEET; THENCE S00°16'38"W 174.99 FEET; THENCE S88°47'37"W 135.43 FEET; THENCE N00°16'38"E ALONG THE EAST LINE OF CERTIFIED SURVEY MAP (CSM) NO.'S 5747 AND 1673 A DISTANCE OF 358.01 FEET TO A POINT ON THE SOUTH LINE OF WEST COLLEGE AVENUE; THENCE N88°47'37"E ALONG SAID SOUTH LINE 135.43 FEET; THENCE S00°16'38"W 143.01 FEET; THENCE N88°47'37"E 185.21 FEET; THENCE N00°16'38"E 134.55 FEET TO A POINT ON THE SAID SOUTH LINE; THENCE S89°43'10"E ALONG SAID LINE 24.93 FEET; THENCE SOUTHEASTERLY 83.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER LIES TO THE SOUTHWEST, WHOSE RADIUS IS 265.50 FEET AND WHOSE CHORD BEARS S80°42'10"E 83.24'; THENCE S65°34'27"W 24.08 FEET; THENCE S31°52'37"E 14.69 FEET TO A POINT ON SAID WEST LINE OF 27TH STREET; THENCE S00°16'38"W ALONG SAID LINE 135.67 FEET TO THE POINT OF BEGINNING.

LANDS CONTAINING 78,559 SQUARE FEET OR 1.8035 ACRES.

TO BE KNOWN AS:  
LOT 1 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

**SURVEYOR'S CERTIFICATE**

I, DAVID H. SPANJAR, WISCONSIN PROFESSIONAL LAND SURVEYOR NO. S-2646, HEREBY CERTIFY THAT UNDER THE DIRECTION OF COLLEGE AVENUE ASSOCIATES, LLC THIS SURVEY AND MAP HAS BEEN PREPARED AND COMPLIES WITH WISCONSIN ADMINISTRATIVE CODE A-E7 AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF IN ACCORDANCE WITH THE INFORMATION PROVIDED.

DAVID H. SPANJAR, S-2646  
PROFESSIONAL LAND SURVEYOR

OCTOBER 9, 2023  
DATE

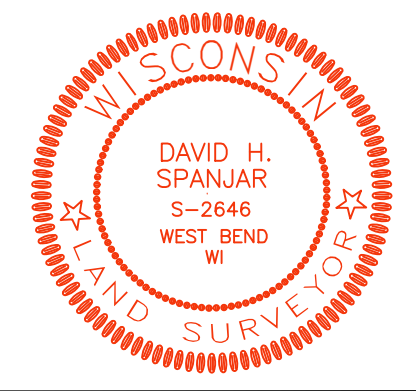
**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S89°43'10"E	24.93'
L2	S65°34'27"E	24.08'
L3	S31°52'37"E	14.69'


  

**CURVE TABLE**

CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	265.50'	18°02'16"	S80°42'10"E	83.24'	83.58'	S71°41'03"E	S89°43'18"E



File: R20161818-6450-27th and College (Franklin) WJ0120161818-6450-27th and College (Franklin) User: dsjanjar Plotted: Dec 19, 2023 7:15am Xref:fc



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MILWAUKEE REGIONAL OFFICE  
W238 N1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**


PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**



north

SCALE IN FEET



30' 0 30'

MODIFICATIONS:

#	Date:	Description:
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Prepared By: DHS 10/9/23  
SHEET TITLE:

**PLAT OF SURVEY WITH TOPOGRAPHY**

SHEET NUMBER:  
**1 OF 1**

PROJECT NO: 18-8450

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF JSD PROFESSIONAL SERVICES, INC.

**NATURAL RESOURCE PROTECTION**

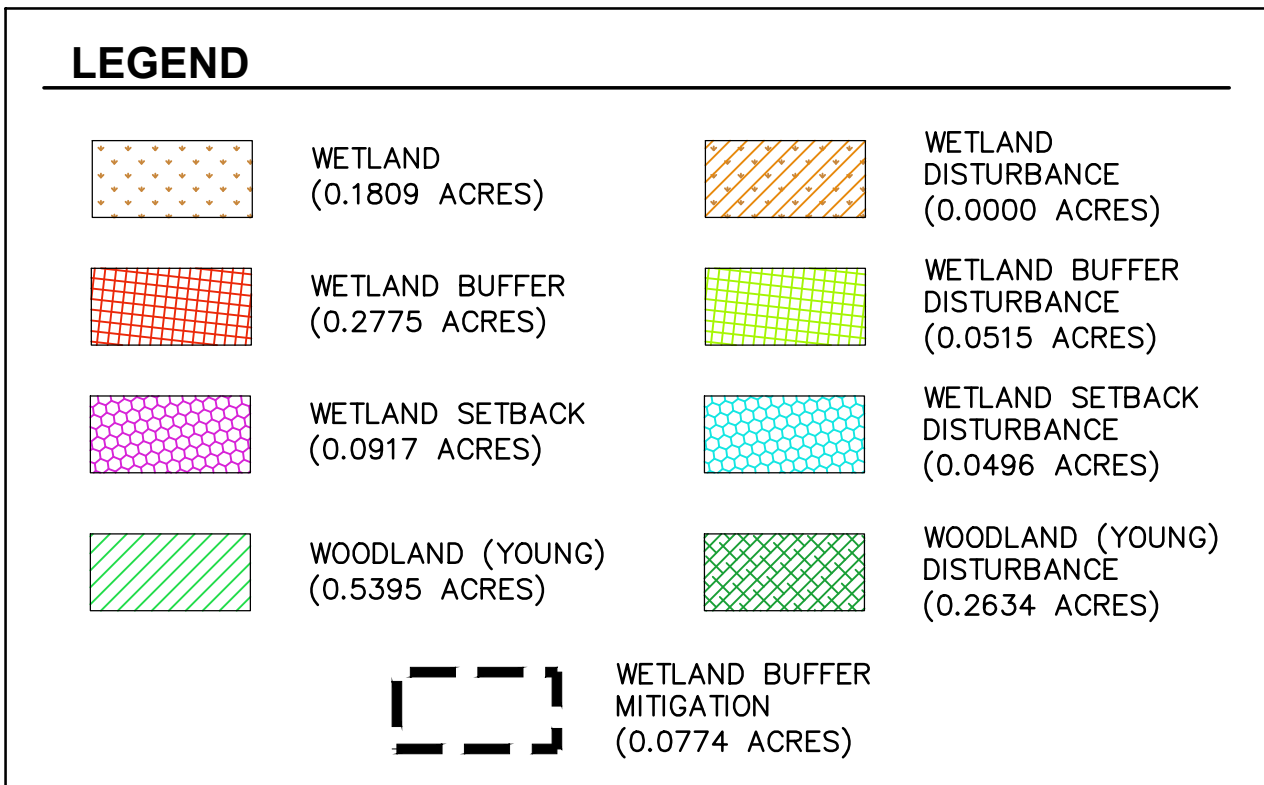
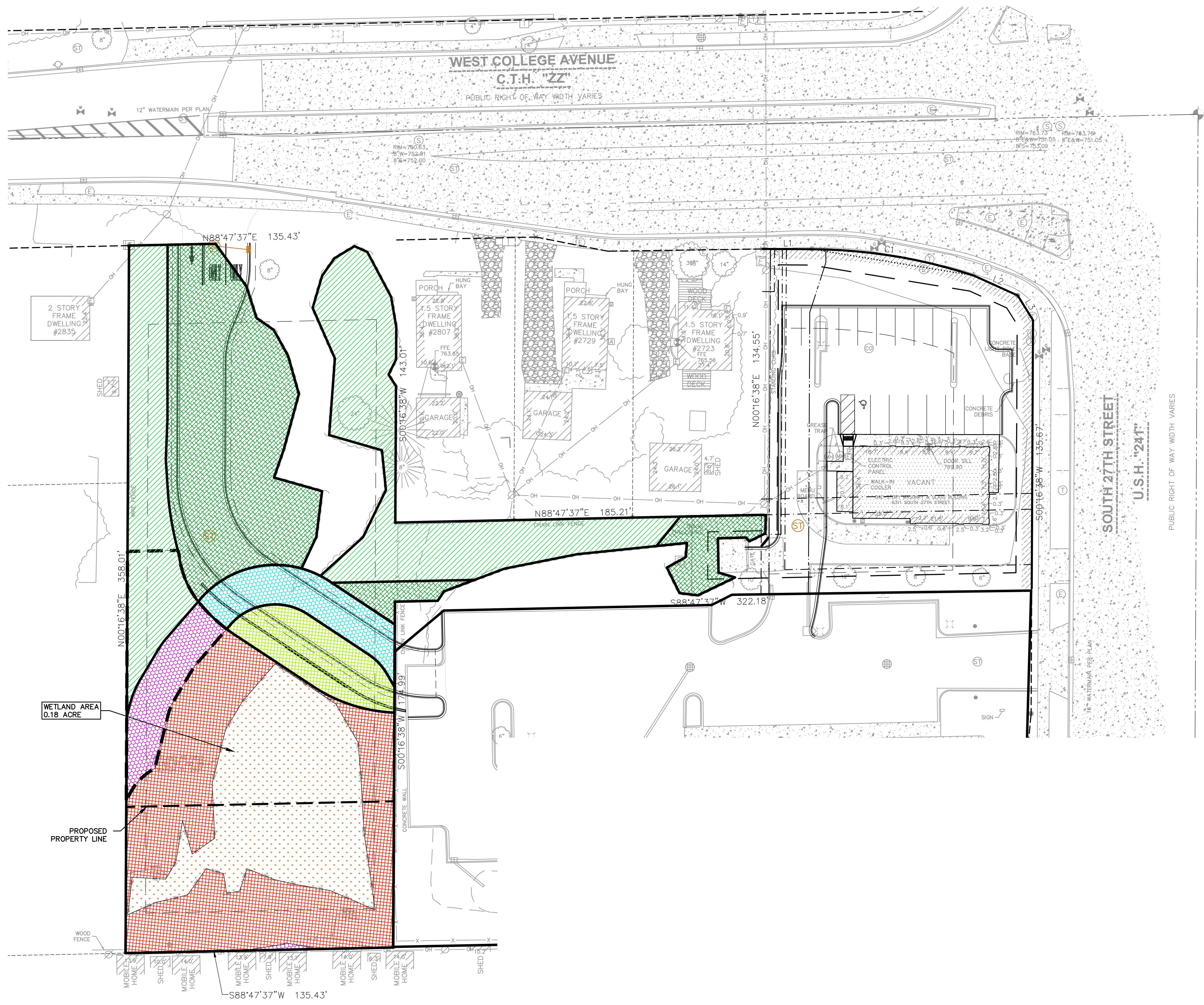
Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	Acres of Land Required to be Preserved	Acres of Land to be Impacted	Acres of Land Required to be Mitigated	Acres of Land to be Mitigated*
	Agricultural District	Residential District	Non-Residential District					
Steep Slopes								
10-19%	0	0.6	0.4	X	0.00	0.00	0.00	N/A
20-30%	0.65	0.75	0.7	X	0.00	0.00	0.00	N/A
30% +	0.9	0.85	0.8	X	0.00	0.00	0.00	N/A
Woodlands & Forests								
Mature	0.7	0.7	0.7	X	0.00	0.00	0.00	N/A
Young	0.5	0.5	0.5	X	0.54	0.27	0.26	0.00
Lakes & Ponds	1	1	1	X	0.00	0.00	0.00	N/A
Streams	1	1	1	X	0.00	0.00	0.00	N/A
Shore Buffer	1	1	1	X	0.00	0.00	0.00	N/A
Floodplains/Floodlands	1	1	1	X	0.00	0.00	0.00	N/A
Wetland Buffers	1	1	1	X	0.28	0.28	0.05	0.07
Wetlands & Shoreland Wetlands	1	1	1	X	0.18	0.18	0.00	0.00
<b>TOTAL RESOURCE PROTECTION LAND</b> (Total of Acres of Land in Resource Required to be Protected)					<b>0.73</b>	<b>Acres</b>	<b>0.31</b>	<b>0.07</b>

\* STEEP SLOPES ARE PRIMARILY MANMADE AND ARE THEREFORE EXCLUDED FROM THE CALCULATIONS

**SITE INTENSITY AND CAPACITY CALCULATION**

Table 15-3.0502 Worksheet for the Calculation of Base Site Area for Both Residential and			
STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	1.8	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	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 "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	acres
STEP 5:	Equals "Base Site Area"	1.8	acres

STEP 1:	<b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Multiply by <b>Minimum Landscape Space Ratio (LSR)</b> (see specific residential zoning district LSR standard):	X 0.45	0.81 acres
	Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFA</b> =		
STEP 2:	<b>CALCULATE NET BUILDABLE SITE AREA:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Subtract <b>Total Resource Protection Land</b> (from Table 15-3.0503) or <b>Minimum Required On-Site Landscape Surface</b> (from Step 1 above), whichever is greater:	- 0.73	1.07 acres
	Equals <b>NET BUILDABLE SITE AREA</b> =		
STEP 3:	<b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b>		
	Take <b>Net Buildable Site Area</b> (from Step 2 above):	1.07	
	Multiply by Maximum Net Floor Area Ratio (NFAR) (see specific residential zoning district NFAR standard):	X 0.570	0.61 Acres
	Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE</b> =		
STEP 4:	<b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Multiply by Maximum <b>Gross Floor Area Ratio (GFAR)</b> (see specific residential zoning district GFAR standard):	X 0.310	0.56 Acres
	Equals <b>MAXIMUM GROSS FLOOR AREA RATIO</b> =		
STEP 5:	<b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b>		
	Take the lower of Maximum Net Floor Area Yield of Site or Maximum Gross Floor Area Yield of Site:	0.54	Acres



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MILWAUKEE REGIONAL OFFICE  
W238 N1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

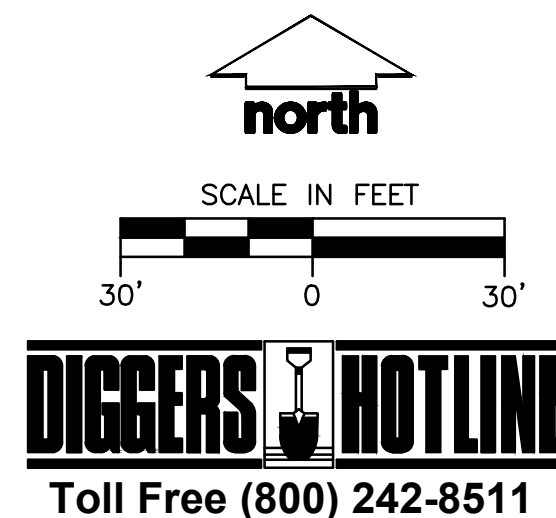
PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

PLAN MODIFICATIONS:		
#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	02.08.2023	DRIVEWAY REVISION
3	03.12.2024	REVISED TREE CALC
4	07.24.2024	REVISED SITE PLAN SUBMITTAL
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Designed By: IRN  
Reviewed By: JLL  
Approved By: JLL

SHEET TITLE:  
**NATURAL RESOURCE PROTECTION PLAN**

SHEET NUMBER:  
**EXHIBIT**



JSD PROJECT NO: 18-8450



WETLAND DELINEATION REPORT  
COLLEGE AVE. & S. 27<sup>TH</sup> ST.

COLLEGE AVE ASSOC LLC

W225 N3178 DUPLAINVILLE RD  
PEWAUKEE, WI 53072

PROJECT #: 18-8450

June 4, 2018

Updated April 19, 2019



247 W. Freshwater Way, Suite 210  
Milwaukee, Wisconsin – 53204

[www.healthyenvironmentsdesigned.com](http://www.healthyenvironmentsdesigned.com)

## INTRODUCTION

The subject property is located in the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. The site is located at the southwest corner of College Avenue and S. 27<sup>th</sup> Street. A map identifying the project location can be found in **FIGURE 1**. The closest waterbody to the site is an unnamed tributary to the Root River which is 1100 feet west of the project site.

The subject property is made up of 6 parcels, with a total of approximately 4.5 acres in size. Three of the parcels contain single family residences, one parcel is a vacant fast food restaurant, one parcel is an active commercial property with a Salvation Army building, and the final parcel consists of lawn and woodland. The parcels are proposed to be redeveloped. The purpose of the wetland delineation was to identify the existing wetlands on the property and to create a map of their boundaries. A map of the surveyed wetland boundary is found in **FIGURE 7**. The wetland boundary was adjusted slightly after the second site visit and the new map is now attached as Figure 7.

Kristi Sherfinski of HELIANTHUS conducted the original wetland delineation field work on May 18, 2018 and revisited the site on April 19, 2019, after becoming an Assured Wetland Delineator. Field conditions on May 18 were sunny with air temperatures in the 60s (°F). The temperatures for the previous winter had been normal, but with a slightly lower than average amount of precipitation. Growing season conditions as defined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (2010) and Northcentral and Northeast Region (2012) were documented at the site prior to beginning the delineation. Soil temperatures must be at or above 41°F at depth of 12 inches and at least two plant species must be emerging or breaking bud. On May 18 and on April 19, 2019, growing season conditions were present per these requirements.

Kristi Sherfinski has over 17 years of experience delineating wetlands in the Great Lakes Region. She received her initial basic wetland training at the Wetland Training Institute in Hastings, Michigan in 2002. Kristi worked as a project manager and wetland delineator at JFNew & Associates in Grand Haven, Michigan for six years, conducting wetland delineations in Michigan, Indiana, Illinois, and Wisconsin. Kristi then moved to Wisconsin to work for the Southeastern Wisconsin Regional Planning Commission (SEWRPC) with Dr. Donald Reed. At SEWRPC, Kristi updated the Wisconsin Wetland Inventory (WWI) in 2005 and in 2010 for the seven-county area of southeast Wisconsin. Kristi participated in the Advanced Wetland Delineation training in 2006. In 2009, she attended the Wetland Delineation USACE Regional Supplement training session, the Environmental Corridor Delineation Workshop, and the Farm Service Agency (FSA) Slide

Review training session. After working at SEWRPC for seven years, Kristi worked as an environmental specialist at JSD Professional Services, Inc. for two years, before she started her own business—HELIANTHUS.

## **METHODS**

The process of wetland delineation involves collecting information about the soils, vegetation, and hydrology of a site in order to determine where the wetland boundary is located. The methodology used to conduct the delineation followed the US Army Corps of Engineers Wetlands Delineation Manual (1987), and the appropriate Regional Supplement to the Corps of Engineers Wetland Delineation Manual. In general, in southeastern and western Wisconsin, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0, August, 2010) is used. The remaining portions of the state follow the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0, January, 2012). At this site, the Midwest Regional Supplement was used.

Prior to the site visit, several sources of data are consulted to reveal information that will aid in the locating the wetlands on the site. The sources reviewed include weather records to determine antecedent hydrologic conditions, the Wisconsin Wetland Inventory (WWI) map, the soil survey map, a topographic map, and historic aerial photographs of the project area. In areas that are under active cultivation as farmland, a Farm Service Agency (FSA) Slide Review is also conducted.

Data sample points are chosen based on the potential wetland areas identified by reviewing the above-referenced sources, and other sample points are added based on information gathered while in the field. Sample points are chosen on either side of the wetland line for their ability to reveal information about the actual location of the line, and upland reference data samples are chosen in order to show the contrast between wetland and upland field conditions.

Once a data sample point is chosen and located in the field, data is collected on the vegetation, the hydrology, and the soils of the site. Vegetation is identified by strata (tree, shrub, herbaceous, and vine layers), and an aerial coverage percent is determined for each species by layer. The plot size for the tree, shrub, and vine layers is a 30-foot radius circle, and the plot size for the herbaceous layer is a 5-foot radius circle. The scientific names and wetland status of each plant species follows the National Wetland Plant List (2016). Once all species have been assigned a cover percentage, the dominance by wetland indicator plant species is assessed.

Hydrological indicators, as described in the Regional Supplements, are then listed for the sample point. A soil pit is excavated to at least 20 inches and the depth of water, saturation, and the water table is recorded. The soil profile at the sample point is also described, using the Munsell Soil-Color Charts (2009) to assess the color of the soil, and a texture analysis to determine the predominant texture of each soil layer. This data is used to determine if the soil profile meets the hydric soil indicators as defined in the Regional Supplements and the Field Guide for Identifying Hydric Soils V. 8.1 (USDA, 2017).

Once the location of the wetland line is determined from the data sampling effort, the edge of the wetland is flagged in the field and then surveyed in order to produce a map of the wetland that occurs on the subject property. Representative photographs of the sample points and of each wetland area were taken during the field visit. Any ditch, stream, pond or other water body that may be considered a Water of the U.S. and thus regulated by the U.S. Army Corps of Engineers (USACE) or the Wisconsin Department of Natural Resources (WDNR) is also identified.

## RESULTS AND DISCUSSION

### Antecedent Hydrologic Condition Analysis

Weather records were consulted from the Mitchell Airport weather station to determine if precipitation levels were normal for the three months prior to the site visit. The antecedent hydrologic condition analysis for the site revealed that climactic conditions near the site were normal at the time of both site visits (**Table 1**). Drier than normal conditions means that hydrologic indicators may be absent from the wetland sample points and the data must be interpreted accordingly. Wetter than normal conditions must be accounted for when interpreting the data because saturation or the water table may be higher than it is during normal conditions, giving false positives for hydrological indicators. Most of the rainfall for the month of May fell before the 18<sup>th</sup>, so conditions were already above normal for the month at the time of the site visit. The Palmer Hydrological Drought Index indicated that long-term hydrological conditions for the area were “moderately moist”.

Table 1 – Antecedent Hydrologic Condition Analysis

Month	3 yrs in 10 Less Than	3 yrs in 10 More Than	Rain Fall	Condition Dry, Wet, Normal	Condition Value	Month Weight Value	Product of Previous Two

							Columns
2018							
May	1.86	3.70	6.49	Wet	3	3	9
April	2.83	4.42	3.11	Normal	2	2	4
March	1.63	3.13	0.66	Dry	1	1	1
						Sum	13
2019							
April	2.83	4.42	3.77	Normal	2	3	6
March	1.63	3.13	1.64	Normal	2	2	4
Feb.	0.97	2.00	3.35	Wet	3	1	3
						Sum	13
If sum is:							
6-9	Then prior period has been drier than normal						
10-14	Then prior period has been normal						
15-18	Then prior period has been wetter than normal						
Conclusions:	A sum of 13 for 2018 and for 2019 shows the prior periods to be normal.						

### Review of Existing Data Sources

Existing data sources were reviewed to aid in the identification of wetland areas in the field.

The topographic map (**FIGURE 2**) shows the commercial properties to be on raised pads which are approximately 770 feet in elevation. The elevation drops sharply 5 feet to 665 feet onto the residential and the wooded parcels. The elevation continues to drop more gradually to approximately 662 feet in elevation at the southwest corner of the wooded parcel, and to 661 feet at the northwest corner of the wooded parcel. A slight ridge of 766 feet across the wooded parcel separates it into northern and southern watersheds.

The soil survey map shows two soil types in the project area—Blount silt loam and Ozaukee silt loam (**FIGURE 3**). Both of these soils have the potential to have hydric inclusions.

Table 2 – Soil Types

Map Symbol	Map Unit Name	Hydrologic Drainage Class
BIA	Blount silt loam, 1-3%	Somewhat poorly drained
OzaB2	Ozaukee silt loam, 2-6%, eroded	Moderately well drained

The Wisconsin Wetland Inventory does not indicate any mapped wetlands in the project area (**FIGURE 4**). It shows the area of Blount silt loam as a wetland indicator.

Historic aerial photographs showed that single family residences lined both College Avenue and S. 27<sup>th</sup> Street until 1980, when some commercial development began to replace the homes (**FIGURE 5**). The currently wooded parcel was originally the site of a single-family residence, which was razed sometime between 2000 and 2005. The woods did not start to develop in the back of the lot until about 1985 or so.

The project area was checked for its inclusion within a mapped Environmental Corridor in the Southeastern Wisconsin region. No mapped environmental corridor area occurs within the project area. A tree survey of the woods was conducted for the City of Franklin and it was determined that the woods meet the definition of a Young Woodland.

#### Wetlands Identified During the Site Visit

A total of one wetland was identified on the property during the field visits. Site photos of the wetland are included in **FIGURE 6**. The acreages and wetlands that were identified and flagged for the project are shown in **FIGURE 7**. Field data sheets are included in **FIGURE 8**. A description of field visits follows.

#### *Wetland 1*

The wetland was located in the southwest corner of the wooded lot in the area of Blount silt loam. It is a highly degraded forested wetland. The dominant species (DP1) were green ash and common buckthorn. The green ashes were all heavily infected by emerald ash borer. A clear drainage pattern was seen, with a small amount of standing water following a drainage path toward the southwest corner of the parcel. The area was in a slight depression. Water stained leaves were seen within this depression. Soils met the hydric soil indicators for F3 Depleted Matrix and for A11 Depleted Below Dark Surface. Trash was visible throughout and dumping probably occurred over many years. On April 19, 2019, about 1 to 2 inches of standing water was visible throughout the wetland area. This standing water made it easier to see the wetland boundary and the wetland flags and the corresponding boundary map were adjusted slightly to more accurately reflect the wetland boundary.

The adjacent upland areas (DP2, DP3) were located at topographic rises of 6 to 12 inches above the wetland. In addition, the leaves were dry and light brown and did not

exhibit signs of water staining. The soils did not meet the hydric soil indicator for A12 Thick Dark Surface because the values and chroma of the layers above the depleted layer were too high. The dominant species were green ash, common buckthorn, and white oak. Upland weed species were also found in some of the adjacent areas. The transition from wetland to upland was very subtle; therefore, the presence of water stained leaves, topographic differences, and the presence of upland weeds were used to delineate the line.

Other data points were taken on the property. Data Point 4 was taken in an area of Blount silt loam in the northwest corner of the wooded parcel that is separated from the wetland area to the south by a ridge of Ozaukee silt loam. This area slopes to the north and drains in a different direction away from the wetland. The vegetation in this area was dominated entirely by facultative (FAC) plants—box elder, common buckthorn, and garlic mustard. The FAC-neutral test was met by non-dominant species because green ash was counted in both the tree and the herbaceous layer. Other hydrological indicators were absent, and soil saturation was not discovered until 20 inches. Soils did not meet any hydric indicators.

Data Point 5 was taken in a constructed detention basin located near the Salvation Army building and it contained mostly upland weed species. The dominant species were tall goldenrod, common buckthorn, and Dame's rocket. The only hydrological indicator was Geomorphic Position because of its depressional shape. The soils consisted of a six-inch layer of topsoil over the top of solid gravel fill, and failed to meet any hydric indicator. The detention basin apparently was designed to drain quickly.

### *Ditches*

There were no roadside ditches on the subject property. Both roads were curb and gutter roads.

## **CONCLUSION**

HELIANTHUS LLC identified one wetland on the project site on May 18, 2018, using the standard practices described in this report and their best professional judgment. This site was revisited on April 19, 2019 to recheck the lines after Ms. Sherfinski became an Assured Wetland Delineator. However, the final authority for the location of the wetland boundary rests with the U.S. Army Corps of Engineers (USACE) and the Wisconsin Department of Natural Resources (WDNR). It is recommended that this report be submitted to the WDNR for their concurrence with the wetland boundary, and be submitted to the USACOE for a jurisdictional determination.

In addition, because a wetland delineation is considered to be a point in time determination, wetland delineations are considered to be valid for a period of only five years for federal wetlands and 15 years for nonfederal wetlands. Weather patterns and site conditions can change over time, making a new delineation necessary.

It is the opinion of HELIANTHUS that Wetland 1 meets the less susceptible category as it is defined in Chapter NR 151 Runoff Management protective area standards, because it is dominated by common buckthorn, an invasive species, and it is highly degraded due to repeated dumping of trash over the years. A buffer zone based on 10% of the average width of the wetland, with a minimum of 10 feet and a maximum of 30 feet, will be necessary for any new development. Stormwater protective area categories per Chapter NR 151 are subject to final authority by the WDNR. The City of Franklin also has its own set of protective buffer standards.

Other environmental considerations include threatened or endangered species. It is recommended that an Endangered Resources (ER) Review request be submitted to the WDNR prior to pursuing any permits for proposed work.

Any impact, alteration, or fill to either the wetland areas or to waterways that are considered Waters of the U.S. are subject to state and federal regulations and permits may be required. The WDNR administers Chapters 30 and 281 of the Wisconsin State Statutes, and the USACE administers Section 404 of the Clean Water Act. Additional county, city or village ordinances may also apply to wetlands or waterways. If any disturbance occurs on the property without obtaining wetland delineation concurrence or authorization from the USACE and WDNR, it should be considered at the owner's own risk and HELIANTHUS LLC shall not be considered responsible or liable for any resulting damages.



## REFERENCES

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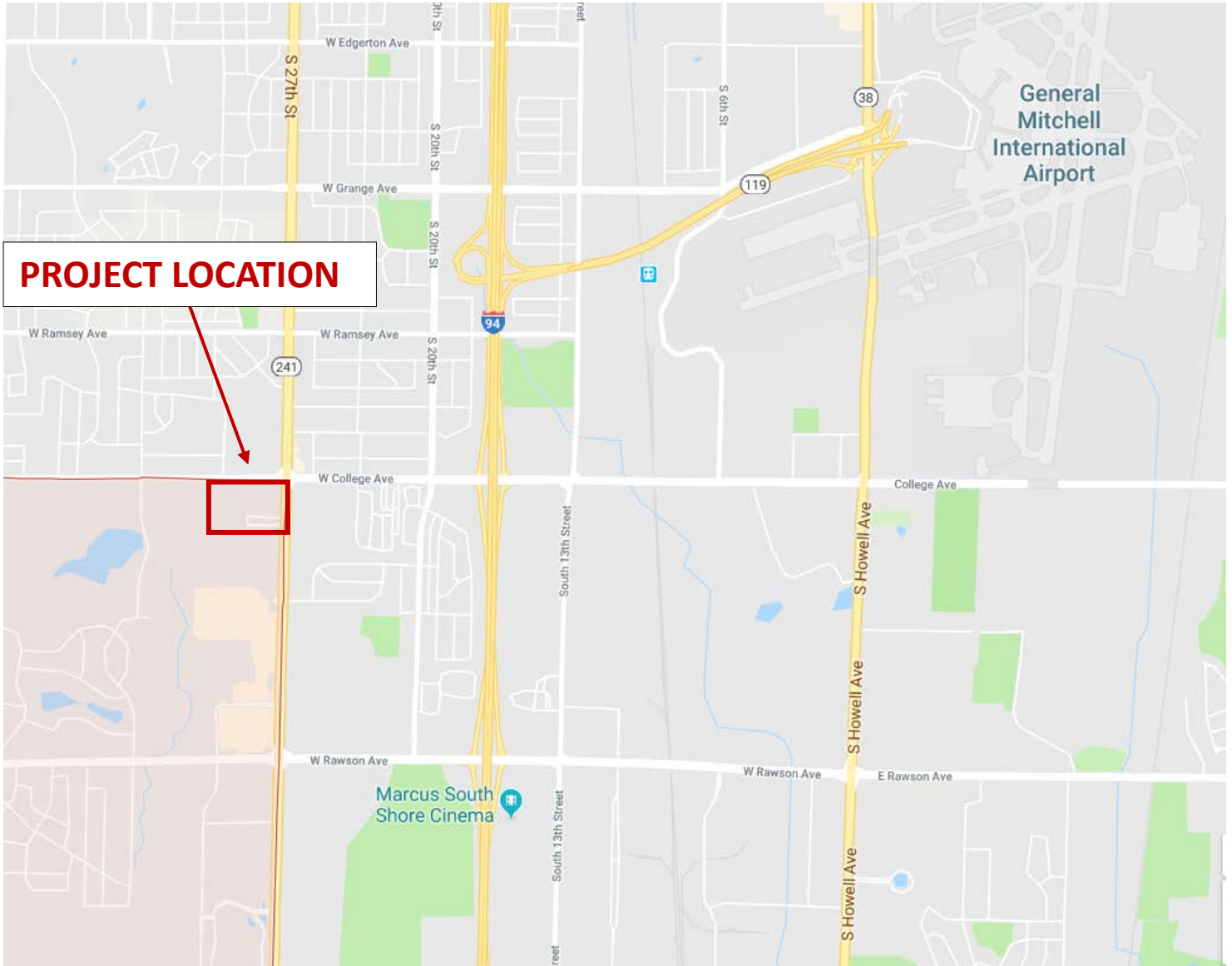
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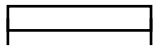
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USDA Natural Resources Conservation Service. Web Soil Survey. Online: [www.websoilsurvey.sc.egov.usda.gov](http://www.websoilsurvey.sc.egov.usda.gov).

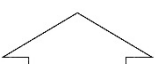
Wisconsin DNR Surface Water Data Viewer (SWDV). Online: [www.dnr.wi.gov/topic/surfacewater/swdv/](http://www.dnr.wi.gov/topic/surfacewater/swdv/).



Source: Google Maps, 2018

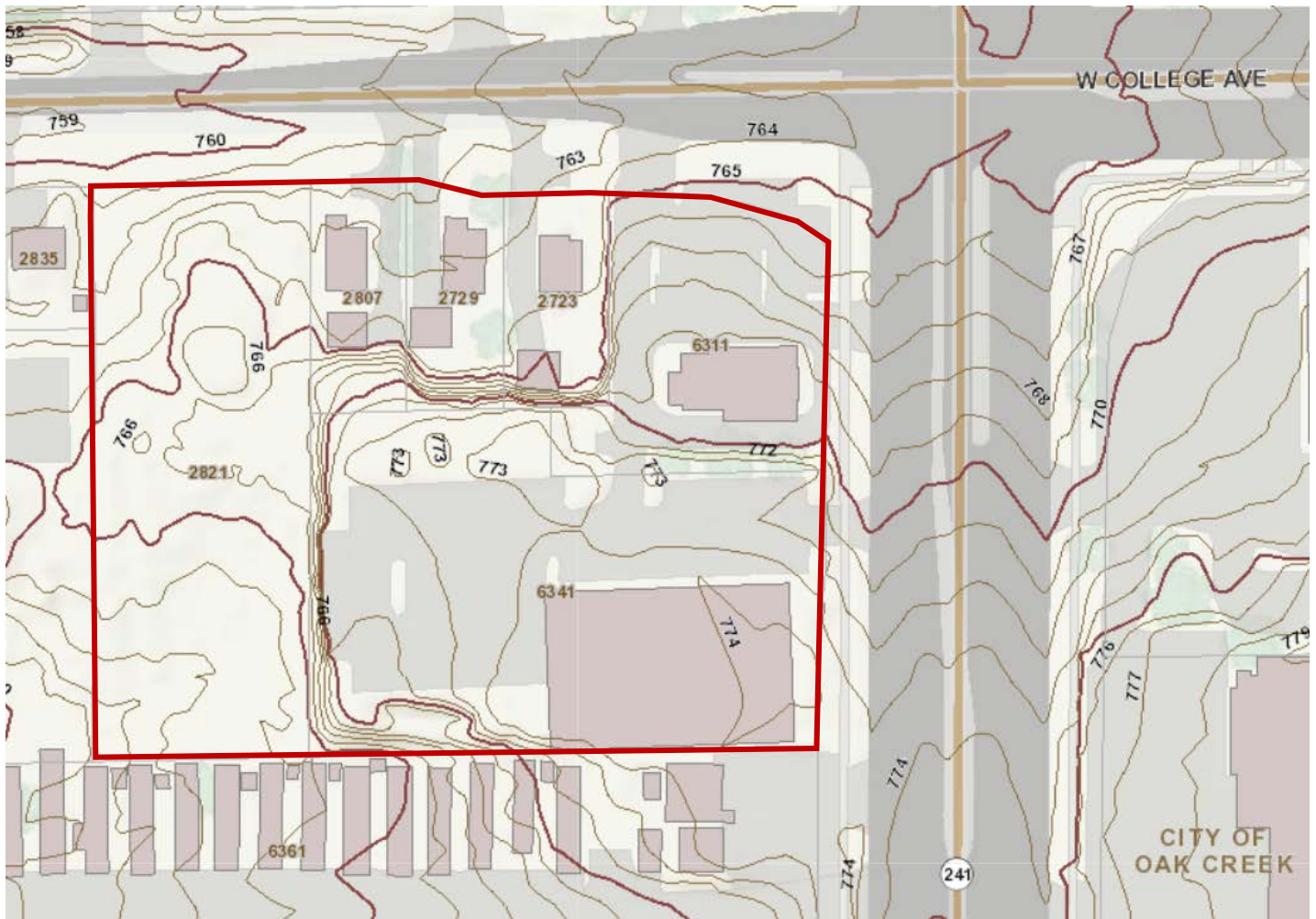


2,000 FT

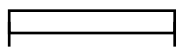


north

FIGURE 1. LOCATION MAP



Source: Milwaukee County GIS, 2018

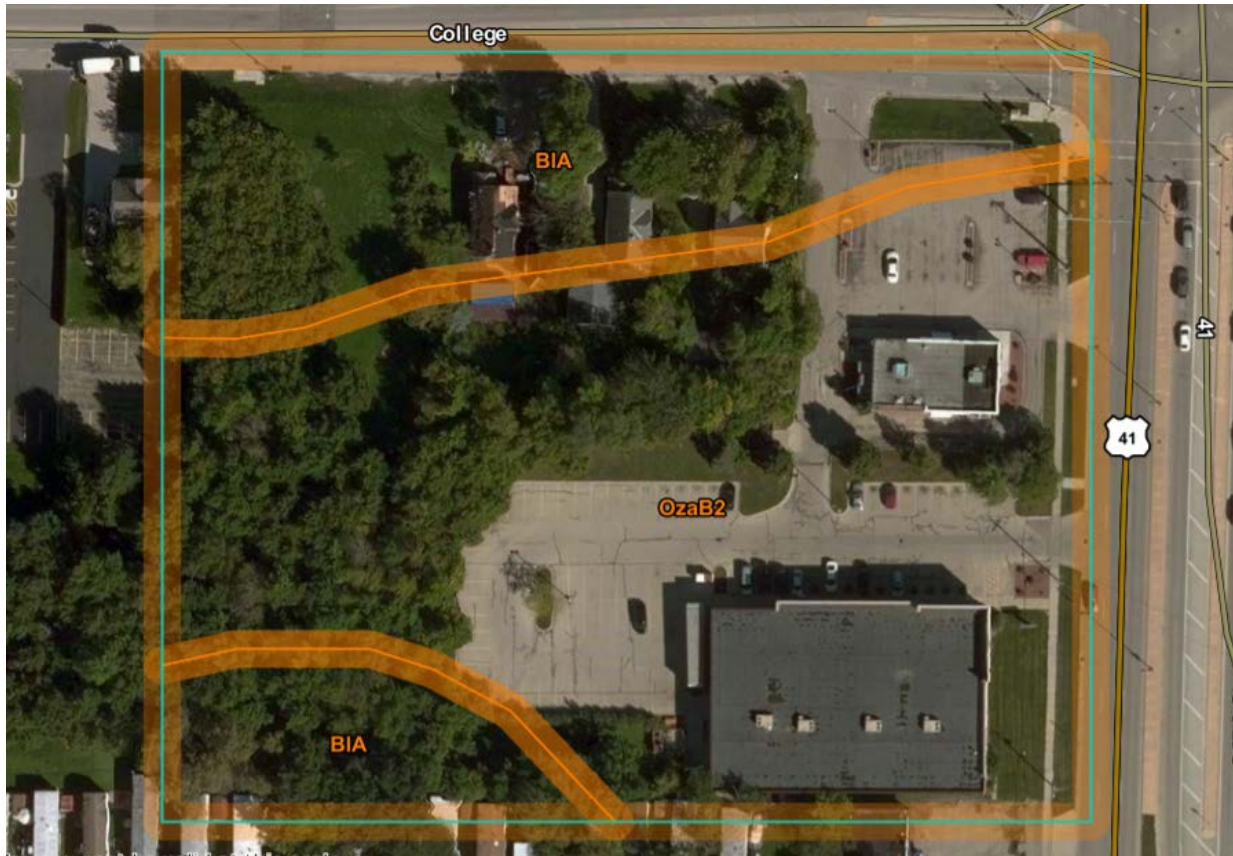


100 FT

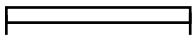


north

FIGURE 2. TOPOGRAPHIC MAP



Source: NRCS Web Soil Survey, 2018

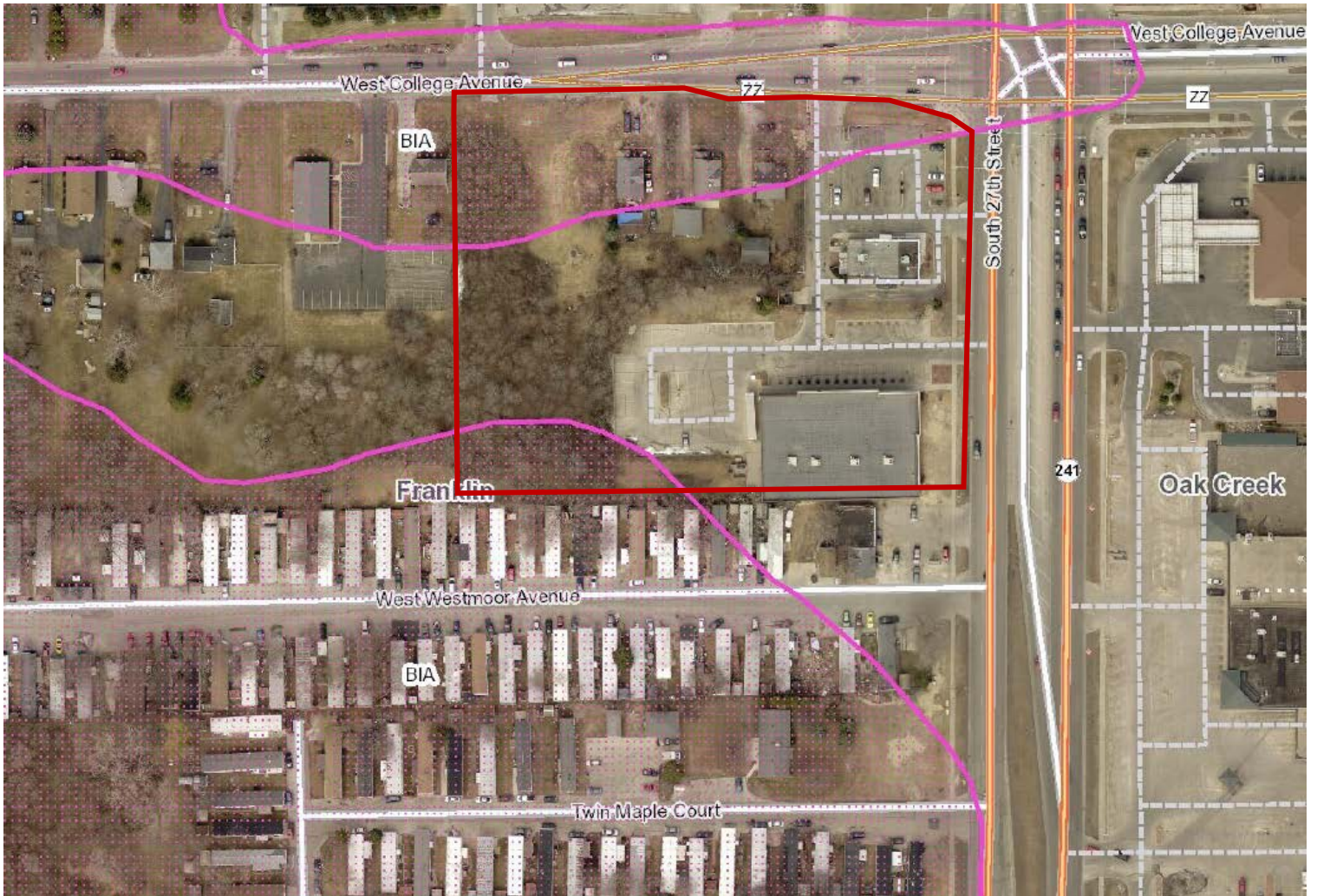


100 FT

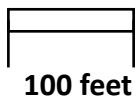


Map Unit Symbol	Map Unit Name
BIA	Blount silt loam, 1-3%
OzaB2	Ozaukee silt loam, 2-6%, eroded

FIGURE 3. SOIL SURVEY MAP



Source: WIDNR Surface Water Data Viewer, 2018



- Filled Areas
- Wetland Class Points**
  - Dammed pond
  - Excavated pond
  - Filled excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
- Filled Points
- Wetland Class Areas**
  - Wetland
  - Upland
- Filled Areas
- NRCS Wetspots
- Maximum Extent Wetland Indicators
- Minimum Extent Wetland Indicators

FIGURE 4. WWI MAP



1937.



1963.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS



1970.



1980.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS



1990.



2005.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS





The wetland is a degraded forested wetland, taken May 18, 2018.



The detention basin near the Salvation Army building, taken May 18, 2018.



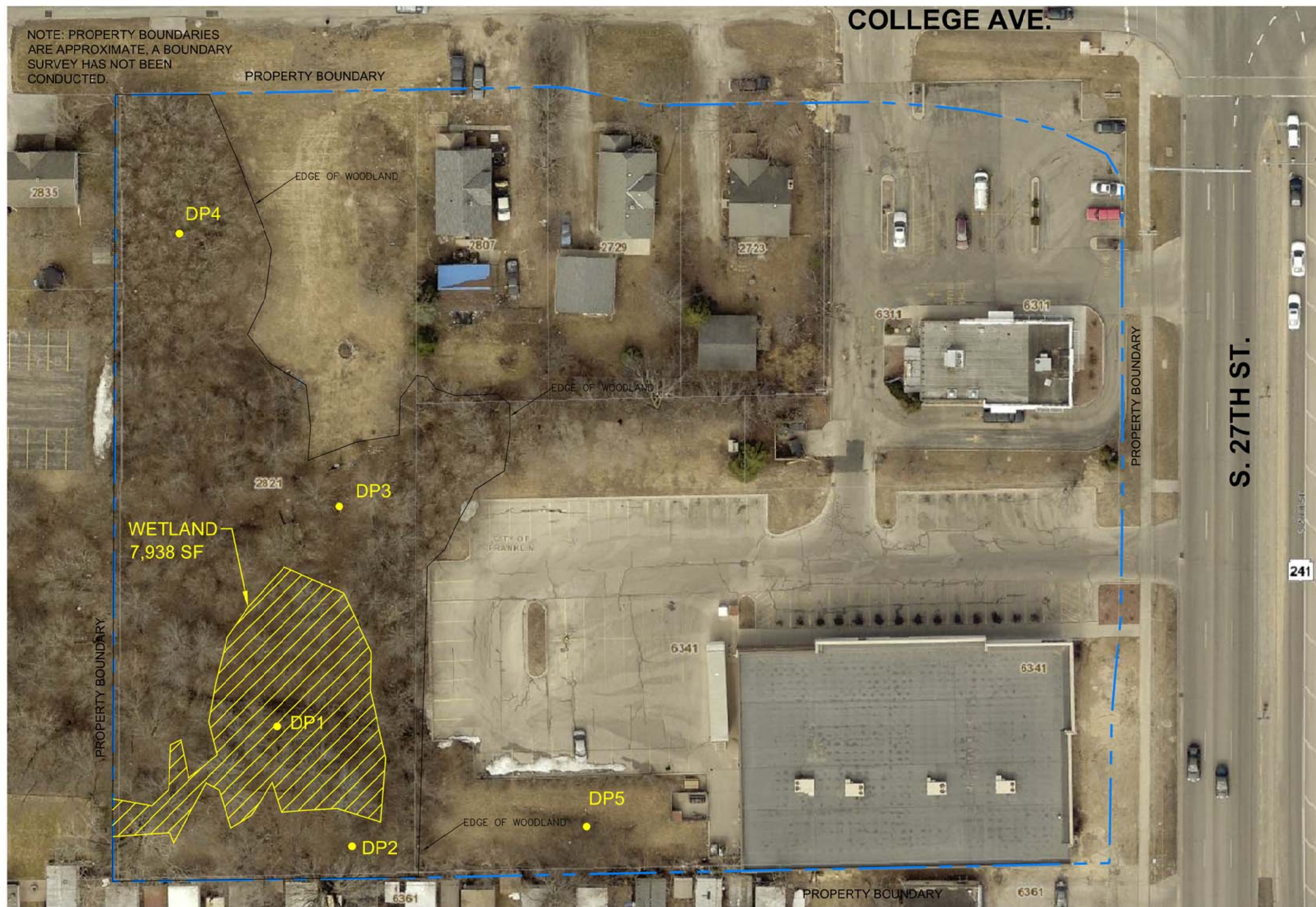
A view of the forested wetland taken on April 19, 2019.



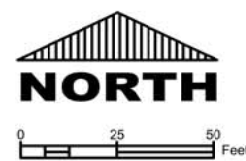
Another view of the wetland taken April 19, 2019.

FIGURE 7. WETLAND BOUNDARY MAP

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WETLAND DELINEATED BY K. SHERFINSKI OF HELIANTHUS LLC ON MAY 18, 2018. ADDITIONAL DATA POINTS TAKEN AND WETLAND BOUNDARY ADJUSTED ON APRIL 19, 2019 BY K. SHERFINSKI.



Client Address  
 COLLEGE AVE ASSOC LLC  
 W225 N3178 DUPLAINVILLE RD  
 PEWAUKEE, WI 53072

Project Address  
**WETLAND BOUNDARY MAP**  
**COLLEGE AVENUE AND 27TH STREET**  
**FRANKLIN, WI**

Exhibit  
**FIGURE 7**

Project 18-8450	Sheet W1.0
Date 04-22-2019	
Drawn By KAS	

**HELIANTHUS**  
 HELIANTHUS LLC  
 247 W. FRESHWATER  
 WAY, SUITE 210  
 MILWAUKEE, WI 53204



**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-18 & 4-19-19  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 1  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): drainageway Local relief (concave, convex, none): concave  
 Slope (%): 0-1% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: \_\_\_\_\_ None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>Y</u>
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Fraxinus pennsylvanica</u>	60	Y	FACW	
2 <u>Acer saccharinum</u>	5	N	FACW	Total Number of Dominant Species Across all Strata: <u>3</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____				
5 _____				
	65	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	50	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	30	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 <u>Acer negundo</u>	10	N	FAC	FACW species <u>95</u> x 2 = <u>190</u>
4 _____				FAC species <u>63</u> x 3 = <u>189</u>
5 _____				FACU species <u>0</u> x 4 = <u>0</u>
	90	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>158</u> (A) <u>379</u> (B)
				Prevalence Index = B/A = <u>2.40</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>	2		FAC	
2 <u>Acer negundo</u>	1		FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 _____				<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 _____				Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____				Problematic hydrophytic vegetation* (explain)
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	3	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____				
2 _____				
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Disturbed forested wetland.

**SOIL**

Sampling Point: 1

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 3/1	100					silty clay loam	
6-12	10YR 4/1	95	10YR 4/6	5	C	M	silty clay loam	
12-20	10YR 5/1	90	10YR 4/6	10	C	M	silty clay	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input checked="" type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
---	--	---

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p><b>Hydric soil present?</b> <u>Y</u></p>
--	---

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input checked="" type="checkbox"/> High Water Table (A2)</p> <p><input checked="" type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input checked="" type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input checked="" type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input checked="" type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
<p><u>Other Indicators</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	

<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>1</u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>At surface</u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>Y</u></p>
--	---

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Approximately 1-2 inches of standing water was visible during the April 19 site visit.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 2  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): slight slope Local relief (concave, convex, none): convex  
 Slope (%): 1-2% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION** -- Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Fraxinus pennsylvanica</u>	40	Y	FACW	
2 <u>Quercus alba</u>	40	Y	FACU	Total Number of Dominant Species Across all Strata: <u>4</u> (B)
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>75.00%</u> (A/B)
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
	<u>80</u>	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	60	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	20	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 _____	_____	_____	_____	FACW species <u>60</u> x 2 = <u>120</u>
4 _____	_____	_____	_____	FAC species <u>64</u> x 3 = <u>192</u>
5 _____	_____	_____	_____	FACU species <u>40</u> x 4 = <u>160</u>
	<u>80</u>	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>164</u> (A) <u>472</u> (B)
				Prevalence Index = B/A = <u>2.88</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>	3		FAC	
2 <u>Acer negundo</u>	1		FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 _____	_____	_____	_____	<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 _____	_____	_____	_____	Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____	_____	_____	_____	Problematic hydrophytic vegetation* (explain)
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
	<u>4</u>	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
	<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest



**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/2	100					silty clay loam	
6-17	10YR 3/2	100					silty clay loam	
17-24	10YR 4/2	90	10YR 5/4	10	C	M	silty clay	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p>Hydric soil present? <u>N</u></p>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>19</u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>17</u></p> <p>(includes capillary fringe)</p>	<p>Indicators of wetland hydrology present? <u>N</u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample point located on a rise approximately 6-12 inches higher than adjacent wetland. In contrast to wetland, there were no water stained leaves here.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 3  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): slight slope Local relief (concave, convex, none): none  
 Slope (%): 1-2% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Ozaukee silt loam (OzaB2) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil X, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? No  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? No

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)  
 Some dumping of trash present.

**VEGETATION** -- Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Acer negundo</u>	25	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	20	Y	FACW	Total Number of Dominant Species Across all Strata: <u>8</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>62.50%</u> (A/B)
4 _____				
5 _____				
	45	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	30	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	10	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 <u>Acer negundo</u>	3	N	FAC	FACW species <u>60</u> x 2 = <u>120</u>
4 _____				FAC species <u>68</u> x 3 = <u>204</u>
5 _____				FACU species <u>49</u> x 4 = <u>196</u>
	43	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>177</u> (A) <u>520</u> (B)
				Prevalence Index = B/A = <u>2.94</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Fragaria virginiana</u>	20	Y	FACU	
2 <u>Solidago gigantea</u>	20	Y	FACW	<u>X</u> Dominance test is >50%
3 <u>Glechoma hederacea</u>	20	Y	FACU	<u>X</u> Prevalence index is ≤3.0*
4 <u>Phalaris arundinacea</u>	10	N	FACW	Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 <u>Geum canadense</u>	5	N	FAC	Problematic hydrophytic vegetation* (explain)
6 <u>Carex blanda</u>	5	N	FAC	
7 <u>Prunus serotina</u>	2	N	FACU	
8 <u>Taraxacum officinale</u>	2	N	FACU	
9 _____				
10 _____				
	84	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 <u>Parthenocissus quinquefolia</u>	5	Y	FACU	
2 _____				
	5	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest. FAC-N test based on non-dominants was not met.

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-14	10YR 3/1	100					silty clay loam	
14-20	10YR 4/3	97	10YR 4/4	3	C	M	silty clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p><b>Hydric soil present?</b> <u> N </u></p>
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Remarks:  
Trash and evidence of dumping in this area.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No _____ Depth (inches): <u> 14 </u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No _____ Depth (inches): <u> 13 </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u> N </u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 4  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): none  
 Slope (%): 2-3% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Acer negundo</u>	70	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	10	N	FACW	Total Number of Dominant Species Across all Strata: <u>5</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____				
5 _____				
	80	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	25	Y	FAC	
2 <u>Acer negundo</u>	15	Y	FAC	OBL species <u>0</u> x 1 = <u>0</u>
3 _____				FACW species <u>11</u> x 2 = <u>22</u>
4 _____				FAC species <u>170</u> x 3 = <u>510</u>
5 _____				FACU species <u>5</u> x 4 = <u>20</u>
	40	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Column totals <u>186</u> (A) <u>552</u> (B)
1 <u>Alliaria petiolata</u>	30	Y	FAC	Prevalence Index = B/A = <u>2.97</u>
2 <u>Rhamnus cathartica</u>	30	Y	FAC	
3 <u>Taraxacum officinale</u>	5	N	FACU	
4 <u>Fraxinus pennsylvanica</u>	1	N	FACW	
5 _____				
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	66	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 _____				
2 _____				
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest dominated by facultative plants. FAC-N test is met by non-dominant species.

**SOIL**

Sampling Point: 4

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-13	10YR 2/2	100					silty clay loam	
13-18	10YR 3/2	100					silty clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
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<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p>Hydric soil present? <u> N </u></p>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u> 20 </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> _____</p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Area is on a 2-3% slope that drains towards the road.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 5  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): constructed basin Local relief (concave, convex, none): concave  
 Slope (%): 0-1% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: \_\_\_\_\_ None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil X, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? No  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? No

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)  
A constructed basin designed to receive roof drain flow. Soils consist of fill.

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	Total Number of Dominant Species Across all Strata: <u>3</u> (B)
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>33.33%</u> (A/B)
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
<u>0</u> = Total Cover				
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	OBL species <u>0</u> x 1 = <u>0</u>
3 _____	_____	_____	_____	FACW species <u>3</u> x 2 = <u>6</u>
4 _____	_____	_____	_____	FAC species <u>18</u> x 3 = <u>54</u>
5 _____	_____	_____	_____	FACU species <u>30</u> x 4 = <u>120</u>
_____	_____	_____	_____	UPL species <u>6</u> x 5 = <u>30</u>
<u>0</u> = Total Cover				Column totals <u>57</u> (A) <u>210</u> (B)
<u>0</u> = Total Cover				Prevalence Index = B/A = <u>3.68</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Solidago altissima</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>	
2 <u>Hesperis matronalis</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>	<input type="checkbox"/> Dominance test is >50%
3 <u>Rhamnus cathartica</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>	<input type="checkbox"/> Prevalence index is ≤3.0*
4 <u>Taraxacum officinale</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	<input type="checkbox"/> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 <u>Symphytotrichum urophyllum</u>	<u>5</u>	<u>N</u>	<u>UPL</u>	<input type="checkbox"/> Problematic hydrophytic vegetation* (explain)
6 <u>Glechoma hederacea</u>	<u>5</u>	<u>N</u>	<u>FACU</u>	
7 <u>Alliaria petiolata</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
8 <u>Poa pratensis</u>	<u>3</u>	<u>N</u>	<u>FAC</u>	
9 <u>Fraxinus pennsylvanica</u>	<u>3</u>	<u>N</u>	<u>FACW</u>	
10 <u>Daucus carota</u>	<u>1</u>	<u>N</u>	<u>UPL</u>	
<u>57</u> = Total Cover				<small>*Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic</small>
<u>0</u> = Total Cover				<b>Hydrophytic vegetation present?</b> <u>N</u>
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
<u>0</u> = Total Cover				

Remarks: (Include photo numbers here or on a separate sheet)  
Weed species growing in a constructed detention basin.

**SOIL**

Sampling Point: 5

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/1	100					loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<b>Hydric Soil Indicators:</b> <input type="checkbox"/> Histisol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)	<b>Indicators for Problematic Hydric Soils:</b> <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R) <input type="checkbox"/> Dark Surface (S7) (LRR K, L) <input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (explain in remarks)
---	--	--

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if observed):</b> Type: <u>Gravel fill</u> Depth (inches): <u>6</u>	<b>Hydric soil present?</b> <u>N</u>
---	--------------------------------------

Remarks:  
 Refusal at 6" due to solid gravel fill. Area consists of a layer of topsoil over gravel and is designed to drain quickly.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

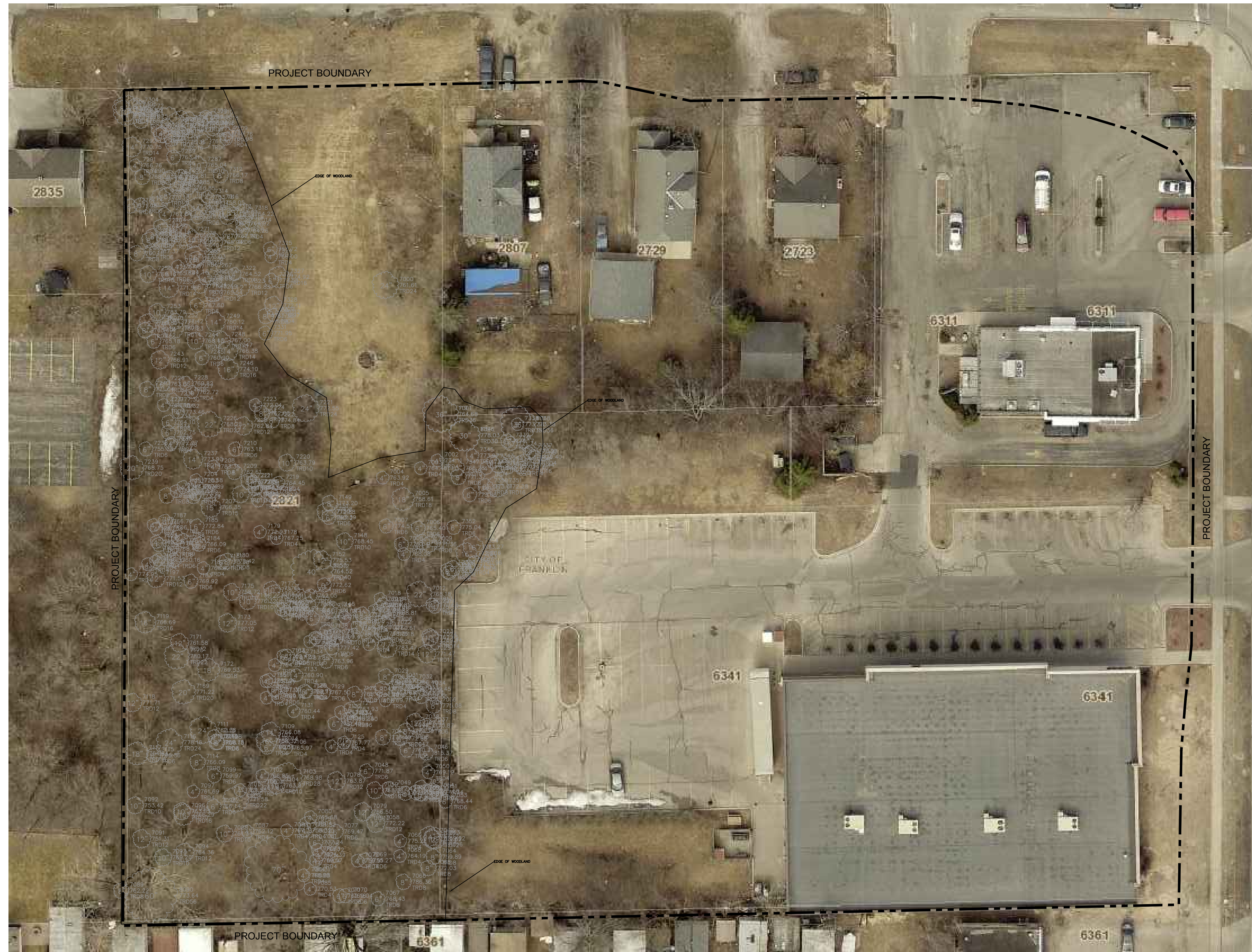
<b>Primary Indicators (minimum of one is required; check all that apply)</b> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)	<b>Secondary Indicators (minimum of two required)</b> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5)
--	---	--

<b>Field Observations:</b> Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	<b>Indicators of wetland hydrology present?</b> <u>N</u>
--	--

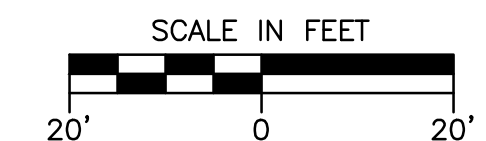
Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
 Area is an approximately 3 foot deep excavated depression with pvc pipes draining into it.

File: R:\2018\College and 27th\DWG\USD BASEMAP CIVIL-3D tree Collage and 27.dwg Layout: 24x36 (2) User: ksherfinski Plotted: Apr 17, 2018 - 3:54pm Xref's:



TREES SURVEYED BY K. SHERFINSKI OF HELIANTHUS LLC ON APRIL 12, 2018 FOR JSD PROFESSIONAL SERVICES, INC.



CREATE THE VISION TELL THE STORY

MADISON | MILWAUKEE  
KENOSHA | APPLETON | WAUSAU

MILWAUKEE REGIONAL OFFICE  
N238 W1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:

COLLEGE AVE ASSOC.

CLIENT ADDRESS:

W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072

PROJECT:

TREE SURVEY  
COLLEGE AVE. & 27TH ST.  
SW CORNER

PROJECT LOCATION:

FRANKLIN, WI  
MILWAUKEE

TO OBTAIN LOCATIONS OF PARTICIPANT UNDERGROUND UTILITIES BEFORE YOU DIG IN WISCONSIN

CALL DIGGERS HOTLINE  
1-800-242-8511 TOLL FREE  
WISCONSIN STATE STATUTE (RS/2019) REQUIRES MINIMUM THREE (3) WORK DAYS NOTICE BEFORE YOU EXCAVATE

\*THE INFORMATION SHOWN ON THIS DRAWING CONCERNING THE TYPE AND LOCATION OF UNDERGROUND UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING THE CONTRACTOR'S OWN DETERMINATIONS AS TO THE TYPE AND LOCATION OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THEREOF.

Design/Drawn: KAS  
Approved: JJJ

SHEET TITLE:  
T1.0  
TREE SURVEY  
27TH & COLLEGE

MAP NO: D-\*SHEET NUMBER:

1 OF 2

JSD PROJECT NO:

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF JSD PROFESSIONAL SERVICES, INC.







**Milwaukee Regional Office**  
W238 N1610 Busse Road, Suite 100  
Waukesha, WI 53188  
262.513.0666

June 3, 2024

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

Subject ***Permit Statement***  
***27<sup>th</sup> and College Redevelopment and Access***  
***JSD Project No. 18-8450***

Dear Mr. Martinez-Montilva,

Because we have revised our plan to avoid impacting on-site wetlands, no State or Federal permits are expected to be necessary related to the impacted natural resource features associated with the Natural Resource Special Exception.

Thank you for your consideration.

Sincerely,  
***JSD Professional Services, Inc.***

A handwritten signature in black ink, appearing to read 'Justin L. Johnson', with a stylized, cursive flourish at the end.

Justin L. Johnson, P.E.  
Associate

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
[generalplanning@franklinwi.gov](mailto:generalplanning@franklinwi.gov)  
 (414) 425-4024  
[franklinwi.gov](http://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: Ted Balistreri		NAME: Justin L. Johnson, P.E.	
COMPANY: College Avenue Association LLC		COMPANY: JSD Professional Services, Inc.	
MAILING ADDRESS: W225 N3178 Duplainville Road		MAILING ADDRESS: W238 N1610 Busse Rd. Ste 100	
CITY/STATE: Pewaukee, WI	ZIP: 53072	CITY/STATE: Waukesha, WI	ZIP: 53188
PHONE: 262-691-3964		PHONE: 262-513-0666	
EMAIL ADDRESS: ted@plmpaving.com		EMAIL ADDRESS: justin.johnson@jsdinc.com	

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 6311 South 27th St	TAX KEY NUMBER: 7149968003, 7149973000
PROPERTY OWNER: College Avenue Association LLC	PHONE: 262-691-3964
MAILING ADDRESS: W225 N3178 Duplainville Rd	EMAIL ADDRESS: ted@plmpaving.com
CITY/STATE: Pewaukee, WI	DATE OF COMPLETION: 11/08/23

### 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: Ted Balistreri - Owner	DATE: 11/08/23
PROPERTY OWNER SIGNATURE: 	APPLICANT REPRESENTATIVE SIGNATURE: 
NAME & TITLE:	DATE:
NAME & TITLE: Justin L. Johnson, P.E. - Associate	DATE: 11/08/23

**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. **(N/A)**
- 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.

PROJECT PROPERTY #2
PROPERTY ADDRESS:
TAX KEY NUMBER:

- Review and consideration of Land Combination approvals shall be in accordance with Section 15-9.0312(B) of the Unified Development Ordinance.

### 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 *[only applicable if Preliminary Plat was not submitted]*
- 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.
- 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.

**LEGAL DESCRIPTION**

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE South 00°16'38" West ALONG THE EAST LINE OF SAID 1/4 SECTION 238.03 FEET; THENCE South 88°47'37" West 83.03 FEET TO A POINT ON THE WEST LINE OF SOUTH 27TH STREET AND THE POINT OF BEGINNING(P.O.B.); THENCE South 00°16'38" West ALONG THE WEST LINE OF SOUTH 27TH STREET (U.S.H. 241), 63.50 FEET; THENCE South 05°26'15" West ALONG SAID WEST LINE OF 27TH STREET, 50.03 FEET; THENCE South 00°16'38" West ALONG SAID WEST LINE OF 27TH STREET, 61.78 FEET TO THE NORTHEAST CORNER OF PARCEL 2 OF CSM 5747; THENCE South 88°47'37" West ALONG THE NORTH LINE OF SAID PARCEL 2, 453.11 FEET; THENCE North 00°16'38" East ALONG THE EAST LINE OF CERTIFIED SURVEY MAP (CSM) NO.'S 5747 AND 1673, 358.01 FEET TO A POINT ON THE SOUTH LINE OF WEST COLLEGE AVENUE; THENCE North 88°47'37" East ALONG SAID SOUTH LINE, 135.43 FEET; THENCE South 00°16'38" West, 143.01 FEET; THENCE North 88°47'37" East, 185.21 FEET; THENCE North 00°16'38" East, 134.55 FEET TO A POINT ON AFORESAID SOUTH LINE; THENCE South 89°43'10" East ALONG SAID LINE, 24.93 FEET; THENCE SOUTHEASTERLY 83.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°02'16", WITH RADIUS IS 265.50 FEET AND A CHORD BEARING South 80°42'10" East, 83.24'; THENCE South 65°34'27" East, 24.08 FEET; THENCE South 31°52'37" East, 14.69 FEET TO A POINT ON SAID WEST LINE OF 27TH STREET; THENCE South 00°16'38" West ALONG SAID LINE, 135.67 FEET TO THE POINT OF BEGINNING.

LANDS CONTAINING 134,529 SQUARE FEET OR 3.0884 ACRES.

TO BE KNOWN AS:

LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

JSD# 18-8450

June 3, 2024  
(revised July 19, 2024)

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

Subject ***Project Narrative***  
***27<sup>th</sup> and College Redevelopment and Access***  
***JSD Project No. 18-8450***

### **Purpose and Need**

The intent of this project is to reactivate the long-vacant KFC restaurant property at the southwest corner of College Avenue and South 27<sup>th</sup> Street. In order to accomplish this goal, access must be re-established to the property. The Wisconsin Department of Transportation eliminated the KFC access points a number of years ago when they improved the adjacent intersection, thus creating a need to create new access through adjacent properties. In designing this access route, we are also trying to be forward-thinking and configure the access so as to maximize the redevelopment possibilities at this corner in the future. Please note that there are no development plans in place at this time, other than for the KFC parcel.

The site is currently comprised of the former KFC, a vacant parcel, and a small piece of property which will be acquired from the Salvation Army Retail Store. In exchange for selling that parcel to our Client, the Salvation Army will be given access rights over the new driveway out to College Avenue.

As discussed, there is no end user in place for the former KFC building. As part of this project, that building will be refurbished to make it marketable. At such time as a user is established, we will bring forward a signage package for review and consideration.

### **Hours of Operation**

No end user is in place for the former KFC building, therefore, no hours of operation are currently defined.

### **Parking and Circulation**

Access to the former KFC, existing Salvation Army Retail Store, and areas of potential future redevelopment will be via a new driveway to College Avenue and an existing driveway onto South 27<sup>th</sup> Street. Milwaukee County DOT has reviewed the location for the proposed College Avenue driveway and is agreeable to it, subject to technical plan review, permits and approvals. No modifications to the existing South 27<sup>th</sup> Street driveway are proposed. Parking for the former KFC has been reconfigured and maximized, based on the available space on the parcel.

### **Landscape Surface Ratio**

Through the process of developing the plan for this project, it became known to us that the Salvation Army property is currently below the 35-percent greenspace that is required by the B-2 zoning district. Furthermore, purchasing the small amount of land from the Salvation Army to accommodate this project would increase their greenspace deficit. As a solution, we have reached an agreement with The Salvation Army to sell them a piece of land at the south end of our property to bring their Landscape Surface Ratio up to 35-percent. The subject parcel is entirely wooded wetland, wetland setback and wetland buffer.

The Certified Survey Map combining the discussed parcel to the existing Salvation Army parcel is being submitted concurrently with the Site Plan Review Application.

### **Natural Resources**

A small area of woodland and wetland exist in the southwest corner of the project site. After a number of plan revisions, we have developed a design that avoids wetland impacts, however the proposed driveway will still encroach on wetland buffers and setbacks, as well as young woodland area. Refer to the enclosed Natural Resource Protection Plan for impact quantities. We have attempted to minimize those impacts, while maximizing future redevelopment opportunity and achieving the current project goals. A Natural Resource Special Exception (NRSE) application has been submitted to address these impacted areas.

Thank you for your consideration of these applications. We look forward to working with the City of Franklin to improve and reactivate this important and highly visible gateway to the community.

Sincerely,

***JSD Professional Services, Inc.***

A handwritten signature in black ink, appearing to read "Justin L. Johnson".

Justin L. Johnson, P.E.

Associate



# Memorandum

Date: June 5, 2024  
(rev July 29, 2024)

To: Nick Fuchs, Planning Associate  
City of Franklin, Department of City Development

From: Justin L. Johnson, P.E.

Re: Response to Staff Comments, dated January 28, 2024: Certified Survey Map, Site Plan, and Natural Resource Special Exception applications – 6311 S. 27th Street, 6341 S. 27th Street, and 2821 W. College Avenue

JSD Project #: 18-8450

cc: Project File

---

## **Department of City Development comments**

1. Certified Survey Map
  - a. Please provide the following information as required by Section 15-7.0702 of the Unified Development Ordinance:
    - i. Setbacks, Shore Buffers, Wetland Buffers, Wetland Setbacks, and Building Lines. All required setbacks, shore buffers, wetland buffers, wetland setbacks, and building lines shall be graphically indicated and dimensioned on the Certified Survey Map.

Note that building setbacks, the wetland buffer, and the wetland setback are not shown on the CSM.

**Setbacks have been added to the Certified Survey Map.**

- ii. Location of Proposed Deed Restrictions, Landscape Easements, and/or Conservation Easements. The location of any proposed deed restrictions, landscape easements, and/or conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map. The location and extent of conservation easements should be directly related to the "Natural Resource Protection Plan." Deed restrictions and/or conservation easements as required by this Ordinance shall be filed with the Certified Survey Map or submitted for review as a condition of any approval thereof, in the manner and for the purposes as set forth under § 15-7.0603D. for final plats.

Note that remaining protected natural resources must be preserved within a Conservation Easement, which shall be shown on the CSM.

**The proposed Conservation Easement linework has been added to Certified Survey Map Page 4 of 9, and directly matches the preserved wetland, wetland setback and wetland buffer shown on the Natural Resource Protection Plan.**

- b. It is recommended that the entirety of the remaining Salvation Army property be shown as part of this CSM to clearly show the acquisition and resulting parcel.

**The full Salvation Army property has been added to the CSM.**

- c. As previously discussed, the Salvation Army property must meet B-2 District and UDO standards, such as a 10-foot parking setback and a 0.35 Minimum Landscape Surface Ratio. If LSR is not met, staff suggests attaching a portion of the green space on the 2821 College Avenue property to the Salvation Army property.

**An agreement has been negotiated with The Salvation Army whereby the southwest corner of the College Avenue Associates parcel will be conveyed to The Salvation Army in order to provide them the greenspace necessary to bring their property into compliance with the 35-percent LSR requirement. Please refer to the Site Data Table on the enclosed Site Plan for the resulting LSR calculations for each property.**

## 2. Site Plan

- a. Please show all B-2 District minimum building and natural resource setbacks on Sheet C2.0.

**The requested setbacks have been added to the Site Plan.**

- b. Please note the existing zoning district on the Site Plan.

**Existing zoning notation has been added to the plan.**

- c. All easements must be shown on the Site Plan, including the conservation easement required to protect remaining natural resource features onsite.

**The Conservation Easement and Cross Access Easement have been added to the Site Plan.**

- d. Please show the vision triangle per [Section 15-5.0201](#) of the UDO, and remove obstructions if necessary.

**Because the vision triangle's purpose is to provide site lines for through and left-turning vehicles entering the intersection, it is our interpretation that the vision triangle would be measured from the primary right-of-way lines extended. That said, the geometry of right-of-way lines at this intersection is such that the vision triangle does not encroach on the property.**

## 3. Landscape Plan

- a. Bufferyards are required adjacent to single-family uses in accordance with [Section 15-5.0302C](#). It is also recommended that plantings be included within these areas.

**All of the properties in the vicinity of this proposal are zoned B-2, therefore we do not believe the bufferyard section would apply.**

- b. Please show natural resource features mitigation areas, if any.

**Mitigation is proposed in the form of an expanded wetland Buffer area. Said area is indicated on the Site Plan.**

- c. The Landscape Plan must include a minimum of five plantings of each type (Canopy/Shade Tree, Evergreens, Decorative Trees, Shrubs) per Section 15-5.0302B.3 and C.1.  
**Revised.**
- d. Please include the required number of species of plantings per Section 15-3.0302F.  
**Revised.**
- e. Please show that irrigation is provided as required by Section 15-5.0303D.  
**Irrigation is provided in the form of a hose bib at the building.**
- f. Please revise maintenance notes to include a two-year planting guarantee per Section 15-5.0303G.3. of the UDO.  
**Contractor and Owner Responsibility Note No. 5 has been revised.**

#### 4. Lighting Plan

- a. Are any lighting changes proposed?  
**There will be updated lighting in the reconfigured parking lot of the KFC property. This lighting plan has not yet been prepared, but will be submitted this week and will be in conformance with UDO requirements.**

#### 5. Natural Resource Special Exception/Natural Resource Protection Plan

- a. How was it determined that steep slopes onsite were manmade?  
**Based upon aerial photographs (attached), this site was historically relatively flat. Between 1956 and 1980, the site was filled and a large gravel parking lot constructed, with the Salvation Army building and associated parking being constructed over that gravel lot between 1980 and 2000. It is our assumption that the fill and gravel lot construction created the slopes that appear on the topographic survey today.**
- b. Sheet EX shows wetland buffer and setback north for the proposed driveway as undisturbed. Staff finds that these areas are disturbed as with the impact to the wetland itself, those areas will no longer serve or be considered buffer or setback.  
**The driveway has been reconfigured to eliminate wetland impacts and all buffer and setback impacts have been revised accordingly. Furthermore, the driveway has now been redesigned once again based on Staff comments from the NRSE submittal, with the driveway sliding north so that the proposed retaining wall is outside of the 10-foot wetland setback recommended in the Wetland Delineation Report.**
- c. Was the Wetland Delineation Report submitted to the WDNR? Did they concur with the delineation? Was the report submitted to the USACOE for a jurisdictional determination? Note

these are listed recommendations in the conclusion of this report.

**The Wetland Delineation Report was performed by an assured delineator, and as such does not need to be submitted to the Wisconsin DNR for concurrence. Prior to reconfiguring the driveway and eliminating our wetland impacts from the plan, an Army Corps of Engineers Jurisdictional Request was submitted and the response (attached) was that the subject wetland is not under their jurisdiction.**

- d. Another recommendation was for an Endangered Resources (ER) Review request to be submitted to the WDNR. Was this done yet?

**The ER Review request was submitted on March 14, 2024. Review letter is attached.**

- e. On Sheet EX, please show the dimension/distance from the edge of the wetland to the proposed drive.

**We are now proposing a retaining wall to make up the grade differential between the wetland boundary and the proposed driveway. The requested dimension has been added to the Natural Resource Protection Plan.**

- f. A portion of the mature woodland to remain directly abuts the east side of the proposed drive. How will these trees and this area be protected with the construction of the drive? Will there not be impacts from grading and construction equipment?

**Tree areas along the east side of the proposed drive are now shown as a disturbed natural resource.**

- g. As previously mentioned, staff suggests placing the drive further north, adjacent to the Salvation Army parking lot, opposed to connecting directly to it. There appears to be sufficient width to allow for a 24' wide drive and a 10' setback from the single-family residential (zoned B-2) to the north and a 10' setback from the Salvation Army parking lot to the south. Staff would also recommend a dense planting screen abutting the residential uses to the north.

**The proposed driveway has been reconfigured to avoid impacting wetlands. The area between the existing Salvation Army parking lot and the residential homes is currently wooded and that vegetation is not being impacted as part of this project, therefore a natural buffer already exists. The subject homes are also zoned B-2 matching the KFC, Salvation Army and other properties along West College Avenue, so there is no abutting use incompatibility in this case. This said, we respectfully request that no planted buffer be required.**

- h. Are additional impacts to woodland areas anticipated? If so, it is suggested to include those impacts within the current NRSE application and any mitigation plan provided. Otherwise, the remaining protected woodland areas must be made part of the conservation easement.

**The woodland impact area has been adjusted to correspond to the revised driveway configuration. Remaining natural resources will be protected under a conservation easement.**

- i. As part of a mitigation plan, it is recommended that enhancements be provided to improve the

quality and better protect the remaining wetland area, particularly considering the loss of buffer and setback. This may include invasive species removal and planting vegetation between the wetland and the proposed drive.

**Wetland impacts have been eliminated with the redesign of the proposed driveway.**

6. Based upon the current submittal, below are anticipated recommended conditions of approval:

- a. The applicant shall obtain all necessary approvals from Federal and State regulatory agencies, (§15-10.0208.B.3) prior to any land disturbing activities.

**Permits from the Wisconsin DNR and Army Corps of Engineers are no longer necessary because we are not disturbing wetlands as part of this proposal.**

- b. Mitigation in accordance with Sections 15-4.0103B.4. and 5. of the Unified Development Ordinance shall be provided.

**Mitigation of the wetland buffer is proposed at the required 1.5:1 ratio.**

- c. The applicant shall provide plans for restoration of wetland setback that conforms to the standards of §15-4.0102I for appropriate plantings. Turf grasses are prohibited. Non-vegetative cover is permitted in areas subject to erosion. Conservation and restoration information, including maintenance information, shall be included on development plans including landscape plans.

**We will work with City staff to develop a Landscape Plan meeting this requirement.**

- d. The applicant shall provide for financial sureties for implementation of restoration, if provided, as permitted by §15-4.0103.D.

**Upon acceptance of the impact areas by the Environmental Commission, we will work with City staff to determine the surety requirements.**

- e. The applicant shall provide for removal of invasive species and restoration of native wetland species within the wetland

**We will work with City staff to develop a Landscape Plan meeting this requirement.**

- f. The applicant shall submit a conservation easement 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.

**The conservation easement area has been added to the Site Plan and the Certified Survey Map. Upon approval of the easement location and configuration, we will submit a separate easement document for review and approval.**

- g. Final grading, erosion control, utilities, and storm water management plans shall be subject to Engineering Department review and approval.

**Understood.**

### Engineering Department Comments

7. Please see below and attached regarding the proposed Certified Survey Map.
  - a. Change the label Parcel A to Parcel 1  
**Parcel A has been renamed as Parcel 1.**
  - b. Must show the recording information for taking a part of land on the north-northwest from the unplatted land to the south.  
**The parcels are being transferred by the separate agreement between the parties in conjunction with the CSM.**
  - c. Must show the recording information for the cross access easement between the KFC and the Salvation Army Corp.  
**The cross-access easement will be finalized once the subject parcels are reconfigured by the CSM.**
  - d. Must show the location of the proposed CSM in the vicinity map.  
**The CSM location has been added to the Vicinity Map on Page 1 of the CSM.**
  - e. Must add under notes, "Parcel 1 is served by public sewer and water".  
**Note 7 has been added to Page 1 of the CSM noting that the subject lots are serviced by public sewer and water.**
  - f. Must add under the legend the symbol No Direct Access.  
**A "No Direct Access" note has been added to the Legend on Page 1 of the CSM.**
  - g. Must indicate who delineated the wetland (Wetland Delineator Certified by the State of Wisconsin) and when it was delineated.  
**Wetland Delineator's name and date of delineation have been added to Page 4 of the CSM.**
  - h. Must show the following wetland setbacks:
    - i. 30-foot buffer.  
**Added to Page 4 of the CSM.**
    - ii. 50-foot setback.  
**Added to Page 4 of the CSM.**
  - i. Must show the vision triangle at the intersections.  
**Due to intersection geometry, the vision triangle dimensions at the intersection of 27th Street and West College Avenue do not impact the subject properties.**
  - j. On page 7 of 9, under the surveyor's certificate, replace "the City of City of Milwaukee" with the Unified Development Ordinance Division-15 of the City of Franklin, Milwaukee County,

Wisconsin.

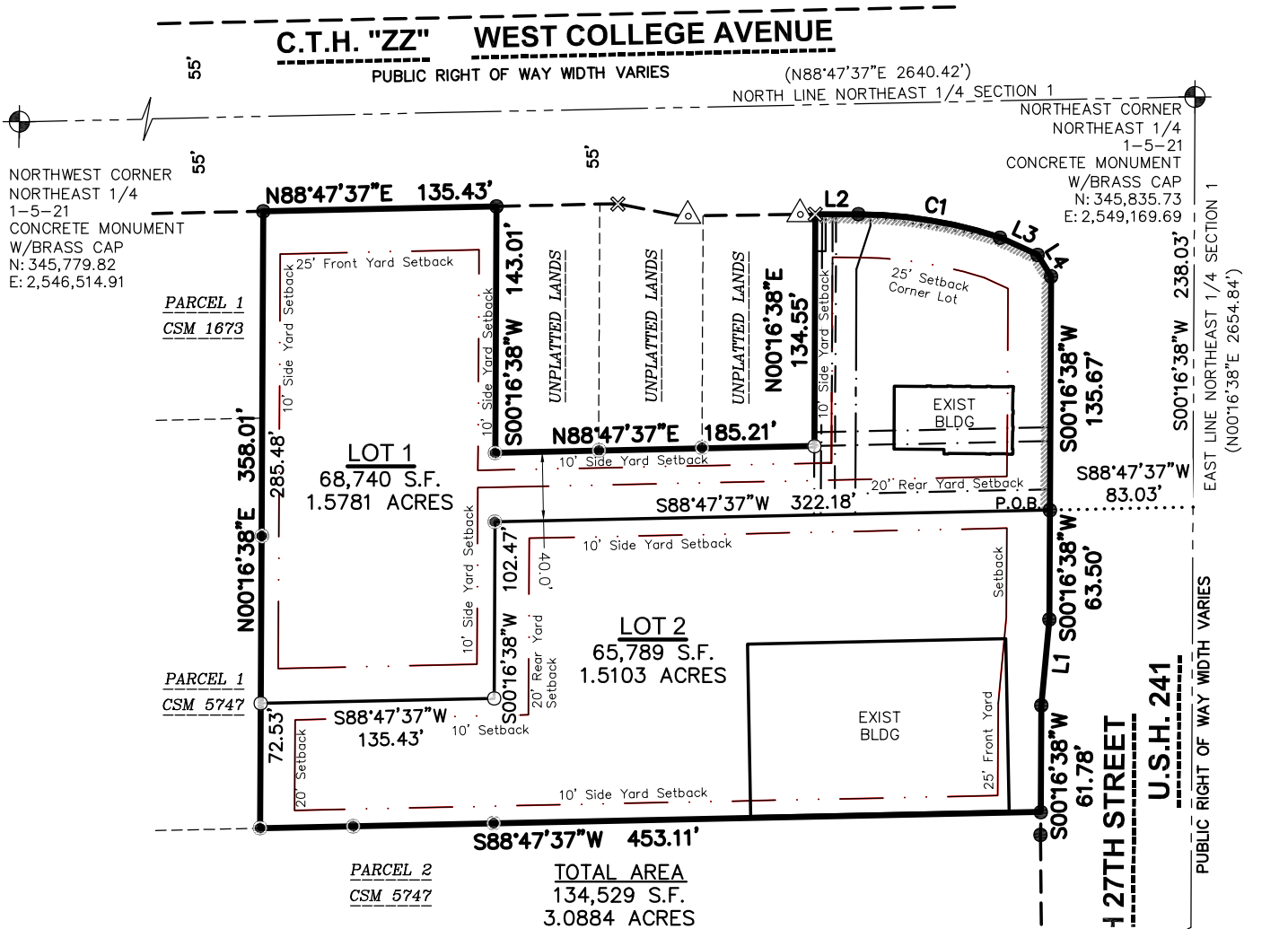
**Corrected.**

- k. On page 8 of 9, under the corporate owner's certificate insert the Unified Development Ordinance Divison-15 of the City of Franklin after the Wisconsin statutes.  
**The requested UDO reference has been added.**
- l. On page 9 of 9, replace Karen Kastenson with Shirley J. Roberts, City Clerk.  
**Corrected.**
8. Separate engineering department submittal is required. The application for this submittal can be found here <https://www.franklinwi.gov/Files/Engineering/Forms/Engineering--Storm-Water-Management-Plan-Review-Application-2022.pdf>.  
**Understood.**
9. College Avenue is a Milwaukee County Highway (CTH ZZ), work in the College Avenue right-of-way will require MCDOT coordination and approval.  
**Milwaukee County DOT review and permitting is ongoing.**
10. S. 27th Street is a Wisconsin DOT Highway (STH 241), work in the S. 27th Street right-of-way will require WisDOT coordination and approval.  
**No work is proposed in the South 27<sup>th</sup> Street right-of-way.**
11. The proposed CSM will be reviewed accordingly and subject to the review approval by MCDOT and WisDOT.  
**Understood.**

# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



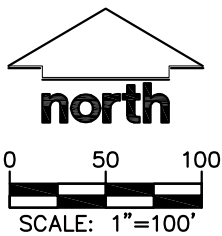
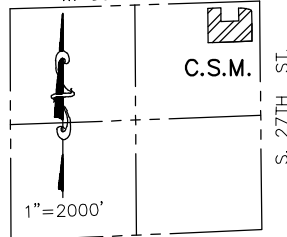
CURVE TABLE

CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	265.50'	18°02'16"	S80°42'10"E	83.24'	83.58'	S71°41'03"E	S89°43'18"E

LINE TABLE

LINE	BEARING	DISTANCE
L1	S05°26'15"W	50.03'
L2	S89°43'10"E	24.93'
L3	S65°34'27"E	24.08'
L4	S31°52'37"E	14.69'

VICINITY MAP  
NORTHEAST 1/4  
SECTION 1, T5N, R21E  
W. COLLEGE AVE...



**LEGEND**

- GOVERNMENT CORNER
- 3/4" REBAR, FOUND
- 1" IRON PIPE, FOUND
- CHISELED CROSS, FOUND
- MAG NAIL, FOUND
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- PLAT BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- SETBACK LINE
- NO DIRECT ACCESS

**NOTES**

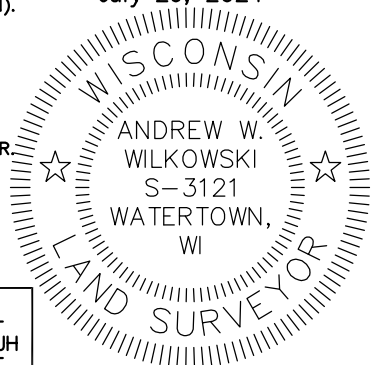
1. FIELD WORK PERFORMED ON APRIL 4, 2021.
2. BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 27, THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 1 HAVING A BEARING OF N00°16'38"E (FEB 2018 REVISION).
3. SEE SHEETS 2 & 3 FOR LOT DETAILS.
4. SEE SHEET 4 FOR WETLANDS, WETLAND BUFFER AND WETLAND SETBACK.
5. SEE SHEET 5 FOR CONTOUR LINES.
6. SEE SHEET 6 FOR EXISTING EASEMENTS.
7. SEE SHEET 7 FOR NEW EASMENTS.
8. LOTS 1 & 2 ARE SERVED BY PUBLIC SEWER AND WATER.
9. CONTAINS 134,529 SQUARE FEET (3.0884 ACRES).

TAX KEY NO.'S: 714-9968-003, & 714-9973-000

ZONING: B-2 GENERAL BUSINESS DISTRICT

THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

July 29, 2024



SURVEYED BY:  MILWAUKEE REGIONAL OFFICE W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	SURVEYED FOR: <b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPALINVILLE RD PEWAUKEE, WI 53072	PROJECT NO: <u>18-8450</u> FIELDBOOK/PAGE: <u>-</u> SHEET NO: <u>1 of 10</u>	SURVEYED BY: <u>JSD</u> DRAWN BY: <u>DHS/CJH</u>
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# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

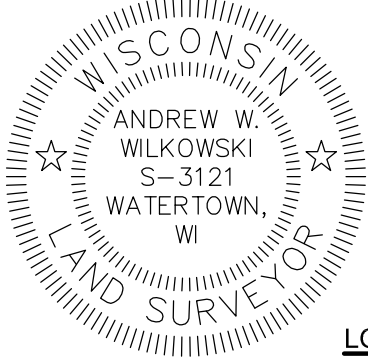
BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

**WEST COLLEGE AVENUE C.T.H. "ZZ"**

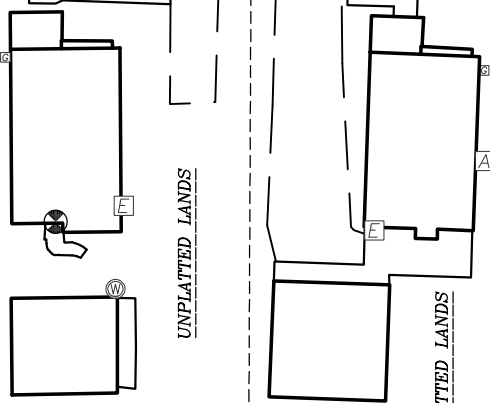
PUBLIC RIGHT OF WAY WIDTH VARIES

### LOT DETAILS

July 29, 2024



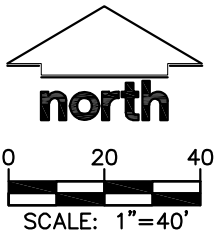
**LOT 1**  
68,740 S.F.  
1.5781 ACRES



CHAIN LINK FENCE

285.48' WIRE FENCE

S00°16'38"W 102.47' CHAIN LINK FENCE



**LOT 2**  
65,789 S.F.  
1.5103 ACRES

WETLAND AS FIELD  
LOCATED BY JSD ON  
MARCH 31, 2021.

S88°47'37"W  
135.43'

72.53'  
WIRE FENCE

WOOD FENCE

WOOD FENCE

- MOBILE HOME
- SHED
- MOBILE HOME
- MOBILE HOME
- SHED
- MOBILE HOME
- PARCEL
- MOBILE HOME
- SHED
- MOBILE HOME
- SHED

THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

<p><b>SURVEYED BY:</b></p> <p><b>MILWAUKEE REGIONAL OFFICE</b> W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666</p>	<p><b>SURVEYED FOR:</b></p> <p><b>COLLEGE AVENUE ASSOCIATES, LLC</b></p> <p>W225N3178 DUPLAINVILLE RD PEWAUKEE, WI 53072</p>	<p><b>PROJECT NO:</b> 18-8450</p> <p><b>FIELDBOOK/PG:</b> -</p> <p><b>SHEET NO:</b> 2 of 10</p>	<p><b>SURVEYED BY:</b> JSD</p> <p><b>DRAWN BY:</b> DHS</p>
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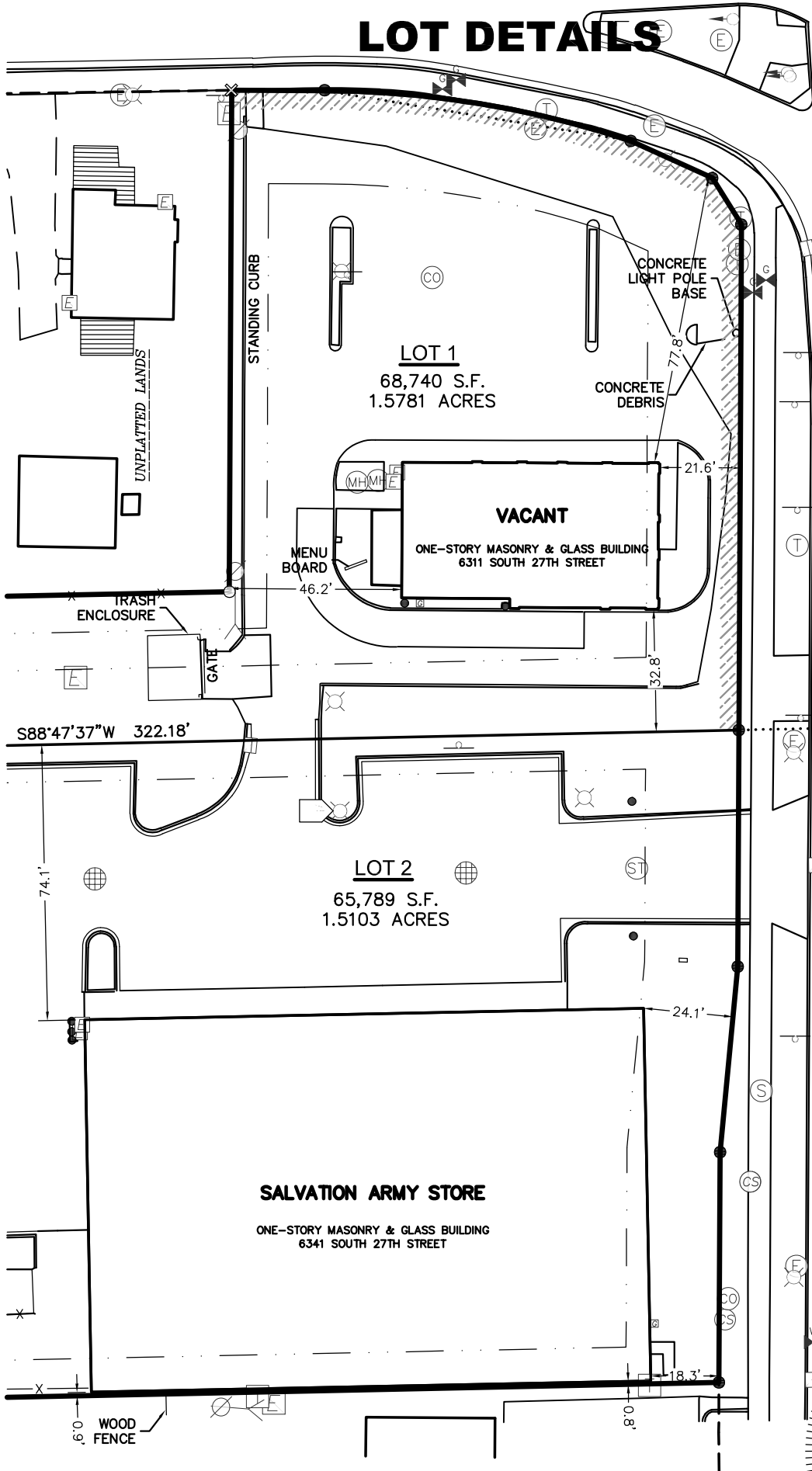
File: \\JSD\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 02 User: chuck.heintz Plotted: Jul 29, 2024 - 11:33am

# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### LOT DETAILS



SOUTH 27TH STREET

U.S.H. 241

PUBLIC RIGHT OF WAY WIDTH VARIES

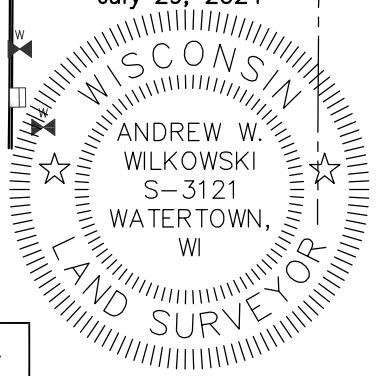
S00°16'38"W 238.03'

S88°47'37"W 83.03'

S88°47'37"W 322.18'

0 20 40  
SCALE: 1"=40'

July 29, 2024



THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

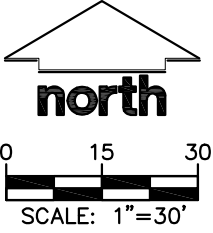
SURVEYED BY:  <b>JSD</b> MILWAUKEE REGIONAL OFFICE W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	SURVEYED FOR: <b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPLAINVILLE, RD PEWAUKEE, WI 53072	PROJECT NO: <u>18-8450</u> FIELDBOOK/PG: <u>-</u> SHEET NO: <u>3 of 10</u>	SURVEYED BY: <u>JSD</u> DRAWN BY: <u>DHS</u>
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File: \\JSD\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 03 User: chuck.heintz Plotted: Jul 29, 2024 - 11:33am

# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



WETLAND LINE TABLE		
LINE	BEARING	DISTANCE
L31	S86°35'35"E	20.13'
L32	N30°50'08"E	9.96'
L33	N09°20'04"E	21.26'
L34	S16°06'53"E	17.47'
L35	N55°06'56"E	13.93'
L36	N02°46'20"W	27.64'
L37	N13°55'05"E	28.10'
L38	N30°47'01"E	16.57'

WETLAND LINE TABLE		
LINE	BEARING	DISTANCE
L39	N40°54'35"E	25.40'
L40	S56°33'45"E	36.75'
L41	S30°04'15"E	22.50'
L42	S03°48'55"E	46.00'
L43	S08°14'14"E	39.30'
L44	N66°46'59"W	24.72'
L45	N79°53'44"W	17.02'
L46	N77°36'55"W	11.69'

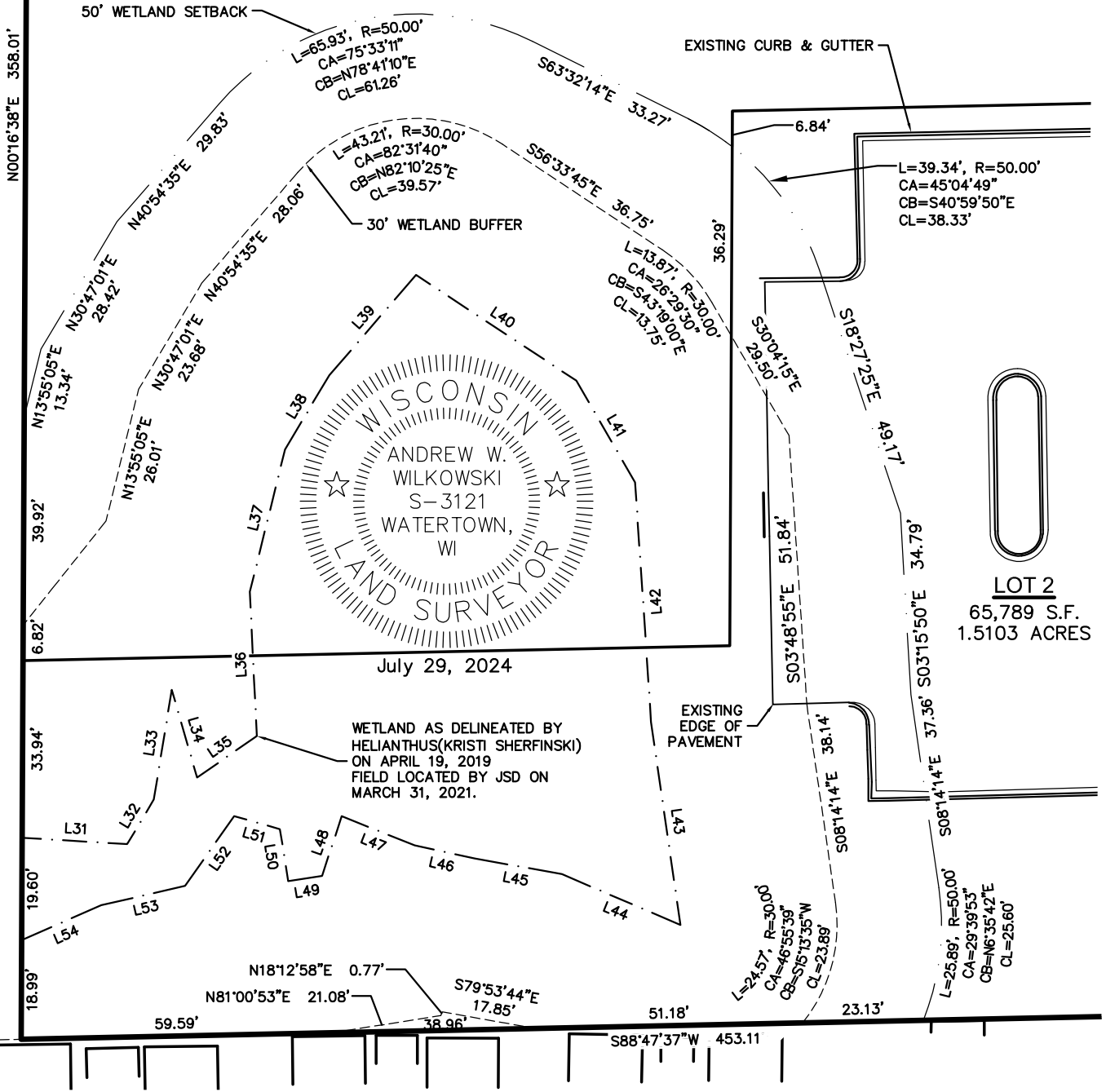
WETLAND LINE TABLE		
LINE	BEARING	DISTANCE
L47	N68°16'22"W	15.08'
L48	S18°12'58"W	12.01'
L49	S81°00'53"W	6.58'
L50	N09°01'51"W	10.10'
L51	N74°04'25"W	9.09'
L52	S35°14'18"W	16.37'
L53	S76°57'16"W	16.43'
L54	S66°19'49"W	16.67'

**LEGEND**

- PLAT BOUNDARY
- WETLAND DELINEATION
- WETLAND BUFFER (30')
- WETLAND SETBACK (50')

**LOT 1**  
68,740 S.F.  
1.5781 ACRES

## WETLANDS



WETLAND AS DELINEATED BY  
HELIANTHUS(KRISTI SHERPINSKI)  
ON APRIL 19, 2019  
FIELD LOCATED BY JSD ON  
MARCH 31, 2021.

THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

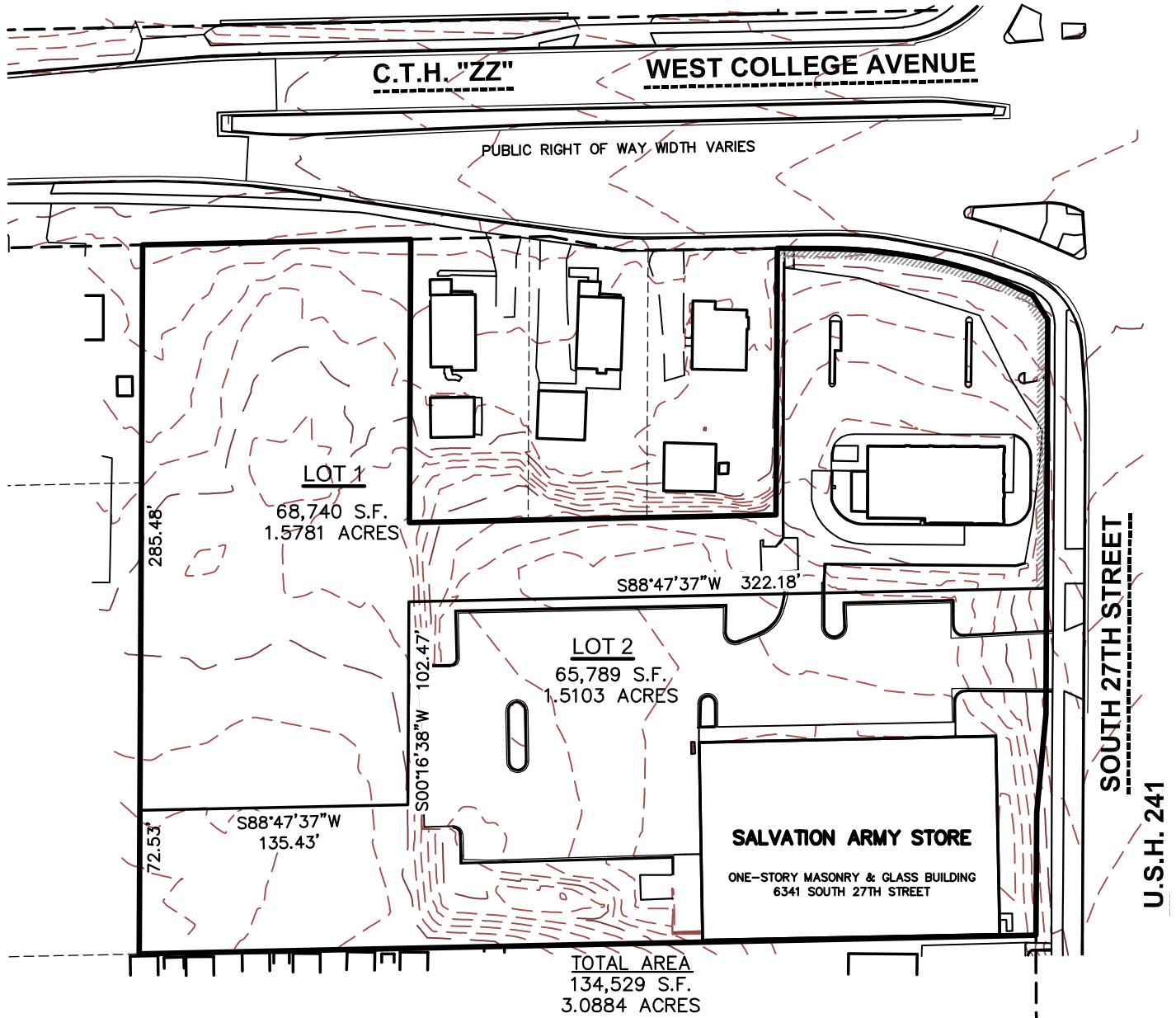
<p><b>SURVEYED BY:</b></p> <p><b>MILWAUKEE REGIONAL OFFICE</b> W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666</p>	<p><b>SURVEYED FOR:</b></p> <p><b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPLAINVILLE RD PEWAUKEE, WI 53072</p>	<p><b>PROJECT NO:</b> 18-8450</p> <p><b>FIELD BOOK/PAGE:</b> -</p> <p><b>SHEET NO:</b> 4 of 10</p>	<p><b>SURVEYED BY:</b> JSD</p> <p><b>DRAWN BY:</b> CJH</p>
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# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

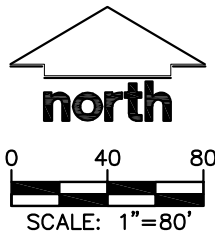
BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### PROPOSED & EXISTING CONTOUR LINES



File: \\JSD\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 05 User: chuck.heintz Plotted: Jul 29, 2024 - 11:35am

July 29, 2024



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<b>SURVEYED BY:</b>  MILWAUKEE REGIONAL OFFICE W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	<b>SURVEYED FOR:</b> <b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPLAINVILLE RD PEWAUKEE, WI 53072	<b>PROJECT NO:</b> 18-8450 <b>FIELDBOOK/PG:</b> - <b>SHEET NO:</b> 5 of 10	<b>SURVEYED BY:</b> JSD <b>DRAWN BY:</b> DHS
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# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### EXISTING EASEMENTS

WEST COLLEGE AVENUE

SOUTH 27TH STREET

1 POLE PER W.E.P.CO. &  
WI TELEPHONE CO.  
EASEMENT DOC. NO. 4116286

NO ACCESS PER  
TRANSPORTATION PLAT 2265-16-20

6' DISTRIBUTION  
EASEMENT  
UNDERGROUND  
PER DOC.  
NO. 9915639

10' W.E.P.CO. EASEMENT  
PER DOC. NO. 6292358

DRIVEWAY EASEMENT  
PER DOC. NO. 7211969

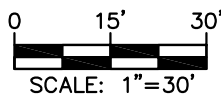
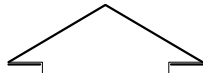
**LOT 1**  
68,740 S.F.  
1.5781 ACRES

**VACANT**

ONE-STORY MASONRY & GLASS BUILDING  
6311 SOUTH 27TH STREET

8' W.E.P.CO. EASEMENT  
PER DOC. NO. 4889792

12' DISTRIBUTION EASEMENT  
UNDERGROUND ELECTRIC AND COMMUNICATIONS  
PER DOC. NO. 10431896



July 29, 2024



THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

<p><b>SURVEYED BY:</b></p> <p><b>MILWAUKEE REGIONAL OFFICE</b> W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666</p>	<p><b>SURVEYED FOR:</b></p> <p><b>COLLEGE AVENUE ASSOCIATES, LLC</b></p> <p>W225N3178 DUPLAINVILLE RD PEWAUKEE, WI 53072</p>	<p><b>PROJECT NO:</b> 18-8450</p> <p><b>FIELDBOOK/PG:</b> -</p> <p><b>SHEET NO:</b> 6 of 10</p>	<p><b>SURVEYED BY:</b> JSD</p> <p><b>DRAWN BY:</b> DHS</p>
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File: \\JSD\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 06 User: chuck.heintz Plotted: Jul 29, 2024 - 11:38am

# PRELIMINARY

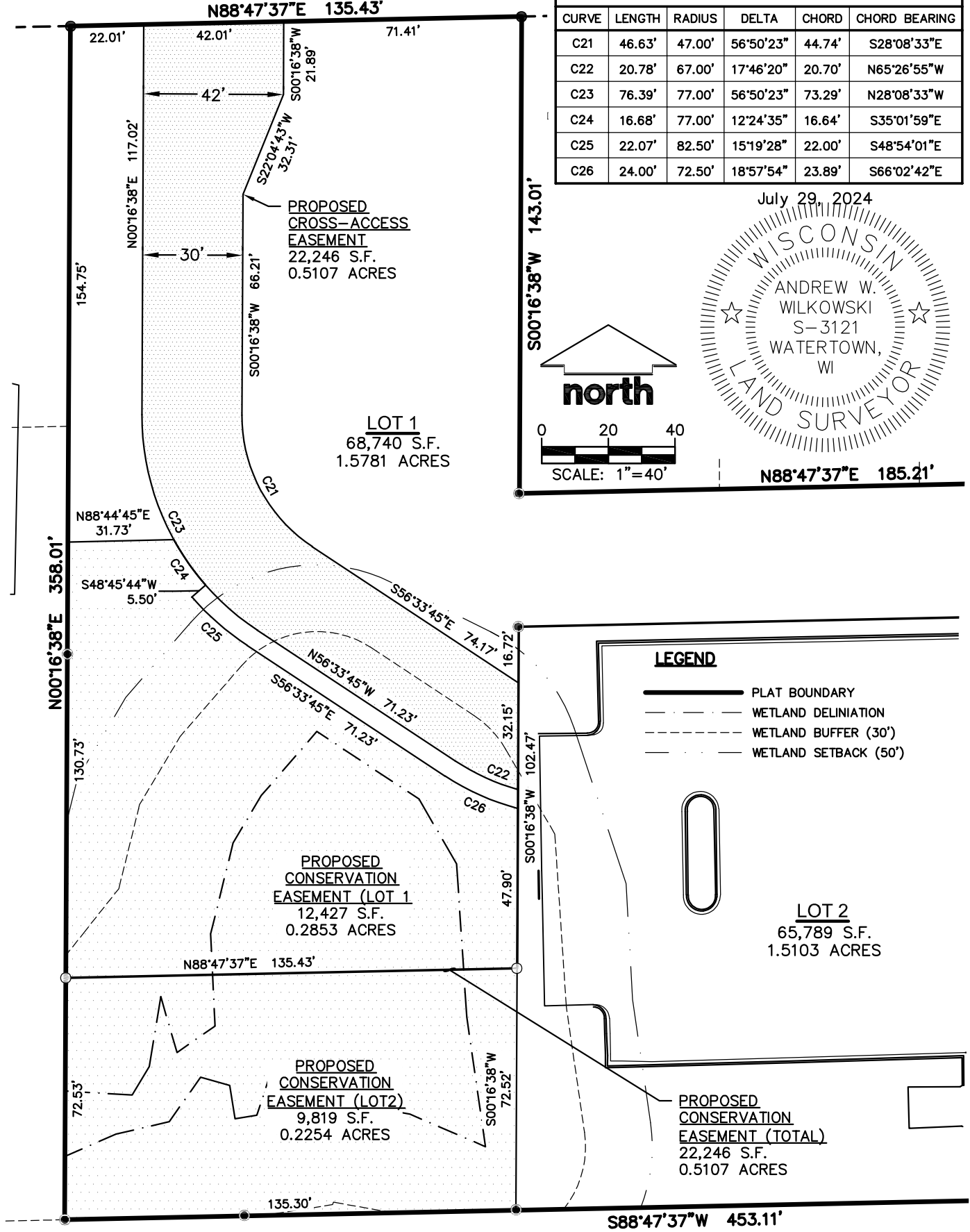
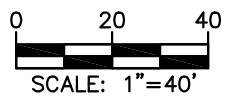
## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### PROPOSED EASEMENTS

EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C21	46.63'	47.00'	56°50'23"	44.74'	S28°08'33"E
C22	20.78'	67.00'	17°46'20"	20.70'	N65°26'55"W
C23	76.39'	77.00'	56°50'23"	73.29'	N28°08'33"W
C24	16.68'	77.00'	12°24'35"	16.64'	S35°01'59"E
C25	22.07'	82.50'	15°19'28"	22.00'	S48°54'01"E
C26	24.00'	72.50'	18°57'54"	23.89'	S66°02'42"E

July 29, 2024



#### LEGEND

- PLAT BOUNDARY
- WETLAND DELINEATION
- WETLAND BUFFER (30')
- WETLAND SETBACK (50')

**PROPOSED CONSERVATION EASEMENT (TOTAL)**  
22,246 S.F.  
0.5107 ACRES

File: \\JSD\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 07 User: chuck.heintz Plotted: Jul 29, 2024 - 11:37am

THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

SURVEYED BY:  MILWAUKEE REGIONAL OFFICE W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	SURVEYED FOR:	PROJECT NO:	SURVEYED BY:
	<b>COLLEGE AVENUE ASSOCIATES, LLC</b>	18-8450	JSD
	W225N3178 DUPLAINVILLE RD	FIELD BOOK/PAGE: -	DRAWN BY:
	PEWAUKEE, WI 53072	SHEET NO: 7 of 10	CJH

# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### LEGAL DESCRIPTION

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE South 00°16'38" West ALONG THE EAST LINE OF SAID 1/4 SECTION 238.03 FEET; THENCE South 88°47'37" West 83.03 FEET TO A POINT ON THE WEST LINE OF SOUTH 27TH STREET AND THE POINT OF BEGINNING(P.O.B.); THENCE South 00°16'38" West ALONG THE WEST LINE OF SOUTH 27TH STREET (U.S.H. 241), 63.50 FEET; THENCE South 05°26'15" West ALONG SAID WEST LINE OF 27TH STREET, 50.03 FEET; THENCE South 00°16'38" West ALONG SAID WEST LINE OF 27TH STREET, 61.78 FEET TO THE NORTHEAST CORNER OF PARCEL 2 OF CSM 5747; THENCE South 88°47'37" West ALONG THE NORTH LINE OF SAID PARCEL 2, 453.11 FEET; THENCE North 00°16'38" East ALONG THE EAST LINE OF CERTIFIED SURVEY MAP (CSM) NO.'S 5747 AND 1673, 358.01 FEET TO A POINT ON THE SOUTH LINE OF WEST COLLEGE AVENUE; THENCE North 88°47'37" East ALONG SAID SOUTH LINE, 135.43 FEET; THENCE South 00°16'38" West, 143.01 FEET; THENCE North 88°47'37" East, 185.21 FEET; THENCE North 00°16'38" East, 134.55 FEET TO A POINT ON AFORESAID SOUTH LINE; THENCE South 89°43'10" East ALONG SAID LINE, 24.93 FEET; THENCE SOUTHEASTERLY 83.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°02'16", WITH RADIUS IS 265.50 FEET AND A CHORD BEARING South 80°42'10" East, 83.24'; THENCE South 65°34'27" East, 24.08 FEET; THENCE South 31°52'37" East, 14.69 FEET TO A POINT ON SAID WEST LINE OF 27TH STREET; THENCE South 00°16'38" West ALONG SAID LINE, 135.67 FEET TO THE POINT OF BEGINNING.

LANDS CONTAINING 134,529 SQUARE FEET OR 3.0884 ACRES.

### SURVEYOR'S CERTIFICATE

I, ANDREW W. WILKOWSKI, PROFESSIONAL LAND SURVEYOR S-3121, DO HEREBY CERTIFY THAT BY DIRECTION OF COLLEGE AVENUE ASSOCIATES, LLC, I HAVE SURVEYED, DIVIDED, AND MAPPED THE LANDS DESCRIBED HEREON, AND THAT THE MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY OF THE LANDS SURVEYED AND THE DIVISION THEREOF, IN ACCORDANCE WITH THE INFORMATION PROVIDED. I FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS IN FULL COMPLIANCE WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE UNIFIED DEVELOPMENT ORDINANCE DIVISION-15 OF THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.


July 29, 2024

\_\_\_\_\_  
ANDREW W. WILKOWSKI, S-3121  
PROFESSIONAL LAND SURVEYOR

\_\_\_\_\_  
DATE



THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

<b>SURVEYED BY:</b>  <b>MILWAUKEE REGIONAL OFFICE</b> W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	<b>SURVEYED FOR:</b> <b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPLAINVILLE RD PEWAUKEE, WI 53072	<b>PROJECT NO:</b> 18-8450 <b>FIELDBOOK/PG:</b> - <b>SHEET NO:</b> 8 of 10	<b>SURVEYED BY:</b> JSD <b>DRAWN BY:</b> DHS
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# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### CORPORATE OWNER'S CERTIFICATE

COLLEGE AVENUE ASSOCIATES, LLC, A LIMITED LIABILITY 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 HAS CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. SAID CORPORATION FURTHER CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.34, WISCONSIN STATUTES AND THE UNIFIED DEVELOPMENT ORDINANCE DIVISION-15 OF THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN..

IN WITNESS WHEREOF, THE SAID COLLEGE AVENUE ASSOCIATES, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS REPRESENTATIVE THIS \_\_\_\_\_DAY OF \_\_\_\_\_, 202\_\_.

BY: \_\_\_\_\_  
THEODORE J. BALISTRERI, MEMBER

STATE OF WISCONSIN) SS  
\_\_\_\_\_ COUNTY) SS


PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_DAY OF \_\_\_\_\_, 202\_\_,  
THE ABOVE NAMED REPRESENTATIVE OF THE ABOVE NAMED COLLEGE AVENUE ASSOCIATES, LLC TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, \_\_\_\_\_ COUNTY, WISCONSIN MY COMMISSION EXPIRES \_\_\_\_\_

July 12, 2024



THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

<b>SURVEYED BY:</b>  <small>MILWAUKEE REGIONAL OFFICE  W238 N 1610 BUSSE ROAD, SUITE 100  WAUKESHA, WISCONSIN 53188  P. 262.513.0666</small>	<b>SURVEYED FOR:</b> <b>COLLEGE AVENUE ASSOCIATES, LLC</b>	<b>PROJECT NO:</b> 18-8450	<b>SURVEYED BY:</b> JSD
	<b>W225N3178 DUPLAINVILLE RD</b> <b>PEWAUKEE, WI 53072</b>	<b>FIELDBOOK/PG:</b> -	<b>DRAWN BY:</b> DHS
		<b>SHEET NO:</b> 9 of 10	

File: \\JSD\INC\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 09 User: chuck.heintz Plotted: Jul 29, 2024 - 11:23am



# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### CITY OF FRANKLIN COMMON COUNCIL APPROVAL CERTIFICATE

RESOLVED THAT THIS CERTIFIED SURVEY MAP, WHICH HAS BEEN DULY FILED FOR THE APPROVAL OF THE CITY OF FRANKLIN COMMON COUNCIL.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE CITY OF FRANKLIN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
SHIRLEY J. ROBERTS, CITY CLERK

\_\_\_\_\_  
DATE


\_\_\_\_\_  
JOHN NELSON, MAYOR

\_\_\_\_\_  
DATE

July 12, 2024



THIS INSTRUMENT WAS DRAFTED BY ANDREW W. WILKOWSKI, S-3121.

<b>SURVEYED BY:</b>  MILWAUKEE REGIONAL OFFICE W238 N 1610 BUSSE ROAD, STE. 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	<b>SURVEYED FOR:</b> <b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPLAINVILLE RD PEWAUKEE, WI 53072	<b>PROJECT NO:</b> 18-8450 <b>FB/PG:</b> - <b>SHEET NO:</b> 10 of 10	<b>SURVEYED BY:</b> JSD <b>DRAWN BY:</b> DHS
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**NATURAL RESOURCE PROTECTION**

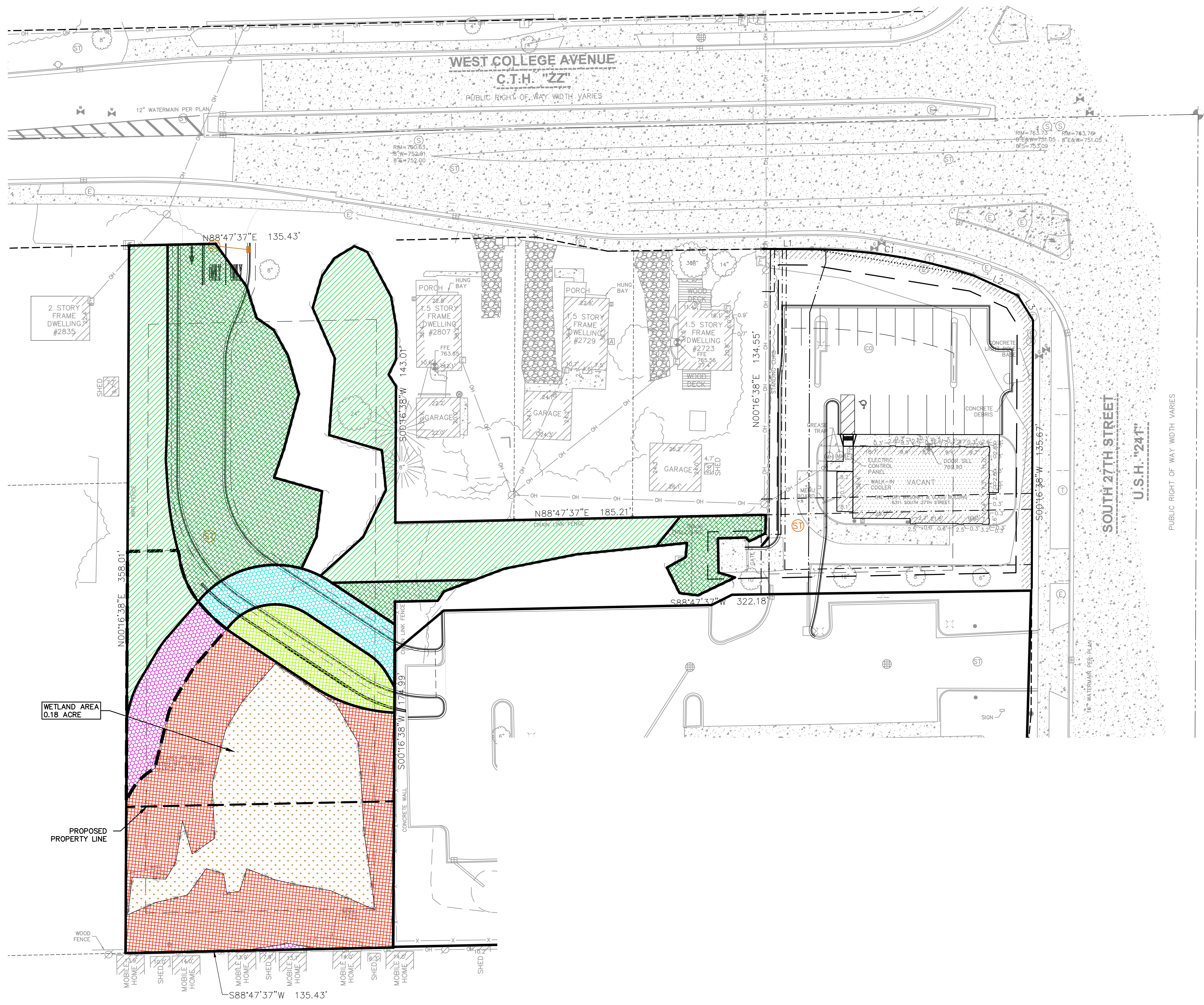
Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	Acres of Land Required to be Preserved	Acres of Land to be Impacted	Acres of Land Required to be Mitigated	Acres of Land to be Mitigated*
	Agricultural District	Residential District	Non-Residential District					
Steep Slopes								
10-19%	0	0.6	0.4	X	0.00	0.00	0.00	N/A
20-30%	0.65	0.75	0.7	X	0.00	0.00	0.00	N/A
30% +	0.9	0.85	0.8	X	0.00	0.00	0.00	N/A
Woodlands & Forests								
Mature	0.7	0.7	0.7	X	0.00	0.00	0.00	N/A
Young	0.5	0.5	0.5	X	0.54	0.27	0.26	0.00
Lakes & Ponds	1	1	1	X	0.00	0.00	0.00	N/A
Streams	1	1	1	X	0.00	0.00	0.00	N/A
Shore Buffer	1	1	1	X	0.00	0.00	0.00	N/A
Floodplains/Floodlands	1	1	1	X	0.00	0.00	0.00	N/A
Wetland Buffers	1	1	1	X	0.28	0.28	0.05	0.07
Wetlands & Shoreland Wetlands	1	1	1	X	0.18	0.18	0.00	0.00
<b>TOTAL RESOURCE PROTECTION LAND</b> (Total of Acres of Land in Resource Required to be Protected)					<b>0.73</b>	<b>Acres</b>	<b>0.31</b>	<b>0.07</b>

\* STEEP SLOPES ARE PRIMARILY MANMADE AND ARE THEREFORE EXCLUDED FROM THE CALCULATIONS

**SITE INTENSITY AND CAPACITY CALCULATION**

Table 15-3.0502 Worksheet for the Calculation of Base Site Area for Both Residential and			
STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	1.8	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	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 "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	acres
STEP 5:	Equals "Base Site Area"	1.8	acres

STEP 1:	<b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Multiply by <b>Minimum Landscape Space Ratio (LSR)</b> (see specific residential zoning district LSR standard):	X 0.45	0.81 acres
	Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFA</b> =		
STEP 2:	<b>CALCULATE NET BUILDABLE SITE AREA:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Subtract <b>Total Resource Protection Land</b> (from Table 15-3.0503) or <b>Minimum Required On-Site Landscape Surface</b> (from Step 1 above), whichever is greater:	- 0.73	1.07 acres
	Equals <b>NET BUILDABLE SITE AREA</b> =		
STEP 3:	<b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b>		
	Take <b>Net Buildable Site Area</b> (from Step 2 above):	1.07	
	Multiply by Maximum Net Floor Area Ratio (NFAR) (see specific residential zoning district NFAR standard):	X 0.570	0.61 Acres
	Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE</b> =		
STEP 4:	<b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Multiply by Maximum <b>Gross Floor Area Ratio (GFAR)</b> (see specific residential zoning district GFAR standard):	X 0.310	0.56 Acres
	Equals <b>MAXIMUM GROSS FLOOR AREA RATIO</b> =		
STEP 5:	<b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b>		
	Take the lower of Maximum Net Floor Area Yield of Site or Maximum Gross Floor Area Yield of Site:	0.54	Acres



LEGEND			
	WETLAND (0.1809 ACRES)		WETLAND DISTURBANCE (0.0000 ACRES)
	WETLAND BUFFER (0.2775 ACRES)		WETLAND BUFFER DISTURBANCE (0.0515 ACRES)
	WETLAND SETBACK (0.0917 ACRES)		WETLAND SETBACK DISTURBANCE (0.0496 ACRES)
	WOODLAND (YOUNG) (0.5395 ACRES)		WOODLAND (YOUNG) DISTURBANCE (0.2634 ACRES)
	WETLAND BUFFER MITIGATION (0.0774 ACRES)		



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MILWAUKEE REGIONAL OFFICE  
W238 N1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

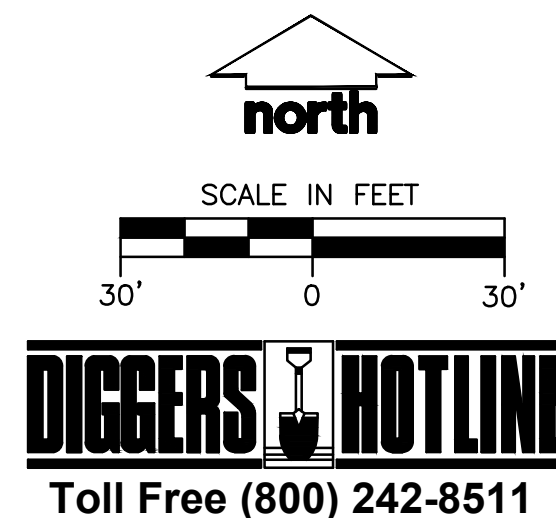
PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

PLAN MODIFICATIONS:		
#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	02.08.2023	DRIVEWAY REVISION
3	03.12.2024	REVISED TREE CALC
4	07.24.2024	REVISED SITE PLAN SUBMITTAL
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Designed By: IRN  
Reviewed By: JLL  
Approved By: JLL

SHEET TITLE:  
**NATURAL RESOURCE PROTECTION PLAN**

SHEET NUMBER:  
**EXHIBIT**



WETLAND DELINEATION REPORT  
COLLEGE AVE. & S. 27<sup>TH</sup> ST.

COLLEGE AVE ASSOC LLC

W225 N3178 DUPLAINVILLE RD  
PEWAUKEE, WI 53072

PROJECT #: 18-8450

June 4, 2018

Updated April 19, 2019



247 W. Freshwater Way, Suite 210  
Milwaukee, Wisconsin – 53204

[www.healthyenvironmentsdesigned.com](http://www.healthyenvironmentsdesigned.com)

## INTRODUCTION

The subject property is located in the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. The site is located at the southwest corner of College Avenue and S. 27<sup>th</sup> Street. A map identifying the project location can be found in **FIGURE 1**. The closest waterbody to the site is an unnamed tributary to the Root River which is 1100 feet west of the project site.

The subject property is made up of 6 parcels, with a total of approximately 4.5 acres in size. Three of the parcels contain single family residences, one parcel is a vacant fast food restaurant, one parcel is an active commercial property with a Salvation Army building, and the final parcel consists of lawn and woodland. The parcels are proposed to be redeveloped. The purpose of the wetland delineation was to identify the existing wetlands on the property and to create a map of their boundaries. A map of the surveyed wetland boundary is found in **FIGURE 7**. The wetland boundary was adjusted slightly after the second site visit and the new map is now attached as Figure 7.

Kristi Sherfinski of HELIANTHUS conducted the original wetland delineation field work on May 18, 2018 and revisited the site on April 19, 2019, after becoming an Assured Wetland Delineator. Field conditions on May 18 were sunny with air temperatures in the 60s (°F). The temperatures for the previous winter had been normal, but with a slightly lower than average amount of precipitation. Growing season conditions as defined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (2010) and Northcentral and Northeast Region (2012) were documented at the site prior to beginning the delineation. Soil temperatures must be at or above 41°F at depth of 12 inches and at least two plant species must be emerging or breaking bud. On May 18 and on April 19, 2019, growing season conditions were present per these requirements.

Kristi Sherfinski has over 17 years of experience delineating wetlands in the Great Lakes Region. She received her initial basic wetland training at the Wetland Training Institute in Hastings, Michigan in 2002. Kristi worked as a project manager and wetland delineator at JFNew & Associates in Grand Haven, Michigan for six years, conducting wetland delineations in Michigan, Indiana, Illinois, and Wisconsin. Kristi then moved to Wisconsin to work for the Southeastern Wisconsin Regional Planning Commission (SEWRPC) with Dr. Donald Reed. At SEWRPC, Kristi updated the Wisconsin Wetland Inventory (WWI) in 2005 and in 2010 for the seven-county area of southeast Wisconsin. Kristi participated in the Advanced Wetland Delineation training in 2006. In 2009, she attended the Wetland Delineation USACE Regional Supplement training session, the Environmental Corridor Delineation Workshop, and the Farm Service Agency (FSA) Slide

Review training session. After working at SEWRPC for seven years, Kristi worked as an environmental specialist at JSD Professional Services, Inc. for two years, before she started her own business—HELIANTHUS.

## **METHODS**

The process of wetland delineation involves collecting information about the soils, vegetation, and hydrology of a site in order to determine where the wetland boundary is located. The methodology used to conduct the delineation followed the US Army Corps of Engineers Wetlands Delineation Manual (1987), and the appropriate Regional Supplement to the Corps of Engineers Wetland Delineation Manual. In general, in southeastern and western Wisconsin, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0, August, 2010) is used. The remaining portions of the state follow the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0, January, 2012). At this site, the Midwest Regional Supplement was used.

Prior to the site visit, several sources of data are consulted to reveal information that will aid in the locating the wetlands on the site. The sources reviewed include weather records to determine antecedent hydrologic conditions, the Wisconsin Wetland Inventory (WWI) map, the soil survey map, a topographic map, and historic aerial photographs of the project area. In areas that are under active cultivation as farmland, a Farm Service Agency (FSA) Slide Review is also conducted.

Data sample points are chosen based on the potential wetland areas identified by reviewing the above-referenced sources, and other sample points are added based on information gathered while in the field. Sample points are chosen on either side of the wetland line for their ability to reveal information about the actual location of the line, and upland reference data samples are chosen in order to show the contrast between wetland and upland field conditions.

Once a data sample point is chosen and located in the field, data is collected on the vegetation, the hydrology, and the soils of the site. Vegetation is identified by strata (tree, shrub, herbaceous, and vine layers), and an aerial coverage percent is determined for each species by layer. The plot size for the tree, shrub, and vine layers is a 30-foot radius circle, and the plot size for the herbaceous layer is a 5-foot radius circle. The scientific names and wetland status of each plant species follows the National Wetland Plant List (2016). Once all species have been assigned a cover percentage, the dominance by wetland indicator plant species is assessed.

Hydrological indicators, as described in the Regional Supplements, are then listed for the sample point. A soil pit is excavated to at least 20 inches and the depth of water, saturation, and the water table is recorded. The soil profile at the sample point is also described, using the Munsell Soil-Color Charts (2009) to assess the color of the soil, and a texture analysis to determine the predominant texture of each soil layer. This data is used to determine if the soil profile meets the hydric soil indicators as defined in the Regional Supplements and the Field Guide for Identifying Hydric Soils V. 8.1 (USDA, 2017).

Once the location of the wetland line is determined from the data sampling effort, the edge of the wetland is flagged in the field and then surveyed in order to produce a map of the wetland that occurs on the subject property. Representative photographs of the sample points and of each wetland area were taken during the field visit. Any ditch, stream, pond or other water body that may be considered a Water of the U.S. and thus regulated by the U.S. Army Corps of Engineers (USACE) or the Wisconsin Department of Natural Resources (WDNR) is also identified.

## RESULTS AND DISCUSSION

### Antecedent Hydrologic Condition Analysis

Weather records were consulted from the Mitchell Airport weather station to determine if precipitation levels were normal for the three months prior to the site visit. The antecedent hydrologic condition analysis for the site revealed that climactic conditions near the site were normal at the time of both site visits (**Table 1**). Drier than normal conditions means that hydrologic indicators may be absent from the wetland sample points and the data must be interpreted accordingly. Wetter than normal conditions must be accounted for when interpreting the data because saturation or the water table may be higher than it is during normal conditions, giving false positives for hydrological indicators. Most of the rainfall for the month of May fell before the 18<sup>th</sup>, so conditions were already above normal for the month at the time of the site visit. The Palmer Hydrological Drought Index indicated that long-term hydrological conditions for the area were “moderately moist”.

Table 1 – Antecedent Hydrologic Condition Analysis

Month	3 yrs in 10 Less Than	3 yrs in 10 More Than	Rain Fall	Condition Dry, Wet, Normal	Condition Value	Month Weight Value	Product of Previous Two

							Columns
2018							
May	1.86	3.70	6.49	Wet	3	3	9
April	2.83	4.42	3.11	Normal	2	2	4
March	1.63	3.13	0.66	Dry	1	1	1
						Sum	13
2019							
April	2.83	4.42	3.77	Normal	2	3	6
March	1.63	3.13	1.64	Normal	2	2	4
Feb.	0.97	2.00	3.35	Wet	3	1	3
						Sum	13
If sum is:							
6-9	Then prior period has been drier than normal						
10-14	Then prior period has been normal						
15-18	Then prior period has been wetter than normal						
Conclusions:	A sum of 13 for 2018 and for 2019 shows the prior periods to be normal.						

### Review of Existing Data Sources

Existing data sources were reviewed to aid in the identification of wetland areas in the field.

The topographic map (**FIGURE 2**) shows the commercial properties to be on raised pads which are approximately 770 feet in elevation. The elevation drops sharply 5 feet to 665 feet onto the residential and the wooded parcels. The elevation continues to drop more gradually to approximately 662 feet in elevation at the southwest corner of the wooded parcel, and to 661 feet at the northwest corner of the wooded parcel. A slight ridge of 766 feet across the wooded parcel separates it into northern and southern watersheds.

The soil survey map shows two soil types in the project area—Blount silt loam and Ozaukee silt loam (**FIGURE 3**). Both of these soils have the potential to have hydric inclusions.

Table 2 – Soil Types

Map Symbol	Map Unit Name	Hydrologic Drainage Class
BIA	Blount silt loam, 1-3%	Somewhat poorly drained
OzaB2	Ozaukee silt loam, 2-6%, eroded	Moderately well drained

The Wisconsin Wetland Inventory does not indicate any mapped wetlands in the project area (**FIGURE 4**). It shows the area of Blount silt loam as a wetland indicator.

Historic aerial photographs showed that single family residences lined both College Avenue and S. 27<sup>th</sup> Street until 1980, when some commercial development began to replace the homes (**FIGURE 5**). The currently wooded parcel was originally the site of a single-family residence, which was razed sometime between 2000 and 2005. The woods did not start to develop in the back of the lot until about 1985 or so.

The project area was checked for its inclusion within a mapped Environmental Corridor in the Southeastern Wisconsin region. No mapped environmental corridor area occurs within the project area. A tree survey of the woods was conducted for the City of Franklin and it was determined that the woods meet the definition of a Young Woodland.

#### Wetlands Identified During the Site Visit

A total of one wetland was identified on the property during the field visits. Site photos of the wetland are included in **FIGURE 6**. The acreages and wetlands that were identified and flagged for the project are shown in **FIGURE 7**. Field data sheets are included in **FIGURE 8**. A description of field visits follows.

#### ***Wetland 1***

The wetland was located in the southwest corner of the wooded lot in the area of Blount silt loam. It is a highly degraded forested wetland. The dominant species (DP1) were green ash and common buckthorn. The green ashes were all heavily infected by emerald ash borer. A clear drainage pattern was seen, with a small amount of standing water following a drainage path toward the southwest corner of the parcel. The area was in a slight depression. Water stained leaves were seen within this depression. Soils met the hydric soil indicators for F3 Depleted Matrix and for A11 Depleted Below Dark Surface. Trash was visible throughout and dumping probably occurred over many years. On April 19, 2019, about 1 to 2 inches of standing water was visible throughout the wetland area. This standing water made it easier to see the wetland boundary and the wetland flags and the corresponding boundary map were adjusted slightly to more accurately reflect the wetland boundary.

The adjacent upland areas (DP2, DP3) were located at topographic rises of 6 to 12 inches above the wetland. In addition, the leaves were dry and light brown and did not



exhibit signs of water staining. The soils did not meet the hydric soil indicator for A12 Thick Dark Surface because the values and chroma of the layers above the depleted layer were too high. The dominant species were green ash, common buckthorn, and white oak. Upland weed species were also found in some of the adjacent areas. The transition from wetland to upland was very subtle; therefore, the presence of water stained leaves, topographic differences, and the presence of upland weeds were used to delineate the line.

Other data points were taken on the property. Data Point 4 was taken in an area of Blount silt loam in the northwest corner of the wooded parcel that is separated from the wetland area to the south by a ridge of Ozaukee silt loam. This area slopes to the north and drains in a different direction away from the wetland. The vegetation in this area was dominated entirely by facultative (FAC) plants—box elder, common buckthorn, and garlic mustard. The FAC-neutral test was met by non-dominant species because green ash was counted in both the tree and the herbaceous layer. Other hydrological indicators were absent, and soil saturation was not discovered until 20 inches. Soils did not meet any hydric indicators.

Data Point 5 was taken in a constructed detention basin located near the Salvation Army building and it contained mostly upland weed species. The dominant species were tall goldenrod, common buckthorn, and Dame's rocket. The only hydrological indicator was Geomorphic Position because of its depressional shape. The soils consisted of a six-inch layer of topsoil over the top of solid gravel fill, and failed to meet any hydric indicator. The detention basin apparently was designed to drain quickly.

### *Ditches*

There were no roadside ditches on the subject property. Both roads were curb and gutter roads.

## **CONCLUSION**

HELIANTHUS LLC identified one wetland on the project site on May 18, 2018, using the standard practices described in this report and their best professional judgment. This site was revisited on April 19, 2019 to recheck the lines after Ms. Sherfinski became an Assured Wetland Delineator. However, the final authority for the location of the wetland boundary rests with the U.S. Army Corps of Engineers (USACE) and the Wisconsin Department of Natural Resources (WDNR). It is recommended that this report be submitted to the WDNR for their concurrence with the wetland boundary, and be submitted to the USACOE for a jurisdictional determination.

In addition, because a wetland delineation is considered to be a point in time determination, wetland delineations are considered to be valid for a period of only five years for federal wetlands and 15 years for nonfederal wetlands. Weather patterns and site conditions can change over time, making a new delineation necessary.

It is the opinion of HELIANTHUS that Wetland 1 meets the less susceptible category as it is defined in Chapter NR 151 Runoff Management protective area standards, because it is dominated by common buckthorn, an invasive species, and it is highly degraded due to repeated dumping of trash over the years. A buffer zone based on 10% of the average width of the wetland, with a minimum of 10 feet and a maximum of 30 feet, will be necessary for any new development. Stormwater protective area categories per Chapter NR 151 are subject to final authority by the WDNR. The City of Franklin also has its own set of protective buffer standards.

Other environmental considerations include threatened or endangered species. It is recommended that an Endangered Resources (ER) Review request be submitted to the WDNR prior to pursuing any permits for proposed work.

Any impact, alteration, or fill to either the wetland areas or to waterways that are considered Waters of the U.S. are subject to state and federal regulations and permits may be required. The WDNR administers Chapters 30 and 281 of the Wisconsin State Statutes, and the USACE administers Section 404 of the Clean Water Act. Additional county, city or village ordinances may also apply to wetlands or waterways. If any disturbance occurs on the property without obtaining wetland delineation concurrence or authorization from the USACE and WDNR, it should be considered at the owner's own risk and HELIANTHUS LLC shall not be considered responsible or liable for any resulting damages.

## REFERENCES

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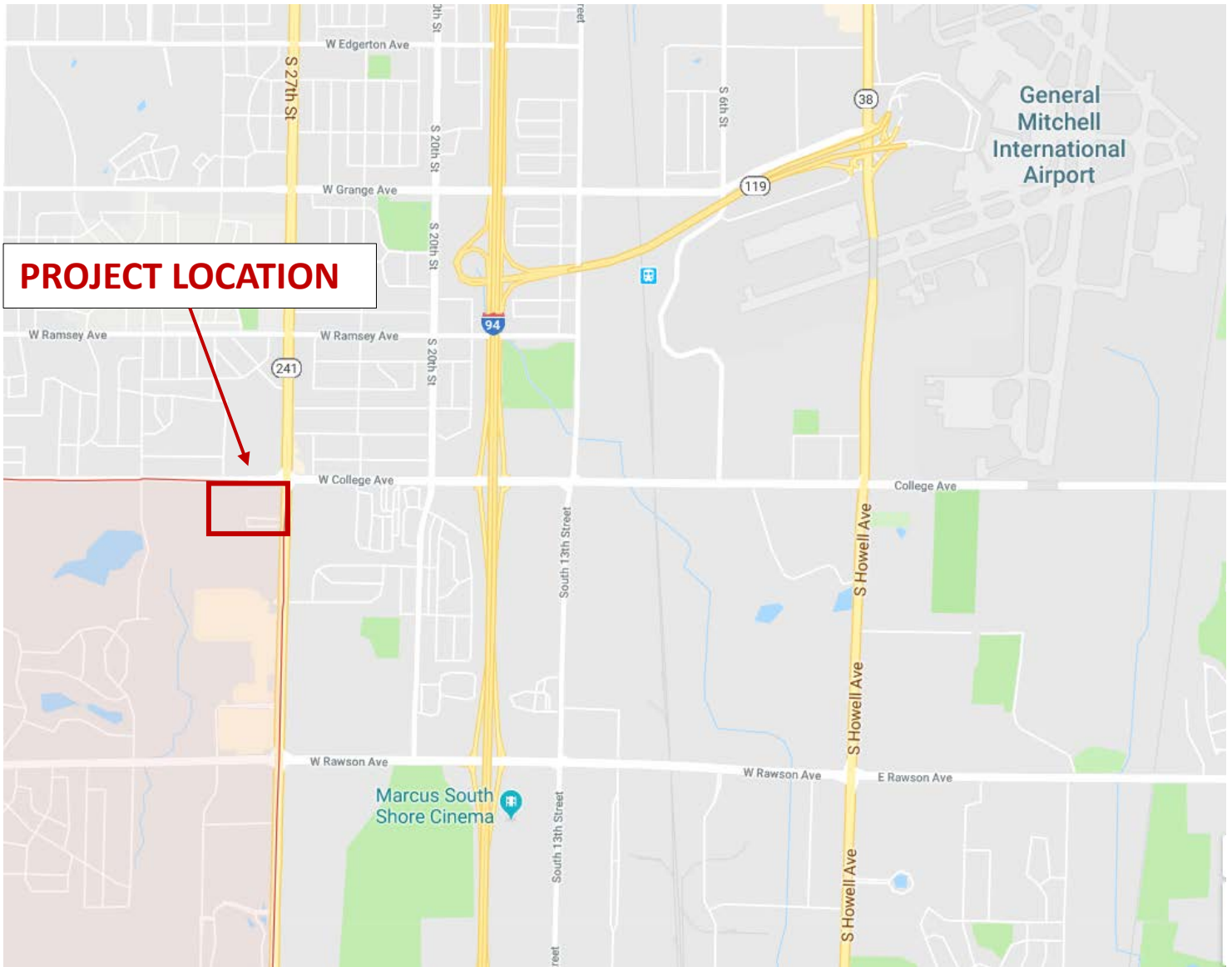
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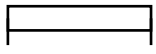
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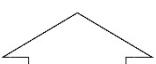
Wisconsin DNR Surface Water Data Viewer (SWDV). Online: [www.dnr.wi.gov/topic/surfacewater/swdv/](http://www.dnr.wi.gov/topic/surfacewater/swdv/).



Source: Google Maps, 2018

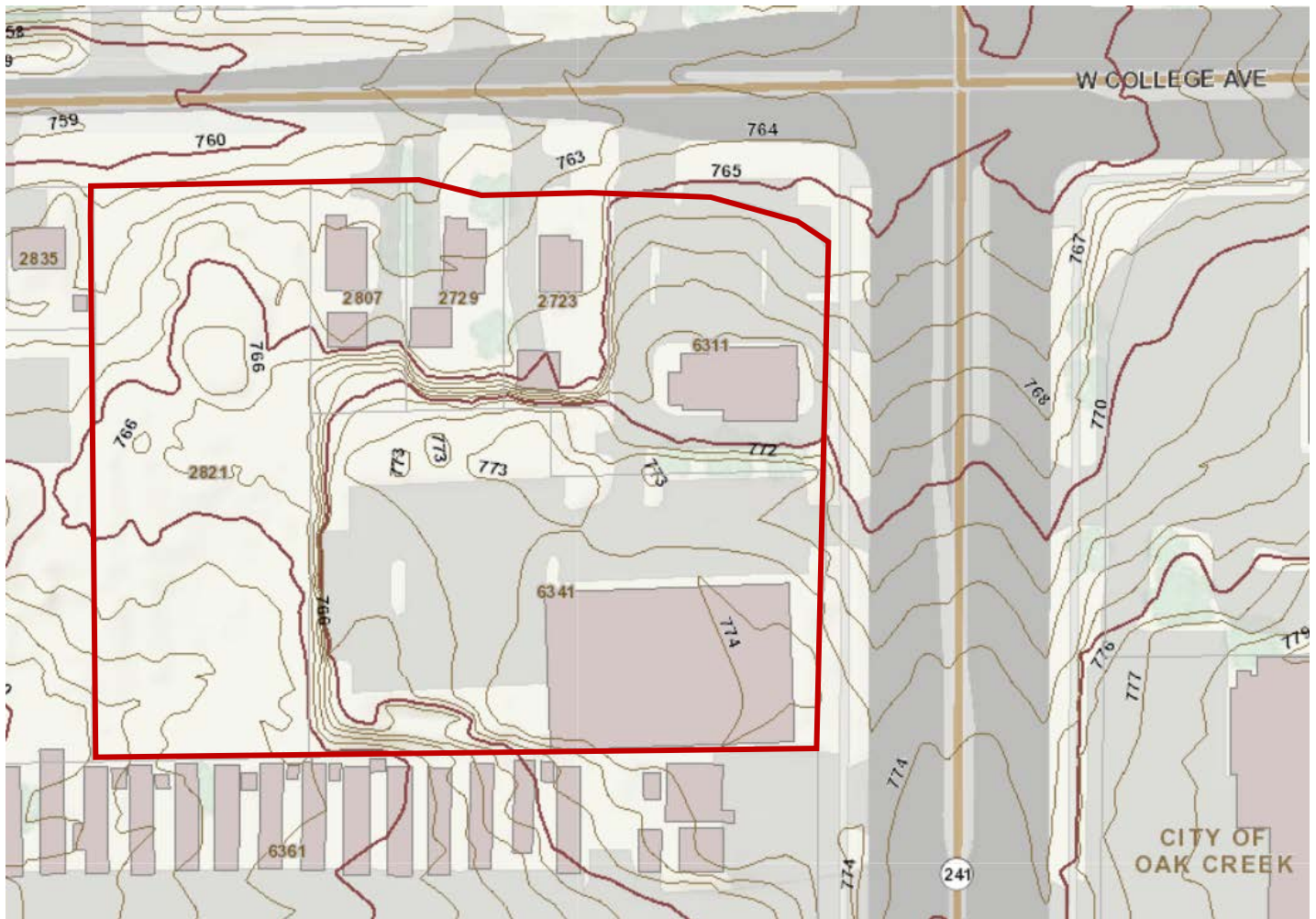


2,000 FT

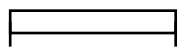


north

FIGURE 1. LOCATION MAP



Source: Milwaukee County GIS, 2018

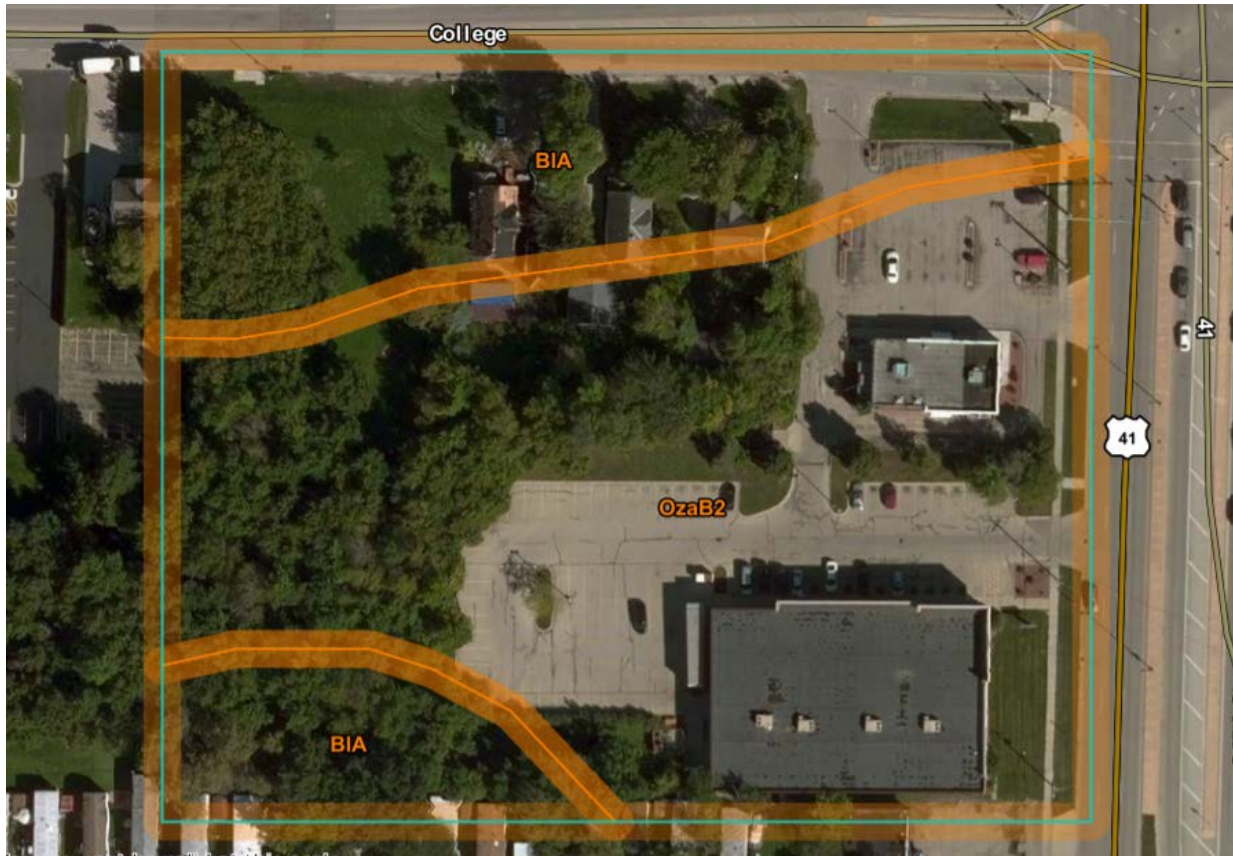


100 FT

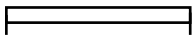


north

FIGURE 2. TOPOGRAPHIC MAP



Source: NRCS Web Soil Survey, 2018

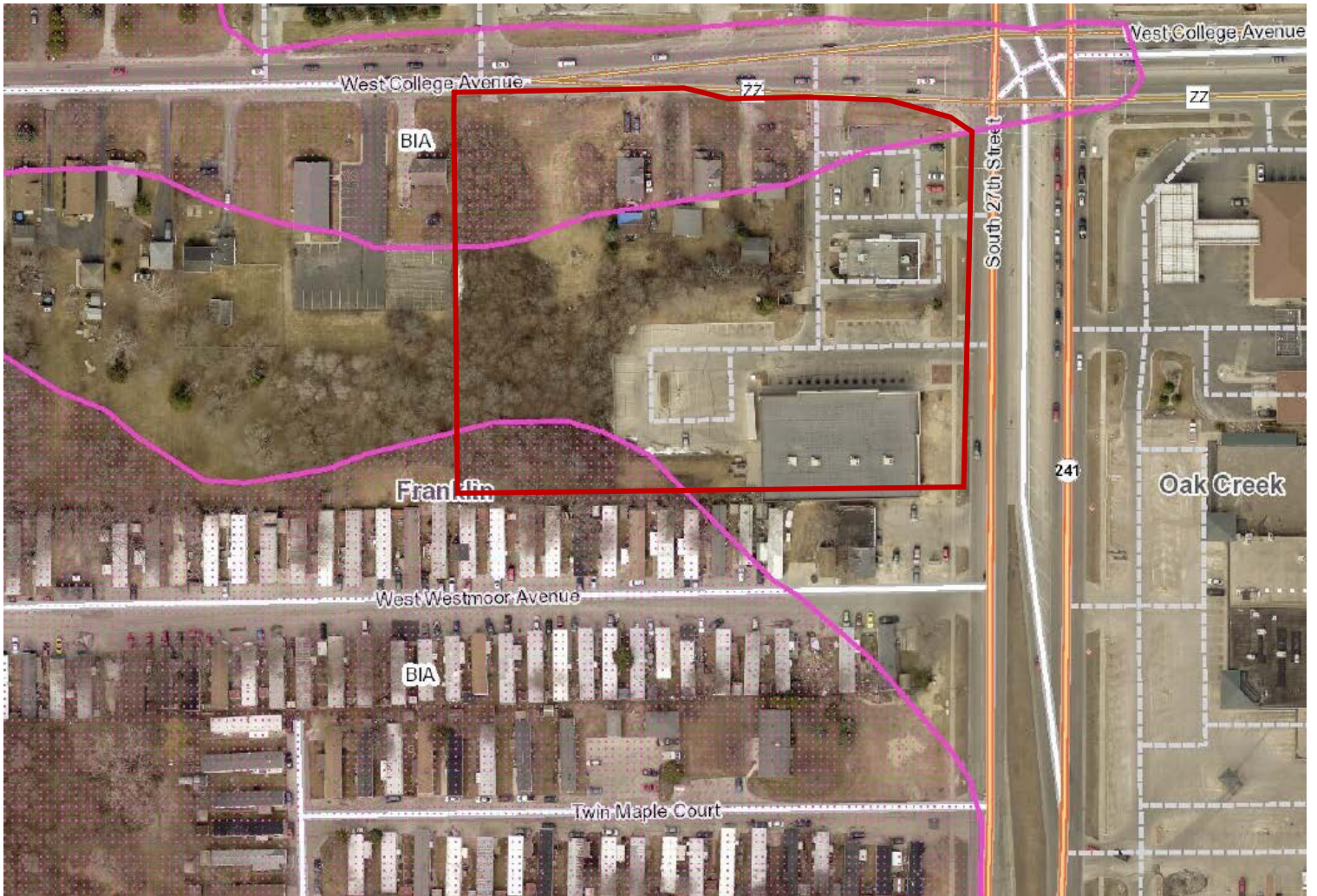


100 FT



Map Unit Symbol	Map Unit Name
BIA	Blount silt loam, 1-3%
OzaB2	Ozaukee silt loam, 2-6%, eroded

FIGURE 3. SOIL SURVEY MAP



Source: WIDNR Surface Water Data Viewer, 2018



- Filled Areas
- Wetland Class Points**
  - Dammed pond
  - Excavated pond
  - Filled excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
- Filled Points
- Wetland Class Areas**
  - Wetland
  - Upland
- Filled Areas
- NRCS Wetspots
- Maximum Extent Wetland Indicators
- Minimum Extent Wetland Indicators

FIGURE 4. WWI MAP



1937.



1963.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS





1970.



1980.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS



1990.



2005.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS



The wetland is a degraded forested wetland, taken May 18, 2018.



The detention basin near the Salvation Army building, taken May 18, 2018.



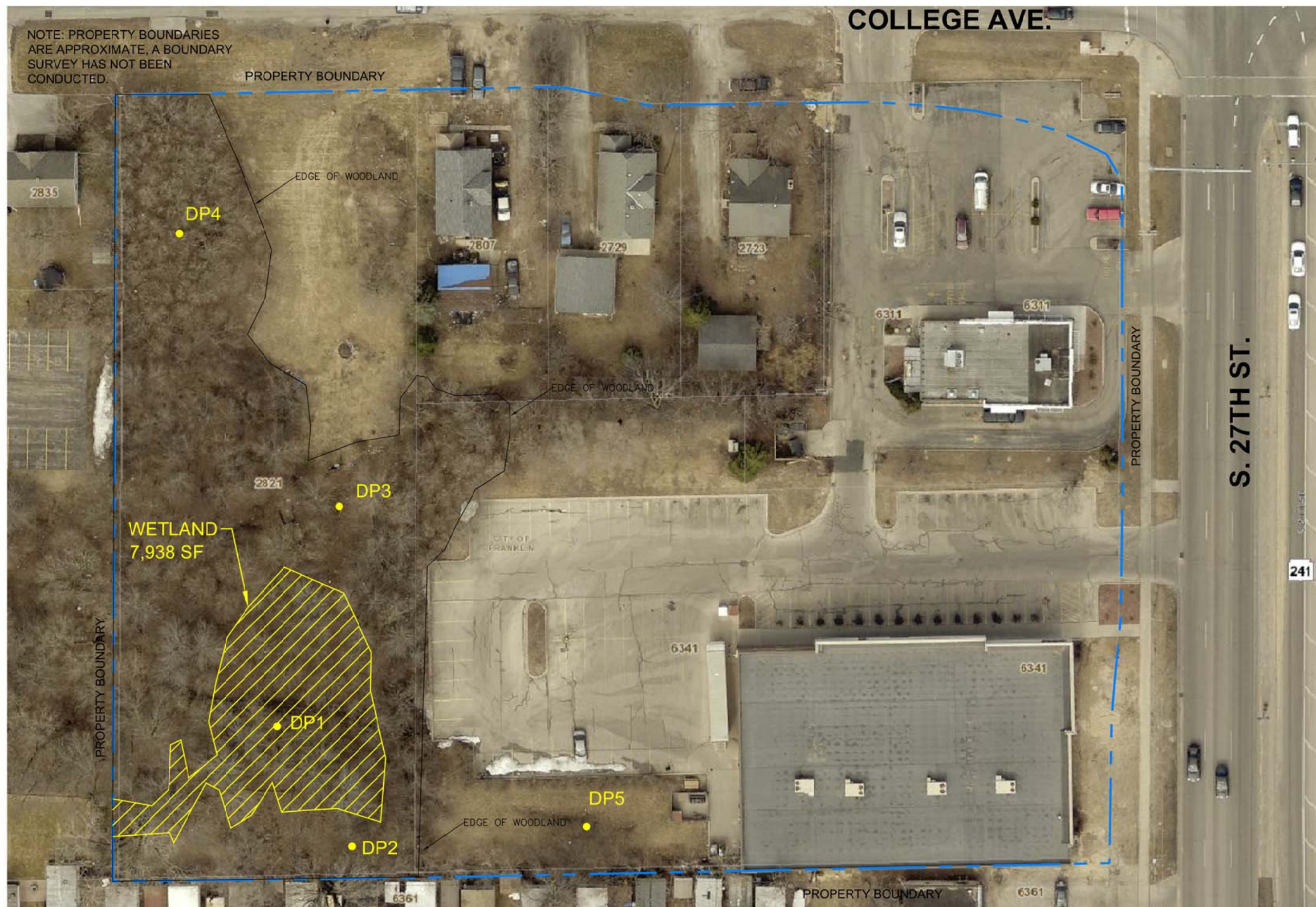
A view of the forested wetland taken on April 19, 2019.



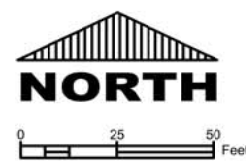
Another view of the wetland taken April 19, 2019.

FIGURE 7. WETLAND BOUNDARY MAP

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WETLAND DELINEATED BY K. SHERFINSKI OF HELIANTHUS LLC ON MAY 18, 2018. ADDITIONAL DATA POINTS TAKEN AND WETLAND BOUNDARY ADJUSTED ON APRIL 19, 2019 BY K. SHERFINSKI.



Client Address  
 COLLEGE AVE ASSOC LLC  
 W225 N3178 DUPLAINVILLE RD  
 PEWAUKEE, WI 53072

Project Address  
**WETLAND BOUNDARY MAP**  
**COLLEGE AVENUE AND 27TH STREET**  
**FRANKLIN, WI**

Exhibit  
**FIGURE 7**  
 Project 18-8450  
 Date 04-22-2019  
 Drawn By KAS  
 Sheet W1.0

**HELIANTHUS**  
 HELIANTHUS LLC  
 247 W. FRESHWATER  
 WAY, SUITE 210  
 MILWAUKEE, WI 53204



**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-18 & 4-19-19  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 1  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): drainageway Local relief (concave, convex, none): concave  
 Slope (%): 0-1% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: \_\_\_\_\_ None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>Y</u>
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Fraxinus pennsylvanica</u>	60	Y	FACW	
2 <u>Acer saccharinum</u>	5	N	FACW	Total Number of Dominant Species Across all Strata: <u>3</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____				
5 _____				
	65	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	50	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	30	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 <u>Acer negundo</u>	10	N	FAC	FACW species <u>95</u> x 2 = <u>190</u>
4 _____				FAC species <u>63</u> x 3 = <u>189</u>
5 _____				FACU species <u>0</u> x 4 = <u>0</u>
	90	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>158</u> (A) <u>379</u> (B)
				Prevalence Index = B/A = <u>2.40</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>	2		FAC	
2 <u>Acer negundo</u>	1		FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 _____				<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 _____				Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____				Problematic hydrophytic vegetation* (explain)
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	3	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____				
2 _____				
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Disturbed forested wetland.



**SOIL**

Sampling Point: 1

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 3/1	100					silty clay loam	
6-12	10YR 4/1	95	10YR 4/6	5	C	M	silty clay loam	
12-20	10YR 5/1	90	10YR 4/6	10	C	M	silty clay	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input checked="" type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
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<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p><b>Hydric soil present?</b> <u>Y</u></p>
--	---

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input checked="" type="checkbox"/> High Water Table (A2)</p> <p><input checked="" type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input checked="" type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input checked="" type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input checked="" type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
<p><u>Other Indicators</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	

<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>1</u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>At surface</u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>Y</u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Approximately 1-2 inches of standing water was visible during the April 19 site visit.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 2  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): slight slope Local relief (concave, convex, none): convex  
 Slope (%): 1-2% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION** -- Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Fraxinus pennsylvanica</u>	40	Y	FACW	
2 <u>Quercus alba</u>	40	Y	FACU	Total Number of Dominant Species Across all Strata: <u>4</u> (B)
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>75.00%</u> (A/B)
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
	<u>80</u>	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	60	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	20	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 _____	_____	_____	_____	FACW species <u>60</u> x 2 = <u>120</u>
4 _____	_____	_____	_____	FAC species <u>64</u> x 3 = <u>192</u>
5 _____	_____	_____	_____	FACU species <u>40</u> x 4 = <u>160</u>
	<u>80</u>	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>164</u> (A) <u>472</u> (B)
				Prevalence Index = B/A = <u>2.88</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>	3		FAC	
2 <u>Acer negundo</u>	1		FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 _____	_____	_____	_____	<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 _____	_____	_____	_____	Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____	_____	_____	_____	Problematic hydrophytic vegetation* (explain)
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
	<u>4</u>	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
	<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/2	100					silty clay loam	
6-17	10YR 3/2	100					silty clay loam	
17-24	10YR 4/2	90	10YR 5/4	10	C	M	silty clay	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p>Hydric soil present? <u>N</u></p>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>19</u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>17</u></p> <p>(includes capillary fringe)</p>	<p>Indicators of wetland hydrology present? <u>N</u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample point located on a rise approximately 6-12 inches higher than adjacent wetland. In contrast to wetland, there were no water stained leaves here.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 3  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): slight slope Local relief (concave, convex, none): none  
 Slope (%): 1-2% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Ozaukee silt loam (OzaB2) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil X, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? No  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? No

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)  
 Some dumping of trash present.

**VEGETATION -- Use scientific names of plants.**

Tree Stratum (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet
1 <u>Acer negundo</u>	25	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	20	Y	FACW	
3 _____				
4 _____				
5 _____				
	45 = Total Cover			
Sapling/Shrub stratum (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Prevalence Index Worksheet
1 <u>Rhamnus cathartica</u>	30	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	10	Y	FACW	
3 <u>Acer negundo</u>	3	N	FAC	
4 _____				
5 _____				
	43 = Total Cover			
Herb stratum (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic Vegetation Indicators:
1 <u>Fragaria virginiana</u>	20	Y	FACU	
2 <u>Solidago gigantea</u>	20	Y	FACW	
3 <u>Glechoma hederacea</u>	20	Y	FACU	
4 <u>Phalaris arundinacea</u>	10	N	FACW	
5 <u>Geum canadense</u>	5	N	FAC	
6 <u>Carex blanda</u>	5	N	FAC	
7 <u>Prunus serotina</u>	2	N	FACU	
8 <u>Taraxacum officinale</u>	2	N	FACU	
9 _____				
10 _____				
	84 = Total Cover			
Woody vine stratum (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Hydrophytic vegetation present? <u>Y</u>
1 <u>Parthenocissus quinquefolia</u>	5	Y	FACU	
2 _____				
	5 = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest. FAC-N test based on non-dominants was not met.

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-14	10YR 3/1	100					silty clay loam	
14-20	10YR 4/3	97	10YR 4/4	3	C	M	silty clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p>
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\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p><b>Hydric soil present?</b> <u> N </u></p>
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Remarks:  
Trash and evidence of dumping in this area.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No _____ Depth (inches): <u> 14 </u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No _____ Depth (inches): <u> 13 </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u> N </u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 4  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): none  
 Slope (%): 2-3% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Acer negundo</u>	70	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	10	N	FACW	Total Number of Dominant Species Across all Strata: <u>5</u> (B)
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
	80	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	25	Y	FAC	
2 <u>Acer negundo</u>	15	Y	FAC	OBL species <u>0</u> x 1 = <u>0</u>
3 _____	_____	_____	_____	FACW species <u>11</u> x 2 = <u>22</u>
4 _____	_____	_____	_____	FAC species <u>170</u> x 3 = <u>510</u>
5 _____	_____	_____	_____	FACU species <u>5</u> x 4 = <u>20</u>
	40	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Column totals <u>186</u> (A) <u>552</u> (B)
1 <u>Alliaria petiolata</u>	30	Y	FAC	Prevalence Index = B/A = <u>2.97</u>
2 <u>Rhamnus cathartica</u>	30	Y	FAC	
3 <u>Taraxacum officinale</u>	5	N	FACU	
4 <u>Fraxinus pennsylvanica</u>	1	N	FACW	
5 _____	_____	_____	_____	
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
	66	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest dominated by facultative plants. FAC-N test is met by non-dominant species.

**SOIL**

Sampling Point: 4

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-13	10YR 2/2	100					silty clay loam	
13-18	10YR 3/2	100					silty clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
--	---	---

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p>Hydric soil present? <u>  N  </u></p>
--	--

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>  20  </u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> _____</p>
---	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Area is on a 2-3% slope that drains towards the road.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 5  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): constructed basin Local relief (concave, convex, none): concave  
 Slope (%): 0-1% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil X, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? No  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? No

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)  
A constructed basin designed to receive roof drain flow. Soils consist of fill.

**VEGETATION** -- Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>	
1 _____	_____	_____	_____		Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A)
2 _____	_____	_____	_____	Total Number of Dominant Species Across all Strata: <u>3</u> (B)	
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>33.33%</u> (A/B)	
4 _____	_____	_____	_____		
5 _____	_____	_____	_____		
<u>0</u> = Total Cover					
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>	
1 _____	_____	_____	_____		Total % Cover of:
2 _____	_____	_____	_____	OBL species <u>0</u> x 1 = <u>0</u>	
3 _____	_____	_____	_____	FACW species <u>3</u> x 2 = <u>6</u>	
4 _____	_____	_____	_____	FAC species <u>18</u> x 3 = <u>54</u>	
5 _____	_____	_____	_____	FACU species <u>30</u> x 4 = <u>120</u>	
<u>0</u> = Total Cover				UPL species <u>6</u> x 5 = <u>30</u>	
				Column totals <u>57</u> (A) <u>210</u> (B)	
				Prevalence Index = B/A = <u>3.68</u>	
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>	
1 <u>Solidago altissima</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>		<input type="checkbox"/> Rapid test for hydrophytic vegetation
2 <u>Hesperis matronalis</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>		<input type="checkbox"/> Dominance test is >50%
3 <u>Rhamnus cathartica</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>		<input type="checkbox"/> Prevalence index is ≤3.0*
4 <u>Taraxacum officinale</u>	<u>5</u>	<u>N</u>	<u>FACU</u>		<input type="checkbox"/> Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 <u>Symphytotrichum urophyllum</u>	<u>5</u>	<u>N</u>	<u>UPL</u>		<input type="checkbox"/> Problematic hydrophytic vegetation* (explain)
6 <u>Glechoma hederacea</u>	<u>5</u>	<u>N</u>	<u>FACU</u>		
7 <u>Alliaria petiolata</u>	<u>5</u>	<u>N</u>	<u>FAC</u>		
8 <u>Poa pratensis</u>	<u>3</u>	<u>N</u>	<u>FAC</u>		
9 <u>Fraxinus pennsylvanica</u>	<u>3</u>	<u>N</u>	<u>FACW</u>		
10 <u>Daucus carota</u>	<u>1</u>	<u>N</u>	<u>UPL</u>		
<u>57</u> = Total Cover					
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status		
1 _____	_____	_____	_____		
2 _____	_____	_____	_____		
<u>0</u> = Total Cover					

Remarks: (Include photo numbers here or on a separate sheet)  
Weed species growing in a constructed detention basin.



**SOIL**

Sampling Point: 5

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/1	100					loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<b>Hydric Soil Indicators:</b> <input type="checkbox"/> Histisol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)	<b>Indicators for Problematic Hydric Soils:</b> <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R) <input type="checkbox"/> Dark Surface (S7) (LRR K, L) <input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (explain in remarks)
---	--	--

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if observed):</b> Type: <u>Gravel fill</u> Depth (inches): <u>6</u>	<b>Hydric soil present?</b> <u>N</u>
---	--------------------------------------

Remarks:  
 Refusal at 6" due to solid gravel fill. Area consists of a layer of topsoil over gravel and is designed to drain quickly.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<b>Primary Indicators (minimum of one is required; check all that apply)</b> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)	<b>Secondary Indicators (minimum of two required)</b> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5)
--	---	--

<b>Field Observations:</b> Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	<b>Indicators of wetland hydrology present?</b> <u>N</u>
--	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
 Area is an approximately 3 foot deep excavated depression with pvc pipes draining into it.

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 (414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: \_\_\_\_\_

STAMP DATE: city use only

## PLAN COMMISSION REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: Ted Balistreri	NAME: Justin L. Johnson, P.E.
COMPANY: College Avenue Association LLC	COMPANY: JSD Professional Services, Inc.
MAILING ADDRESS: W225 N3178 Duplainville Road	MAILING ADDRESS: W238 N1610 Busse Rd. Ste 100
CITY/STATE: Pewaukee, WI	CITY/STATE: Waukesha, WI
ZIP: 53072	ZIP: 53188
PHONE: 262-691-3964	PHONE: 262-513-0666
EMAIL ADDRESS: ted@plmpaving.com	EMAIL ADDRESS: justin.johnson@jsdinc.com

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 6311 South 27th St	TAX KEY NUMBER: 7149968003, 7149973000
PROPERTY OWNER: College Avenue Association LLC	PHONE: 262-691-3964
MAILING ADDRESS: W225 N3178 Duplainville Rd	EMAIL ADDRESS: ted@plmpaving.com
CITY/STATE: Pewaukee, WI	DATE OF COMPLETION: <u>city use only</u>
ZIP: 53072	

### APPLICATION TYPE

**Please check the application type that you are applying for**

Building Move  
  Sign Review  
  Site Plan / Site Plan Amendment  
  Temporary Use

Most requests require Plan Commission review and approval.

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

### SIGNATURES

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

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

I, the applicant, certify that I have read the following page detailing the requirements for plan commission approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: 	APPLICANT SIGNATURE: 
NAME & TITLE: Ted Balistreri - Owner	NAME & TITLE: Ted Balistreri - Owner
DATE: 11/08/23	DATE: 11/08/23
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE: 
NAME & TITLE:	NAME & TITLE: Justin L. Johnson, P.E. - Associate
DATE:	DATE: 11/08/23

## CITY OF FRANKLIN APPLICATION CHECKLIST

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

### BUILDING MOVE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 ½" X 11") of the plat of survey, *showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.*  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

### SIGN REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than ½" = 1'. *Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).*
  - Three (3) scaled copies of the Site Plan, *showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.*
- Email or flash drive with all plans / submittal materials.
  - Required for signage in Planned Development Districts (PDD) No. 7 and 18. Additional materials / copies may be required for board/commission meetings.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

### SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (*lot size ≤ 1 acre*)
  - Tier 3: \$500 (*≤ 10% increase or decrease in total floor area of all structures with no change to parking: or change to parking only*).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. *The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)*
- One (1) colored copy of the building elevations on 11" X 17" paper, *if applicable*.
- One (1) copy of the Site Intensity and Capacity Calculations, *if applicable (see division 15-3.0500 of the UDO)*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

### TEMPORARY USE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, *see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.

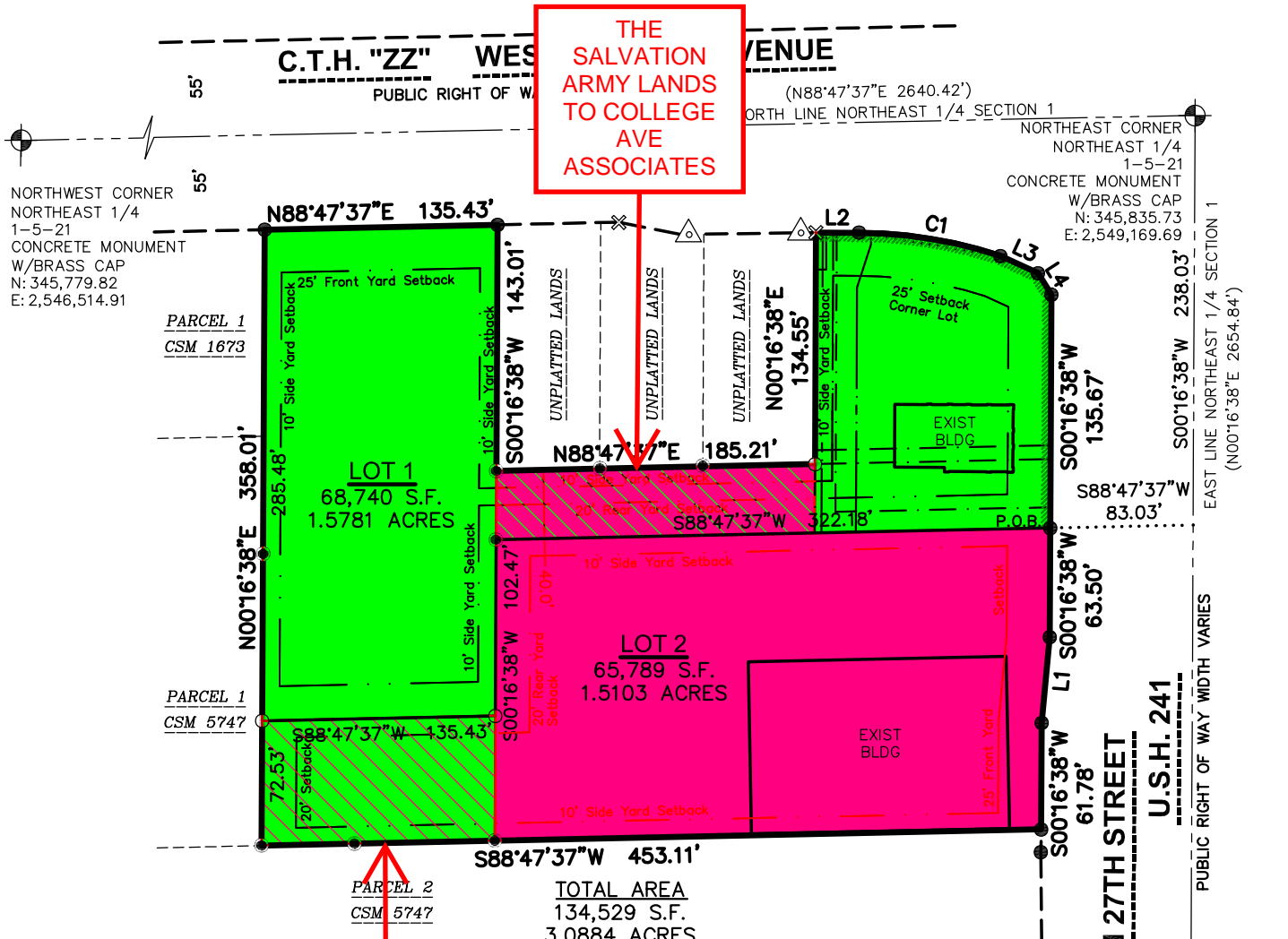
**SECONDARY  
PROPERTY OWNER  
AUTHORIZATION  
LETTER  
(SALVATION ARMY)**

**DOCUMENT  
PENDING**

# PRELIMINARY

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



### CURVE TABLE

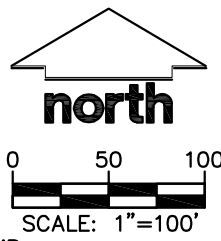
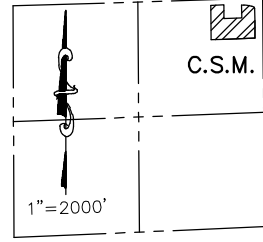
CURVE	RADIUS	DELTA	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	265.50'	18°02'	83.24'	83.58'	S71°41'03"E	S89°43'18"E

**COLLEGE AVE ASSOCIATES LANDS TO THE SALVATION ARMY**

### LINE TABLE

LINE	BEARING	DISTANCE
L1	S05°26'15"W	50.03'
L2	S89°43'10"E	24.93'
L3	S65°34'27"E	24.08'
L4	S31°52'37"E	14.69'

**VICINITY MAP**  
NORTHEAST 1/4 SECTION 1, T5N, R21E W. COLLEGE AVE...



### LEGEND

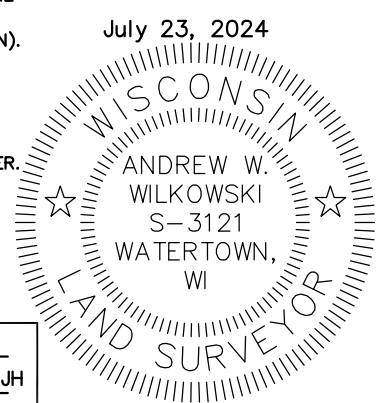
- GOVERNMENT CORNER
- 3/4" REBAR, FOUND
- 1" IRON PIPE, FOUND
- CHISELED CROSS, FOUND
- MAG NAIL, FOUND
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- PLAT BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- SETBACK LINE
- NO DIRECT ACCESS

### NOTES

1. FIELD WORK PERFORMED ON APRIL 4, 2021.
  2. BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 27, THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 1 HAVING A BEARING OF N00°16'38"E (FEB 2018 REVISION).
  3. SEE SHEETS 2 & 3 FOR LOT DETAILS
  4. SEE SHEET 4 FOR WETLANDS, WETLAND BUFFER AND WETLAND SETBACK
  5. SEE SHEET 5 FOR CONTOUR LINES
  6. SEE SHEET 6 FOR EXISTING EASEMENTS
  7. LOTS 1 & 3 ARE SERVED BY PUBLIC SEWER AND WATER.
  8. CONTAINS 134,529 SQUARE FEET (3.0884 ACRES). TAX KEY NO.'S: 714-9968-003, & 714-9973-000
- ZONING: B-2 GENERAL BUSINESS DISTRICT

THIS INSTRUMENT WAS DRAFTED BY xxxx, S-3121.

<b>SURVEYED BY:</b>  MILWAUKEE REGIONAL OFFICE W238 N 1610 BUSSE ROAD, SUITE 100 WAUKESHA, WISCONSIN 53188 P. 262.513.0666	<b>SURVEYED FOR:</b> <b>COLLEGE AVENUE ASSOCIATES, LLC</b> W225N3178 DUPALINVILLE RD PEWAUKEE, WI 53072	<b>PROJECT NO:</b> 18-8450 <b>FIELDBOOK/PAGE:</b> - <b>SHEET NO:</b> 1 OF 9	<b>SURVEYED BY:</b> JSD <b>DRAWN BY:</b> DHS/CJH
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File: \\JSD\new projects\2018\18-8450 27th and College (Franklin WI)\DWG\188450 CSM.dwg Layout: SHEET 1 OF 9 User: chuck.heintz Plotted: Jul 23, 2024 - 9:51am

**LEGAL DESCRIPTION**

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID 1/4 SECTION; THENCE South 00°16'38" West ALONG THE EAST LINE OF SAID 1/4 SECTION 238.03 FEET; THENCE South 88°47'37" West 83.03 FEET TO A POINT ON THE WEST LINE OF SOUTH 27TH STREET AND THE POINT OF BEGINNING(P.O.B.); THENCE South 00°16'38" West ALONG THE WEST LINE OF SOUTH 27TH STREET (U.S.H. 241), 63.50 FEET; THENCE South 05°26'15" West ALONG SAID WEST LINE OF 27TH STREET, 50.03 FEET; THENCE South 00°16'38" West ALONG SAID WEST LINE OF 27TH STREET, 61.78 FEET TO THE NORTHEAST CORNER OF PARCEL 2 OF CSM 5747; THENCE South 88°47'37" West ALONG THE NORTH LINE OF SAID PARCEL 2, 453.11 FEET; THENCE North 00°16'38" East ALONG THE EAST LINE OF CERTIFIED SURVEY MAP (CSM) NO.'S 5747 AND 1673, 358.01 FEET TO A POINT ON THE SOUTH LINE OF WEST COLLEGE AVENUE; THENCE North 88°47'37" East ALONG SAID SOUTH LINE, 135.43 FEET; THENCE South 00°16'38" West, 143.01 FEET; THENCE North 88°47'37" East, 185.21 FEET; THENCE North 00°16'38" East, 134.55 FEET TO A POINT ON AFORESAID SOUTH LINE; THENCE South 89°43'10" East ALONG SAID LINE, 24.93 FEET; THENCE SOUTHEASTERLY 83.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°02'16", WITH RADIUS IS 265.50 FEET AND A CHORD BEARING South 80°42'10" East, 83.24'; THENCE South 65°34'27" East, 24.08 FEET; THENCE South 31°52'37" East, 14.69 FEET TO A POINT ON SAID WEST LINE OF 27TH STREET; THENCE South 00°16'38" West ALONG SAID LINE, 135.67 FEET TO THE POINT OF BEGINNING.

LANDS CONTAINING 134,529 SQUARE FEET OR 3.0884 ACRES.

TO BE KNOWN AS:

LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

JSD# 18-8450



June 3, 2024  
(revised July 19, 2024)

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

Subject ***Project Narrative***  
***27<sup>th</sup> and College Redevelopment and Access***  
***JSD Project No. 18-8450***

### **Purpose and Need**

The intent of this project is to reactivate the long-vacant KFC restaurant property at the southwest corner of College Avenue and South 27<sup>th</sup> Street. In order to accomplish this goal, access must be re-established to the property. The Wisconsin Department of Transportation eliminated the KFC access points a number of years ago when they improved the adjacent intersection, thus creating a need to create new access through adjacent properties. In designing this access route, we are also trying to be forward-thinking and configure the access so as to maximize the redevelopment possibilities at this corner in the future. Please note that there are no development plans in place at this time, other than for the KFC parcel.

The site is currently comprised of the former KFC, a vacant parcel, and a small piece of property which will be acquired from the Salvation Army Retail Store. In exchange for selling that parcel to our Client, the Salvation Army will be given access rights over the new driveway out to College Avenue.

As discussed, there is no end user in place for the former KFC building. As part of this project, that building will be refurbished to make it marketable. At such time as a user is established, we will bring forward a signage package for review and consideration.

### **Hours of Operation**

No end user is in place for the former KFC building, therefore, no hours of operation are currently defined.

### **Parking and Circulation**

Access to the former KFC, existing Salvation Army Retail Store, and areas of potential future redevelopment will be via a new driveway to College Avenue and an existing driveway onto South 27<sup>th</sup> Street. Milwaukee County DOT has reviewed the location for the proposed College Avenue driveway and is agreeable to it, subject to technical plan review, permits and approvals. No modifications to the existing South 27<sup>th</sup> Street driveway are proposed. Parking for the former KFC has been reconfigured and maximized, based on the available space on the parcel.

### **Landscape Surface Ratio**

Through the process of developing the plan for this project, it became known to us that the Salvation Army property is currently below the 35-percent greenspace that is required by the B-2 zoning district. Furthermore, purchasing the small amount of land from the Salvation Army to accommodate this project would increase their greenspace deficit. As a solution, we have reached an agreement with The Salvation Army to sell them a piece of land at the south end of our property to bring their Landscape Surface Ratio up to 35-percent. The subject parcel is entirely wooded wetland, wetland setback and wetland buffer.

The Certified Survey Map combining the discussed parcel to the existing Salvation Army parcel is being submitted concurrently with the Site Plan Review Application.

### **Natural Resources**

A small area of woodland and wetland exist in the southwest corner of the project site. After a number of plan revisions, we have developed a design that avoids wetland impacts, however the proposed driveway will still encroach on wetland buffers and setbacks, as well as young woodland area. Refer to the enclosed Natural Resource Protection Plan for impact quantities. We have attempted to minimize those impacts, while maximizing future redevelopment opportunity and achieving the current project goals. A Natural Resource Special Exception (NRSE) application has been submitted to address these impacted areas.

Thank you for your consideration of these applications. We look forward to working with the City of Franklin to improve and reactivate this important and highly visible gateway to the community.

Sincerely,

***JSD Professional Services, Inc.***

A handwritten signature in black ink, appearing to read "Justin L. Johnson".

Justin L. Johnson, P.E.

Associate



# Memorandum

Date: June 5, 2024  
(rev July 29, 2024)

To: Nick Fuchs, Planning Associate  
City of Franklin, Department of City Development

From: Justin L. Johnson, P.E.

Re: Response to Staff Comments, dated January 28, 2024: Certified Survey Map, Site Plan, and Natural Resource Special Exception applications – 6311 S. 27th Street, 6341 S. 27th Street, and 2821 W. College Avenue

JSD Project #: 18-8450

cc: Project File

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## **Department of City Development comments**

1. Certified Survey Map
  - a. Please provide the following information as required by Section 15-7.0702 of the Unified Development Ordinance:
    - i. Setbacks, Shore Buffers, Wetland Buffers, Wetland Setbacks, and Building Lines. All required setbacks, shore buffers, wetland buffers, wetland setbacks, and building lines shall be graphically indicated and dimensioned on the Certified Survey Map.

Note that building setbacks, the wetland buffer, and the wetland setback are not shown on the CSM.

**Setbacks have been added to the Certified Survey Map.**

- ii. Location of Proposed Deed Restrictions, Landscape Easements, and/or Conservation Easements. The location of any proposed deed restrictions, landscape easements, and/or conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map. The location and extent of conservation easements should be directly related to the "Natural Resource Protection Plan." Deed restrictions and/or conservation easements as required by this Ordinance shall be filed with the Certified Survey Map or submitted for review as a condition of any approval thereof, in the manner and for the purposes as set forth under § 15-7.0603D. for final plats.

Note that remaining protected natural resources must be preserved within a Conservation Easement, which shall be shown on the CSM.

**The proposed Conservation Easement linework has been added to Certified Survey Map Page 4 of 9, and directly matches the preserved wetland, wetland setback and wetland buffer shown on the Natural Resource Protection Plan.**

- b. It is recommended that the entirety of the remaining Salvation Army property be shown as part of this CSM to clearly show the acquisition and resulting parcel.

**The full Salvation Army property has been added to the CSM.**

- c. As previously discussed, the Salvation Army property must meet B-2 District and UDO standards, such as a 10-foot parking setback and a 0.35 Minimum Landscape Surface Ratio. If LSR is not met, staff suggests attaching a portion of the green space on the 2821 College Avenue property to the Salvation Army property.

**An agreement has been negotiated with The Salvation Army whereby the southwest corner of the College Avenue Associates parcel will be conveyed to The Salvation Army in order to provide them the greenspace necessary to bring their property into compliance with the 35-percent LSR requirement. Please refer to the Site Data Table on the enclosed Site Plan for the resulting LSR calculations for each property.**

## 2. Site Plan

- a. Please show all B-2 District minimum building and natural resource setbacks on Sheet C2.0.

**The requested setbacks have been added to the Site Plan.**

- b. Please note the existing zoning district on the Site Plan.

**Existing zoning notation has been added to the plan.**

- c. All easements must be shown on the Site Plan, including the conservation easement required to protect remaining natural resource features onsite.

**The Conservation Easement and Cross Access Easement have been added to the Site Plan.**

- d. Please show the vision triangle per [Section 15-5.0201](#) of the UDO, and remove obstructions if necessary.

**Because the vision triangle's purpose is to provide site lines for through and left-turning vehicles entering the intersection, it is our interpretation that the vision triangle would be measured from the primary right-of-way lines extended. That said, the geometry of right-of-way lines at this intersection is such that the vision triangle does not encroach on the property.**

## 3. Landscape Plan

- a. Bufferyards are required adjacent to single-family uses in accordance with [Section 15-5.0302C](#). It is also recommended that plantings be included within these areas.

**All of the properties in the vicinity of this proposal are zoned B-2, therefore we do not believe the bufferyard section would apply.**

- b. Please show natural resource features mitigation areas, if any.

**Mitigation is proposed in the form of an expanded wetland Buffer area. Said area is indicated on the Site Plan.**

- c. The Landscape Plan must include a minimum of five plantings of each type (Canopy/Shade Tree, Evergreens, Decorative Trees, Shrubs) per Section 15-5.0302B.3 and C.1.  
**Revised.**
- d. Please include the required number of species of plantings per Section 15-3.0302F.  
**Revised.**
- e. Please show that irrigation is provided as required by Section 15-5.0303D.  
**Irrigation is provided in the form of a hose bib at the building.**
- f. Please revise maintenance notes to include a two-year planting guarantee per Section 15-5.0303G.3. of the UDO.  
**Contractor and Owner Responsibility Note No. 5 has been revised.**

#### 4. Lighting Plan

- a. Are any lighting changes proposed?  
**There will be updated lighting in the reconfigured parking lot of the KFC property. This lighting plan has not yet been prepared, but will be submitted this week and will be in conformance with UDO requirements.**

#### 5. Natural Resource Special Exception/Natural Resource Protection Plan

- a. How was it determined that steep slopes onsite were manmade?  
**Based upon aerial photographs (attached), this site was historically relatively flat. Between 1956 and 1980, the site was filled and a large gravel parking lot constructed, with the Salvation Army building and associated parking being constructed over that gravel lot between 1980 and 2000. It is our assumption that the fill and gravel lot construction created the slopes that appear on the topographic survey today.**
- b. Sheet EX shows wetland buffer and setback north for the proposed driveway as undisturbed. Staff finds that these areas are disturbed as with the impact to the wetland itself, those areas will no longer serve or be considered buffer or setback.  
**The driveway has been reconfigured to eliminate wetland impacts and all buffer and setback impacts have been revised accordingly. Furthermore, the driveway has now been redesigned once again based on Staff comments from the NRSE submittal, with the driveway sliding north so that the proposed retaining wall is outside of the 10-foot wetland setback recommended in the Wetland Delineation Report.**
- c. Was the Wetland Delineation Report submitted to the WDNR? Did they concur with the delineation? Was the report submitted to the USACOE for a jurisdictional determination? Note

these are listed recommendations in the conclusion of this report.

**The Wetland Delineation Report was performed by an assured delineator, and as such does not need to be submitted to the Wisconsin DNR for concurrence. Prior to reconfiguring the driveway and eliminating our wetland impacts from the plan, an Army Corps of Engineers Jurisdictional Request was submitted and the response (attached) was that the subject wetland is not under their jurisdiction.**

- d. Another recommendation was for an Endangered Resources (ER) Review request to be submitted to the WDNR. Was this done yet?

**The ER Review request was submitted on March 14, 2024. Review letter is attached.**

- e. On Sheet EX, please show the dimension/distance from the edge of the wetland to the proposed drive.

**We are now proposing a retaining wall to make up the grade differential between the wetland boundary and the proposed driveway. The requested dimension has been added to the Natural Resource Protection Plan.**

- f. A portion of the mature woodland to remain directly abuts the east side of the proposed drive. How will these trees and this area be protected with the construction of the drive? Will there not be impacts from grading and construction equipment?

**Tree areas along the east side of the proposed drive are now shown as a disturbed natural resource.**

- g. As previously mentioned, staff suggests placing the drive further north, adjacent to the Salvation Army parking lot, opposed to connecting directly to it. There appears to be sufficient width to allow for a 24' wide drive and a 10' setback from the single-family residential (zoned B-2) to the north and a 10' setback from the Salvation Army parking lot to the south. Staff would also recommend a dense planting screen abutting the residential uses to the north.

**The proposed driveway has been reconfigured to avoid impacting wetlands. The area between the existing Salvation Army parking lot and the residential homes is currently wooded and that vegetation is not being impacted as part of this project, therefore a natural buffer already exists. The subject homes are also zoned B-2 matching the KFC, Salvation Army and other properties along West College Avenue, so there is no abutting use incompatibility in this case. This said, we respectfully request that no planted buffer be required.**

- h. Are additional impacts to woodland areas anticipated? If so, it is suggested to include those impacts within the current NRSE application and any mitigation plan provided. Otherwise, the remaining protected woodland areas must be made part of the conservation easement.

**The woodland impact area has been adjusted to correspond to the revised driveway configuration. Remaining natural resources will be protected under a conservation easement.**

- i. As part of a mitigation plan, it is recommended that enhancements be provided to improve the

quality and better protect the remaining wetland area, particularly considering the loss of buffer and setback. This may include invasive species removal and planting vegetation between the wetland and the proposed drive.

**Wetland impacts have been eliminated with the redesign of the proposed driveway.**

6. Based upon the current submittal, below are anticipated recommended conditions of approval:

a. The applicant shall obtain all necessary approvals from Federal and State regulatory agencies, (§15-10.0208.B.3) prior to any land disturbing activities.

**Permits from the Wisconsin DNR and Army Corps of Engineers are no longer necessary because we are not disturbing wetlands as part of this proposal.**

b. Mitigation in accordance with Sections 15-4.0103B.4. and 5. of the Unified Development Ordinance shall be provided.

**Mitigation of the wetland buffer is proposed at the required 1.5:1 ratio.**

c. The applicant shall provide plans for restoration of wetland setback that conforms to the standards of §15-4.0102I for appropriate plantings. Turf grasses are prohibited. Non-vegetative cover is permitted in areas subject to erosion. Conservation and restoration information, including maintenance information, shall be included on development plans including landscape plans.

**We will work with City staff to develop a Landscape Plan meeting this requirement.**

d. The applicant shall provide for financial sureties for implementation of restoration, if provided, as permitted by §15-4.0103.D.

**Upon acceptance of the impact areas by the Environmental Commission, we will work with City staff to determine the surety requirements.**

e. The applicant shall provide for removal of invasive species and restoration of native wetland species within the wetland

**We will work with City staff to develop a Landscape Plan meeting this requirement.**

f. The applicant shall submit a conservation easement 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.

**The conservation easement area has been added to the Site Plan and the Certified Survey Map. Upon approval of the easement location and configuration, we will submit a separate easement document for review and approval.**

g. Final grading, erosion control, utilities, and storm water management plans shall be subject to Engineering Department review and approval.

**Understood.**

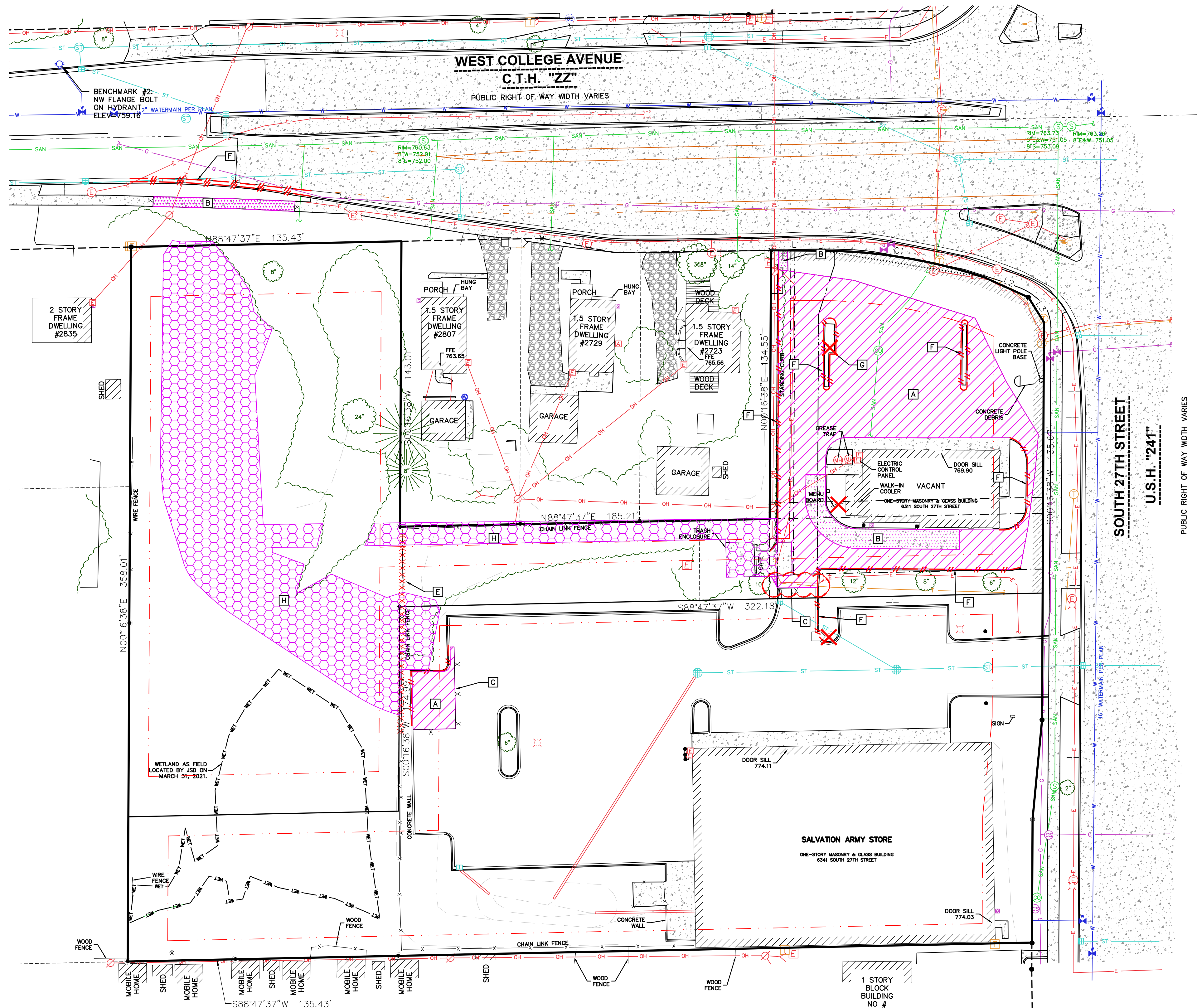
### Engineering Department Comments

7. Please see below and attached regarding the proposed Certified Survey Map.
  - a. Change the label Parcel A to Parcel 1  
**Parcel A has been renamed as Parcel 1.**
  - b. Must show the recording information for taking a part of land on the north-northwest from the unplatted land to the south.  
**The parcels are being transferred by the separate agreement between the parties in conjunction with the CSM.**
  - c. Must show the recording information for the cross access easement between the KFC and the Salvation Army Corp.  
**The cross-access easement will be finalized once the subject parcels are reconfigured by the CSM.**
  - d. Must show the location of the proposed CSM in the vicinity map.  
**The CSM location has been added to the Vicinity Map on Page 1 of the CSM.**
  - e. Must add under notes, "Parcel 1 is served by public sewer and water".  
**Note 7 has been added to Page 1 of the CSM noting that the subject lots are serviced by public sewer and water.**
  - f. Must add under the legend the symbol No Direct Access.  
**A "No Direct Access" note has been added to the Legend on Page 1 of the CSM.**
  - g. Must indicate who delineated the wetland (Wetland Delineator Certified by the State of Wisconsin) and when it was delineated.  
**Wetland Delineator's name and date of delineation have been added to Page 4 of the CSM.**
  - h. Must show the following wetland setbacks:
    - i. 30-foot buffer.  
**Added to Page 4 of the CSM.**
    - ii. 50-foot setback.  
**Added to Page 4 of the CSM.**
  - i. Must show the vision triangle at the intersections.  
**Due to intersection geometry, the vision triangle dimensions at the intersection of 27th Street and West College Avenue do not impact the subject properties.**
  - j. On page 7 of 9, under the surveyor's certificate, replace "the City of City of Milwaukee" with the Unified Development Ordinance Division-15 of the City of Franklin, Milwaukee County,

Wisconsin.

**Corrected.**

- k. On page 8 of 9, under the corporate owner's certificate insert the Unified Development Ordinance Divison-15 of the City of Franklin after the Wisconsin statutes.  
**The requested UDO reference has been added.**
- l. On page 9 of 9, replace Karen Kastenson with Shirley J. Roberts, City Clerk.  
**Corrected.**
8. Separate engineering department submittal is required. The application for this submittal can be found here <https://www.franklinwi.gov/Files/Engineering/Forms/Engineering--Storm-Water-Management-Plan-Review-Application-2022.pdf>.  
**Understood.**
9. College Avenue is a Milwaukee County Highway (CTH ZZ), work in the College Avenue right-of-way will require MCDOT coordination and approval.  
**Milwaukee County DOT review and permitting is ongoing.**
10. S. 27th Street is a Wisconsin DOT Highway (STH 241), work in the S. 27th Street right-of-way will require WisDOT coordination and approval.  
**No work is proposed in the South 27<sup>th</sup> Street right-of-way.**
11. The proposed CSM will be reviewed accordingly and subject to the review approval by MCDOT and WisDOT.  
**Understood.**



**DEMOLITION NOTES**

- THE CONTRACTOR IS RESPONSIBLE FOR DEMOLITION, REMOVAL, AND DISPOSAL (IN A LOCATION APPROVED BY ALL GOVERNING AUTHORITIES) OF ALL STRUCTURES, PADS, WALLS, FLUMES, FOUNDATIONS, PARKING, DRIVES, DRAINAGE STRUCTURES, UTILITIES, ETC., IN A LAWFUL MANNER, SUCH THAT THE IMPROVEMENTS SHOWN ON THE REMAINING PLANS CAN BE CONSTRUCTED. ALL FACILITIES TO BE REMOVED SHALL BE UNDERCUT TO SUITABLE MATERIAL AND BROUGHT TO GRADE WITH SUITABLE COMPACTED FILL MATERIAL PER THE SPECIFICATIONS. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED FOR DEMOLITION AND DISPOSAL.
- THE CONTRACTOR SHALL COORDINATE WITH RESPECTIVE UTILITY COMPANIES PRIOR TO THE REMOVAL AND/OR RELOCATION OF UTILITIES. THE CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANY CONCERNING PORTIONS OF WORK WHICH MAY BE PERFORMED BY THE UTILITY COMPANY'S FORCES AND ANY FEES WHICH ARE TO BE PAID TO THE UTILITY COMPANY FOR THEIR SERVICES. THE CONTRACTOR IS RESPONSIBLE FOR PAYING FOR ALL FEES AND CHARGES. COORDINATION REQUIRED PRIOR TO CONSTRUCTION.
- THIS PLAN INDICATES ITEMS ON THE PROPERTY INTENDED FOR DEMOLITION BASED ON THE CURRENT SITE DESIGN THAT HAVE BEEN IDENTIFIED BY A REASONABLE OBSERVATION OF THE EXISTING CONDITIONS THROUGH FIELD SURVEY RECONNAISSANCE, "DIGGER'S HOTLINE" LOCATION, AND GENERAL "STANDARD OF CARE". THERE MAY BE ADDITIONAL ITEMS THAT CAN NOT BE IDENTIFIED BY A REASONABLE ABOVE GROUND OBSERVATION, OF WHICH THE ENGINEER WOULD HAVE NO KNOWLEDGE OR MAY BE A PART OF ANOTHER DESIGN DISCIPLINE. IT IS THE CONTRACTOR'S/BIDDER'S RESPONSIBILITY TO REVIEW THE PLANS, INSPECT THE SITE AND PROVIDE THEIR OWN DUE DILIGENCE TO INCLUDE IN THEIR BID WHAT ADDITIONAL ITEMS, IN THEIR OPINION, MAY BE NECESSARY FOR DEMOLITION. ANY ADDITIONAL ITEMS IDENTIFIED BY THE CONTRACTOR/BIDDER SHALL BE IDENTIFIED IN THE BID AND REPORTED TO THE ENGINEER OF RECORD. JSD PROFESSIONAL SERVICES, INC. (JSD) TAKES NO RESPONSIBILITY FOR ITEMS ON THE PROPERTY THAT SHOULD NOT BE LOCATED BY A REASONABLE OBSERVATION OF THE PROPERTY OR OF WHICH THEY WOULD HAVE NO KNOWLEDGE.
- ALL PERIMETER EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO THE START OF DEMOLITION ACTIVITIES. CONTRACTOR SHALL KEEP STREETS, PRIVATE DRIVES AND PAVEMENT FREE AND CLEAR OF ALL CONSTRUCTION RELATED DIRT, DUST AND DEBRIS.
- CONTRACTOR TO MAINTAIN CONTINUOUS ACCESS TO SURROUNDING PROPERTIES AND REMAINING PARTS OF THE EXISTING BUILDING AT ALL TIMES DURING THE DEMOLITION PHASE OF THE PROJECT.
- ALL TREES WITHIN THE CONSTRUCTION LIMITS SHALL BE REMOVED UNLESS SPECIFICALLY CALLED OUT FOR PROTECTION. TREES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY AND STUMPS SHALL BE GROUND TO PROPOSED SUBGRADE.
- PERFORM TREE PRUNING IN ALL LOCATIONS WHERE PROPOSED PAVEMENT AND/OR UTILITY INSTALLATION ENROUCH WITHIN THE EXISTING DRIP LINE OF THE TREES TO REMAIN. ALL TRENING WITHIN THE EXISTING DRIP LINE OF THE TREES TO REMAIN SHALL BE DONE RADIIALLY AWAY FROM THE TRUNK IF ROOTS IN EXCESS OF 1" DIAMETER ARE EXPOSED. ROOTS MUST BE CUT BY REPUTABLE TREE PRUNING SERVICE PRIOR TO ANY TRANSVERSE TRENCHING.
- ABANDONED/REMOVED ITEMS SHALL BE DISPOSED OF OFF SITE UNLESS OTHERWISE NOTED.
- CONTRACTOR TO REPLACE ALL SIDEWALK AND CURB AND GUTTER ABUTTING THE PROPERTIES, WHICH IS DAMAGED BY THE CONSTRUCTION, OR ANY SIDEWALK AND CURB AND GUTTER THAT THE CITY ENGINEER DETERMINES NEEDS TO BE REPLACED BECAUSE IT IS NOT AT A DESIRABLE GRADE REGARDLESS OF WHETHER THE CONDITION EXISTED PRIOR TO BEGINNING CONSTRUCTION.
- VOIDS LEFT BY ANY ITEM REMOVED UNDER ANY PROPOSED PAVEMENT, WALK, ETC. OR WITHIN 24" THEREOF SHALL BE FILLED AND BACKFILLED WITH GRANULAR MATERIALS AND COMPACTED PER SPECIFICATIONS.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR:
  - EXAMINE ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE DESIGN ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
  - VERIFYING UTILITY ELEVATIONS AND NOTIFYING THE DESIGN ENGINEER OF ANY DISCREPANCIES. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCIES ARE RESOLVED.
  - NOTIFYING ALL UTILITIES PRIOR TO THE REMOVAL OF ANY UNDERGROUND UTILITIES.
  - NOTIFYING THE DESIGN ENGINEER AND LOCAL CONTROLLING MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION INSPECTION.
  - PERFORMING UTILITY LOCATE OBSERVATIONS (ULO) ON ALL UTILITY CROSSINGS. CONTRACTOR TO REPORT ANY PLAN DISCREPANCIES OR CONFLICTS PRIOR TO THE START OF UTILITY CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH THE APPROPRIATE UTILITY COMPANIES TO CONDUCT ULO'S.
- ALL EXISTING UTILITIES TO BE FIELD LOCATED AND FLAGGED BY CONTRACTOR.
- ANY SANITARY SEWER, SANITARY SEWER SERVICES, WATER MAIN, WATER SERVICES, STORM SEWER, OR OTHER UTILITIES, WHICH ARE TO REMAIN, THAT ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL NOTIFY JSD OF ANY ROOF LEADERS AND/OR STORM DRAIN LINES ENCOUNTERED DURING DEMOLITION WHICH ARE NOT SHOWN ON THE PLANS PRIOR TO ABANDONMENT OR REMOVAL.
- CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF THESE IMPROVEMENTS.
- ALL DEMOLITION SHALL BE IN ACCORDANCE WITH THE APPROVED MUNICIPALITY RECYCLING PLAN.
- ANY CONTAMINATED SOILS SHALL BE REMOVED IN ACCORDANCE WITH FEDERAL AND STATE REGULATIONS TO AN APPROVED LANDFILL.
- EXISTING FIBER OPTIC LINE(S) TO BE CLEARLY MARKED PRIOR TO ANY EXCAVATION. CONTRACTOR TO NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF ANY DISCREPANCIES OCCUR IN THE LOCATION SHOWN OR PROPOSED IMPROVEMENTS IMPACTING EXISTING FIBER OPTIC LINE(S) LOCATION(S).
- BUILDING REMOVALS SHALL BE BY A QUALIFIED CONTRACTOR. CONTRACTOR TO FOLLOW ALL DEMOLITION REGULATIONS, DISCONNECT ALL UTILITIES, OBTAIN ALL APPLICABLE PERMITS AND DISPOSE OF ALL BUILDING MATERIALS IN APPROPRIATE LANDFILLS. DEMOLISHED MATERIALS SHALL NOT BE BURIED ON SITE. IF ENCOUNTERED, ANY CONTAMINATED BUILDING MATERIAL AND/OR SOILS SHALL BE REMOVED AND DISPOSED OF OFF-SITE BY THE CONTRACTOR IN ACCORDANCE WITH APPROPRIATE STATE AND FEDERAL REGULATIONS.
- CONTRACTOR TO REMOVE EXISTING UTILITY PIPE/CONDUITS WITHIN BUILDING FOOTPRINT AND BACKFILL WITH MATERIALS PER GEOTECHNICAL REPORT.
- CONTRACTOR MAY LIMIT SAW-CUT AND PAVEMENT REMOVAL TO ONLY THOSE AREAS WHERE IT IS REQUIRED AS SHOWN ON THESE CONSTRUCTION PLANS BUT IF ANY DAMAGE IS INCURRED ON ANY OF THE SURROUNDING PAVEMENT, CURB, SIDEWALK, ETC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ITS REMOVAL AND REPAIR. DAMAGE TO ALL EXISTING CONDITIONS TO REMAIN WILL BE REPLACED AT CONTRACTOR'S EXPENSE.
- RESTORATION OF THE EXISTING ROADWAY RIGHT-OF-WAYS ARE CONSIDERED INCIDENTAL AND SHOULD BE PART OF THE COST OF THE UNDERGROUND IMPROVEMENTS, DEMOLITION AND REMOVAL. THIS INCLUDES CURB & GUTTER, SIDEWALK, TOPSOIL, SEEDING AND MULCHING.

**BENCHMARKS**

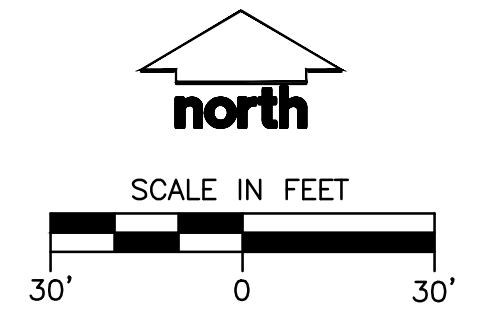
DESCRIPTION	ELEVATION
BENCHMARK #1: HYDRANT ON NORTH SIDE OF COLLEGE AVENUE NW FLANGE BOLT ON HYDRANT	759.16

**DEMOLITION LEGEND/KEY**

- A EXISTING ASPHALT PAVEMENT AND BASE TO BE REMOVED
- B EXISTING CONCRETE AND BASE TO BE REMOVED
- C SAWCUT PAVEMENT FULL DEPTH
- D CAUTION EXISTING UNDERGROUND UTILITIES (GAS, ELECTRIC, CABLE, TELEPHONE, ETC)
- E FENCE REMOVAL
- F CURB AND GUTTER REMOVAL
- G FEATURE TO BE REMOVED
- H DEMOLITION - REMOVAL OF VEGETATION

**DRAWING INDEX**

- C1.0 DEMOLITION PLAN
- C2.0 SITE PLAN
- C3.0 GRADING AND DRAINAGE PLAN
- C4.0 EROSION CONTROL PLAN
- C5.0 DETAILS
- C5.1 DETAILS
- L1.0 LANDSCAPE PLAN
- L2.0 LANDSCAPE DETAILS AND NOTES
- L2.1 LANDSCAPE DETAILS AND NOTES



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MILWAUKEE REGIONAL OFFICE  
W238 N1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

PLAN MODIFICATIONS:

#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	06.03.2024	SITE PLAN SUBMITTAL
3	07.26.2024	REVISED SITE PLAN SUBMITTAL
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Designed By: CAP  
Reviewed By: JLL  
Approved By: JLL

SHEET TITLE:  
**DEMOLITION PLAN**

SHEET NUMBER:

**C1.0**



PLAN MODIFICATIONS:		
#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	03.14.2024	REVISED DRIVE LAYOUT
3	06.03.2024	SITE PLAN SUBMITTAL
4	07.24.2024	REVISED SITE PLAN SUBMITTAL
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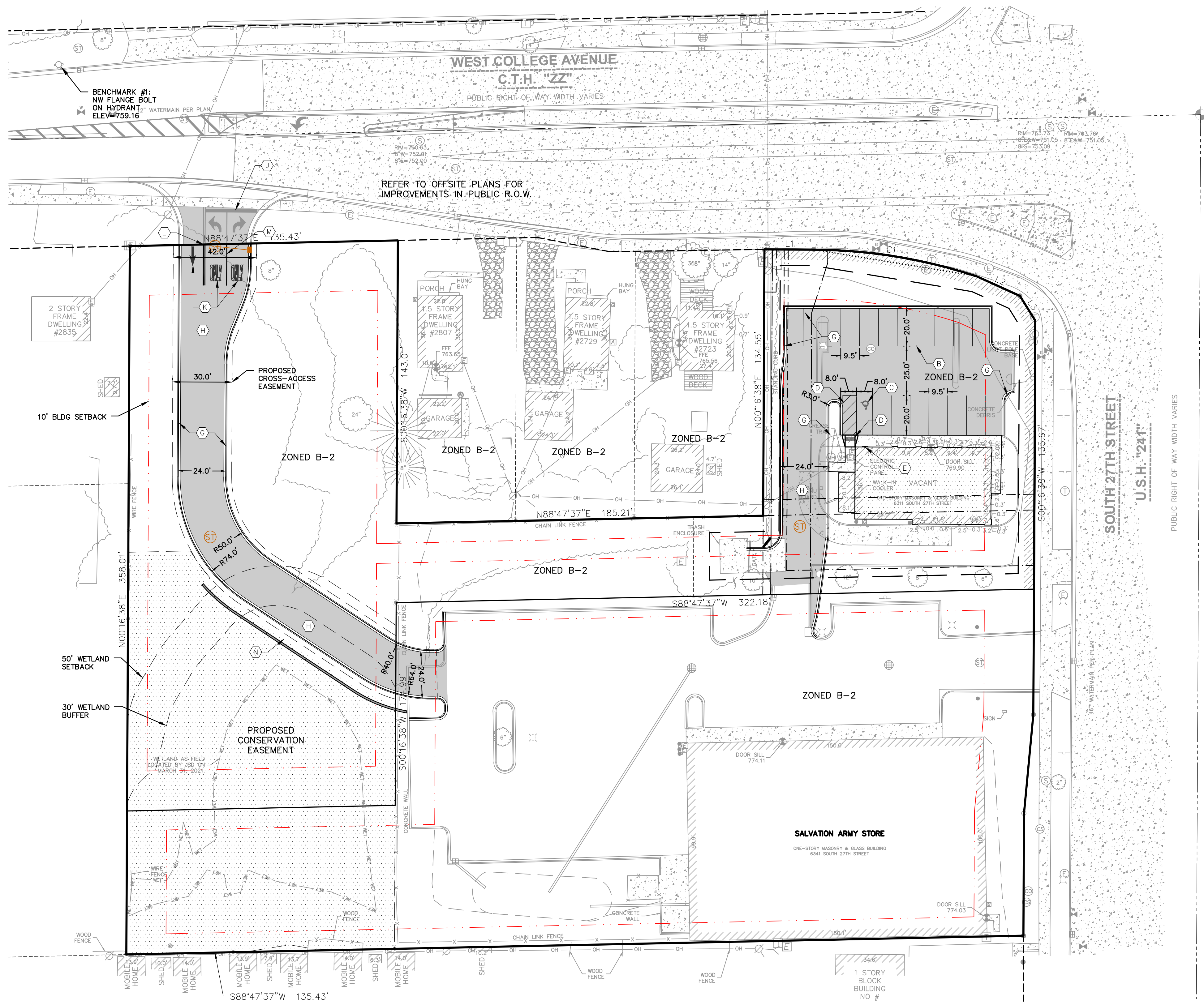
Designed By: CAP  
Reviewed By: JLL  
Approved By: JLL

**SHEET TITLE:**  
**SITE PLAN**

SHEET NUMBER:

**C2.0**

JSD PROJECT NO: 18-8450



**PAVING NOTES**

- GENERAL**
  - ALL PAVING SHALL CONFORM TO STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY & STRUCTURE CONSTRUCTION, LATEST EDITION, APPLICABLE CITY OF FRANKLIN ORDINANCES.
  - ALL PAVING DIMENSIONS ARE TO FACE OF CURB UNLESS SPECIFIED OTHERWISE.
  - SURFACE PREPARATION - NOTIFY ENGINEER/OWNER OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.
  - ANY REQUIRED REPLACEMENT OF PUBLIC CURB AND GUTTER SHALL MATCH EXISTING AND MEET MUNICIPALITY REQUIREMENTS.
- ASPHALTIC CONCRETE PAVING SPECIFICATIONS**
  - CODES AND STANDARDS - THE PLACING, CONSTRUCTION AND COMPOSITION OF THE ASPHALTIC BASE COURSE AND ASPHALTIC CONCRETE SURFACE COURSE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 450, 455, 460 AND 465 OF THE STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, CURRENT EDITION. HEREAFTER, THIS PUBLICATION WILL BE REFERRED TO AS STATE HIGHWAY SPECIFICATIONS.
  - WEATHER LIMITATIONS - APPLY TACK COATS WHEN AMBIENT TEMPERATURE IS ABOVE 50° F (10° C) AND WHEN TEMPERATURE HAS NOT BEEN BELOW 35° F (1° C) FOR 12 HOURS IMMEDIATELY PRIOR TO APPLICATION. DO NOT APPLY WHEN BASE IS WET OR CONTAINS EXCESS OF MOISTURE. CONSTRUCT ASPHALTIC CONCRETE SURFACE COURSE WHEN ATMOSPHERIC TEMPERATURE IS ABOVE 40° F (4° C) AND WHEN BASE IS DRY AND WHEN WEATHER IS NOT RAINY. BASE COURSE MAY BE PLACED WHEN AIR TEMPERATURE IS ABOVE 30° F (-1° C).
  - GRADE CONTROL - ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.
  - CRUSHED AGGREGATE BASE COURSE - THE TOP LAYER OF BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305, STATE HIGHWAY SPECIFICATIONS.
  - BINDER COURSE AGGREGATE - THE AGGREGATE FOR THE BINDER COURSE SHALL CONFORM TO SECTIONS 460 AND 315, STATE HIGHWAY SPECIFICATIONS.
  - SURFACE COURSE AGGREGATE - THE AGGREGATE FOR THE SURFACE COURSE SHALL CONFORM TO SECTIONS 460 AND 465, STATE HIGHWAY SPECIFICATIONS.
  - ASPHALTIC MATERIALS - THE ASPHALTIC MATERIALS SHALL CONFORM TO SECTION 455 AND 460, STATE HIGHWAY SPECIFICATIONS.
- CONCRETE PAVING SPECIFICATIONS**
  - CONCRETE PAVING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 415 AND 416 OF THE STATE HIGHWAY SPECIFICATIONS.
  - CONCRETE PAVEMENT SHALL BE REINFORCED WITH NOVOMESH 950 (OR EQUAL) FIBER REINFORCEMENT AT A RATE OF 5 LBS/CUBIC YARD.
  - CURING COMPOUNDS SHALL CONFORM TO SECTION 415 OF THE STATE HIGHWAY SPECIFICATIONS.
  - CONTRACTOR SHALL PROVIDE CONTROL JOINTS AND CONSTRUCTION JOINTS OF ONE-QUARTER CONCRETE THICKNESS AT AN EQUAL RATIO OF LENGTH TO WIDTH WHEREVER POSSIBLE WITH A MAXIMUM LENGTH BETWEEN JOINTS OF 8' ON CENTER.
  - CONTRACTOR SHALL PROVIDE EXPANSION JOINTS IN SIDEWALKS AT A MAXIMUM 24' ON CENTER.
  - EXTERIOR CONCRETE SURFACES SHALL BE BROOM FINISHED.
  - ALL CONCRETE SURFACES TO BE SEALED WITH TYPE TK-26UV CONCRETE SEALANT.
- PAVEMENT MARKING SPECIFICATIONS**
  - USE 4" WIDE, HIGH VISIBILITY YELLOW LATEX PAINT FOR STALL LINES.
  - MARK AND STRIPE ADA PARKING SPACES APPROPRIATELY.
  - ALL PAVEMENT MARKINGS INCLUDING: STOP BARS, CROSSWALKS, DIRECTIONAL ARROWS, PARKING STALL LINES, ADA STALL MARKINGS, NO PARKING ZONES, DROP-OFF/PICK-UP ZONES SHALL BE PAINTED WITH LATEX PAINT PER SPECIFICATIONS.
  - 2' x 4' TRUNCATED DOME WARNING DETECTION FIELD SHALL BE PLACED AT ALL ADA RAMPS.

**CONSTRUCTION SEQUENCING**

- INSTALL PERIMETER SILT FENCE, INLET PROTECTION AND TEMPORARY CONSTRUCTION ENTRANCE.
- STRIP AND STOCKPILE TOPSOIL, INSTALL SILT FENCE AROUND PERIMETER OF STOCKPILE.
- ROUGH GRADE RETENTION POND AND INSTALL POND OUTLET.
- CONDUCT ROUGH GRADING EFFORTS AND INSTALL CHECK DAMS WITHIN DRAINAGE DITCHES AS NEEDED.
- INSTALL UTILITY PIPING AND STRUCTURES, IMMEDIATELY INSTALL INLET PROTECTION.
- COMPLETE FINAL GRADING, INSTALLATION OF GRAVEL BASE COURSES, PLACEMENT OF CURBS, PAVEMENTS, WALKS, ETC.
- PLACE TOPSOIL AND IMMEDIATELY STABILIZE DISTURBED AREAS WITH EROSION CONTROL MEASURES AS INDICATED ON PLANS.
- RESTORE RETENTION POND (FINAL GRADE RETENTION POND PER PLAN REQUIREMENTS)
- EROSION CONTROLS SHALL NOT BE REMOVED UNTIL SITE IS FULLY STABILIZED OR 70% VEGETATIVE COVER IS ESTABLISHED.

CONTRACTOR MAY MODIFY SEQUENCING AFTER ITEM NO. 1 AS NEEDED TO COMPLETE CONSTRUCTION IF EROSION CONTROLS ARE MAINTAINED IN ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.

**LEGEND**

- PROPERTY LINE
- - - RIGHT-OF-WAY
- · - EASEMENT LINE
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- FENCE
- LIGHT POLE (REFER TO PHOTOMETRIC PLAN)
- ADA PARKING SIGN
- BOLLARD
- PARKING STALL COUNT

BENCHMARKS	
DESCRIPTION	ELEVATION
BENCHMARK #1: HYDRANT ON NORTH SIDE OF COLLEGE AVENUE NW FLANGE BOLT ON HYDRANT	759.16

**SITE LEGEND**

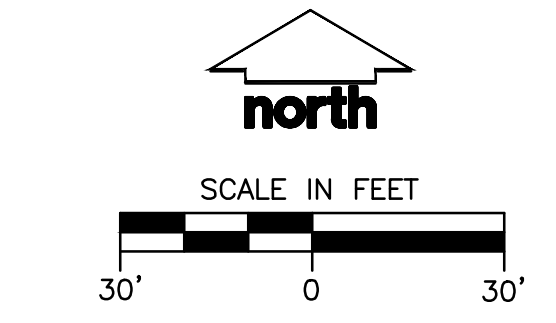
- (A) DIAGONAL HATCH - SWSL/4" AT 45° @ 2'-0" O.C.
- (B) PARKING STALLS - 18'-0" SWSL/4" @ 9'-0" O.C.
- (C) ADA PARKING MARKING (SEE DETAIL)
- (D) ADA ACCESSIBLE RAMP W/ DETECTABLE WARNING FIELD (SEE DETAIL)
- (E) ADA PARKING SIGN (WALL MOUNTED)
- (F) VAN ACCESSIBLE SIGN.
- (G) 18" STANDARD CURB AND GUTTER
- (H) STANDARD DUTY HMA PAVEMENT
- (I) 2" CURB TAPER
- (J) STOP BAR - 26" SWSL/18"
- (K) WHITE EPOXY WORDS/ARROW
- (L) 4" DOUBLE YELLOW
- (M) 10" WHITE EPOXY
- (N) MODULAR BLOCK RETAINING WALL

**SITE INFORMATION BLOCK**

PROPOSED SALVATION ARMY SITE COVERAGE - L.S.R.	
PROPOSED IMPERVIOUS SURFACE AREA	42,721 SF
PROPOSED PERVIOUS SURFACE AREA	23,068 SF
PROPOSED LANDSCAPE SURFACE RATIO (LSR)	0.35
PROPOSED REDEVELOPMENT SITE COVERAGE - L.S.R.	
PROPOSED IMPERVIOUS SURFACE AREA	28,180 SF
PROPOSED PERVIOUS SURFACE AREA	40,549 SF
PROPOSED LANDSCAPE SURFACE RATIO (LSR)	0.59

**SITE INFORMATION BLOCK**

SITE ADDRESS	6311 S 27TH STREET
	MILWAUKEE, WI
PROPERTY ACREAGE	1.803 ACRES
NUMBER OF BUILDING STORIES	1
TOTAL BUILDING SQUARE FOOTAGE	2,770 SF
NUMBER OF PARKING STALLS	
STANDARD	18
ACCESSIBLE	1
TOTAL SURFACE	19



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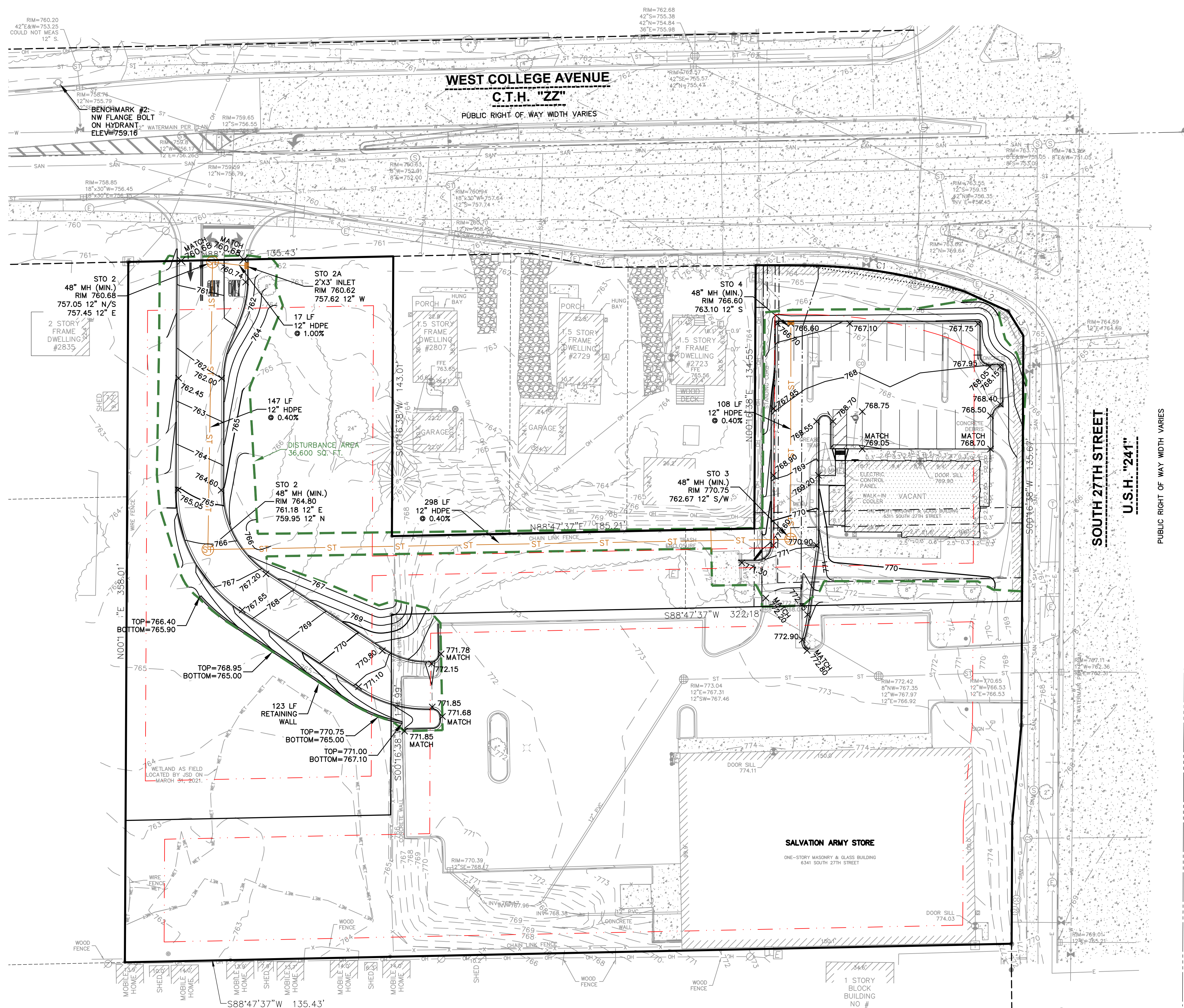
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Designed By: JAL  
 Reviewed By: JAL  
 Approved By: JAL

**GRADING AND DRAINAGE PLAN**

SHEET NUMBER:

**C3.0**



**UTILITY NOTES**

- ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATIONS OF UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THEREOF. CONTRACTOR/OWNER SHALL CALL "DIGGERS' HOTLINE" PRIOR TO ANY CONSTRUCTION.
- PRIOR TO CONSTRUCTION, THE PRIME CONTRACTOR IS RESPONSIBLE FOR EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
  - OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, AND ALL OTHER FEES REQUIRED FOR PROPOSED WORK TO OCCUPANCY.
  - VERIFYING ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS. NOTIFY ENGINEER OF ANY DISCREPANCY. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS RESOLVED.
  - NOTIFYING ALL UTILITIES PRIOR TO INSTALLATION OF ANY UNDERGROUND IMPROVEMENTS.
  - NOTIFYING THE DESIGN ENGINEER AND MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION OBSERVATION.
  - COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
- ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN - AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.
- SPECIFICATIONS SHALL COMPLY WITH THE CITY OF FRANKLIN SPECIAL PROVISIONS.
- LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF IMPROVEMENTS.
- CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVER NIGHT AS REQUIRED IN CONSTRUCTION SITES WHERE THE POTENTIAL FOR PEDESTRIAN INJURY EXISTS.
- CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.
- THE PRIME CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
- ANY SANITARY SEWER, SANITARY SEWER SERVICES, WATER MAIN, WATER SERVICES, STORM SEWER, OR OTHER UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE ENGINEER WITH AS-BUILT CONDITIONS OF THE DESIGNATED IMPROVEMENTS IN ORDER THAT THE APPROPRIATE DRAWINGS CAN BE PREPARED, IF REQUIRED. ANY CHANGES TO THE DRAWINGS OR ADDITIONAL ITEMS MUST BE REPORTED TO THE ENGINEER AS WORK PROGRESSES.
- STORM SEWER SPECIFICATIONS -
  - PIPE - REINFORCED CONCRETE PIPE (RCP) SHALL MEET THE REQUIREMENTS OF ASTM CLASS III (MINIMUM) C-76 WITH RUBBER GASKET JOINTS CONFORMING TO ASTM C-443. HIGH DENSITY DUAL-WALL POLYETHYLENE CORRUGATED PIPE SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF AASHTO DESIGNATION M-294 TYPE "S".
  - INLETS - INLETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH FILE NO. 28 OF THE "STANDARD SPECIFICATIONS", OR APPROVED EQUAL WITH A 1'-8" X 2'-6" MAXIMUM OPENING. CURB FRAME & GRATE SHALL BE NEEHAH R-3067 WITH TYPE R GRATE, OR EQUAL.
  - BACKFILL AND BEDDING - STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".
  - MANHOLE FRAMES AND COVERS - MANHOLE FRAMES AND COVERS SHALL BE NEEHAH R-1642 WITH TYPE "B" SELF SEALING LIDS, NON-ROCKING OR EQUAL.
  - FIELD TILE CONNECTION - ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION SHALL BE INCLUDED IN THE UNIT PRICE(S) FOR STORM SEWER. TILE LINES CROSSED BY THE TRENCH SHALL BE REPLACED WITH THE SAME MATERIAL AS THE STORM SEWER.

**GENERAL NOTES**

- REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGENDS.
- ALL WORK IN THE ROW AND/OR PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER & WATER CONSTRUCTION IN WISCONSIN AND MUNICIPAL REQUIREMENTS.
- EXISTING GRADE SPOT ELEVATIONS SHOWN FOR INFORMATIONAL PURPOSES. DURING CONSTRUCTION MATCH EXISTING GRADES AT CONSTRUCTION LIMITS.
- NO SITE GRADING OUTSIDE OR DOWNSLOPE OF PROPOSED SILT FENCE LOCATION. NO LAND DISTURBANCE BEYOND PROPERTY LINES.
- JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.

**GRADING AND SEEDING NOTES**

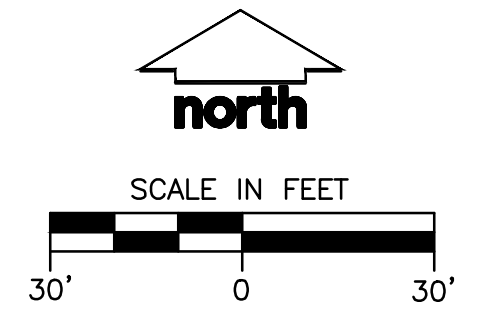
- ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY ALL GRADES. MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR COMPUTATIONS OF ALL GRADING QUANTITIES. WHILE JSD PROFESSIONAL SERVICES, INC. ATTEMPTS TO PROVIDE A COST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARDS OF CARE. THEREFORE, NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
- PARKING LOT AND DRIVEWAY ELEVATIONS ARE PAVEMENT GRADES, NOT TOP OF CURB GRADES, UNLESS OTHERWISE NOTED.
- ANY WORK WITHIN RIGHT-OF-WAY SHALL BE PROPERLY PERMITTED AND COORDINATED WITH THE APPROPRIATE OFFICIALS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. ALL GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY SAID OFFICIALS.
- CONTRACTOR SHALL PROVIDE NOTICE TO THE MUNICIPALITY IN ADVANCE OF ANY SOIL DISTURBING ACTIVITIES, IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS.
- ALL DISTURBED AREAS SHALL BE SODDED AND/OR SEEDDED IMMEDIATELY FOLLOWING GRADING ACTIVITIES. SOD/SEED MIX TO BE IN ACCORDANCE WITH LANDSCAPE PLAN.
- CONTRACTOR SHALL CHISEL-PLow OR DEEP TILL WITH DOUBLE TINES ALL STORMWATER MANAGEMENT FACILITIES JUST PRIOR TO SODDING AND/OR SEEDING AND MULCHING TO PROMOTE INFILTRATION.
- CONTRACTOR SHALL WATER ALL NEWLY SODDED/SEEDDED AREAS DURING THE SUMMER MONTHS WHENEVER THERE IS A 7 DAY LAPSE WITH NO SIGNIFICANT RAINFALL.
- CONTRACTOR TO DEEP TILL ALL COMPACTED PERVIOUS SURFACES PRIOR TO SODDING AND/OR SEEDING AND MULCHING.
- ALL SLOPES 20% OR GREATER SHALL BE TEMPORARY SEEDDED, MULCHED, OR OTHER MEANS OF COVER PLACED ON THEM WITHIN 2 WEEKS OF DISTURBANCE.
- ALL EXPOSED SOIL AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 30 DAYS AND REQUIRE VEGETATIVE COVER FOR LESS THAN 1 YEAR, REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1059 AND CITY OF FRANKLIN ORDINANCE.

**LEGEND**

---	PROPERTY LINE	xx.xx	SPOT ELEVATION
---	RIGHT-OF-WAY		MATCH - MATCH EXISTING GRADE
---	EASEMENT LINE		TP - TOP OF PAVEMENT
---	BUILDING OVERHANG		TC - TOP OF CONCRETE
---	EDGE OF PAVEMENT		HP - HIGH POINT
---	STANDARD CURB AND GUTTER		TW - TOP OF SIDEWALK
---	PROPOSED 5 FOOT CONTOUR	ST	PROPOSED STORM
---	PROPOSED 1 FOOT CONTOUR		PROPOSED STORM CURB INLET
---	EXISTING 1 FOOT CONTOUR		PROPOSED CATCH BASIN
---	EXISTING 5 FOOT CONTOUR		
---	GRADE BREAK		

**BENCHMARKS**

DESCRIPTION	ELEVATION
BENCHMARK #1: NE CORNER OF W. VILLARD AVE. AND N SHERMAN BLVD. CITY BENCHMARK #58-27. CONCRETE MONUMENT WITH OVAL BRASS CAP	88.05
BENCHMARK #2: HYDRANT ON NORTH SIDE OF COLLEGE AVENUE NW FLANGE BOLT ON HYDRANT	759.16



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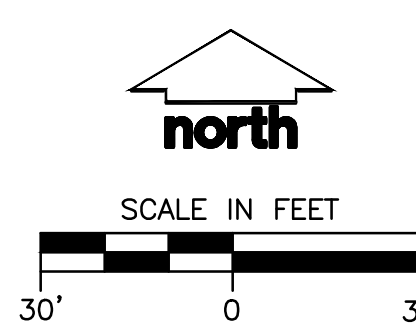
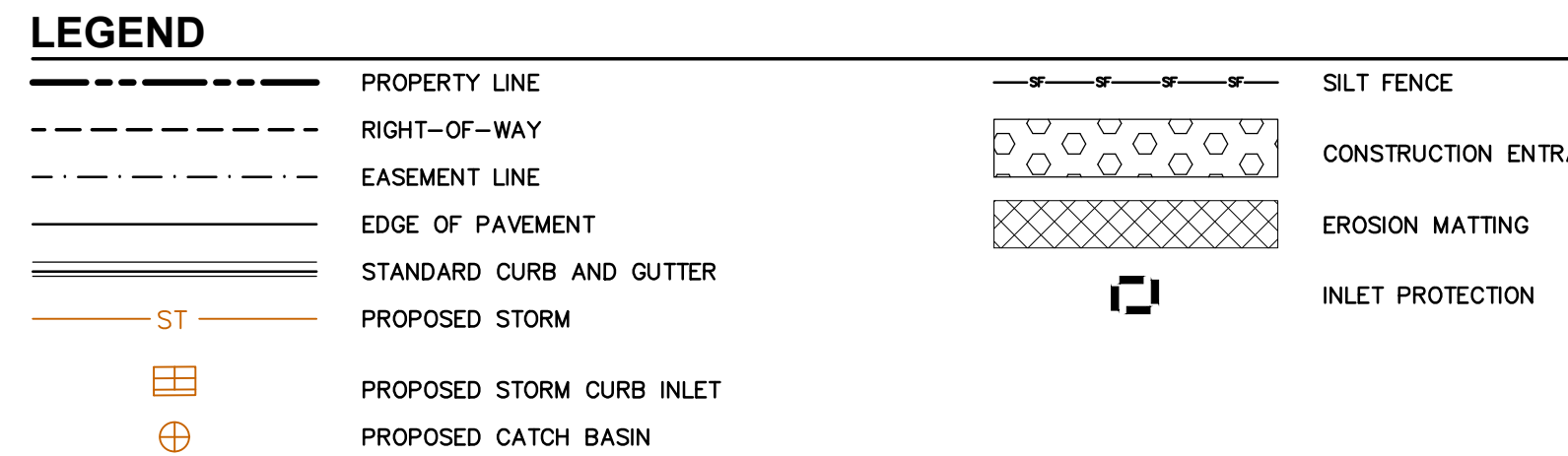
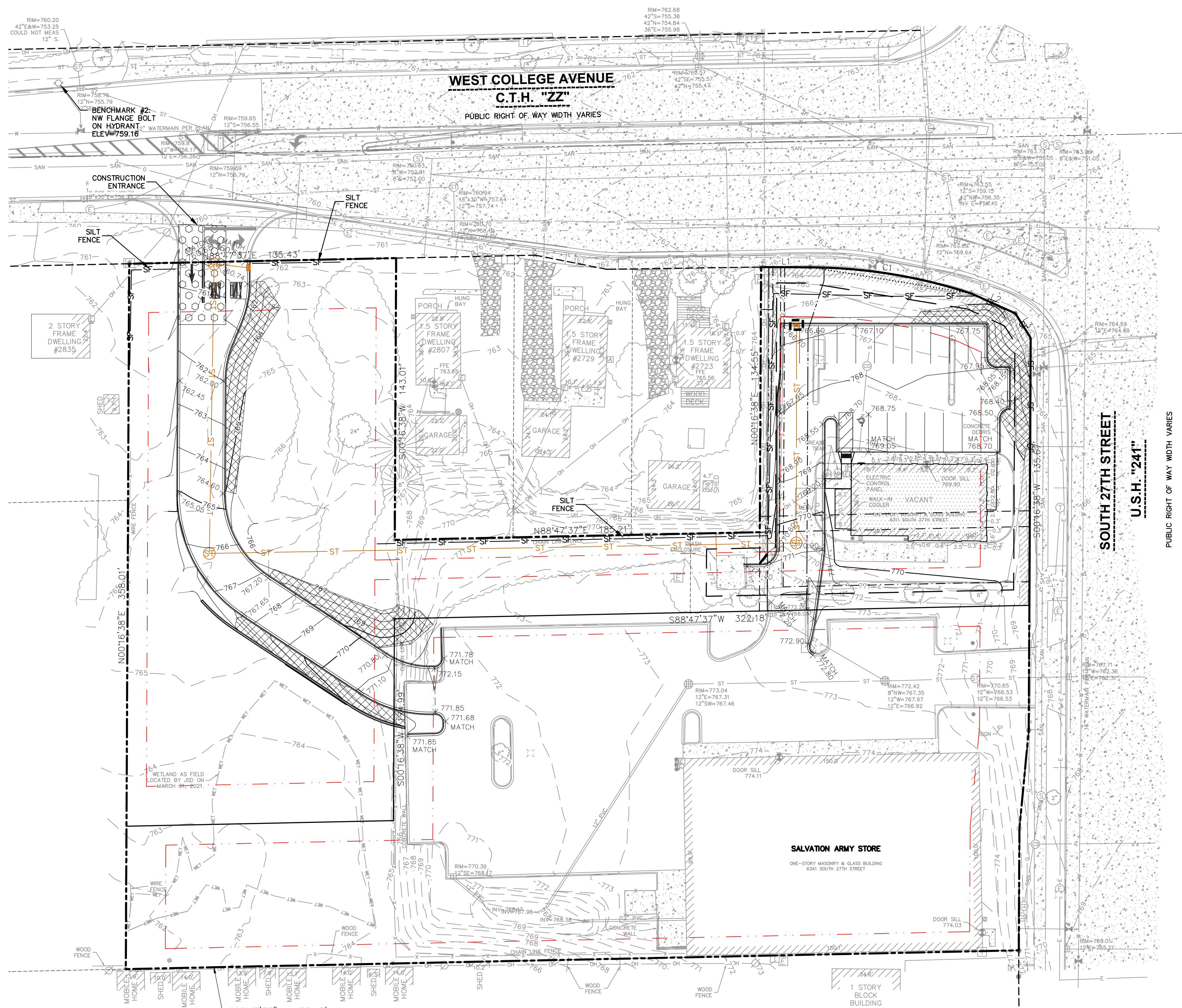
Designed By: CAP  
Reviewed By: JLL  
Approved By: JLL  
SHEET TITLE:  
**EROSION CONTROL PLAN**

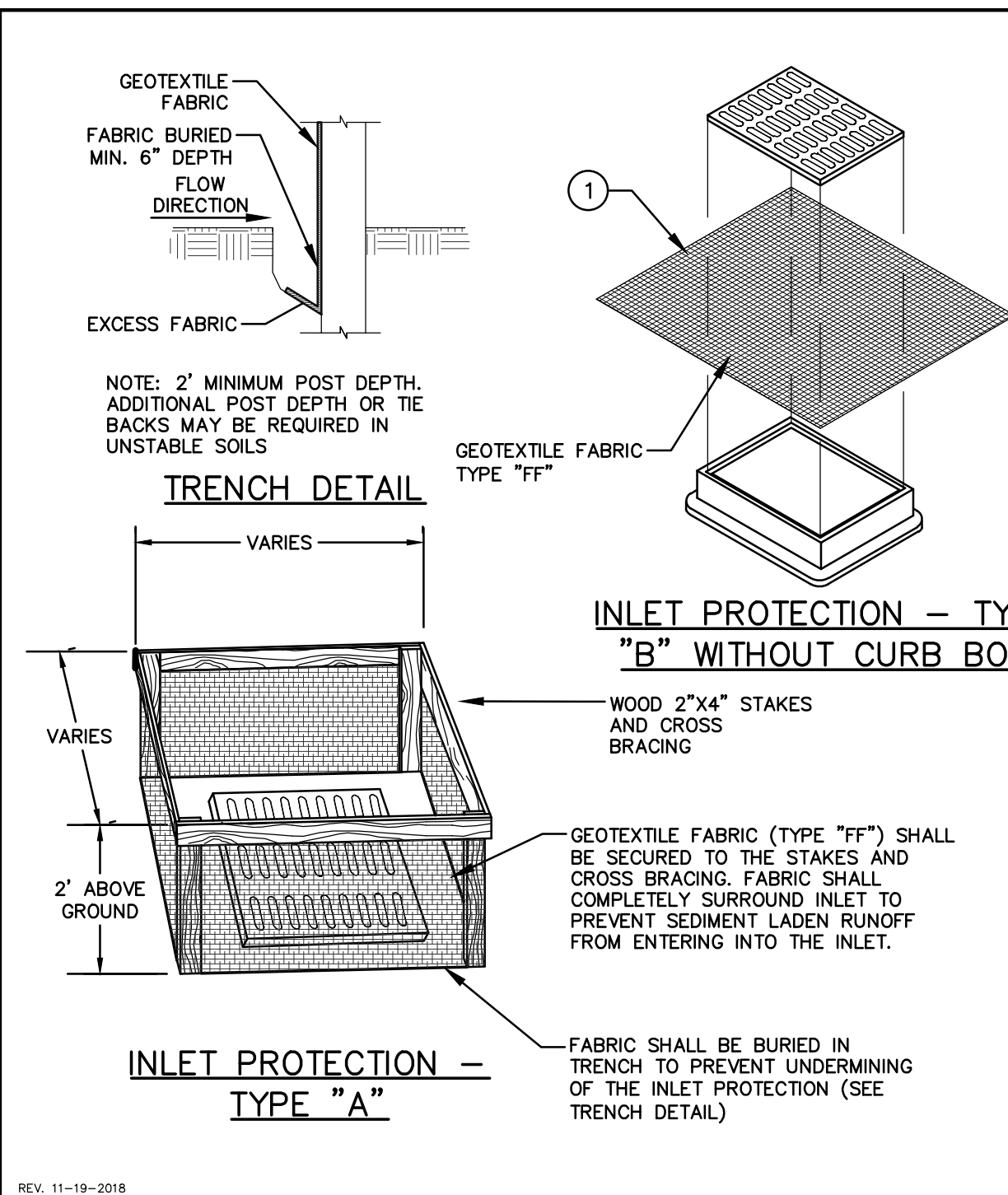
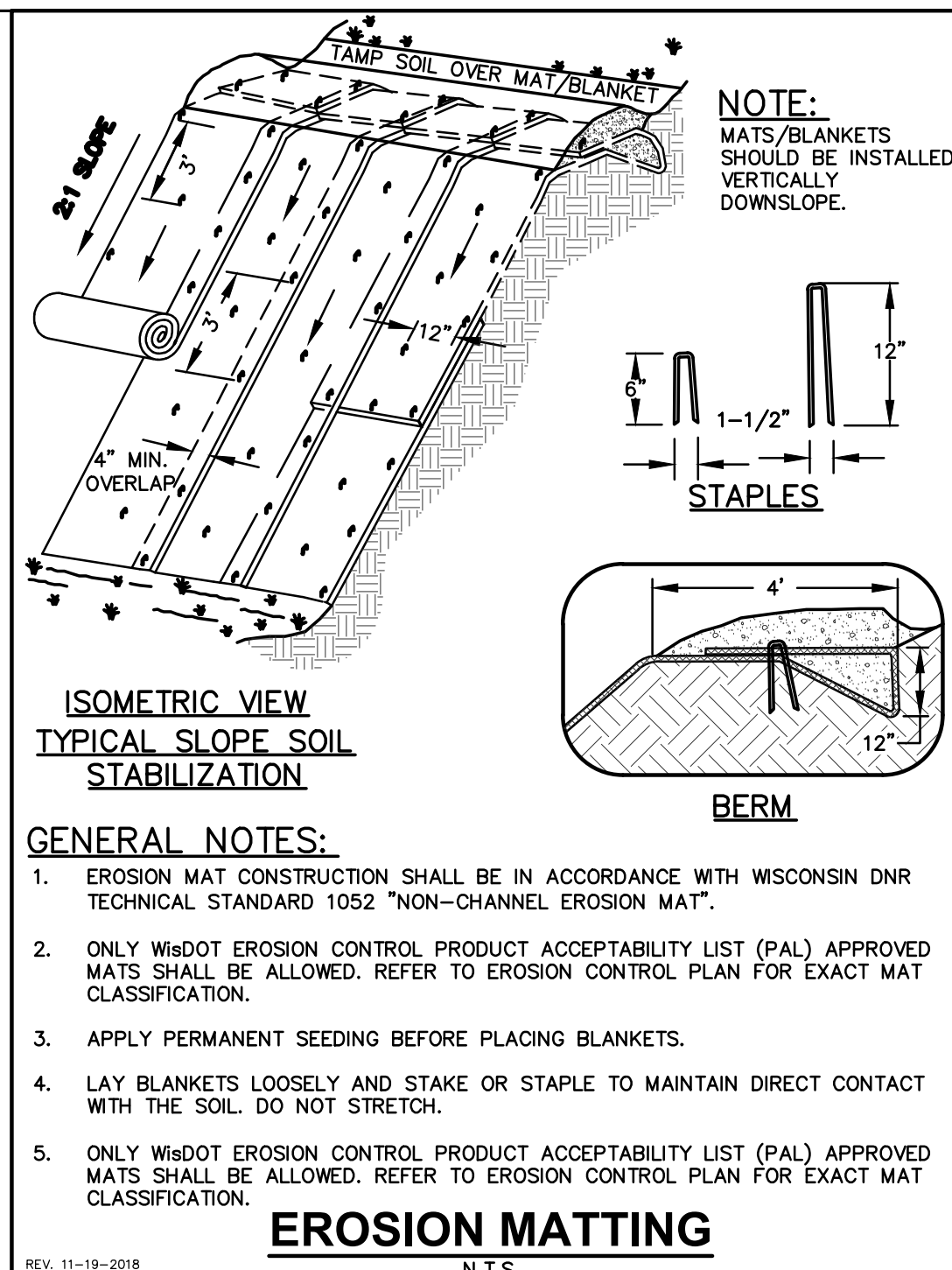
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**EROSION AND SEDIMENT CONTROL NOTES:**

- ALL CONSTRUCTION SHALL ADHERE TO THE REQUIREMENTS SET FORTH IN WISCONSIN'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER GENERAL PERMIT FOR CONSTRUCTION SITE LAND DISTURBANCE ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS AND CITY OF MILWAUKEE ORDINANCES. THESE PROCEDURES AND STANDARDS SHALL BE REFERRED TO AS BEST MANAGEMENT PRACTICES (BMP'S). IT IS THE RESPONSIBILITY OF ALL CONTRACTORS ASSOCIATED WITH THE PROJECT TO OBTAIN A COPY OF, AND UNDERSTAND, THE BMP'S PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.
- THE EROSION CONTROL MEASURES INDICATED ON THE PLANS ARE THE MINIMUM REQUIREMENTS. ADDITIONAL CONTROL MEASURES AS DIRECTED BY JSD PROFESSIONAL SERVICES, INC. OR GOVERNING AGENCIES SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- MODIFICATIONS TO THE APPROVED EROSION CONTROL PLAN IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS ARE ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL MODIFICATIONS MUST BE APPROVED BY JSD/MUNICIPALITY PRIOR TO DEVIATION OF THE APPROVED PLAN.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN IN ORDER TO PROTECT ADJACENT PROPERTIES/STORM SEWER SYSTEMS FROM SEDIMENT TRANSPORT.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. CONTRACTOR IS RESPONSIBLE TO COORDINATE LOCATIONS WITH THE PROPER AUTHORITIES, PROVIDE NECESSARY FEES AND OBTAIN ALL REQUIRED APPROVALS OR PERMITS. ADDITIONAL CONSTRUCTION ENTRANCES OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE APPLICABLE GOVERNING AGENCIES PRIOR TO INSTALLATION.
- PAVED SURFACES ADJACENT TO CONSTRUCTION ENTRANCES SHALL BE SWEEPED AND/OR SCRAPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE GOVERNING AGENCIES.
- ALL EXISTING STORM SEWER FACILITIES THAT WILL COLLECT RUNOFF FROM DISTURBED AREAS SHALL BE PROTECTED TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS. INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER INLETS, STRUCTURES, PIPES, AND SWALES SHALL BE KEPT CLEAN AND FREE OF SEDIMENTATION AND DEBRIS.
  - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH BMP'S PRIOR TO RELEASE INTO STORM SEWER OR DITCHES.
- AT A MINIMUM, SEDIMENT BASINS AND NECESSARY TEMPORARY DRAINAGE PROVISIONS SHALL BE CONSTRUCTED AND OPERATIONAL BEFORE BEGINNING OF SIGNIFICANT MASS GRADING OPERATIONS TO PREVENT OFFSITE DISCHARGE OF UNTREATED RUNOFF.
- ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES MUST BE MAINTAINED AND REPAIRED AS NEEDED. THE GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR INSPECTION AND REPAIR DURING CONSTRUCTION. THE OWNER WILL BE RESPONSIBLE IF EROSION CONTROL IS REQUIRED AFTER THE CONTRACTOR HAS COMPLETED THE PROJECT.
- TOPSOIL STOCKPILES SHALL HAVE A BERM OR TRENCH AROUND THE CIRCUMFERENCE AND PERIMETER SILT FENCE CONTROL SILT IF TOPSOIL STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS. TEMPORARY SEEDING AND STABILIZATION IS REQUIRED.
- EROSION CONTROL MEASURES TEMPORARILY REMOVED FOR UNAVOIDABLE CONSTRUCTION ACTIVITIES SHALL BE IN WORKING ORDER PRIOR TO THE COMPLETION OF EACH WORK DAY.
- MAINTAIN SOIL EROSION CONTROL DEVICES THROUGHOUT THE DURATION OF THIS PROJECT. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED. DISTURBANCES ASSOCIATED WITH EROSION CONTROL REMOVAL SHALL BE IMMEDIATELY STABILIZED.
- PUMPS MAY BE USED AS BYPASS DEVICES. IN NO CASE SHALL PUMPED WATER BE DIVERTED OUTSIDE THE PROJECT LIMITS.
- GRADING EFFORTS SHALL BE CONDUCTED IN SUCH A MANNER AS TO MINIMIZE EROSION. EROSION AND SEDIMENT CONTROL MEASURES SHALL CONSIDER THE TIME OF YEAR, SITE CONDITIONS, AND THE USE OF TEMPORARY OR PERMANENT MEASURES. ALL DISTURBED AREAS THAT WILL NOT BE WORKED FOR A PERIOD OF THIRTY (30) DAYS REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH TECHNICAL STANDARDS.
- ALL DISTURBED SLOPES EXCEEDING 4:1 YET LESS THAN 3:1, SHALL BE STABILIZED WITH NORTH AMERICAN GREEN S75BN EROSION MATTING (OR APPROVED EQUAL) AND DISTURBED SLOPES EXCEEDING 3:1 YET LESS THAN 2:1 SHALL BE STABILIZED WITH NORTH AMERICAN GREEN C125BN (OR APPROVED EQUAL) OR APPLICATION OF AN APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED. EROSION MATTING AND/OR NETTING USED ONSITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES.
- DURING PERIODS OF EXTENDED DRY WEATHER, THE CONTRACTOR SHALL KEEP A WATER TRUCK ON SITE FOR THE PURPOSE OF WATERING DOWN SOILS WHICH MAY OTHERWISE BECOME AIRBORNE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTROLLING WIND EROSION (DUST) DURING CONSTRUCTION AT HIS/HER EXPENSE.
- DISTURBED AREAS AND AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION SHALL BE VISUALLY INSPECTED FOR EVIDENCE OF, OR THE POTENTIAL FOR, POLLUTANTS ENTERING THE DRAINAGE SYSTEM ON A DAILY BASIS.
- QUALIFIED PERSONNEL (PROVIDED BY THE GENERAL/PRIME CONTRACTOR) SHALL INSPECT DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED AND EROSION AND SEDIMENT CONTROLS WITHIN 24 HOURS OF ALL 0.5-INCH, OR MORE, PRECIPITATION EVENTS WITH A MINIMUM INSPECTION INTERVAL OF ONCE EVERY SEVEN (7) CALENDAR DAYS IN THE ABSENCE OF A QUALIFYING RAIN OR SNOWFALL EVENT. REPORTING SHALL BE IN ACCORDANCE WITH PART IV D.4. (a)-(f) OF THE NPDES GENERAL PERMIT. CONTRACTOR SHALL IMMEDIATELY ARRANGE TO HAVE ANY DEFICIENT ITEMS REVEALED DURING INSPECTIONS REPAIRED/REPLACED.
- THE FOLLOWING MAINTENANCE PRACTICES SHALL BE USED TO MAINTAIN, IN GOOD AND EFFECTIVE OPERATING CONDITIONS, VEGETATION, EROSION AND SEDIMENT CONTROL MEASURES, AND OTHER PROTECTIVE MEASURES IDENTIFIED IN THIS PLAN. UPON IDENTIFICATION, DEFICIENCIES IN STORMWATER CONTROLS SHALL BE ADDRESSED IMMEDIATELY. THE MAINTENANCE PROCEDURES FOR THIS DEVELOPMENT SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:
  - SILT FENCE - REPAIR OR REPLACE ANY DAMAGED FILTER FABRIC AND/OR STAKES. REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE ABOVE GROUND HEIGHT OF THE FENCE.
  - CONSTRUCTION ENTRANCE - AS NEEDED, ADD STONE TO MAINTAIN CONSTRUCTION ENTRANCE DIMENSIONS AND EFFECTIVENESS.
  - DITCH CHECK (STRAW BALES) - RE-SECURE STAKES; ADJUST OR REPOSITION BALES TO ADDRESS PROPER FLOW OF STORMWATER; AND REMOVE ACCUMULATED SEDIMENT WHEN IT HAS REACHED ONE-HALF THE HEIGHT OF THE BALE.
  - EROSION CONTROL MATTING - REPAIR MATTING IMMEDIATELY IF INSPECTION REVEALS BREACHED OR FAILED CONDITIONS. REPAIR AND RE-GRADE SOIL WHERE CHANNELIZATION HAS OCCURRED.
  - DIVERSION BERM/SWALE - REPLACE OR RE-COMPACT THE CONSTRUCTION MATERIALS AS NECESSARY.
  - INLET PROTECTION - CLEAN, REPAIR OR REPLACE FILTER FABRIC AND/OR STONE WHEN CONTROL MEASURE IS CLOGGED. INLET FILTER BAGS SHALL BE REPLACED ONCE BAG BECOMES ONE-HALF FULL OF SEDIMENT.

- ADDITIONAL POLLUTANT CONTROL MEASURES TO BE IMPLEMENTED DURING CONSTRUCTION ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:
- CONSTRUCTION WASTE SHALL BE PROPERLY DISPOSED OF. THIS INCLUDES ALL CONSTRUCTION SITE WASTE MATERIAL, SANITARY WASTE, AND WASTE FROM VEHICLE TRACKING OF SEDIMENTS. THE CONTRACTOR SHALL ENSURE THAT NO MATERIAL WASTES OR UNUSED BUILDING MATERIALS SHALL BE BURIED, DUMPED, BURNED, OR DISCHARGED TO THE WATERS OF THE STATE. VEHICLES HAULING MATERIAL AWAY FROM THE SITE SHALL BE COVERED WITH A TARPULIN TO PREVENT BLOWING DEBRIS.
  - DUST CONTROL SHALL BE ACCOMPLISHED BY ONE OR MORE OF THE FOLLOWING METHODS:
    - COVERING SOIL OR MORE OF THE SOIL SURFACE WITH A NON-ERODIBLE MATERIAL.
    - ROUGHENING THE SOIL TO PRODUCE RIDGES PERPENDICULAR TO THE PREVAILING WIND. RIDGES SHALL BE AT LEAST SIX (6) INCHES IN HEIGHT.
    - FREQUENT WATERING OF EXCAVATION AND FILL AREAS.
    - PROVIDING GRAVEL OR PAVING AT ENTRANCE/EXIT DRIVES, PARKING AREAS AND TRANSIT PATHS.
  - STREET SWEEPING SHALL BE PERFORMED TO IMMEDIATELY REMOVE ANY SEDIMENT TRACKED ON PAVEMENTS.





**GENERAL NOTES:**

INLET PROTECTION DEVICES SHALL BE MAINTAINED OR REPLACED AT THE DIRECTION OF THE ENGINEER.

MANUFACTURED ALTERNATIVES APPROVED AND LISTED ON THE DEPARTMENT'S EROSION CONTROL PRODUCT ACCEPTABILITY LIST MAY BE SUBSTITUTED.

WHEN REMOVING OR MAINTAINING INLET PROTECTION, CARE SHALL BE TAKEN SO THAT SEDIMENT TRAPPED ON THE GEOTEXTILE FABRIC DOES NOT FALL INTO THE INLET. ANY MATERIAL FALLING INTO THE INLET SHALL BE REMOVED IMMEDIATELY.

- FINISHED SIZE, INCLUDING FLAP POCKETS WHERE REQUIRED, SHALL EXTEND A MINIMUM OF 10" AROUND THE PERIMETER OF FACILITATE MAINTENANCE OR REMOVAL.
- FOR INLET PROTECTION, TYPE "C" (WITH CURB BOX), AN ADDITIONAL 18" OF FABRIC IS WRAPPED AROUND THE WOOD AND SECURED WITH STAPLES. THE WOOD SHALL NOT BLOCK THE ENTIRE HEIGHT OF THE CURB BOX OPENING.
- FLAP POCKETS SHALL BE LARGE ENOUGH TO ACCEPT A WOOD 2X4

**INSTALLATION NOTES:**

**TYPE "B" & "C"**

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3 INCHES OF THE GRATE.

THE CONTRACTOR SHALL DEMONSTRATE A METHOD OF MAINTENANCE, USING A SEWN FLAP, HAND HOLDS OR OTHER METHODS TO PREVENT ACCUMULATED SEDIMENT FROM ENTERING THE INLET.

**INSTALLATION NOTES:**

**TYPE "D"**

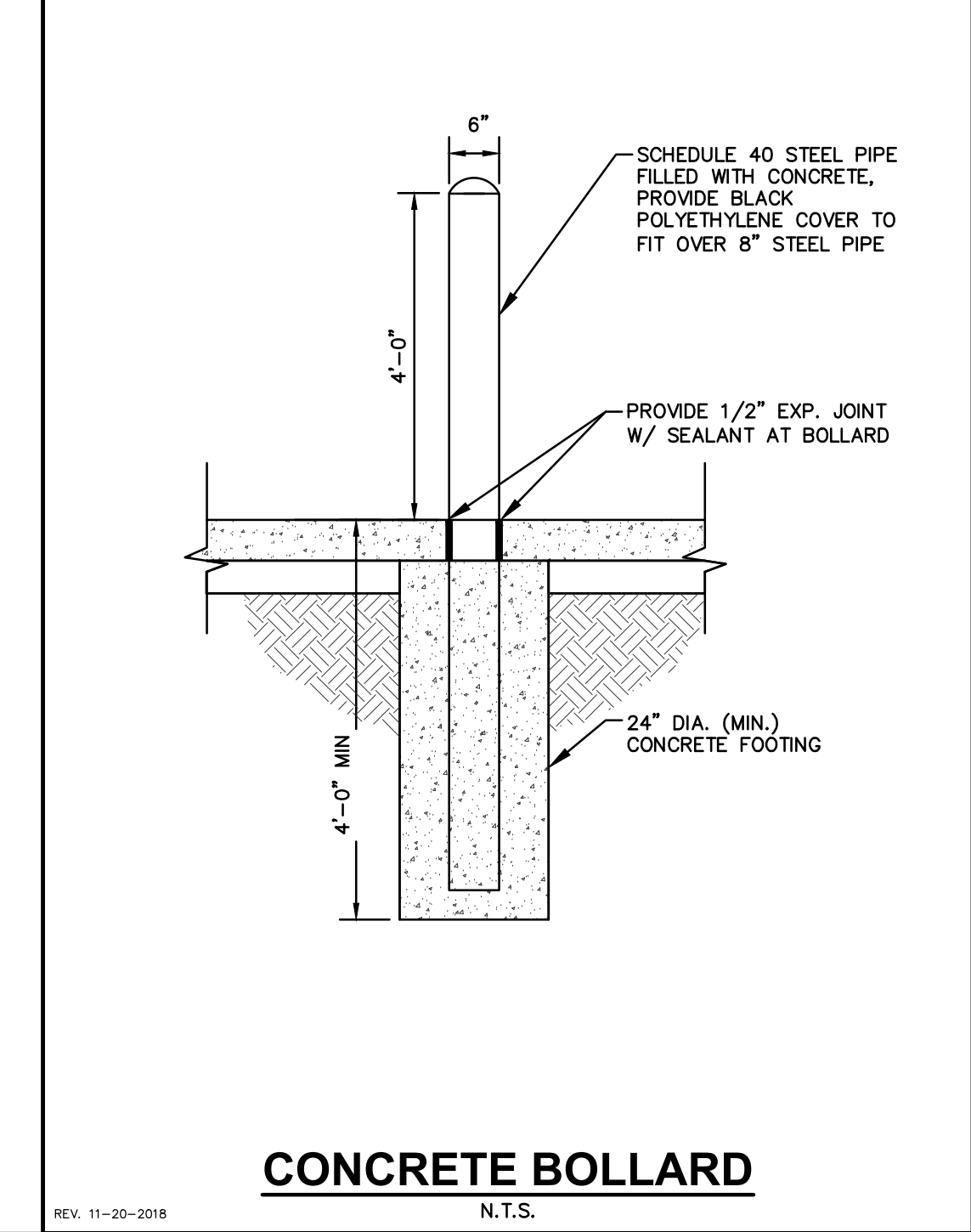
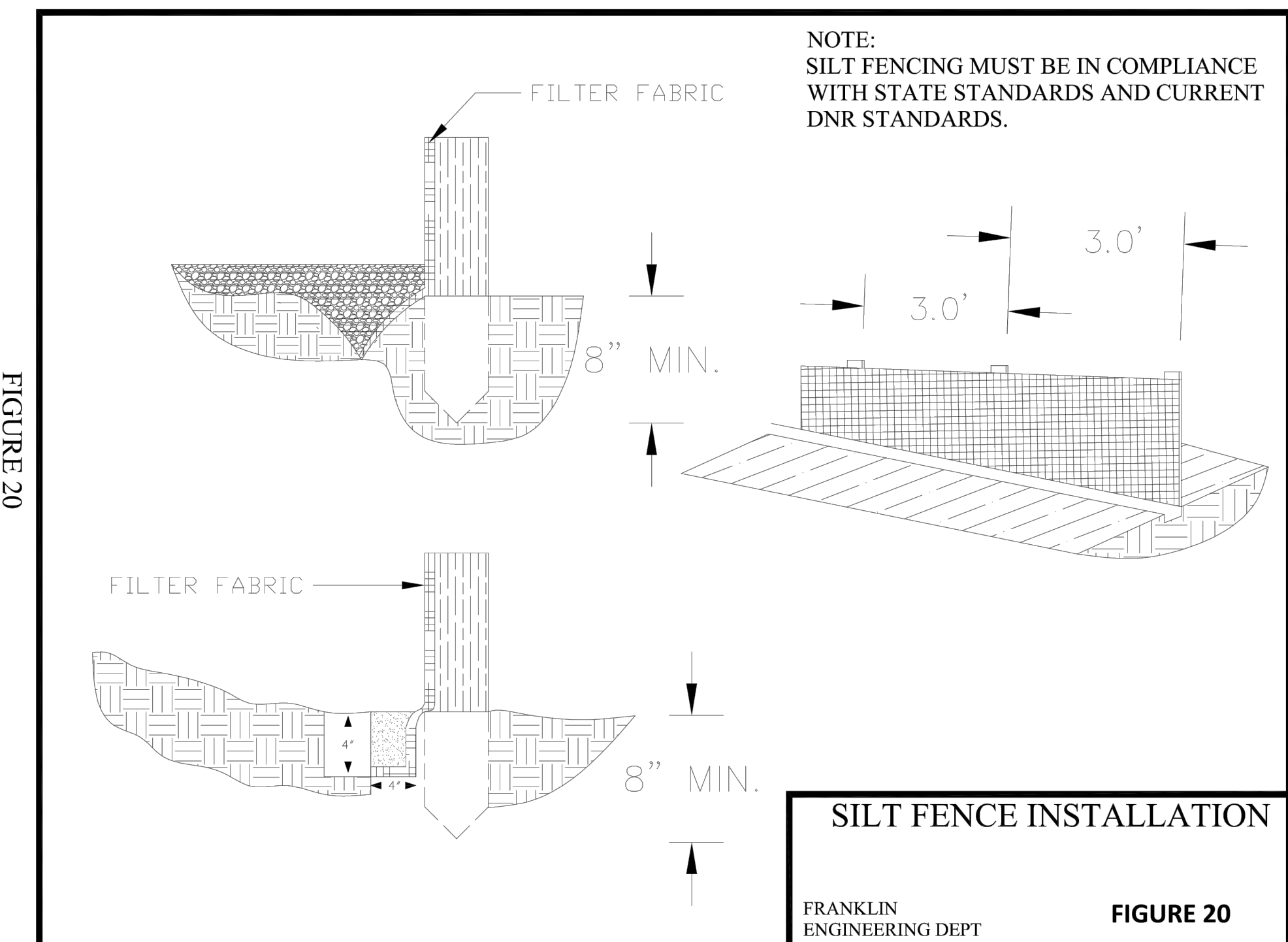
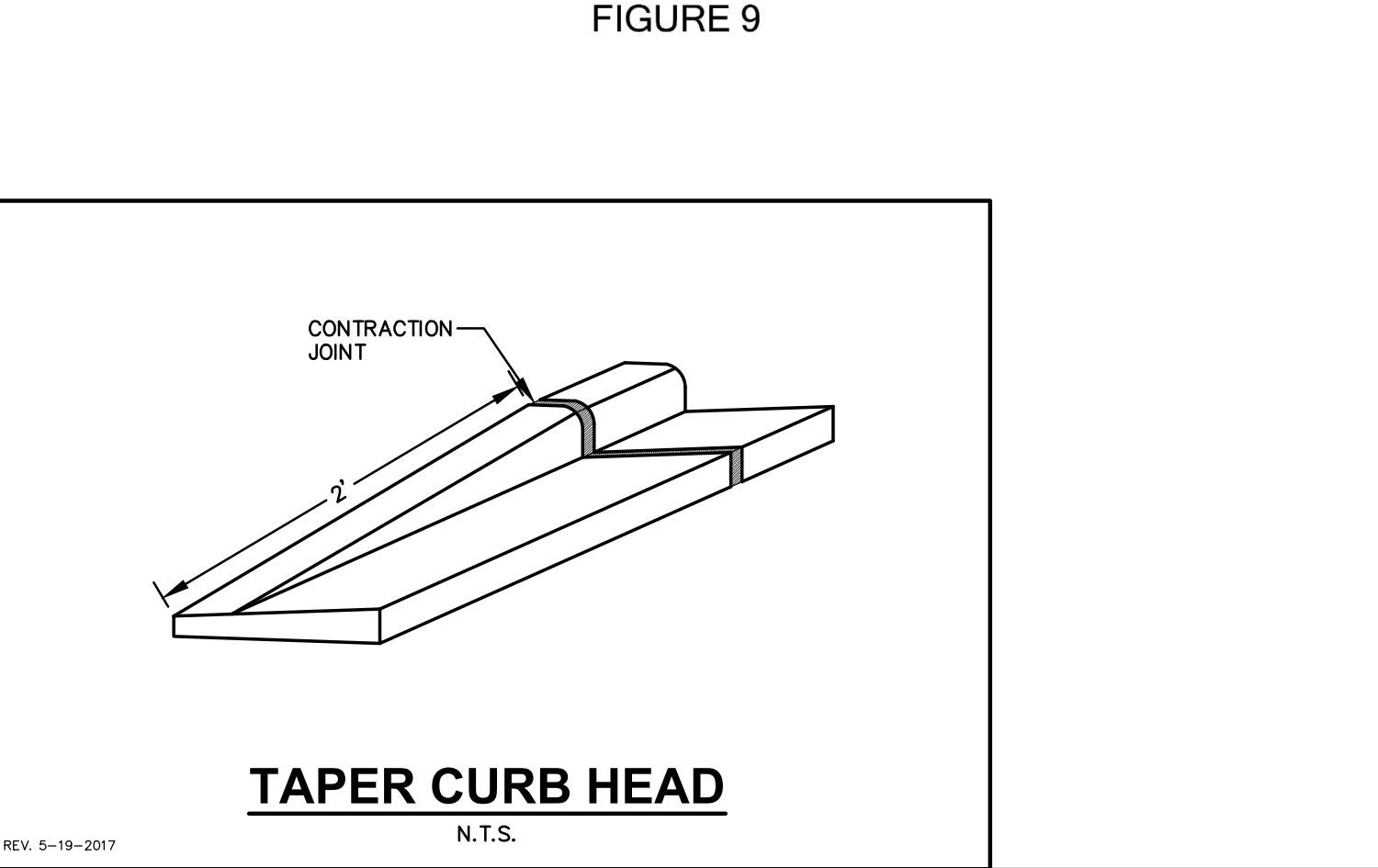
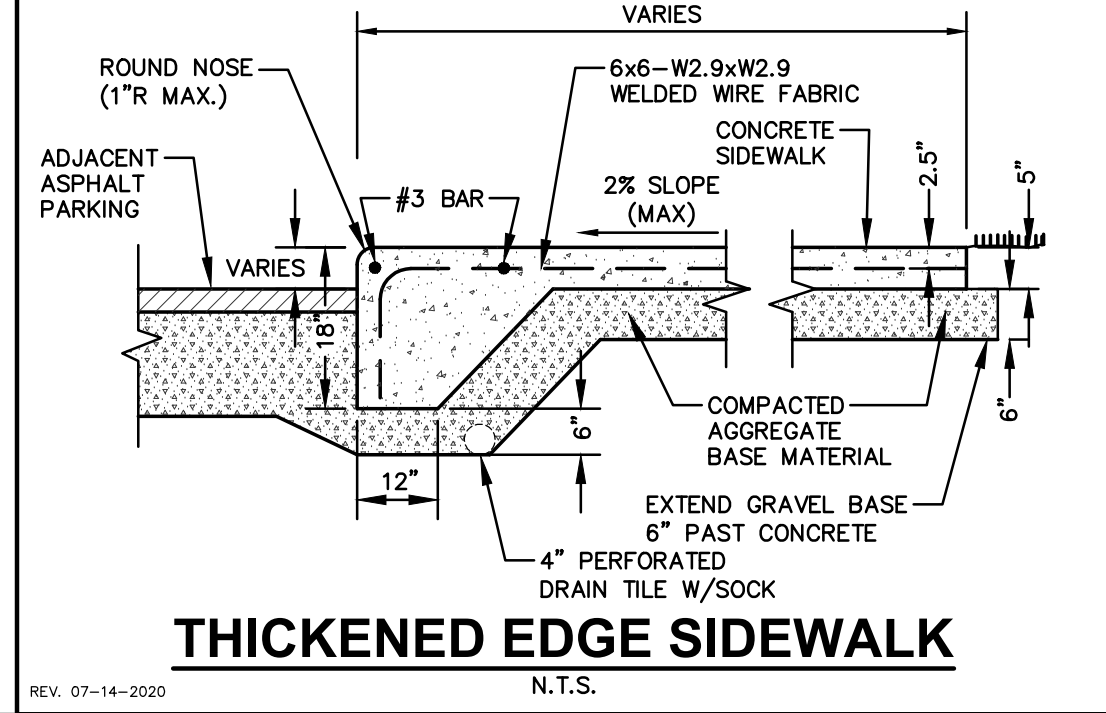
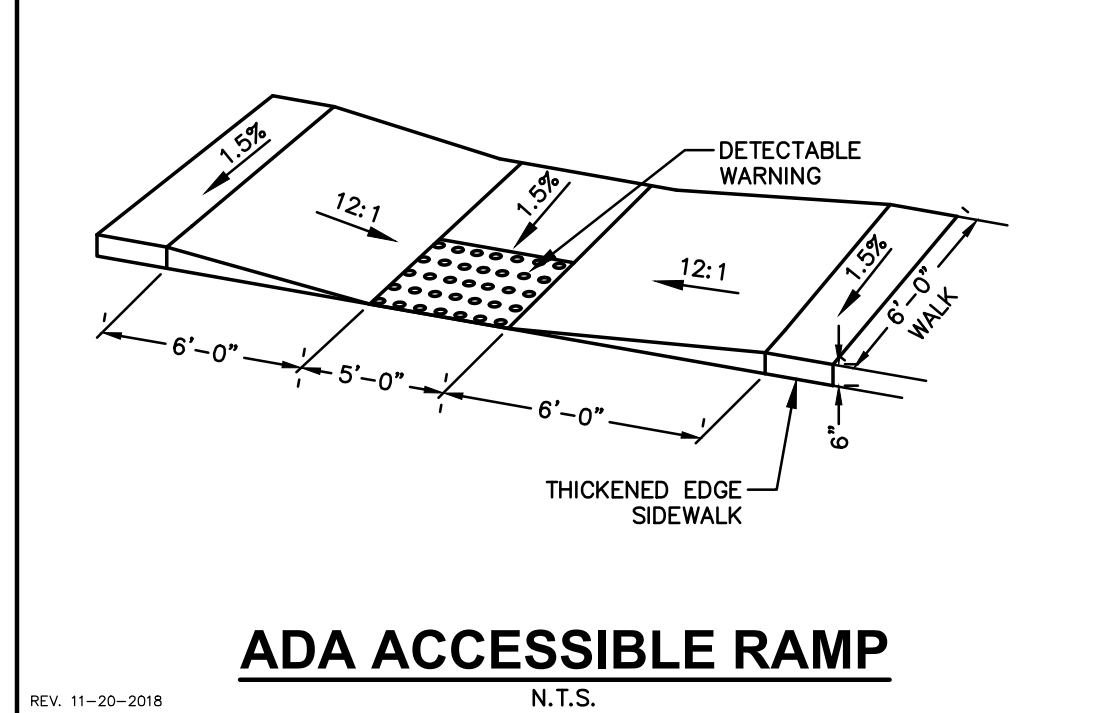
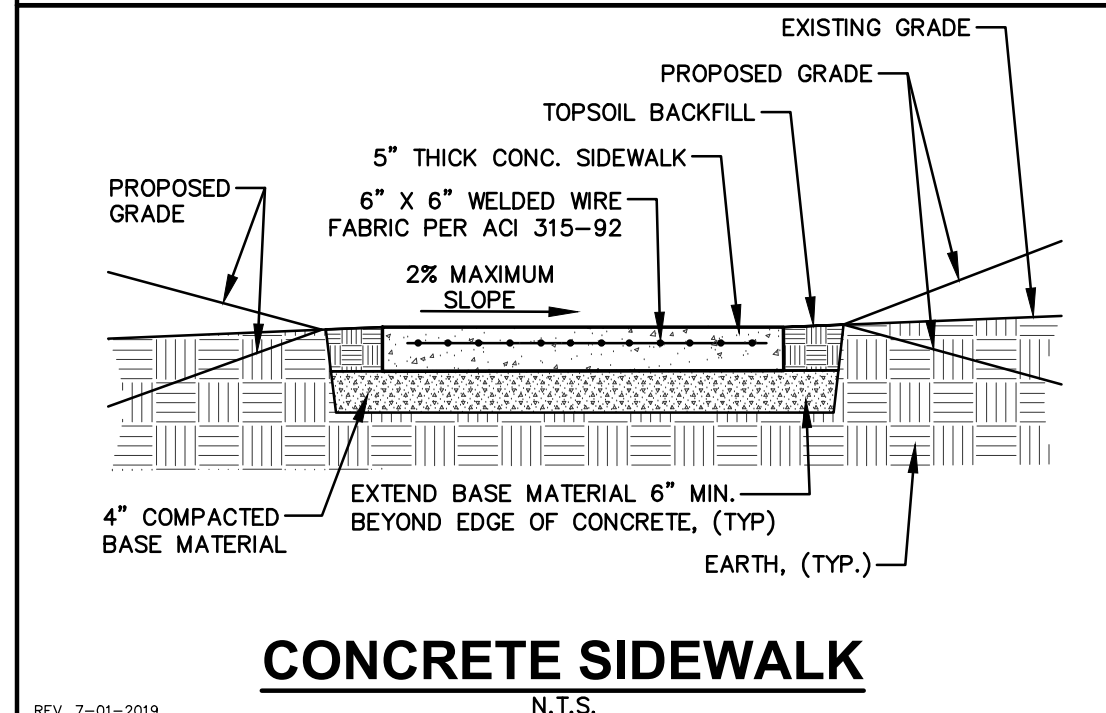
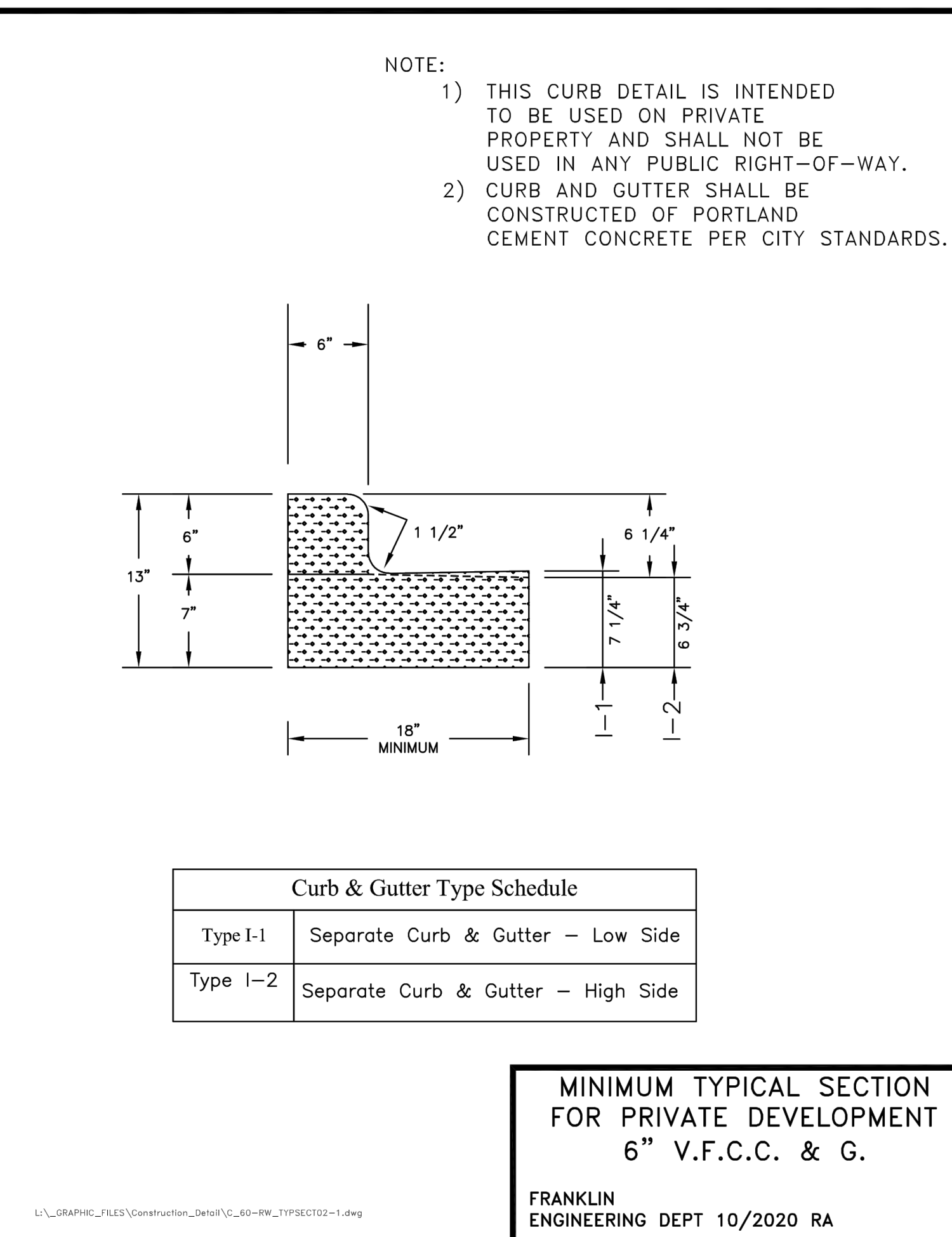
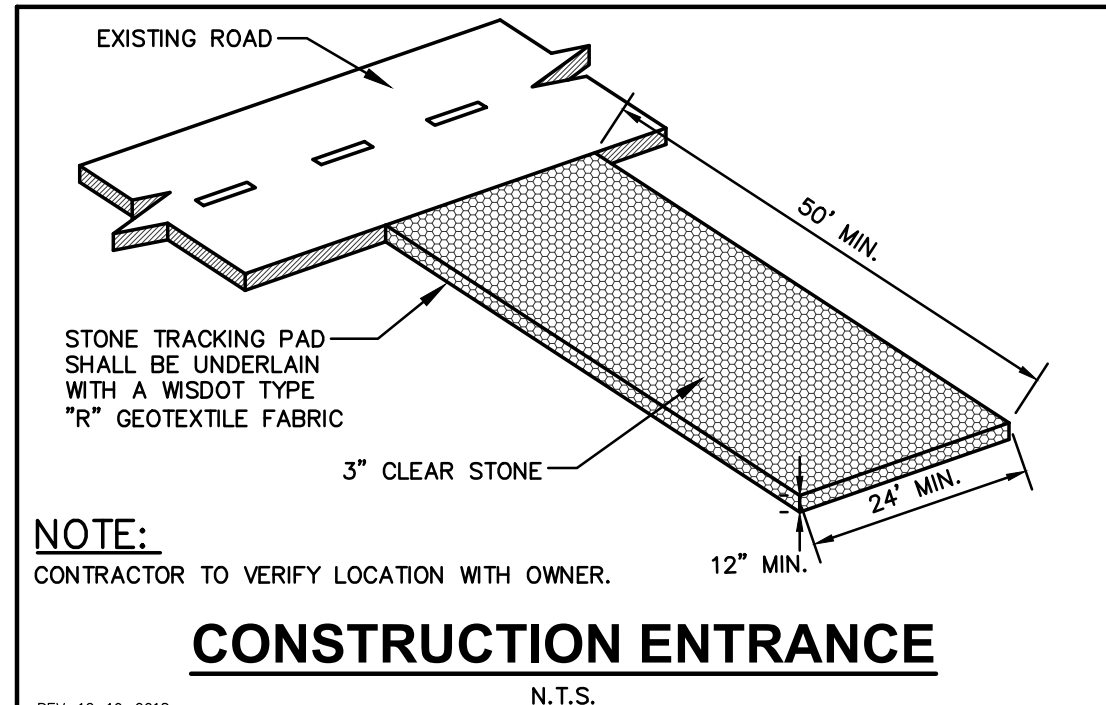
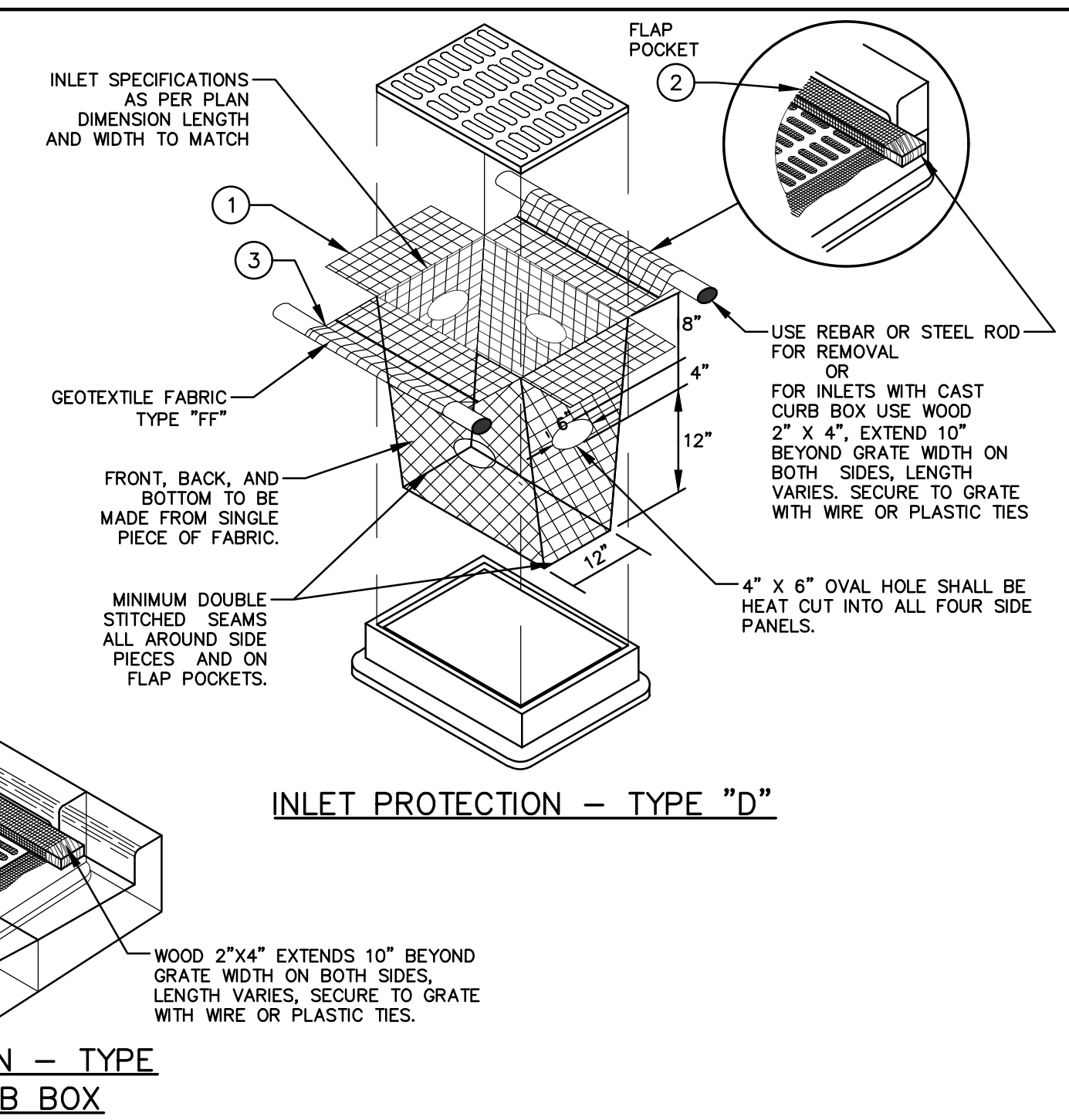
DO NOT INSTALL INLET PROTECTION TYPE "D" IN INLETS SHALLOWER THAN 30 INCHES, MEASURED FROM THE BOTTOM OF THE INLET TO THE TOP OF THE GRATE.

TRIM EXCESS FABRIC IN THE FLOW LINE TO WITHIN 3 INCHES OF THE GRATE.

THE INSTALLED BAG SHALL HAVE A MINIMUM SIDE CLEARANCE, BETWEEN THE INLET WALLS AND THE BAG, MEASURED AT THE BOTTOM OF THE OVERFLOW HOLES, OF 3 INCHES. WHERE NECESSARY THE CONTRACTOR SHALL CUSH THE BAG, USING PLASTIC ZIP TIES, TO ACHIEVE THE 3 INCHES CLEARANCE. THE TIES SHALL BE PLACED AT A MAXIMUM OF 4 INCHES FROM THE BOTTOM OF THE BAG.

**INLET PROTECTION**

N.T.S.



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CLIENT:  
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PROJECT LOCATION:  
**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

PLAN MODIFICATIONS:

#	Date	Description
1	10.13.2023	STAFF REVIEW SUBMISSION
2	06.03.2024	SITE PLAN SUBMITTAL
3	07.26.2024	REVISED SITE PLAN SUBMITTAL
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Designed By: CAP  
Reviewed By: JLL  
Approved By: JLL

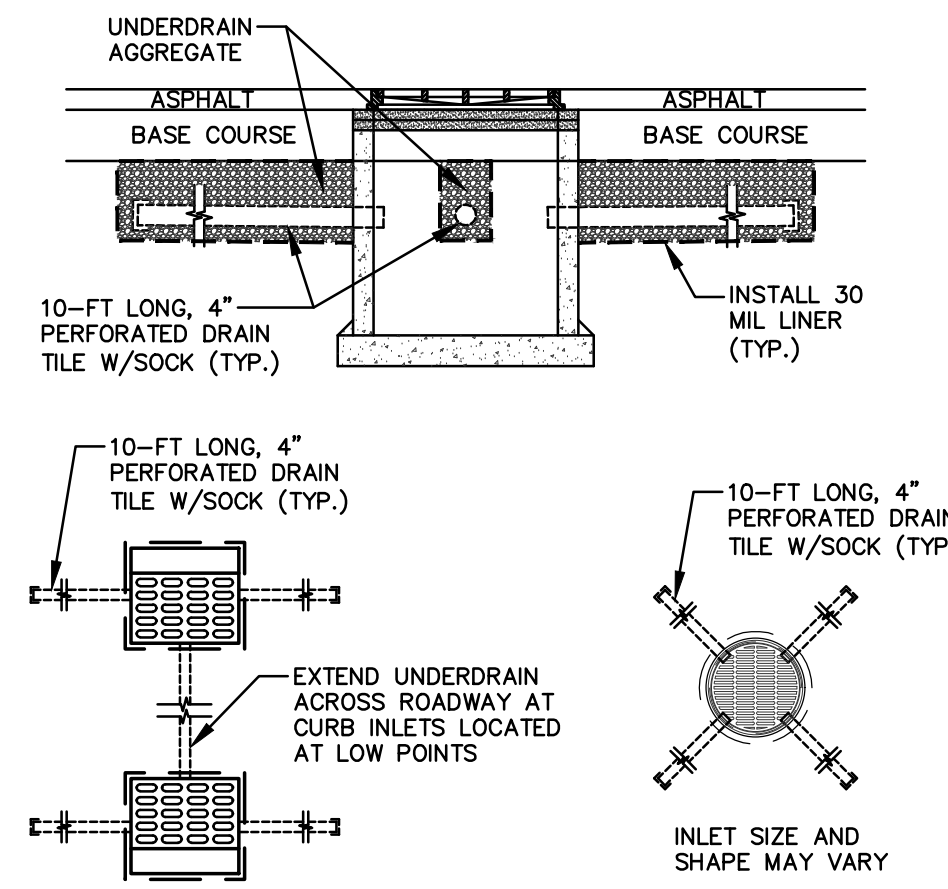
SHEET TITLE:  
**DETAILS**

SHEET NUMBER:  
**C5.0**

JSD PROJECT NO: 18-8450

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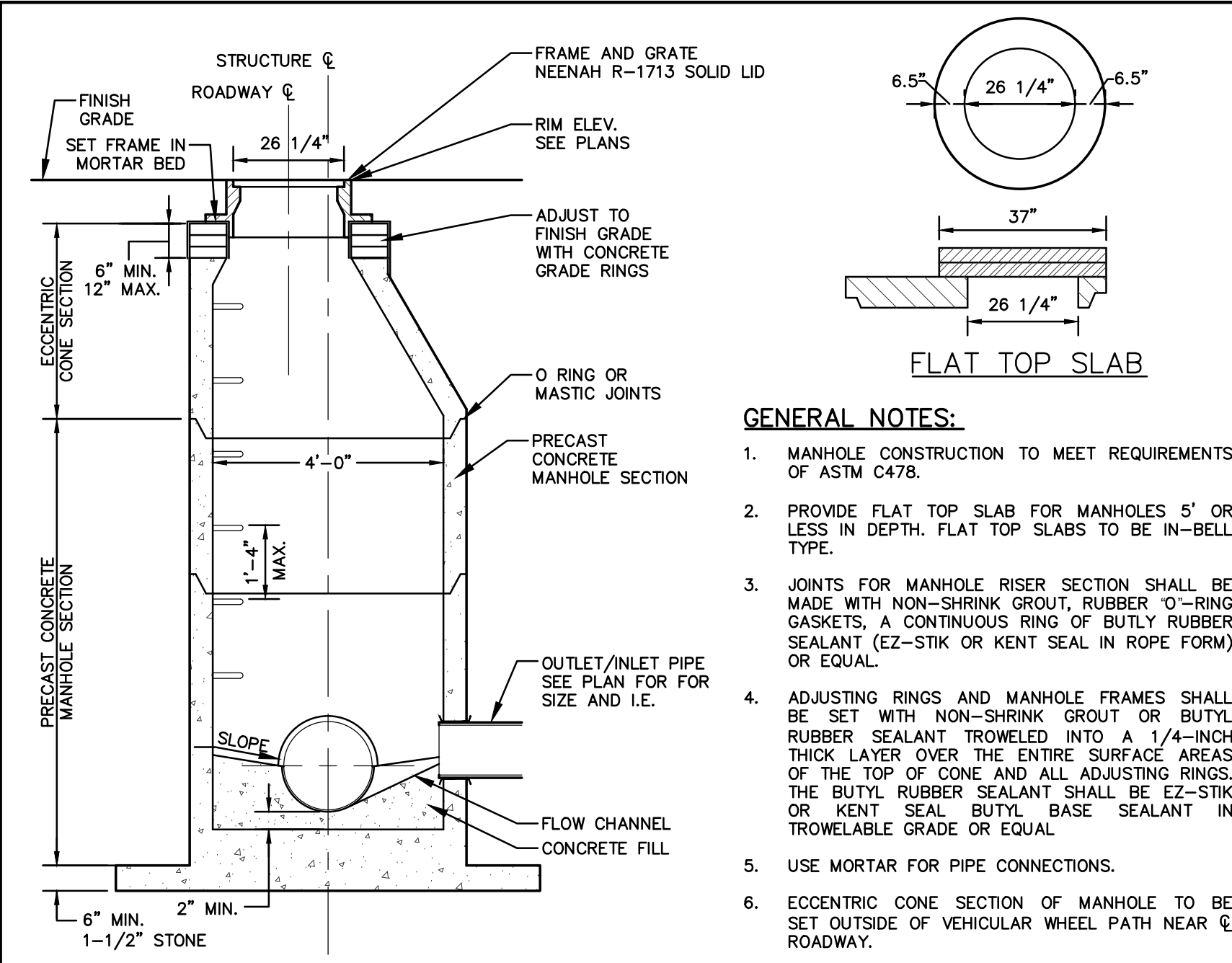
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- GENERAL NOTES:**
- UNDERDRAINS SHALL BE INSTALLED ON ALL INLET/CATCH BASINS LOCATED WITHIN IMPERVIOUS PAVEMENTS.
  - UNDERDRAIN CONNECTIONS SHALL BE CORED ON-SITE.
  - UNDERDRAIN VERTICAL LOCATION MAY VARY DEPENDING ON STORM SEWER PIPE LOCATION.
  - ALTERNATIVE DESIGN MAY BE SUBSTITUTED IF SHOP DRAWINGS ARE SUBMITTED AND APPROVED BY CITY OF KENOSHA.

**CATCH BASIN/INLET UNDERDRAIN**

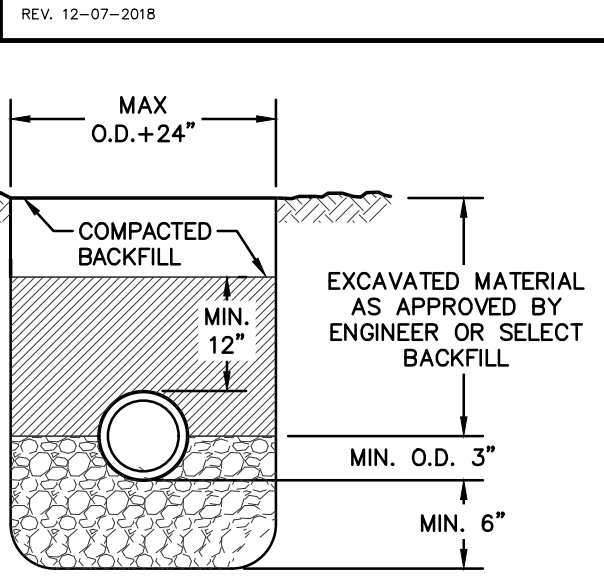
REV. 12-7-2018



- GENERAL NOTES:**
- MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
  - PROVIDE FLAT TOP SLAB FOR MANHOLES 5' OR LESS IN DEPTH. FLAT TOP SLABS TO BE IN-BELL TYPE.
  - JOINTS FOR MANHOLE RISER SECTION SHALL BE MADE WITH NON-SHRINK GROUT, RUBBER O-RING GASKETS, A CONTINUOUS RING OF BUTYL RUBBER SEALANT (EZ-STIK OR KENT SEAL IN ROPE FORM) OR EQUAL.
  - ADJUSTING RINGS AND MANHOLE FRAMES SHALL BE SET WITH NON-SHRINK GROUT OR BUTYL RUBBER SEALANT TROWELED INTO A 1/4-INCH THICK LAYER OVER THE ENTIRE SURFACE AREAS OF THE TOP OF CONE AND ALL ADJUSTING RINGS. THE BUTYL RUBBER SEALANT SHALL BE EZ-STIK OR KENT SEAL BUTYL BASE SEALANT IN TROWELABLE GRADE OR EQUAL.
  - USE MORTAR FOR PIPE CONNECTIONS.
  - ECCENTRIC CONE SECTION OF MANHOLE TO BE SET OUTSIDE OF VEHICULAR WHEEL PATH NEAR ROADWAY.

**STORM SEWER MANHOLE**

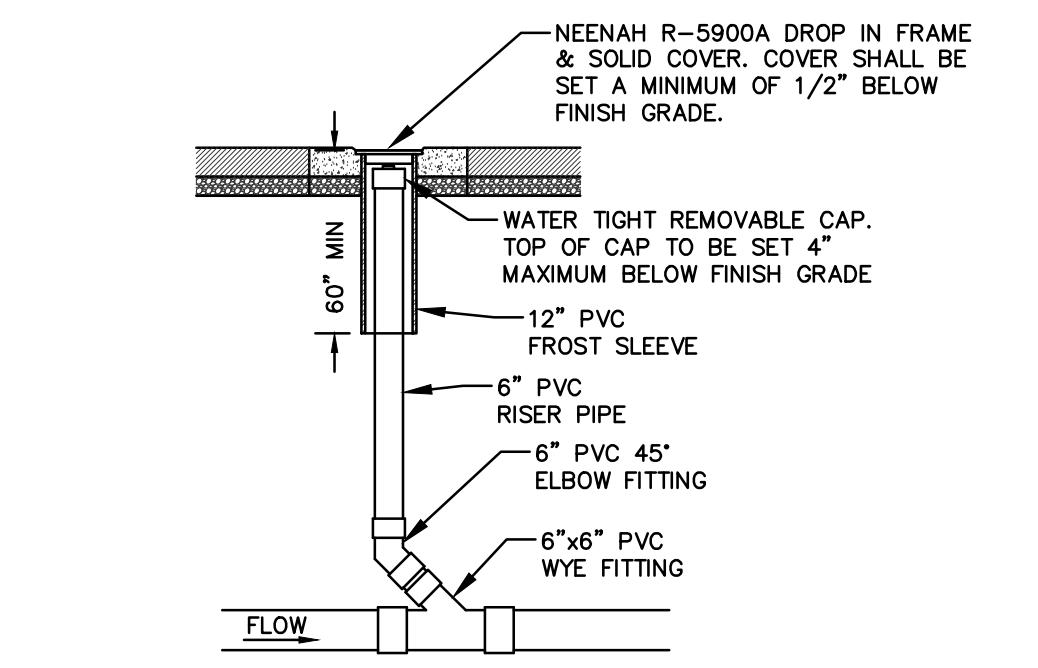
N.T.S.



- LEGEND**
- BACKFILL MATERIAL CONTAINING NO STONES LARGER THAN 3" AND NO HARD OR FROZEN LUMPS OF EARTH.
  - WASHED, GRAVEL OR CRUSHED STONE

**TRENCH BACKFILL**

REV. 12-6-2018

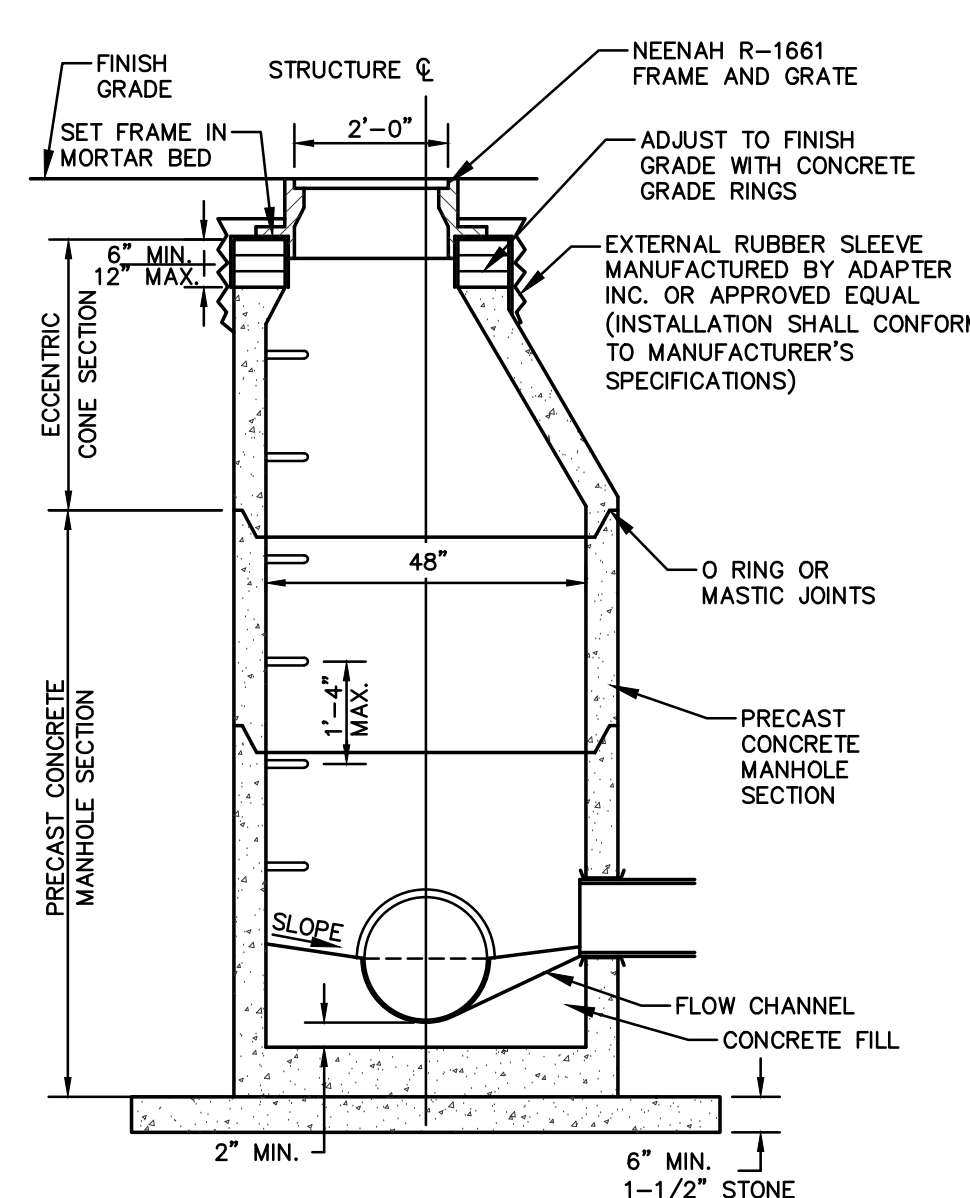


Comm Table 82.35

Dia of Lateral	Min Dia of Cleanout Riser	Min Dia of Riser Cap
1.5	1.5	1.5
2	1.5	1.5
3	3	2.5
4	4	3.5
5	5	4
6	6	5
8+	6	6

**SEWER CLEANOUT**

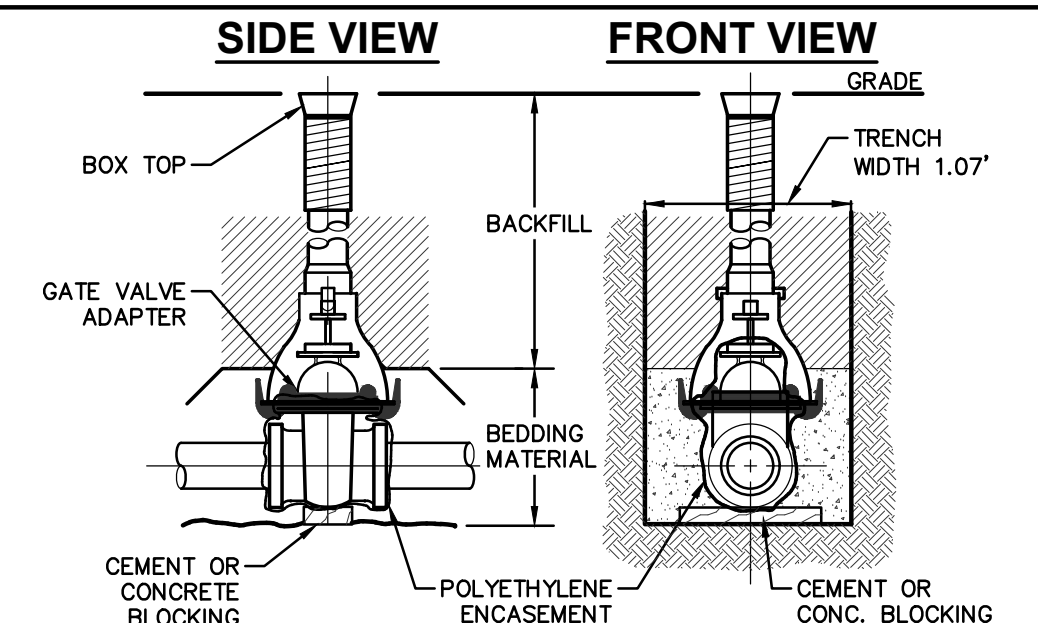
REV. 12-6-2018



- GENERAL NOTES:**
- MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
  - JOINTS SHALL BE WATERTIGHT. USE BUTYL RUBBER GASKET.
  - USE MORTAR FOR PIPE CONNECTIONS.
  - ALL MANHOLES SHALL HAVE RUBBER CHIMNEY BOOT SEALS.

**SANITARY SEWER MANHOLE**

REV. 12-6-2018



**GATE VALVE BOX SETTING**

REV. 12-04-2018

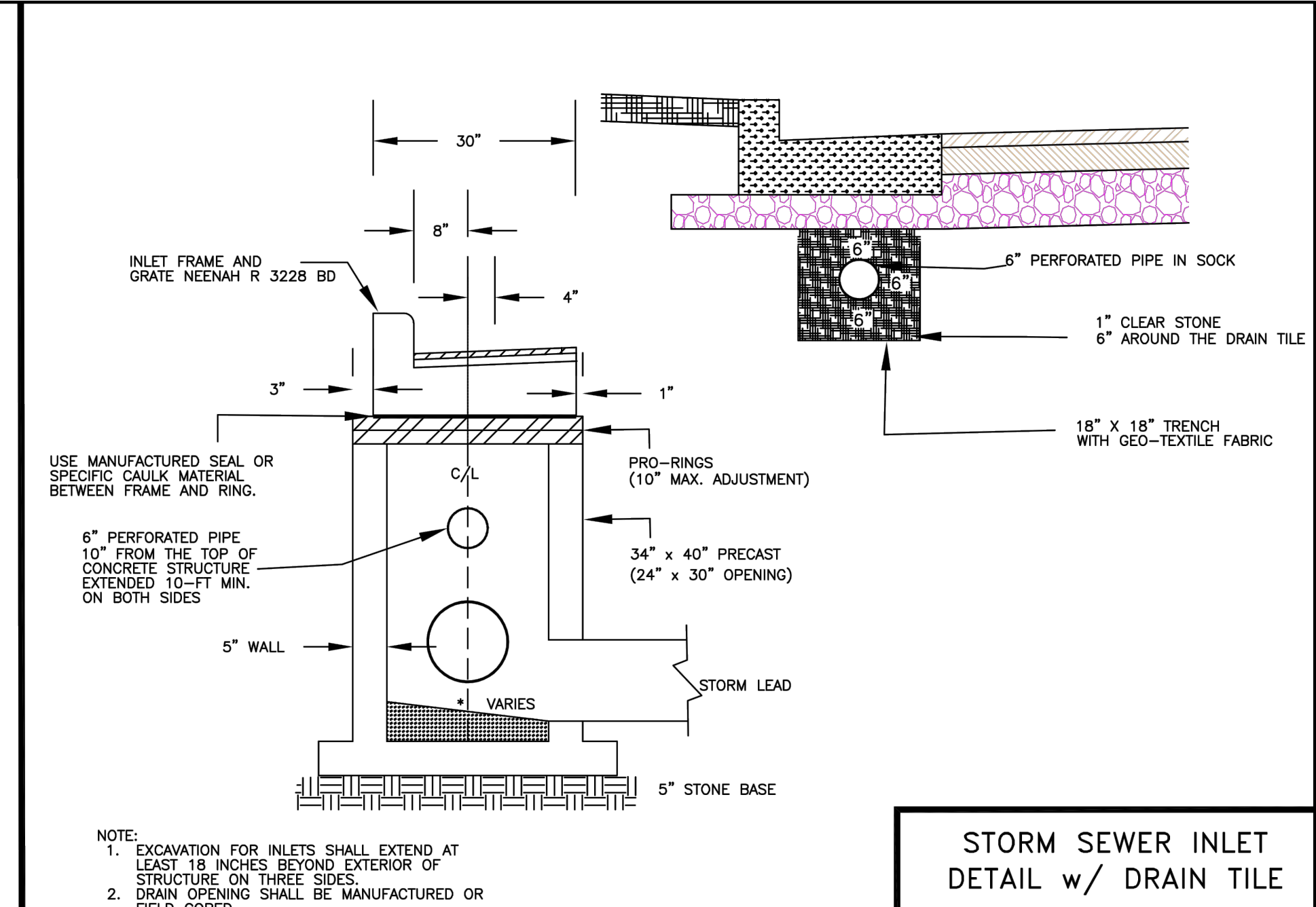


FIGURE 16-A

**STORM SEWER INLET DETAIL w/ DRAIN TILE**

FRANKLIN ENGINEERING DEPT 10/2020 RA

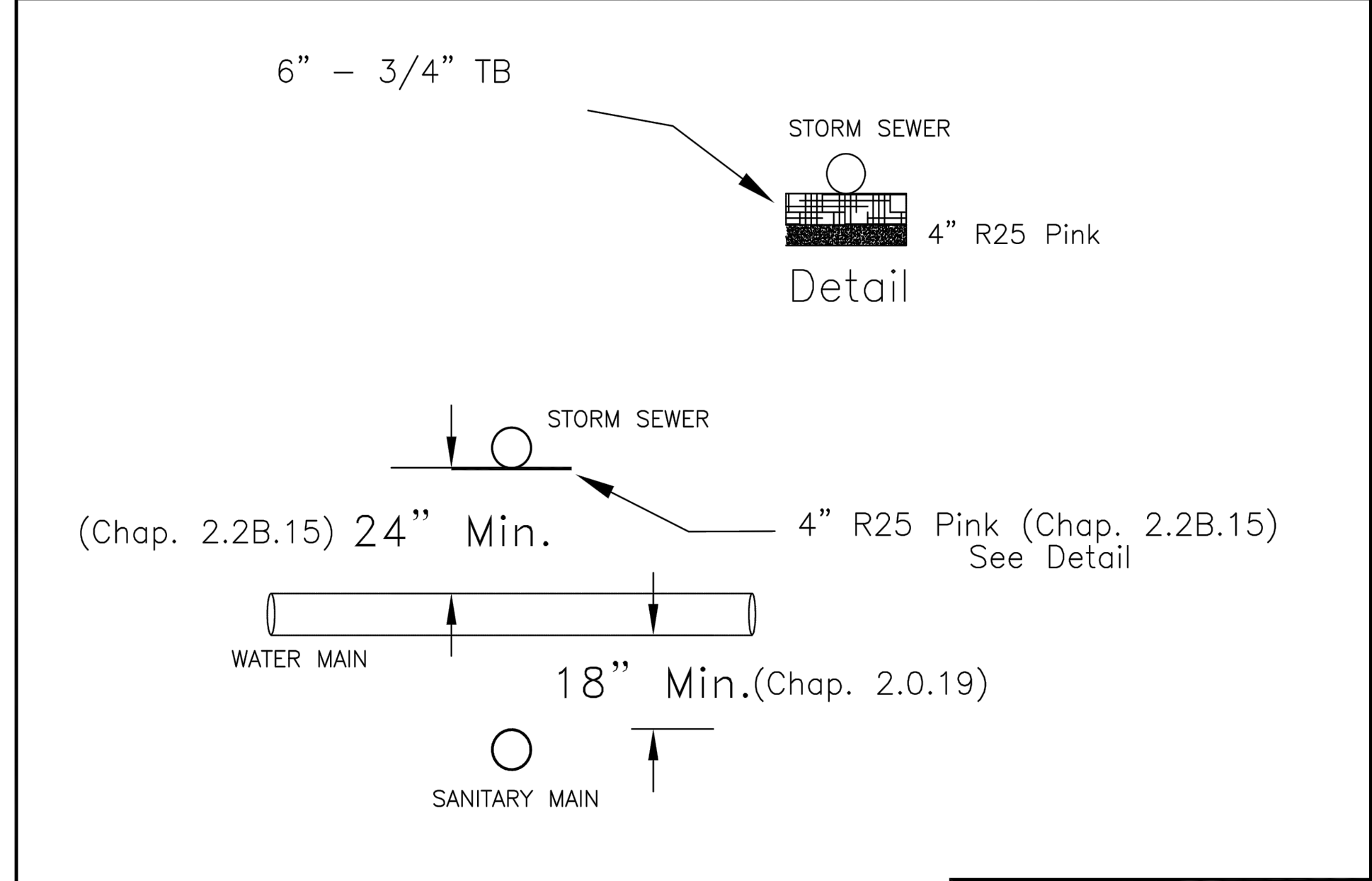
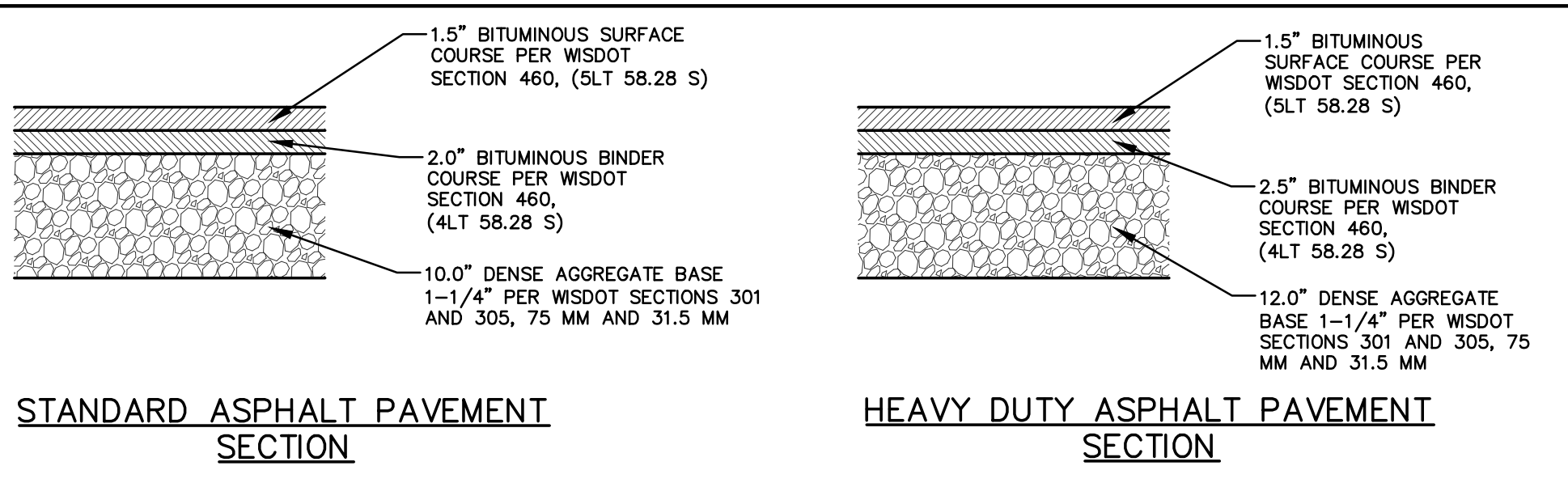


FIGURE 40

**UTILITIES VERTICAL SEPARATION AND PLACEMENT OF 4" R25 PINK**

**UTILITIES VERTICAL SEPARATION**

FRANKLIN ENGINEERING DEPT 5/2020 RA



**STANDARD ASPHALT PAVEMENT SECTION**

**HEAVY DUTY ASPHALT PAVEMENT SECTION**

**GENERAL NOTES:**

- PAVEMENT SECTION PROVIDED BASED ON SIMILAR PROJECTS WITH SIMILAR EXPECTED TRAFFIC LOADING. SINCE NO GEOTECHNICAL REPORT HAS BEEN PROVIDED, AS OF THIS DATE, JSD CANNOT GUARANTEE PERFORMANCE OR LIFE EXPECTANCY OF PROPOSED PAVEMENT DESIGN.
- WSDOT STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, INCLUDING SUPPLEMENTAL SPECIFICATIONS, COMPACTION REQUIREMENTS: - BITUMINOUS CONCRETE: REFER TO SECTION 460-3. - BASE COURSE: REFER TO SECTION 301.3.4.2, STANDARD COMPACTION.
- CONCRETE EQUIPMENT PADS SHALL HAVE A MINIMUM 6" THICK PORTLAND CEMENT CONCRETE OVER COMPACTED 6" THICK DENSE GRADED BASE WITH REINFORCEMENT FOR CRACK CONTROL.

**PAVEMENT SECTIONS**

N.T.S.



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CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET FRANKLIN, MILWAUKEE COUNTY WISCONSIN**

**PLAN MODIFICATIONS:**

#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	06.03.2024	SITE PLAN SUBMITTAL
3	07.26.2024	REVISED SITE PLAN SUBMITTAL
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Designed By: CAP  
Reviewed By: JLL  
Approved By: JLL

**DETAILS**

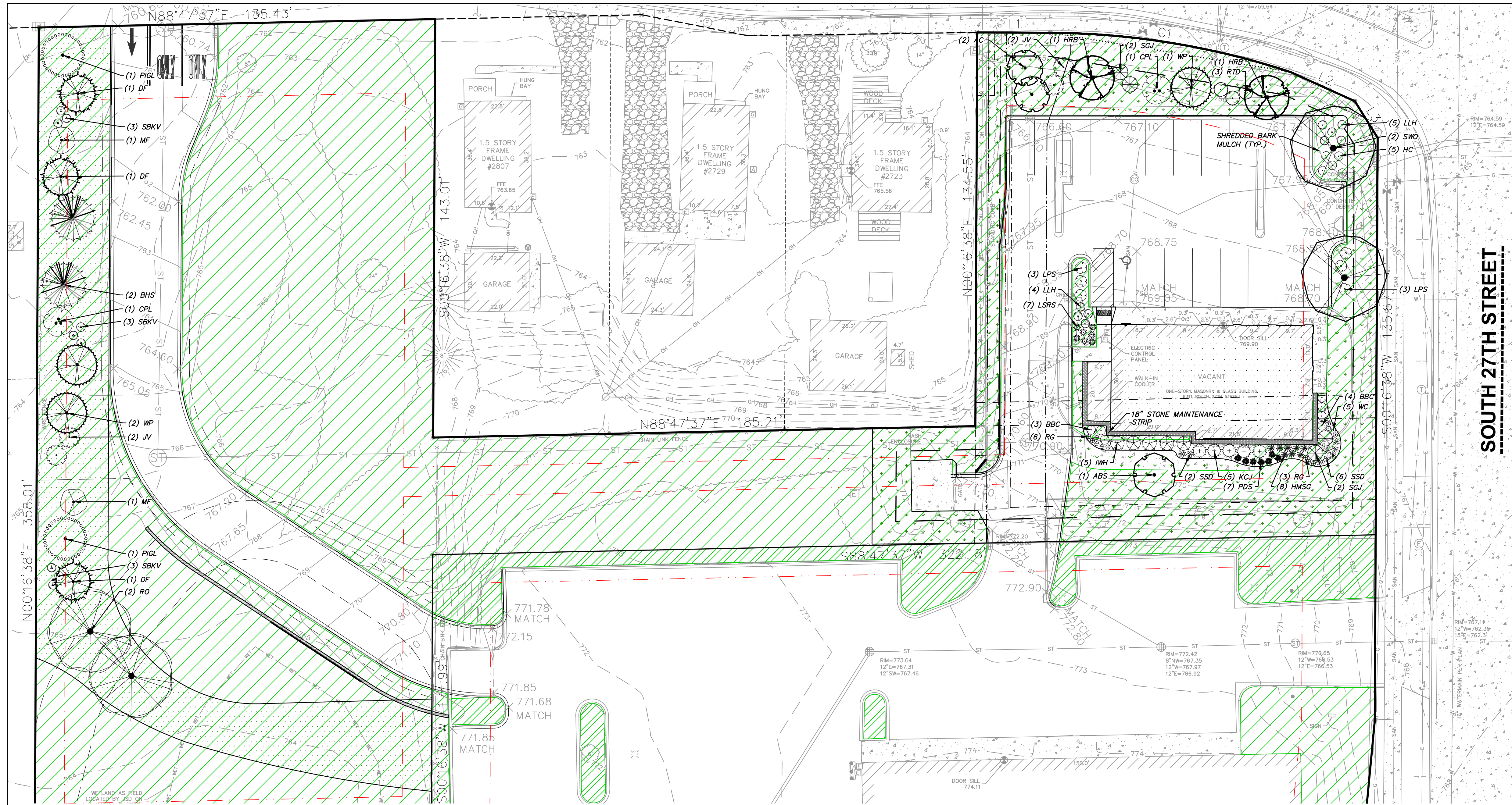
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**C5.1**

JSD PROJECT NO: 18-8450

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**GENERAL NOTES**

- REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGEND.
- ALL WORK IN THE ROW SHALL BE IN ACCORDANCE WITH THE MUNICIPAL STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
- JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED RESULT INSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.
- DRAWING FOR REVIEW - NOT FOR CONSTRUCTION UNLESS OTHERWISE NOTED IN THE TITLE BLOCK.
- THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL FINE GRADING AND TOPSOILING WITH GENERAL CONTRACTOR.
- REFER TO "LANDSCAPE DETAILS AND NOTES" SHEET FOR ADDITIONAL DETAILS, NOTES AND SPECIFICATION INFORMATION INCLUDING MATERIALS, GUARANTEE AND EXECUTION RELATED TO LANDSCAPE PLAN.
- CONTRACTOR SHALL REVIEW SITE CONDITIONS FOR UTILITY CONFLICTS, DRAINAGE ISSUES, SUBSURFACE ROCK, AND PLANT PLACEMENT CONFLICTS PRIOR TO PLANT INSTALLATION. REPORT ANY CONDITIONS THAT MAY HAVE ADVERSE IMPACT ON PLANTING OPERATIONS TO LANDSCAPE ARCHITECT.
- DO NOT COMMENCE PLANTING OPERATIONS UNTIL ALL ADJACENT SITE IMPROVEMENTS, IRRIGATION INSTALLATION (IF APPLICABLE), AND FINISH GRADING ARE COMPLETE.

**LEGEND**

- PROPERTY LINE
- RIGHT-OF-WAY
- EASEMENT LINE
- BUILDING OUTLINE
- BUILDING OVERHANG
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- CONCRETE PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- 950 PROPOSED 1 FOOT CONTOUR
- 960 PROPOSED 5 FOOT CONTOUR
- 950 EXISTING 1 FOOT CONTOUR
- 960 EXISTING 5 FOOT CONTOUR
- KENTUCKY BLUE GRASS SEED, FERTILIZER, AND MULCH
- NO-MOW FESCUE WITH ANNUAL RYE SEED, FERTILIZER, AND MULCH
- STONE MULCH
- STORMWATER MANAGEMENT AREA
- SAN SANITARY SEWER
- W WATERMAIN
- ST STORM SEWER
- SAN EXISTING SANITARY SEWER
- W EXISTING WATERMAIN
- ST EXISTING STORM SEWER
- RETAINING WALL
- X FENCE
- ○ ○ ○ ○ LIGHT POLE (REFER TO PHOTOMETRIC PLAN)
- ▲ ADA PARKING SIGN
- BOLLARD
- BOLLARD WITH ADA PARKING SIGN
- ALUMINUM EDGING



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**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

**PLAN MODIFICATIONS:**

#	Date:	Description:
1	11/10/23	PC Submittal
2	02/23/24	Rev per City Comments
3	07/24/24	Revised Site Plan Submittal
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Designed By: RWN  
Reviewed By: KCB  
Approved By: KCB  
SHEET TITLE:

**SITE LANDSCAPE PLAN**

SHEET NUMBER:

**L1.0**

JSD PROJECT NO: 18-8450

**PLANT\_SCHEDULE**

SYMBOL	CODE	BOTANICAL / COMMON NAME	CONT	SIZE	QTY
<b>DECIDUOUS TREES</b>					
	SWO	<i>Quercus bicolor</i> / Swamp White Oak	B & B	2.5" Cal	2
	RQ	<i>Quercus rubra</i> / Red Oak	B & B	2.5" Cal	2
<b>EVERGREEN TREES</b>					
	PIGL	<i>Picea glauca</i> / White Spruce	B & B	8' Tall	2
	BHS	<i>Picea glauca</i> 'Densata' / Black Hills Spruce	B & B	8' Tall	2
	WP	<i>Pinus strobus</i> / White Pine	B & B	8' Tall	3
	DF	<i>Pseudotsuga menziesii</i> / Douglas Fir	B & B	8' Tall	3
<b>ORNAMENTAL TREES</b>					
	ABS	<i>Amelanchier x grandiflora</i> 'Autumn Brilliance' / Autumn Brilliance Serviceberry	B & B	7' Tall (Multi-Stem)	1
	HRB	<i>Betula nigra</i> 'Cully' TM / Heritage River Birch	B & B	2" Cal (Multi-Stem)	2
	AC	<i>Malus x 'Adirondack'</i> / Adirondack Crabapple	B & B	2" Cal	2

**DECIDUOUS SHRUBS**

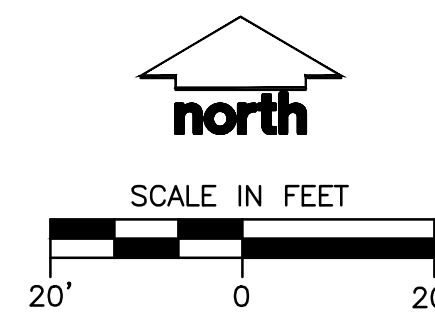
	BBC	<i>Aronia melanocarpa</i> 'Morton' TM / Iroquois Beauty Black Chokeberry	Cont.	#3	7
	RTD	<i>Cornus baileyi</i> / Bailey's Red-twig Dogwood	B & B	36" Ht.	3
	HC	<i>Cotoneaster acutifolius lucidus</i> / Hedge Cotoneaster	Cont.	#3	5
	MF	<i>Forsythia x 'Meadowlark'</i> / Meadowlark Forsythia	B & B	36" Tall	2
	IWH	<i>Hydrangea arborescens</i> 'Incrediball' / Incrediball White Hydrangea	Cont.	#3	5
	LLH	<i>Hydrangea paniculata</i> 'Little Lime' / Little Lime Hydrangea	Cont.	#3	9
	LPS	<i>Spiraea japonica</i> 'Little Princess' / Little Princess Japanese Spirea	Cont.	#3	6
	CPL	<i>Syringa vulgaris</i> / Common Lilac	B & B	36" Tall	2
	SBKV	<i>Viburnum carlesii</i> 'SMVCB' TM / Spice Baby Koreanspice Viburnum	B & B	24" Tall	9
	JV	<i>Viburnum x juddii</i> / Judd Viburnum	B & B	36" Tall	4

**EVERGREEN SHRUBS**

	KCJ	<i>Juniperus chinensis</i> 'Kallays Compact' / Kallay Compact Pfitzer Juniper	Cont.	#5	5
	SGJ	<i>Juniperus chinensis</i> 'Sea Green' / Sea Green Juniper	Cont.	#5	4

**PERENNIALS & GRASSES**

	WC	<i>Calamintha nepeta</i> 'Montrose White' / Montrose White Catmint	Cont.	#1	5
	SSD	<i>Hemerocallis x 'Stella D'Oro'</i> / Stella D'Oro Daylily	Cont.	#1	8
	HMSG	<i>Panicum virgatum</i> 'Heavy Metal' / Heavy Metal Switch Grass	Cont.	#1	8
	LSRS	<i>Perovskia atriplicifolia</i> 'Little Spire' / Little Spire Russian Sage	Cont.	#1	7
	RG	<i>Rudbeckia hirta</i> 'Goldilocks' / Goldilocks Black-eyed Susan	1 gal	Min 8"-18"	9
	PDS	<i>Sporobolus heterolepis</i> / Prairie Dropseed	Cont.	#1	7



**GENERAL NOTES**

- GENERAL: ALL WORK IN THE R-0-W AND PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH LOCAL MUNICIPAL REQUIREMENTS. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES. LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO UTILITIES. CONTRACTOR MUST CALL 1-800-242-8511 FOR UTILITY LOCATIONS AT LEAST THREE DAYS PRIOR TO DIGGING. HAND DIG AND INSTALL ALL PLANTS THAT ARE NEAR EXISTING UTILITIES. PROTECT PREVIOUSLY INSTALLED WORK OF OTHER TRADES. CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
- DELIVERY AND HANDLING: DO NOT DELIVER MORE PLANT MATERIALS THAN CAN BE PLANTED IN ONE DAY, UNLESS ADEQUATE, APPROPRIATE AND SECURE STORAGE IS PROVIDED AND APPROVED BY OWNER'S REPRESENTATIVE. AT ALL TIMES, PROTECT ALL PLANT MATERIALS FROM WIND AND DIRECT SUN. DELIVER PLANTS WITH LEGIBLE IDENTIFICATION LABELS. PROTECT PLANTS DURING DELIVERY AND DO NOT PRUNE PRIOR TO DELIVERY. ALL TREES AND SHRUBS SHALL BE PLANTED ON THE DAY OF DELIVERY; IF THIS IS NOT POSSIBLE, PROTECT THE PLANT MATERIALS NOT PLANTED BY STORING THEM IN A SHADED, SECURE AREA, PROTECTING THE ROOT MASS WITH WET SOIL, MULCH, HAY OR OTHER SUITABLE MEDIUM. CONTRACTOR TO KEEP ALL PLANT MATERIALS ADEQUATELY WATERED TO PREVENT ROOT DESICCATION. DO NOT REMOVE CONTAINER GROWN STOCK FROM CONTAINERS BEFORE TIME OF PLANTING. DO NOT PICK UP CONTAINER OR BALLEED PLANTS BY STEM OR ROOTS. ALL PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE CONTAINER OR BALL. PERFORM ACTUAL PLANTING ONLY WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE IN ACCORDANCE WITH LOCALLY ACCEPTED BEST HORTICULTURAL PRACTICES.
- MATERIALS - PLANTS: ALL PLANTS SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1. PLANTS SHALL BE TRUE TO SPECIES AND VARIETY SPECIFIED AND NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT FOR AT LEAST 2 YEARS. PLANTS SHALL BE FRESHLY DUG (DURING THE MOST RECENT FAVORABLE HARVEST SEASON). PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLY SUPERIOR IN FORM, COMPACTNESS, AND SYMMETRY. PLANTS SHALL BE SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF DISEASE AND INSECTS (ADULT EGGS, PUPAE OR LARVAE). THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH OR PREMATURE MORTALITY. PLANTS SHALL BE OF THE HIGHEST QUALITY, POSSESS TYPICAL GROWTH HABITS AND FORM FOR THEIR SPECIES, AND BE FREE OF INJURY. PARKWAY TREES AND PARKING LOT TREES SHALL HAVE A MINIMUM BRANCHING HEIGHT OF SIX (6) FEET ABOVE THE GROUND TO ALLOW ADEQUATE VISUAL AND PHYSICAL CLEARANCE.
- PRUNING: THE CONTRACTOR SHALL PRUNE ALL TREES AND REPAIR ANY INJURIES THAT OCCURRED DURING THE PLANTING PROCESS. DOUBLE LEADERS, DEAD BRANCHES, AND LIMBS DAMAGED OR BROKEN DURING THE PLANTING PROCESS, SHALL BE PRUNED. THIS SHALL BE THE ONLY PRUNING ALLOWED AT PLANTING. PRUNING SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR TREE CARE, ANSI A300. PRUNE TREES IN ACCORDANCE WITH NAA GUIDELINES. DO NOT TOP TREES. PRUNE SHRUBS ACCORDING TO STANDARD HORTICULTURAL PRACTICES. ON CUTS OVER 3/4" IN DIAMETER AND BRUISES OR SCARS ON BARK, TRACE THE INJURED CAMBIUM LAYER BACK TO UNING TISSUE AND REMOVE. SMOOTH AND SHAPE WOUNDS SO AS NOT TO RETAIN WATER. TREAT THE AREA WITH AN APPROVED INCONSPICUOUS LATEX BASED ANTISEPTIC TREE PAINT, IF PRUNING OCCURS "IN SEASON". DO NOT PRUNE ANY OAK TREES DURING THE MONTHS FROM APRIL TO OCTOBER.
- CLEANUP: THE WORK AREA SHALL BE KEPT SAFE AND NEAT AT ALL TIMES. DISPOSED OF EXCESS SOIL. REMOVE ALL CUTTINGS AND WASTE MATERIALS. SOIL AND BRANCHES, BIND AND WRAP THESE MATERIALS, ANY REJECTED PLANTS, AND ANY OTHER DEBRIS RESULTING FROM ALL PLANTING TASKS AND PROMPTLY CLEAN UP AND REMOVE FROM THE PROJECT SITE. UNDER NO CIRCUMSTANCES SHALL THE ACCUMULATION OF SOIL, BRANCHES OR OTHER DEBRIS BE ALLOWED UPON A PUBLIC PROPERTY IN SUCH A MANNER AS TO RESULT IN A PUBLIC SAFETY HAZARD OR DAMAGE. LIKEWISE, UNDER NO CIRCUMSTANCES SHALL ANY DEBRIS OR INCIDENTAL MATERIALS BE ALLOWED UPON ADJACENT PRIVATE PROPERTY.
- ANY SUBSTITUTIONS IN PLANT TYPE, LOCATION, OR SIZE SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES AND SQUARE FOOTAGES. QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE OVER THOSE ON SCHEDULE.

**LANDSCAPE MATERIAL NOTES**

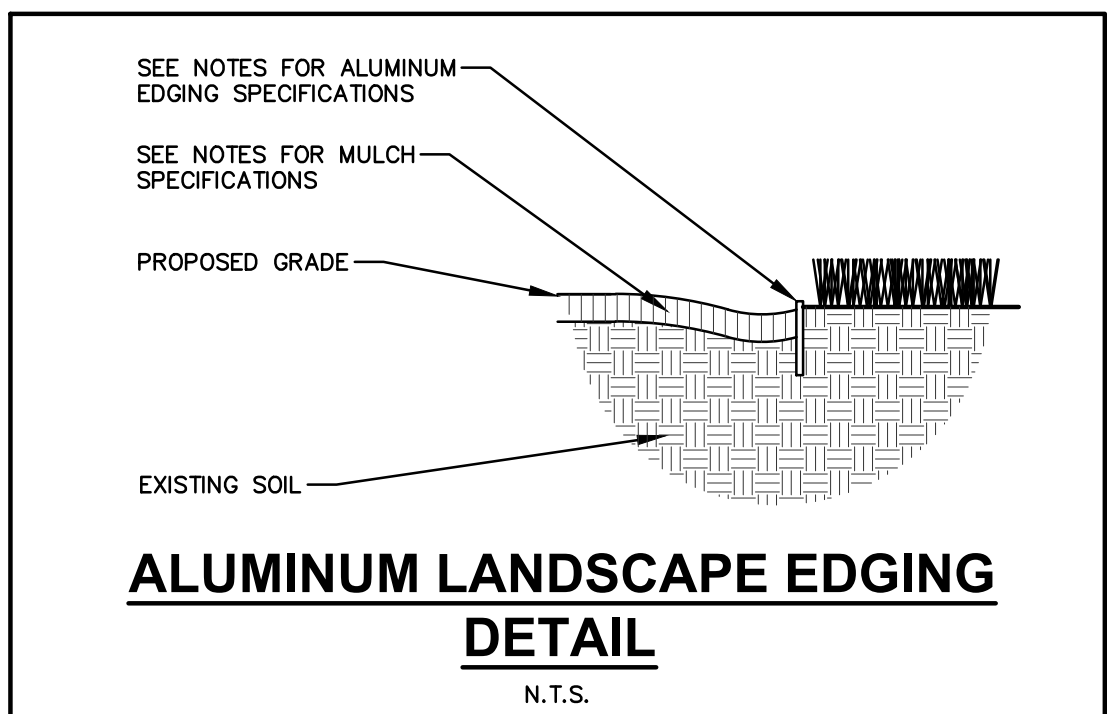
- MATERIALS - PLANTING MIXTURE: ALL HOLES EXCAVATED FOR TREES, SHRUBS, PERENNIALS AND ORNAMENTAL GRASSES SHALL BE BACKFILLED WITH TWO (2) PARTS TOPSOIL, ONE (1) PART SAND AND ONE (1) PART COMPOST. SOIL MIXTURE SHALL BE WELL BLENDED PRIOR TO INSTALLATION.
- MATERIALS - TOPSOIL: TOPSOIL TO BE CLEAN, FRIABLE LOAM FROM A LOCAL SOURCE, FREE FROM STONES OR DEBRIS OVER 3/4" IN DIAMETER, AND FREE FROM TOXINS OR OTHER DELETERIOUS MATERIALS. TOPSOIL SHALL HAVE A pH VALUE BETWEEN 6 AND 7. TOPSOIL AND PLANTING SOIL SHALL BE TESTED TO ENSURE CONFORMANCE WITH THESE SPECIFICATIONS AND SHALL BE AMENDED TO MEET THESE SPECIFICATIONS. PROVIDE TEST RESULTS TO OWNER'S REPRESENTATIVE PRIOR TO PLACEMENT. DO NOT PLACE FROZEN OR MUDDY TOPSOIL. APPLY SOIL AMENDMENTS TO ALL LANDSCAPE AREAS PER SOIL TEST.
- MATERIALS - SHREDDED HARDWOOD BARK MULCH: ALL PLANTING AREAS LABELED ON PLAN SHALL RECEIVE CERTIFIED WEED FREE SHREDDED HARDWOOD BARK MULCH INSTALLED TO A MINIMUM AND CONSISTENT DEPTH OF 3-INCHES. SHREDDED HARDWOOD BARK MULCH SIZE & COLOR TO BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. SHREDDED HARDWOOD BARK MULCH AREAS SHALL NOT RECEIVE WOVEN WEED BARRIER FABRIC.
- MATERIALS - STONE MULCH: ALL PLANTING AREAS LABELED ON PLAN SHALL RECEIVE DECORATIVE STONE MULCH SPREAD TO A MINIMUM AND CONSISTENT DEPTH OF 3-INCHES. DECORATIVE STONE MULCH TYPE, SIZE & COLOR TO BE 2" MISSISSIPPI RIVER STONE, FINAL SELECTION APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. STONE MULCH AREAS SHALL RECEIVE WOVEN WEED BARRIER FABRIC. NO PLASTIC/IMPERVIOUS BARRIERS WILL BE PERMITTED. EXAMPLE: BLACK VISQUEEN.
- MATERIALS - TREE & SHRUB RINGS: ALL TREES AND/OR SHRUBS PLANTED IN SEEDED LAWN AREAS TO BE INSTALLED WITH A MINIMUM 4" DIAMETER SHREDDED HARDWOOD BARK MULCH TREE RING SPREAD TO A CONSISTENT DEPTH OF 3-INCHES. ALL TREE RINGS SHOULD BE INSTALLED WITH A 5" DEPTH SHOVEL CUT EDGE, ANGLED 45 DEGREES INTO SOIL AT A 5" DIAMETER ABOUT THE CENTER OF THE TREE PLANTING. A PRE-EMERGENT GRANULAR HERBICIDE NEED-PREVENTER SHOULD BE MIXED WITH MULCH USED TO INSTALL TREE RING AS WELL AS TOPICALLY APPLIED TO COMPLETED INSTALLATION OF TREE RING.
- MATERIALS - ALUMINUM EDGING: EDGING SHALL BE 1/8" X 4", ALUMINUM EDGING, MILL FINISH. OWNER'S REPRESENTATIVE SHALL APPROVE PRODUCT SPECIFICATION PROVIDED BY LANDSCAPE CONTRACTOR.
- MATERIALS - TREE PROTECTION: ALL TREES TO BE INSTALLED WITH LDPE TREE GUARDS AS MANUFACTURED BY A.M. LEONARD HORTICULTURAL TOOL & SUPPLY CO., OR APPROVED EQUAL.
- MATERIALS - (ALTERNATE 1): TREE WATERING BAGS: ALL TREES TO BE INSTALLED WITH ONE (1) WATER BAG. PRODUCT TO BE "TREE GATOR ORIGINAL SLOW RELEASE WATERING BAG," PRODUCT NO. 98183-R OR APPROVED EQUAL. INSTALL IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.
- MATERIALS - (ALTERNATE 2): ROOT WATERING SYSTEM: ALL TREES TO BE INSTALLED WITH TWO (2) DEEP TREE ROOT WATER AERATION/WATERING TUBES. PRODUCT TO BE "ROOTWELL PRO-318, OR APPROVED EQUAL. INSTALL IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. CARE SHALL BE TAKEN TO AVOID DAMAGE TO TREE ROOT BALL.

**SEEDING AND SODDING**

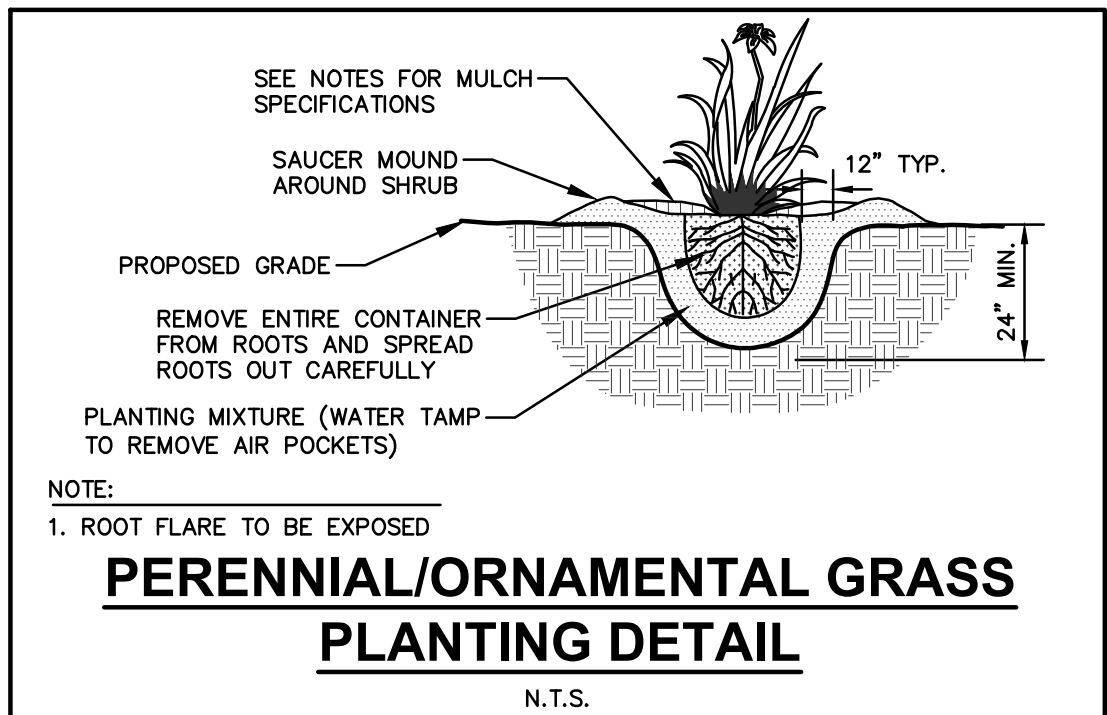
- MATERIALS - TURFGRASS SEED: DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 8" OF TOPSOIL AND EARTH CARPET'S "MADISON PARKS" GRASS SEED, OR EQUIVALENT AS APPROVED BY THE OWNER'S REPRESENTATIVE. INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. IN ADDITION TO TURFGRASS SEED, ANNUAL RYE SHALL BE APPLIED TO ALL DISTURBED AREAS AT A RATE OF 1 1/2 LBS PER 1000 SQUARE FEET. FERTILIZE AND MULCH PER MANUFACTURER'S RECOMMENDATIONS. MULCH SHALL BE CERTIFIED NOXIOUS WEED SEED-FREE.
- MATERIALS - NO-MOW FESCUE SEED: DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND PRAIRIE NURSERY NO-MOW FESCUE GRASS SEED, OR EQUIVALENT AS APPROVED BY THE OWNER'S REPRESENTATIVE. INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. IN ADDITION TO NO-MOW FESCUE SEED, ANNUAL RYE SHALL BE APPLIED TO ALL DISTURBED AREAS AT A RATE OF 1 1/2 LBS PER 1000 SQUARE FEET. FERTILIZE AND MULCH PER MANUFACTURER'S RECOMMENDATIONS. MULCH SHALL BE CERTIFIED NOXIOUS WEED SEED-FREE.

**CONTRACTOR AND OWNER RESPONSIBILITY NOTES**

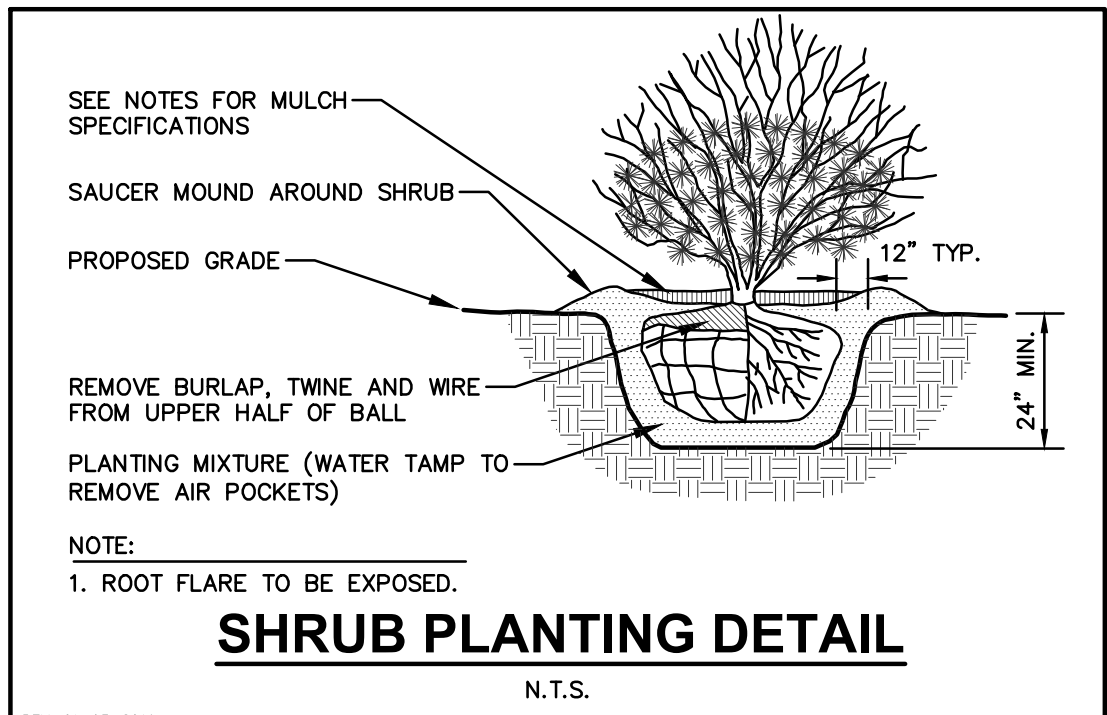
- GUARANTEE: THE CONTRACTOR SHALL GUARANTEE ALL PLANTS THROUGH ONE (1) YEAR AFTER ACCEPTANCE BY THE OWNER'S REPRESENTATIVE. PLANTS SHALL BE ALIVE AND IN HEALTHY AND FLOURISHING CONDITION AT THE END OF THE GUARANTEE PERIOD. THE CONTRACTOR SHALL REPLACE (AT NO COST TO OWNER) ANY PLANTS THAT ARE DEAD OR NOT IN A VIGOROUS THRIVING CONDITION. REPLACEMENT PLANTS SHALL BE OF THE SAME KIND AND SIZE AS ORIGINALLY SPECIFIED UNLESS OTHERWISE DIRECTED BY OWNER'S REPRESENTATIVE. RESTORE BEDS AS NECESSARY FOLLOWING PLANT REPLACEMENT, INCLUDING BUT NOT LIMITED TO BEDDING, EDGING, MULCH, ETC. REPLACE PLANTS DAMAGED AT TIME OF PLANTING. REPAIR AREAS DISTURBED IN ANY WAY DURING PLANT REPLACEMENT AT NO COST TO OWNER. CONTRACTOR SHALL PROVIDE A ONE (1)-YEAR STRAIGHTENING GUARANTEE FOR ALL TREES.
- CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER'S REPRESENTATIVE PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
- MAINTENANCE: (CONTRACTOR) FOR ALL PLANTINGS, SEEDED AND/OR SODDED LAWN AREAS: THE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS AND LAWN AREAS FOR A MINIMUM TIME PERIOD OF 60 DAYS, UNTIL FINAL ACCEPTANCE BY OWNER'S REPRESENTATIVE. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY WATERING PLANTS AND LAWN/TURFGRASS DURING THIS 60 DAY ESTABLISHMENT PERIOD. CONTRACTOR IS RESPONSIBLE FOR THE ESTABLISHMENT OF HEALTHY VIGOROUS PLANT MATERIALS AND LAWN/TURFGRASS GROWTH. CONTRACTOR IS ALSO RESPONSIBLE FOR ANY PRUNING OF PLANT MATERIALS, AND SHAPING AND/OR REPLACEMENT OR SUPPLEMENT OF DEFICIENT SHEDDED HARDWOOD BARK MULCH DURING THIS PERIOD. LONG TERM PLANT MATERIALS AND LAWN/TURFGRASS MAINTENANCE AND ANY PROGRAM FOR SUCH IS THE RESPONSIBILITY OF THE OWNER. ALL PLANTINGS AND LAWN/TURFGRASS AREAS SHALL BE MAINTAINED IN A MANICURED CONDITION UNTIL THE TIME WHEN THE OWNER'S ACCEPTANCE IS GIVEN.
- MAINTENANCE: (OWNER) MAINTENANCE OF ALL LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNER, LESSEE, HEIRS, ASSIGNS, AGENTS, HOMEOWNERS'S ASSOCIATION, OR OTHER LIABLE ENTITY OF THE PROPERTY AND SHALL CONSIST OF REGULAR WATERING, PRUNING, MOWING, FERTILIZING, REMOVAL AND REPLACEMENT OF IRRIGATION SYSTEMS, AND ARCHITECTURAL FEATURES. THE OWNER OR LIABLE ENTITY IN CONTROL OF ANY PRIVATE PREMISES SHALL AT ALL TIMES MAINTAIN THE PREMISES FREE OF LITTER AND WEEDS.
- PLANT REPLACEMENT: (OWNER) ANY PLANT MATERIALS INCLUDED IN AN APPROVED LANDSCAPING PLAN THAT DO NOT SURVIVE A PLANT ESTABLISHMENT PERIOD OF TWO YEARS AFTER INSTALLATION SHALL BE REPLACED WITH PLANT MATERIAL(S) OF THE SAME OR LIKE SPECIES OF EQUAL SIZE WITHIN THE NEXT PLANTING SEASON. BUT IN ANY EVENT, WITHIN SIX MONTHS OF THE PLANT'S DEMISE, SAID REPLACEMENT SHALL BE MADE BY THE PROPERTY OWNER OR, IN THE CASE OF LANDSCAPE PLANT MATERIALS LOCATED WITHIN A LANDSCAPE EASEMENT UNDER THE CONTROL OF A HOMEOWNER'S ASSOCIATION, THE HOMEOWNER'S ASSOCIATION SHALL BE RESPONSIBLE FOR SAID REPLACEMENT.



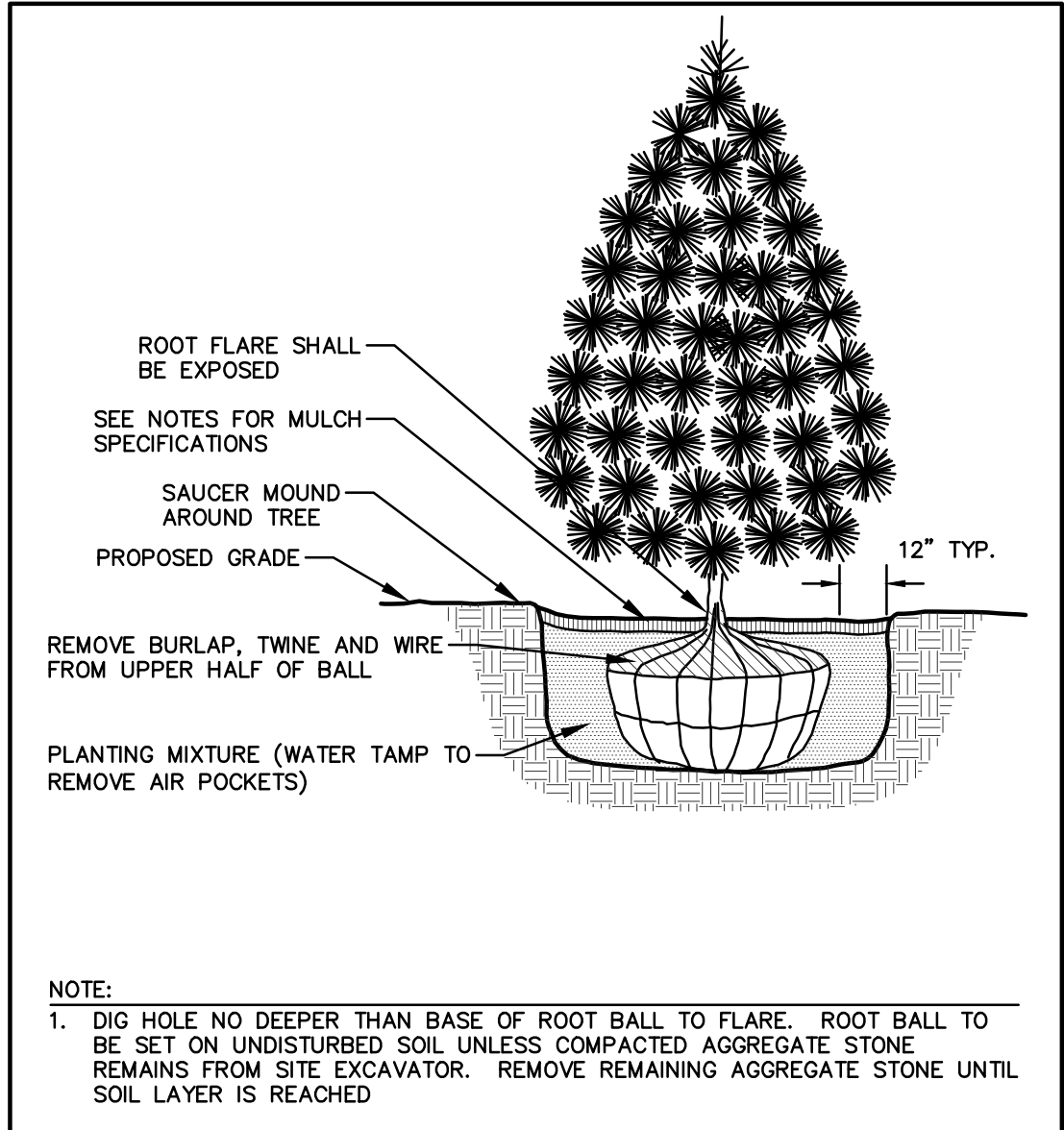
REV. 01-03-2019



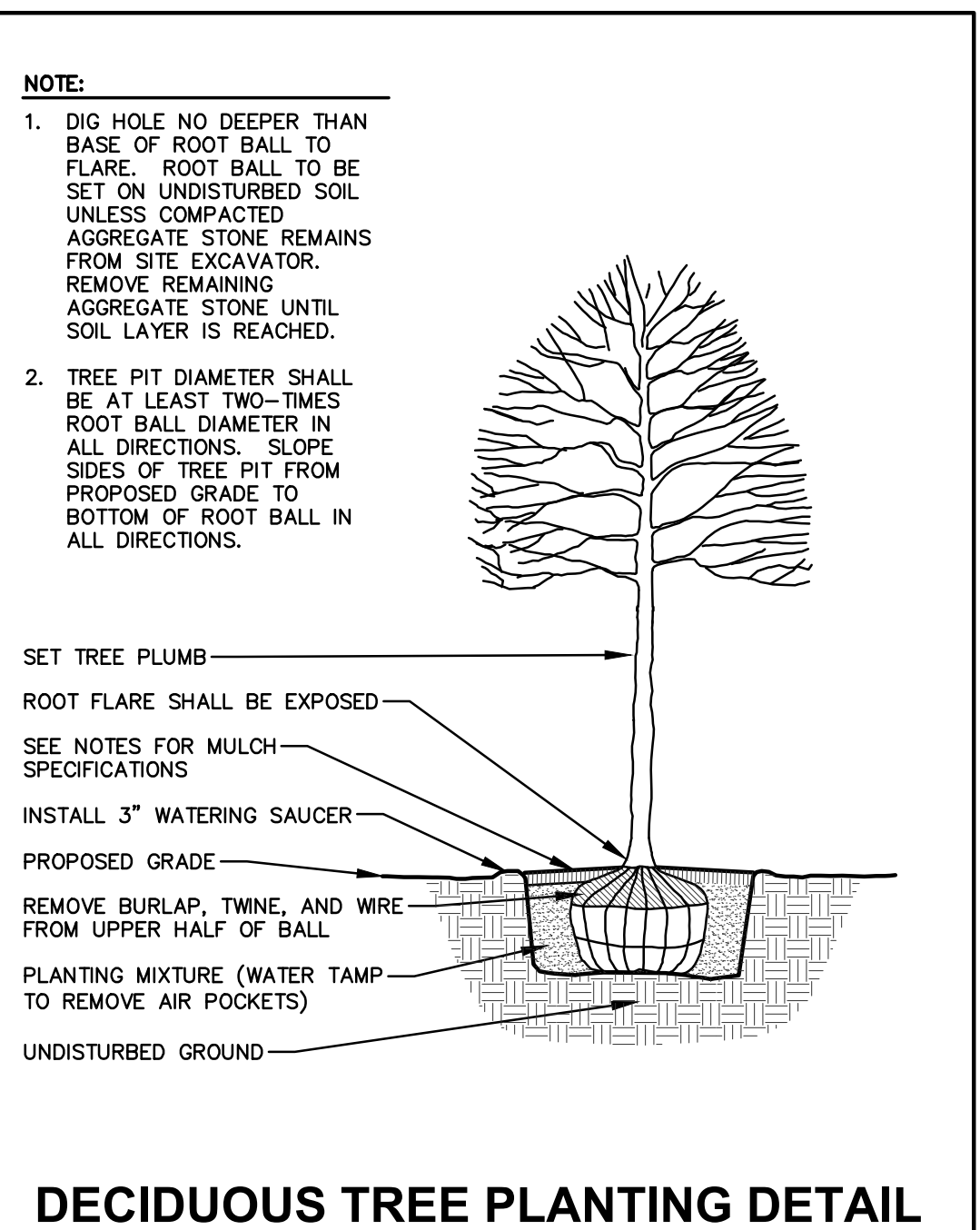
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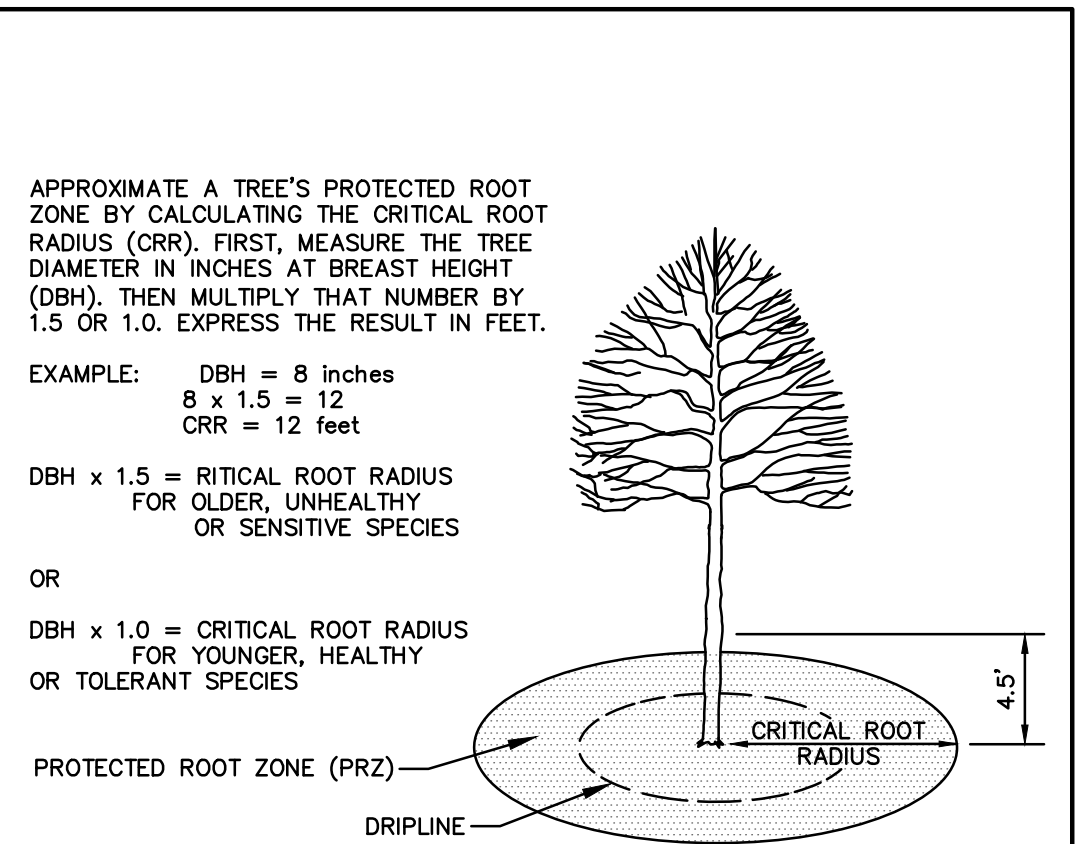
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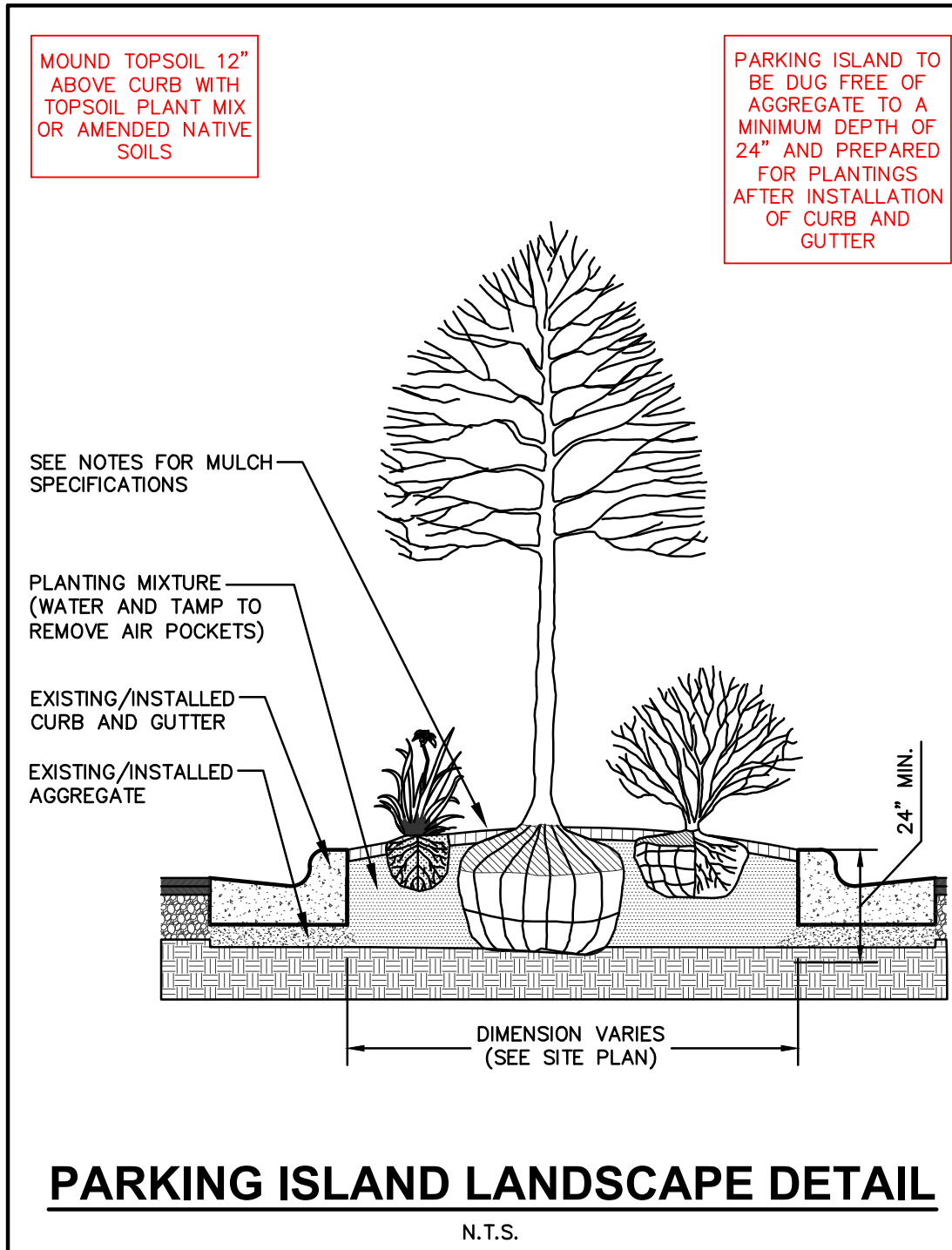
REV. 01-03-2019



REV. 10-29-2001



REV. 01-04-2019



REV. 01-03-2019



CREATE THE VISION TELL THE STORY

jsdinc.com

MILWAUKEE REGIONAL OFFICE  
W238 N1610 BUSSE ROAD, SUITE 100  
WAUKESHA, WISCONSIN 53188  
P. 262.513.0666

CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

CLIENT ADDRESS:  
**W225 N3178 DUPLAINVILLE ROAD PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET FRANKLIN, MILWAUKEE COUNTY WISCONSIN**

PLAN MODIFICATIONS:			
#	Date:	Description:	RWN
1	11/10/23	PG Submittal	KCB
2	02/23/24	Rev per City Comments	KCB
3	07/24/24	Revised Site Plan Submittal	KCB
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Designed By: RWN  
Reviewed By: KCB  
Approved By: KCB

**SHEET TITLE: LANDSCAPE DETAILS AND NOTES**

SHEET NUMBER:

**L2.0**



Toll Free (800) 242-8511

JSD PROJECT NO: 18-8450

LANDSCAPE REQUIREMENTS

15-5.0302 MINIMUM NUMBER OF STANDARD PLANT UNITS (COMMERCIAL) WITH RESIDENTIAL BUFFER

Landscape Requirement:		1 per 5 of each provided parking spaces Canopy/Shade Tree, 2.5" caliper Evergreen, 6' tall Decorative Tree, 1.5" caliper	
Calculation:		Shrubs, 3' tall "Emphasis shall be on placing the increased amount of plantings within the buferyard, except where preservation of existing plant material does not allow additional plantings." Evergreens and arborvitae are required within the bufferyard with a minimum planting height of 6'. 20 / 5 = 4 of each required +20% = 5 of each required	
<b>Species: Scientific Name</b>	<b>Species: Common Name</b>	<b>QTY</b>	
<b>DECIDUOUS TREES</b>			
<i>Quercus bicolor</i>	Swamp Oak	2	
<i>Quercus rubra</i>	Red Oak	2	
<i>Preserved Trees on site 6" caliper &lt;</i>		4	
<b>EVERGREEN TREES</b>			
<i>Picea glauca</i>	White Spruce	2	
<i>Picea glauca 'Densata'</i>	Black Hills Spruce	2	
<i>Pinus strobus</i>	White Pine	3	
<i>Pseudotsuga menziesii</i>	Douglas Fir	3	
<b>DECORATIVE TREES</b>			
<i>Amelanchier x grandiflora 'Autumn Brilliance'</i>	Autumn Brilliance Serviceberry	1	
<i>Betula nigra 'Cully' TM</i>	Heritage River Birch	2	
<i>Malus x 'Adirondack'</i>	Adirondack Crabapple	2	
<b>DECIDUOUS SHRUBS</b>			
<i>Aronia melanocarpa 'Morton' TM</i>	Iroquois Beauty Black Chokeberry	7	
<i>Cornus baileyi</i>	Bailey's Red-twig Dogwood	3	
<i>Cotoneaster acutifolius lucidus</i>	Hedge Cotoneaster	5	
<i>Forsythia x 'Meadowlark'</i>	Meadowlark Forsythia	2	
<i>Hydrangea arborescens 'Incredibal'</i>	Incredibal White Hydrangea	5	
<i>Hydrangea paniculata 'Little Lime'</i>	Little Lime Hydrangea	9	
<i>Spiraea japonica 'Little Princess'</i>	Little Princess Japanese Spirea	6	
<i>Syringa vulgaris</i>	Common Lilac	2	
<i>Viburnum carlesii 'SMVCB' TM</i>	Spice Baby Koreanspice Viburnum	9	
<i>Viburnum x juddii</i>	Judd Viburnum	4	
<b>EVERGREEN SHRUBS</b>			
<i>Juniperus chinensis 'Sea Green'</i>	Sea Green Juniper	4	
<i>Juniperus chinensis 'Kallays Compact'</i>	Kallay Compact Pfitzer Juniper	5	
<b>PERENNIALS &amp; GRASSES</b>			
<i>Calamintha nepeta 'Montrose White'</i>	Montrose White Catmint	5	
<i>Hemerocallis x 'Stella D'Oro'</i>	Stella D'Oro Daylily	8	
<i>Panicum virgatum 'Heavy Metal'</i>	Heavy Metal Switch Grass	8	
<i>Perovskia atriplicifolia 'Little Spire'</i>	Little Spire Russian Sage	7	
<i>Rudbeckia hirta 'Goldilocks'</i>	Goldilocks Black-eyed Susan	9	
<i>Sporobolus heterolepis</i>	Prairie Dropseed	7	
<b>Total Canopy Trees =</b>		<b>8</b>	
<b>Total Evergreen Trees =</b>		<b>10</b>	
<b>Total Decorative Trees =</b>		<b>27</b>	
<b>Total Shrubs =</b>		<b>105</b>	
<b>Total =</b>		<b>128</b>	

15-5.0302 SPECIES OF PLANTINGS

Landscape Requirement:		"No one species shall exceed 35% of species planted within a planting type, with three or more species required "At least two species of shade trees must be native to the City, such as Ash, Elm, Sugar Maple, Red Oak, Basswood or Walnut."	
Calculation:		Minimum number of different species = 4, minimum number of each species planted = 8	
<b>Species: Scientific Name</b>	<b>Species: Common Name</b>	<b>Species #</b>	<b>QTY Each Species</b>
<b>CANOPY TREES</b>			
		5 to 11	2
<b>EVERGREEN TREES</b>			
		5 to 11	4
<b>DECORATIVE TREES</b>			
		5 to 11	3
<b>DECIDUOUS SHRUBS</b>			
		51 and above	10
<b>EVERGREEN SHRUBS</b>			
		5 to 11	2
<b>PERENNIALS &amp; GRASSES</b>			
		41 to 50	7

15-3.0354 PARKING LOT PERIMETER AREA (19 Parking Spaces)

Landscape Requirement:		"Shade or decorative trees are required within vehicular use area at a ratio of 1 tree for every 15 parking spaces"	
Calculation:		1 / 15 = 1 shade or decorative trees required in vehicular use area .0667 * 19 = 2 shade or decorative trees required in vehicular use area	
Total Required:		2 shade tree in vehicular use area	
Total Provided:		2 shade tree in vehicular use area	
<b>Species: Scientific Name</b>	<b>Species: Common Name</b>	<b>QTY</b>	
<b>DECIDUOUS TREES</b>			
<i>Acer saccharum 'PNI 0285' TM</i>	Green Mountain Sugar Maple	1	
<i>Quercus bicolor</i>	Swamp Oak	1	
<b>Total =</b>		<b>2</b>	

15-3.0354 SCREENING FOR OFF-STREET PARKING AREAS (164 Linear Feet)

Landscape Requirement:		"The perimeter parking lot screening standards of this section shall apply to all off-street parking areas for six or more vehicles using 10' width greenbelts containing dense landscape screening."	
Calculation:		Total Required: 164 LF of 10' wide landscape screening Total Provided: 164 LF of 10' wide landscape screening	
<b>Species: Scientific Name</b>	<b>Species: Common Name</b>	<b>QTY</b>	
<b>DECIDUOUS SHRUBS</b>			
<i>Viburnum x juddii</i>	Judd Viburnum	2	
<i>Syringa vulgaris</i>	Common Lilac	1	
<i>Cornus baileyi</i>	Bailey's Red-twig Dogwood	3	
<i>Hydrangea paniculata 'Little Lime'</i>	Little Lime Hydrangea	5	
<i>Cotoneaster acutifolius lucidus</i>	Hedge Cotoneaster	5	
<i>Syringa vulgaris</i>	Common Lilac	1	
<i>Spiraea japonica 'Little Princess'</i>	Little Princess Japanese Spirea	3	
<b>EVERGREEN SHRUBS</b>			
<i>Juniperus chinensis 'Sea Green'</i>	Sea Green Juniper	2	
<b>EVERGREEN TREES</b>			
<i>Pinus strobus</i>	White Pine	1	
<b>DECORATIVE TREES</b>			
<i>Betula nigra 'Cully' TM</i>	Heritage River Birch	2	
<i>Malus x 'Adirondack'</i>	Adirondack Crabapple	2	
<b>Total =</b>		<b>27</b>	

15-3.0353 BUILDING FOUNDATION LANDSCAPING (100 Linear Feet Plantable Foundation)

Landscape Requirement:		"Extensive building foundation landscaping for all building frontages facing public streets, parking lots, or residential districts to provide visual breaks in the mass of the building."	
Calculation:		Total Required: 100 LF of foundation plantings Total Provided: 100 LF of foundation plantings	
<b>Species: Scientific Name</b>	<b>Species: Common Name</b>	<b>QTY</b>	
<b>DECIDUOUS SHRUBS</b>			
<i>Aronia melanocarpa 'Morton' TM</i>	Iroquois Beauty Black Chokeberry	7	
<i>Cotoneaster acutifolius lucidus</i>	Hedge Cotoneaster	5	
<i>Hydrangea arborescens 'Incredibal'</i>	Incredibal White Hydrangea	5	
<b>EVERGREEN SHRUBS</b>			
<i>Juniperus chinensis 'Sea Green'</i>	Sea Green Juniper	2	
<i>Juniperus chinensis 'Kallays Compact'</i>	Kallay Compact Pfitzer Juniper	5	
<b>GRASSES &amp; PERENNIALS</b>			
<i>Panicum virgatum 'Heavy Metal'</i>	Heavy Metal Switch Grass	8	
<i>Calamintha nepeta 'Montrose White'</i>	Montrose White Catmint	5	
<i>Hemerocallis x 'Stella D'Oro'</i>	Stella D'Oro Daylily	8	
<i>Rudbeckia hirta 'Goldilocks'</i>	Goldilocks Black-eyed Susan	9	
<i>Sporobolus heterolepis</i>	Prairie Dropseed	7	
<b>Total =</b>		<b>54</b>	

15-3.0354 BUFFERYARD COMMERCIAL ABUTTING RESIDENTIAL ZONING (215 LF)

Landscape Requirement:		"Emphasis shall be on placing the increased amount of plantings within the buferyard, except where preservation of existing plant material does not allow additional plantings." Evergreens and arborvitae are required within the bufferyard with a minimum planting height of 6'.	
Calculation:		Total Required: 215 LF Planted Bufferyard Total Provided: 215 LF Planted Bufferyard	
<b>Species: Scientific Name</b>	<b>Species: Common Name</b>	<b>QTY</b>	
<b>DECIDUOUS TREES</b>			
<i>Quercus rubra</i>	Red Oak	2	
<b>EVERGREEN TREES</b>			
<i>Picea glauca</i>	White Spruce	2	
<i>Picea glauca 'Densata'</i>	Black Hills Spruce	2	
<i>Pinus strobus</i>	White Pine	3	
<i>Pseudotsuga menziesii</i>	Douglas Fir	3	
<b>DECIDUOUS SHRUBS</b>			
<i>Viburnum carlesii 'SMVCB' TM</i>	Spice Baby Koreanspice Viburnum	9	
<i>Forsythia x 'Meadowlark'</i>	Meadowlark Forsythia	2	
<i>Syringa vulgaris</i>	Common Lilac	1	
<i>Viburnum x juddii</i>	Judd Viburnum	2	
<b>Total =</b>		<b>26</b>	

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	CONT	SIZE	QTY
<b>DECIDUOUS TREES</b>					
	SWO	<i>Quercus bicolor</i> / Swamp White Oak	B & B	2.5" Cal	2
	RO	<i>Quercus rubra</i> / Red Oak	B & B	2.5" Cal	2
<b>EVERGREEN TREES</b>					
	PIGL	<i>Picea glauca</i> / White Spruce	B & B	8' Tall	2
	BHS	<i>Picea glauca 'Densata'</i> / Black Hills Spruce	B & B	8' Tall	2
	WP	<i>Pinus strobus</i> / White Pine	B & B	8' Tall	3
	DF	<i>Pseudotsuga menziesii</i> / Douglas Fir	B & B	8' Tall	3
<b>ORNAMENTAL TREES</b>					
	ABS	<i>Amelanchier x grandiflora 'Autumn Brilliance'</i> / Autumn Brilliance Serviceberry	B & B	8' Tall (Multi-Stem)	1
	HRB	<i>Betula nigra 'Cully' TM</i> / Heritage River Birch	B & B	2" Cal (Multi-Stem)	2
	AC	<i>Malus x 'Adirondack'</i> / Adirondack Crabapple	B & B	2" Cal	2
<b>DECIDUOUS SHRUBS</b>					
	BBC	<i>Aronia melanocarpa 'Morton' TM</i> / Iroquois Beauty Black Chokeberry	Cont.	#3	7
	RTD	<i>Cornus baileyi</i> / Bailey's Red-twig Dogwood	B & B	36" Ht.	3
	HC	<i>Cotoneaster acutifolius lucidus</i> / Hedge Cotoneaster	Cont.	#3	5
	MF	<i>Forsythia x 'Meadowlark'</i> / Meadowlark Forsythia	B & B	36" Tall	2
	IWH	<i>Hydrangea arborescens 'Incredibal'</i> / Incredibal White Hydrangea	Cont.	#3	5
	LLH	<i>Hydrangea paniculata 'Little Lime'</i> / Little Lime Hydrangea	Cont.	#3	9
	LPS	<i>Spiraea japonica 'Little Princess'</i> / Little Princess Japanese Spirea	Cont.	#3	6
	CPL	<i>Syringa vulgaris</i> / Common Lilac	B & B	36" Tall	2
	SBKV	<i>Viburnum carlesii 'SMVCB' TM</i> / Spice Baby Koreanspice Viburnum	B & B	24" Tall	9
	JV	<i>Viburnum x juddii</i> / Judd Viburnum	B & B	36" Tall	4
<b>EVERGREEN SHRUBS</b>					
	KCJ	<i>Juniperus chinensis 'Kallays Compact'</i> / Kallay Compact Pfitzer Juniper	Cont.	#5	5
	SGJ	<i>Juniperus chinensis 'Sea Green'</i> / Sea Green Juniper	Cont.	#5	4
<b>PERENNIALS &amp; GRASSES</b>					
	WC	<i>Calamintha nepeta 'Montrose White'</i> / Montrose White Catmint	Cont.	#1	5
	SSD	<i>Hemerocallis x 'Stella D'Oro'</i> / Stella D'Oro Daylily	Cont.	#1	8
	HMSG	<i>Panicum virgatum 'Heavy Metal'</i> / Heavy Metal Switch Grass	Cont.	#1	8
	LSRS	<i>Perovskia atriplicifolia 'Little Spire'</i> / Little Spire Russian Sage	Cont.	#1	7
	RG	<i>Rudbeckia hirta 'Goldilocks'</i> / Goldilocks Black-eyed Susan	1 gal	Min 8"-18"	9
	PDS	<i>Sporobolus heterolepis</i> / Prairie Dropseed	Cont.	#1	7



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CLIENT:  
COLLEGE AVENUE ASSOCIATES, LLC

CLIENT ADDRESS:  
W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072

PROJECT:  
27TH AND COLLEGE REDEVELOPMENT

PROJECT LOCATION:  
6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN

#	Date:	Description:
1	11/10/23	PC Submittal
2	02/23/24	Rev per City Comments
3	07/24/24	Revised Site Plan Submittal
4		
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12		
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14		
15		

Designed By: **RWN**  
Reviewed By: **KCB**  
Approved By: **KCB**

SHEET TITLE:  
**LANDSCAPE DETAILS AND NOTES**

SHEET NUMBER:  
**L2.1**

JSD PROJECT NO: 18-8450



Toil Free (800) 242-8511



**NATURAL RESOURCE PROTECTION**

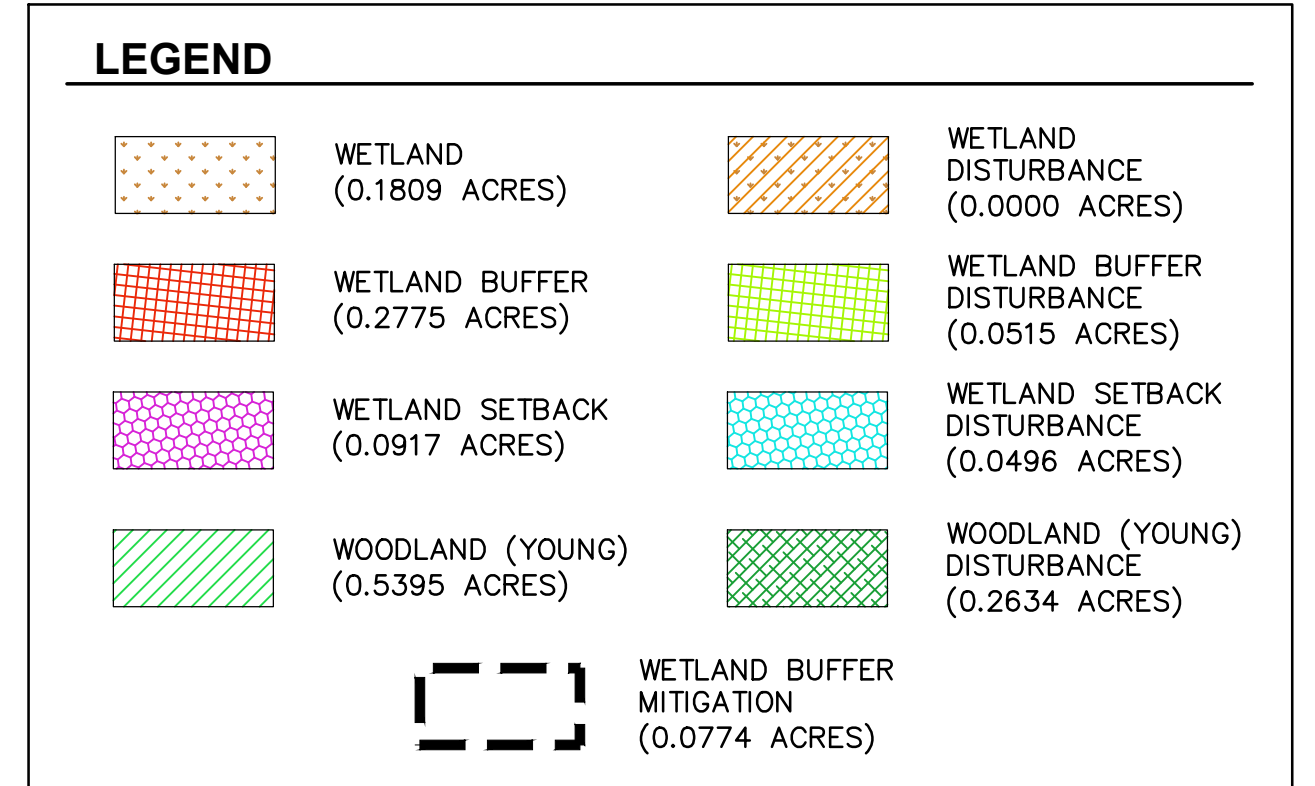
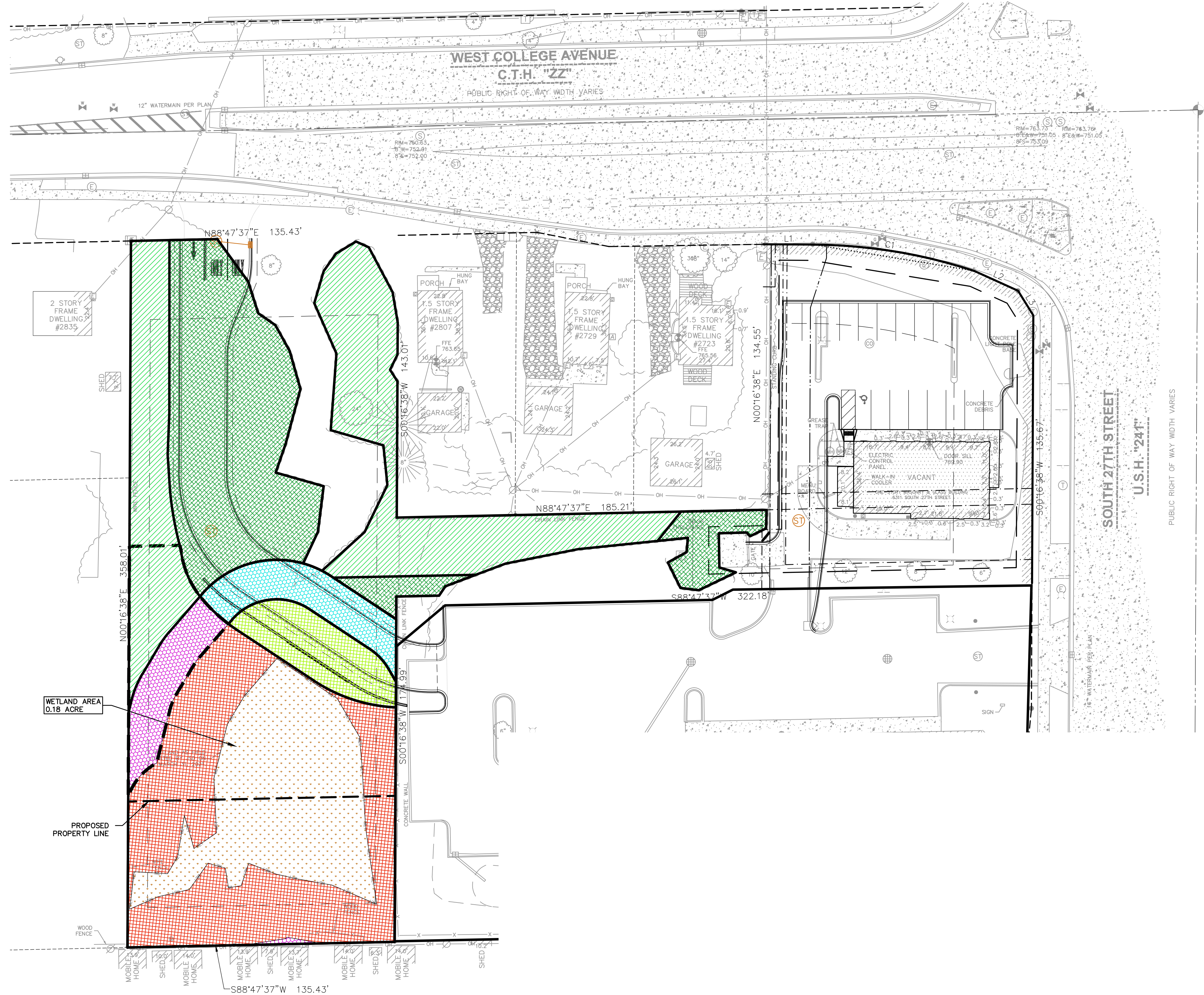
Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	Acres of Land Required to be Preserved	Acres of Land to be Impacted	Acres of Land Required to be Mitigated	Acres of Land to be Mitigated*
	Agricultural District	Residential District	Non-Residential District					
Steep Slopes								
10-19%	0	0.6	0.4	X	0.00	0.00	0.00	N/A
20-30%	0.65	0.75	0.7	X	0.00	0.00	0.00	N/A
30% +	0.9	0.85	0.8	X	0.00	0.00	0.00	N/A
Woodlands & Forests								
Mature	0.7	0.7	0.7	X	0.00	0.00	0.00	N/A
Young	0.5	0.5	0.5	X	0.54	0.27	0.26	0.00
Lakes & Ponds	1	1	1	X	0.00	0.00	0.00	N/A
Streams	1	1	1	X	0.00	0.00	0.00	N/A
Shore Buffer	1	1	1	X	0.00	0.00	0.00	N/A
Floodplains/Floodlands	1	1	1	X	0.00	0.00	0.00	N/A
Wetland Buffers	1	1	1	X	0.28	0.28	0.05	0.07
Wetlands & Shoreland Wetlands	1	1	1	X	0.18	0.18	0.00	0.00
<b>TOTAL RESOURCE PROTECTION LAND</b> (Total of Acres of Land in Resource Required to be Protected)					<b>0.73</b>	<b>Acres</b>	<b>0.31</b>	<b>0.07</b>

\* STEEP SLOPES ARE PRIMARILY MANMADE AND ARE THEREFORE EXCLUDED FROM THE CALCULATIONS

**SITE INTENSITY AND CAPACITY CALCULATION**

Table 15-3.0502 Worksheet for the Calculation of Base Site Area for Both Residential and			
STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	1.8	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	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 "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	acres
STEP 5:	Equals "Base Site Area"	1.8	acres

STEP 1:	<b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Multiply by <b>Minimum Landscape Space Ratio (LSR)</b> (see specific residential zoning district LSR standard):	X 0.45	0.81 acres
	Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFA</b> =		
STEP 2:	<b>CALCULATE NET BUILDABLE SITE AREA:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Subtract <b>Total Resource Protection Land</b> (from Table 15-3.0503) or <b>Minimum Required On-Site Landscape Surface</b> (from Step 1 above), whichever is greater:	- 0.73	1.07 acres
	Equals <b>NET BUILDABLE SITE AREA</b>		
STEP 3:	<b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b>		
	Take <b>Net Buildable Site Area</b> (from Step 2 above):	1.07	
	Multiply by Maximum Net Floor Area Ratio (NFAR) (see specific residential zoning district NFAR standard):	X 0.570	0.61 Acres
	Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE</b>		
STEP 4:	<b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b>		
	Take <b>Base Site Area</b> (from Step 5 in Table 15-3.0502):	1.80	
	Multiply by Maximum <b>Gross Floor Area Ratio (GFAR)</b> (see specific residential zoning district GFAR standard):	X 0.310	0.56 Acres
	Equals <b>MAXIMUM GROSS FLOOR AREA RATIO</b>		
STEP 5:	<b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b>		
	Take the lower of Maximum Net Floor Area Yield of Site or Maximum Gross Floor Area Yield of Site:	0.54	Acres



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CLIENT:  
**COLLEGE AVENUE ASSOCIATES, LLC**

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**W225 N3178 DUPLAINVILLE ROAD  
PEWAUKEE, WI 53072**

PROJECT:  
**27TH AND COLLEGE REDEVELOPMENT**

PROJECT LOCATION:  
**6311 SOUTH 27TH STREET  
FRANKLIN, MILWAUKEE COUNTY  
WISCONSIN**

PLAN MODIFICATIONS:		
#	Date:	Description:
1	10.13.2023	STAFF REVIEW SUBMISSION
2	02.08.2023	DRIVEWAY REVISION
3	03.12.2024	REVISED TREE CALC
4	07.24.2024	REVISED SITE PLAN SUBMITTAL
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15		

Designed By: IRN  
Reviewed By: JLL  
Approved By: JLL

SHEET TITLE:  
**NATURAL RESOURCE PROTECTION PLAN**

SHEET NUMBER:

**EXHIBIT**

JSD PROJECT NO: 18-8450



WETLAND DELINEATION REPORT  
COLLEGE AVE. & S. 27<sup>TH</sup> ST.

COLLEGE AVE ASSOC LLC

W225 N3178 DUPLAINVILLE RD  
PEWAUKEE, WI 53072

PROJECT #: 18-8450

June 4, 2018

Updated April 19, 2019



247 W. Freshwater Way, Suite 210  
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## INTRODUCTION

The subject property is located in the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. The site is located at the southwest corner of College Avenue and S. 27<sup>th</sup> Street. A map identifying the project location can be found in **FIGURE 1**. The closest waterbody to the site is an unnamed tributary to the Root River which is 1100 feet west of the project site.

The subject property is made up of 6 parcels, with a total of approximately 4.5 acres in size. Three of the parcels contain single family residences, one parcel is a vacant fast food restaurant, one parcel is an active commercial property with a Salvation Army building, and the final parcel consists of lawn and woodland. The parcels are proposed to be redeveloped. The purpose of the wetland delineation was to identify the existing wetlands on the property and to create a map of their boundaries. A map of the surveyed wetland boundary is found in **FIGURE 7**. The wetland boundary was adjusted slightly after the second site visit and the new map is now attached as Figure 7.

Kristi Sherfinski of HELIANTHUS conducted the original wetland delineation field work on May 18, 2018 and revisited the site on April 19, 2019, after becoming an Assured Wetland Delineator. Field conditions on May 18 were sunny with air temperatures in the 60s (°F). The temperatures for the previous winter had been normal, but with a slightly lower than average amount of precipitation. Growing season conditions as defined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (2010) and Northcentral and Northeast Region (2012) were documented at the site prior to beginning the delineation. Soil temperatures must be at or above 41°F at depth of 12 inches and at least two plant species must be emerging or breaking bud. On May 18 and on April 19, 2019, growing season conditions were present per these requirements.

Kristi Sherfinski has over 17 years of experience delineating wetlands in the Great Lakes Region. She received her initial basic wetland training at the Wetland Training Institute in Hastings, Michigan in 2002. Kristi worked as a project manager and wetland delineator at JFNew & Associates in Grand Haven, Michigan for six years, conducting wetland delineations in Michigan, Indiana, Illinois, and Wisconsin. Kristi then moved to Wisconsin to work for the Southeastern Wisconsin Regional Planning Commission (SEWRPC) with Dr. Donald Reed. At SEWRPC, Kristi updated the Wisconsin Wetland Inventory (WWI) in 2005 and in 2010 for the seven-county area of southeast Wisconsin. Kristi participated in the Advanced Wetland Delineation training in 2006. In 2009, she attended the Wetland Delineation USACE Regional Supplement training session, the Environmental Corridor Delineation Workshop, and the Farm Service Agency (FSA) Slide

Review training session. After working at SEWRPC for seven years, Kristi worked as an environmental specialist at JSD Professional Services, Inc. for two years, before she started her own business—HELIANTHUS.

## **METHODS**

The process of wetland delineation involves collecting information about the soils, vegetation, and hydrology of a site in order to determine where the wetland boundary is located. The methodology used to conduct the delineation followed the US Army Corps of Engineers Wetlands Delineation Manual (1987), and the appropriate Regional Supplement to the Corps of Engineers Wetland Delineation Manual. In general, in southeastern and western Wisconsin, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0, August, 2010) is used. The remaining portions of the state follow the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0, January, 2012). At this site, the Midwest Regional Supplement was used.

Prior to the site visit, several sources of data are consulted to reveal information that will aid in the locating the wetlands on the site. The sources reviewed include weather records to determine antecedent hydrologic conditions, the Wisconsin Wetland Inventory (WWI) map, the soil survey map, a topographic map, and historic aerial photographs of the project area. In areas that are under active cultivation as farmland, a Farm Service Agency (FSA) Slide Review is also conducted.

Data sample points are chosen based on the potential wetland areas identified by reviewing the above-referenced sources, and other sample points are added based on information gathered while in the field. Sample points are chosen on either side of the wetland line for their ability to reveal information about the actual location of the line, and upland reference data samples are chosen in order to show the contrast between wetland and upland field conditions.

Once a data sample point is chosen and located in the field, data is collected on the vegetation, the hydrology, and the soils of the site. Vegetation is identified by strata (tree, shrub, herbaceous, and vine layers), and an aerial coverage percent is determined for each species by layer. The plot size for the tree, shrub, and vine layers is a 30-foot radius circle, and the plot size for the herbaceous layer is a 5-foot radius circle. The scientific names and wetland status of each plant species follows the National Wetland Plant List (2016). Once all species have been assigned a cover percentage, the dominance by wetland indicator plant species is assessed.

Hydrological indicators, as described in the Regional Supplements, are then listed for the sample point. A soil pit is excavated to at least 20 inches and the depth of water, saturation, and the water table is recorded. The soil profile at the sample point is also described, using the Munsell Soil-Color Charts (2009) to assess the color of the soil, and a texture analysis to determine the predominant texture of each soil layer. This data is used to determine if the soil profile meets the hydric soil indicators as defined in the Regional Supplements and the Field Guide for Identifying Hydric Soils V. 8.1 (USDA, 2017).

Once the location of the wetland line is determined from the data sampling effort, the edge of the wetland is flagged in the field and then surveyed in order to produce a map of the wetland that occurs on the subject property. Representative photographs of the sample points and of each wetland area were taken during the field visit. Any ditch, stream, pond or other water body that may be considered a Water of the U.S. and thus regulated by the U.S. Army Corps of Engineers (USACE) or the Wisconsin Department of Natural Resources (WDNR) is also identified.

## RESULTS AND DISCUSSION

### Antecedent Hydrologic Condition Analysis

Weather records were consulted from the Mitchell Airport weather station to determine if precipitation levels were normal for the three months prior to the site visit. The antecedent hydrologic condition analysis for the site revealed that climactic conditions near the site were normal at the time of both site visits (**Table 1**). Drier than normal conditions means that hydrologic indicators may be absent from the wetland sample points and the data must be interpreted accordingly. Wetter than normal conditions must be accounted for when interpreting the data because saturation or the water table may be higher than it is during normal conditions, giving false positives for hydrological indicators. Most of the rainfall for the month of May fell before the 18<sup>th</sup>, so conditions were already above normal for the month at the time of the site visit. The Palmer Hydrological Drought Index indicated that long-term hydrological conditions for the area were “moderately moist”.

Table 1 – Antecedent Hydrologic Condition Analysis

Month	3 yrs in 10 Less Than	3 yrs in 10 More Than	Rain Fall	Condition Dry, Wet, Normal	Condition Value	Month Weight Value	Product of Previous Two

							Columns
2018							
May	1.86	3.70	6.49	Wet	3	3	9
April	2.83	4.42	3.11	Normal	2	2	4
March	1.63	3.13	0.66	Dry	1	1	1
						Sum	13
2019							
April	2.83	4.42	3.77	Normal	2	3	6
March	1.63	3.13	1.64	Normal	2	2	4
Feb.	0.97	2.00	3.35	Wet	3	1	3
						Sum	13
If sum is:							
6-9	Then prior period has been drier than normal						
10-14	Then prior period has been normal						
15-18	Then prior period has been wetter than normal						
Conclusions:	A sum of 13 for 2018 and for 2019 shows the prior periods to be normal.						

### Review of Existing Data Sources

Existing data sources were reviewed to aid in the identification of wetland areas in the field.

The topographic map (**FIGURE 2**) shows the commercial properties to be on raised pads which are approximately 770 feet in elevation. The elevation drops sharply 5 feet to 665 feet onto the residential and the wooded parcels. The elevation continues to drop more gradually to approximately 662 feet in elevation at the southwest corner of the wooded parcel, and to 661 feet at the northwest corner of the wooded parcel. A slight ridge of 766 feet across the wooded parcel separates it into northern and southern watersheds.

The soil survey map shows two soil types in the project area—Blount silt loam and Ozaukee silt loam (**FIGURE 3**). Both of these soils have the potential to have hydric inclusions.

Table 2 – Soil Types

Map Symbol	Map Unit Name	Hydrologic Drainage Class
BIA	Blount silt loam, 1-3%	Somewhat poorly drained
OzaB2	Ozaukee silt loam, 2-6%, eroded	Moderately well drained

The Wisconsin Wetland Inventory does not indicate any mapped wetlands in the project area (**FIGURE 4**). It shows the area of Blount silt loam as a wetland indicator.

Historic aerial photographs showed that single family residences lined both College Avenue and S. 27<sup>th</sup> Street until 1980, when some commercial development began to replace the homes (**FIGURE 5**). The currently wooded parcel was originally the site of a single-family residence, which was razed sometime between 2000 and 2005. The woods did not start to develop in the back of the lot until about 1985 or so.

The project area was checked for its inclusion within a mapped Environmental Corridor in the Southeastern Wisconsin region. No mapped environmental corridor area occurs within the project area. A tree survey of the woods was conducted for the City of Franklin and it was determined that the woods meet the definition of a Young Woodland.

#### Wetlands Identified During the Site Visit

A total of one wetland was identified on the property during the field visits. Site photos of the wetland are included in **FIGURE 6**. The acreages and wetlands that were identified and flagged for the project are shown in **FIGURE 7**. Field data sheets are included in **FIGURE 8**. A description of field visits follows.

#### ***Wetland 1***

The wetland was located in the southwest corner of the wooded lot in the area of Blount silt loam. It is a highly degraded forested wetland. The dominant species (DP1) were green ash and common buckthorn. The green ashes were all heavily infected by emerald ash borer. A clear drainage pattern was seen, with a small amount of standing water following a drainage path toward the southwest corner of the parcel. The area was in a slight depression. Water stained leaves were seen within this depression. Soils met the hydric soil indicators for F3 Depleted Matrix and for A11 Depleted Below Dark Surface. Trash was visible throughout and dumping probably occurred over many years. On April 19, 2019, about 1 to 2 inches of standing water was visible throughout the wetland area. This standing water made it easier to see the wetland boundary and the wetland flags and the corresponding boundary map were adjusted slightly to more accurately reflect the wetland boundary.

The adjacent upland areas (DP2, DP3) were located at topographic rises of 6 to 12 inches above the wetland. In addition, the leaves were dry and light brown and did not

exhibit signs of water staining. The soils did not meet the hydric soil indicator for A12 Thick Dark Surface because the values and chroma of the layers above the depleted layer were too high. The dominant species were green ash, common buckthorn, and white oak. Upland weed species were also found in some of the adjacent areas. The transition from wetland to upland was very subtle; therefore, the presence of water stained leaves, topographic differences, and the presence of upland weeds were used to delineate the line.

Other data points were taken on the property. Data Point 4 was taken in an area of Blount silt loam in the northwest corner of the wooded parcel that is separated from the wetland area to the south by a ridge of Ozaukee silt loam. This area slopes to the north and drains in a different direction away from the wetland. The vegetation in this area was dominated entirely by facultative (FAC) plants—box elder, common buckthorn, and garlic mustard. The FAC-neutral test was met by non-dominant species because green ash was counted in both the tree and the herbaceous layer. Other hydrological indicators were absent, and soil saturation was not discovered until 20 inches. Soils did not meet any hydric indicators.

Data Point 5 was taken in a constructed detention basin located near the Salvation Army building and it contained mostly upland weed species. The dominant species were tall goldenrod, common buckthorn, and Dame's rocket. The only hydrological indicator was Geomorphic Position because of its depressional shape. The soils consisted of a six-inch layer of topsoil over the top of solid gravel fill, and failed to meet any hydric indicator. The detention basin apparently was designed to drain quickly.

### *Ditches*

There were no roadside ditches on the subject property. Both roads were curb and gutter roads.

## **CONCLUSION**

HELIANTHUS LLC identified one wetland on the project site on May 18, 2018, using the standard practices described in this report and their best professional judgment. This site was revisited on April 19, 2019 to recheck the lines after Ms. Sherfinski became an Assured Wetland Delineator. However, the final authority for the location of the wetland boundary rests with the U.S. Army Corps of Engineers (USACE) and the Wisconsin Department of Natural Resources (WDNR). It is recommended that this report be submitted to the WDNR for their concurrence with the wetland boundary, and be submitted to the USACOE for a jurisdictional determination.



In addition, because a wetland delineation is considered to be a point in time determination, wetland delineations are considered to be valid for a period of only five years for federal wetlands and 15 years for nonfederal wetlands. Weather patterns and site conditions can change over time, making a new delineation necessary.

It is the opinion of HELIANTHUS that Wetland 1 meets the less susceptible category as it is defined in Chapter NR 151 Runoff Management protective area standards, because it is dominated by common buckthorn, an invasive species, and it is highly degraded due to repeated dumping of trash over the years. A buffer zone based on 10% of the average width of the wetland, with a minimum of 10 feet and a maximum of 30 feet, will be necessary for any new development. Stormwater protective area categories per Chapter NR 151 are subject to final authority by the WDNR. The City of Franklin also has its own set of protective buffer standards.

Other environmental considerations include threatened or endangered species. It is recommended that an Endangered Resources (ER) Review request be submitted to the WDNR prior to pursuing any permits for proposed work.

Any impact, alteration, or fill to either the wetland areas or to waterways that are considered Waters of the U.S. are subject to state and federal regulations and permits may be required. The WDNR administers Chapters 30 and 281 of the Wisconsin State Statutes, and the USACE administers Section 404 of the Clean Water Act. Additional county, city or village ordinances may also apply to wetlands or waterways. If any disturbance occurs on the property without obtaining wetland delineation concurrence or authorization from the USACE and WDNR, it should be considered at the owner's own risk and HELIANTHUS LLC shall not be considered responsible or liable for any resulting damages.

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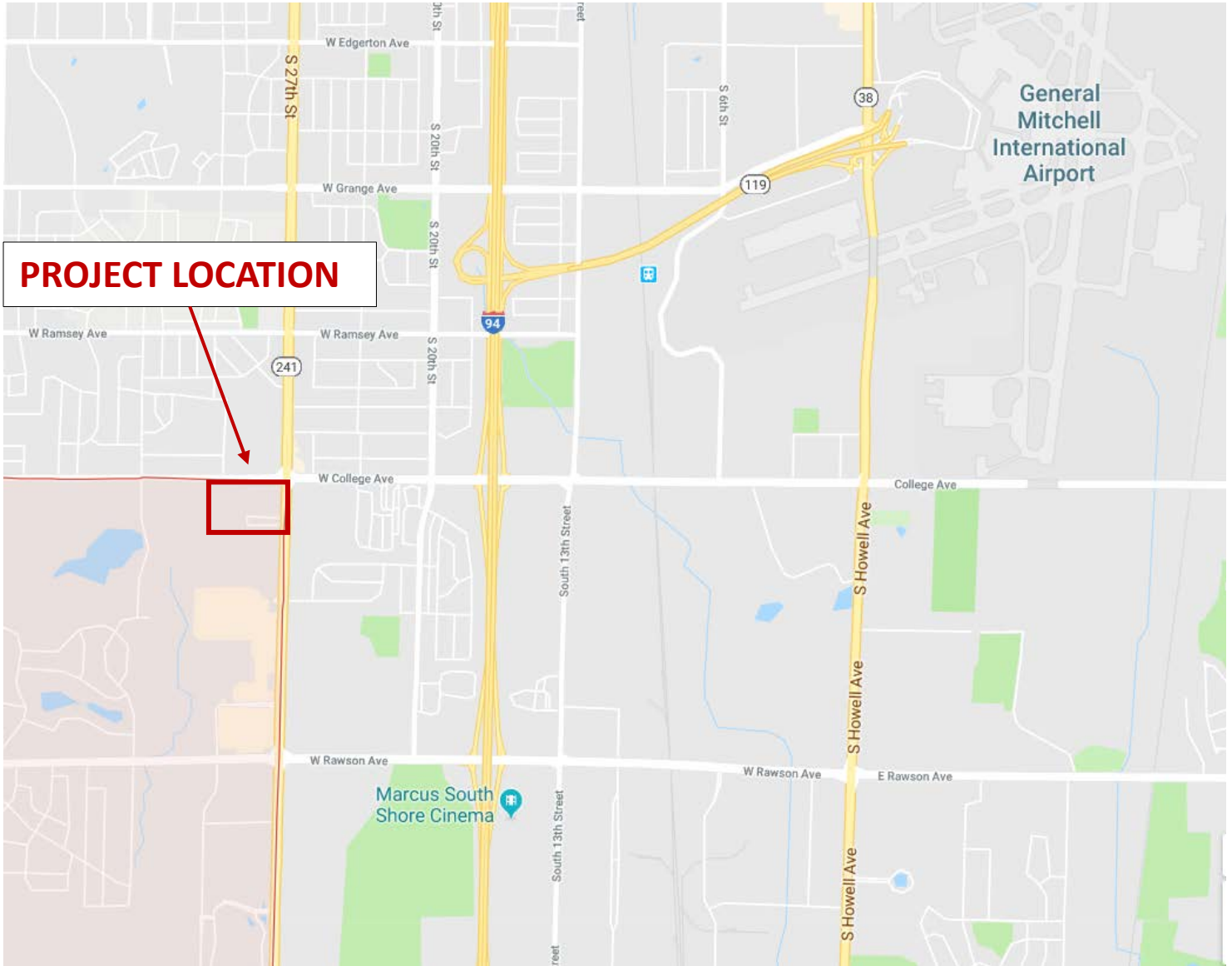
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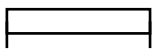
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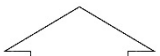
Wisconsin DNR Surface Water Data Viewer (SWDV). Online: [www.dnr.wi.gov/topic/surfacewater/swdv/](http://www.dnr.wi.gov/topic/surfacewater/swdv/).



Source: Google Maps, 2018

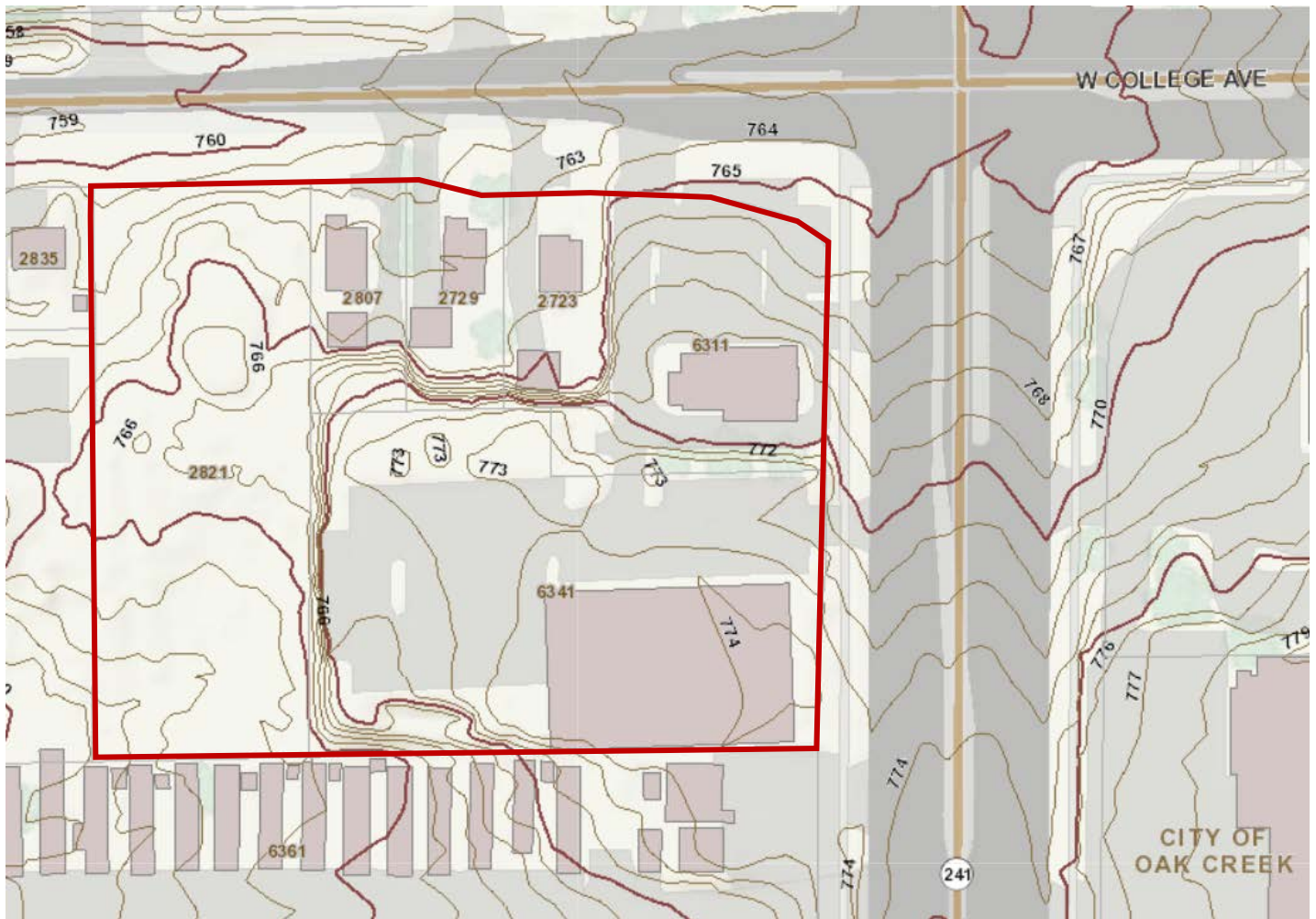


2,000 FT

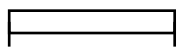


north

FIGURE 1. LOCATION MAP



Source: Milwaukee County GIS, 2018

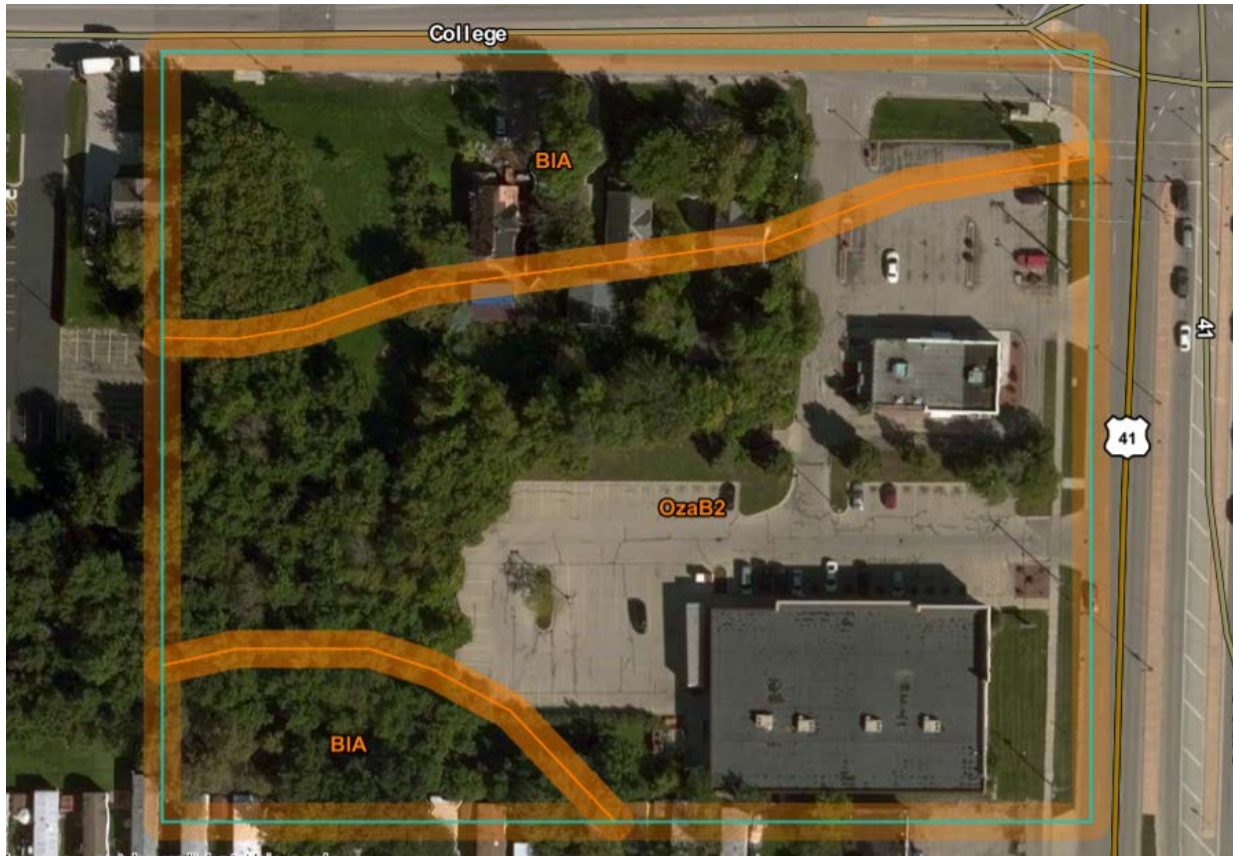


100 FT

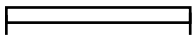


north

FIGURE 2. TOPOGRAPHIC MAP



Source: NRCS Web Soil Survey, 2018

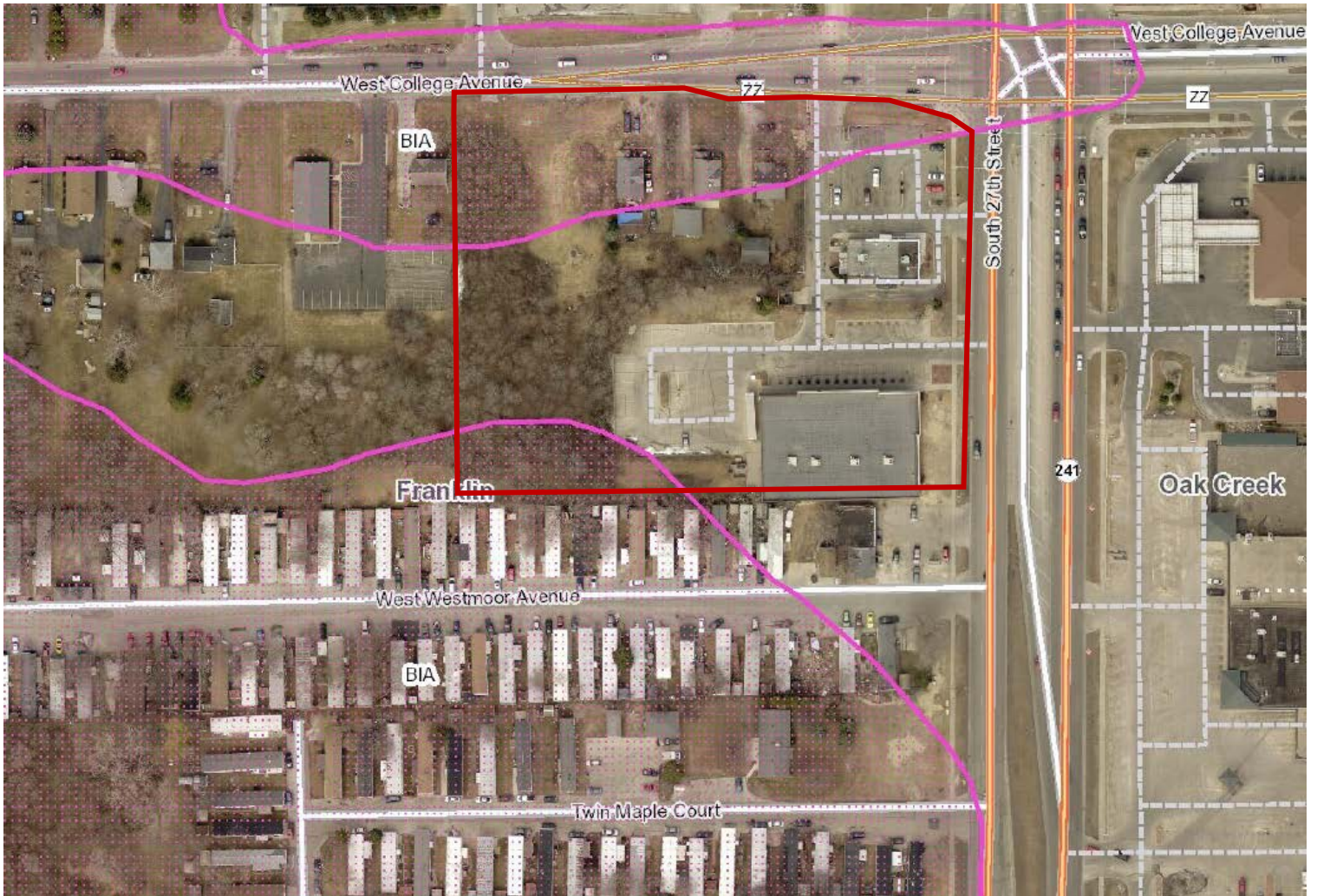


100 FT

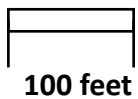


Map Unit Symbol	Map Unit Name
BIA	Blount silt loam, 1-3%
OzaB2	Ozaukee silt loam, 2-6%, eroded

FIGURE 3. SOIL SURVEY MAP



Source: WIDNR Surface Water Data Viewer, 2018



- Filled Areas
- Wetland Class Points**
  - Dammed pond
  - Excavated pond
  - Filled excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
- Filled Points
- Wetland Class Areas**
  - Wetland
  - Upland
- Filled Areas
- NRCS Wetspots
- Maximum Extent Wetland Indicators
- Minimum Extent Wetland Indicators

FIGURE 4. WWI MAP



1937.



1963.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS



1970.



1980.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS





1990.



2005.

Source: Milwaukee County GIS, 2018

FIGURE 5. HISTORIC AERIAL PHOTOS



The wetland is a degraded forested wetland, taken May 18, 2018.



The detention basin near the Salvation Army building, taken May 18, 2018.



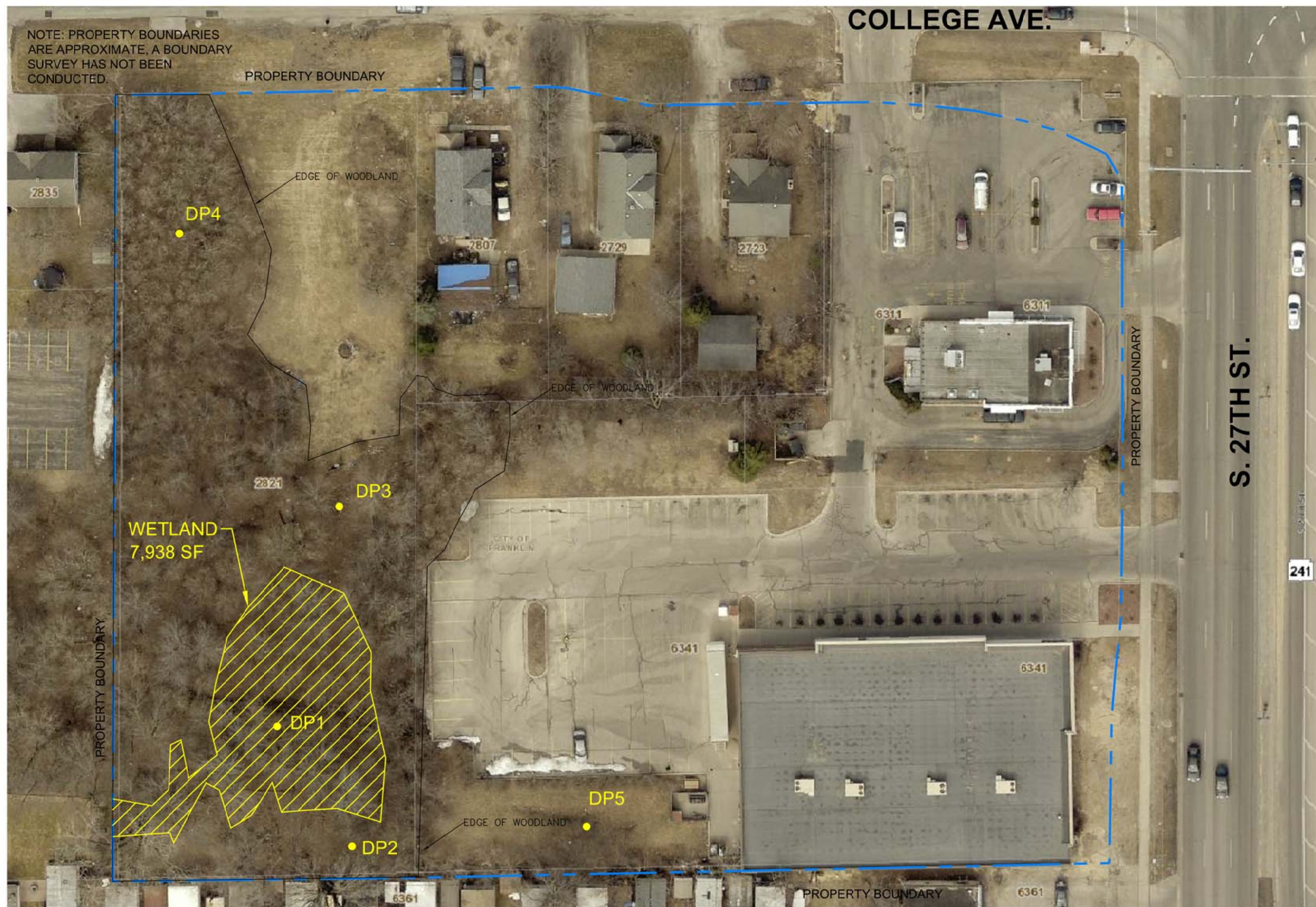
A view of the forested wetland taken on April 19, 2019.



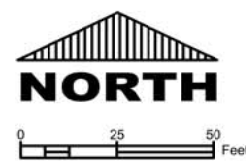
Another view of the wetland taken April 19, 2019.

FIGURE 7. WETLAND BOUNDARY MAP

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WETLAND DELINEATED BY K. SHERFINSKI OF HELIANTHUS LLC ON MAY 18, 2018. ADDITIONAL DATA POINTS TAKEN AND WETLAND BOUNDARY ADJUSTED ON APRIL 19, 2019 BY K. SHERFINSKI.



Client Address  
 COLLEGE AVE ASSOC LLC  
 W225 N3178 DUPLAINVILLE RD  
 PEWAUKEE, WI 53072

Project Address  
**WETLAND BOUNDARY MAP**  
**COLLEGE AVENUE AND 27TH STREET**  
**FRANKLIN, WI**

Exhibit  
**FIGURE 7**  
 Project 18-8450  
 Date 04-22-2019  
 Drawn By KAS  
 Sheet W1.0

**HELIANTHUS**  
 HELIANTHUS LLC  
 247 W. FRESHWATER  
 WAY, SUITE 210  
 MILWAUKEE, WI 53204



**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-18 & 4-19-19  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 1  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): drainageway Local relief (concave, convex, none): concave  
 Slope (%): 0-1% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: \_\_\_\_\_ None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>Y</u>
Hydric soil present? <u>Y</u>	
Indicators of wetland hydrology present? <u>Y</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Fraxinus pennsylvanica</u>	60	Y	FACW	
2 <u>Acer saccharinum</u>	5	N	FACW	Total Number of Dominant Species Across all Strata: <u>3</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____				
5 _____				
	65	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	50	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	30	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 <u>Acer negundo</u>	10	N	FAC	FACW species <u>95</u> x 2 = <u>190</u>
4 _____				FAC species <u>63</u> x 3 = <u>189</u>
5 _____				FACU species <u>0</u> x 4 = <u>0</u>
	90	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>158</u> (A) <u>379</u> (B)
				Prevalence Index = B/A = <u>2.40</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>	2		FAC	
2 <u>Acer negundo</u>	1		FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 _____				<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 _____				Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____				Problematic hydrophytic vegetation* (explain)
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	3	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____				
2 _____				
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Disturbed forested wetland.

**SOIL**

Sampling Point: 1

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 3/1	100					silty clay loam	
6-12	10YR 4/1	95	10YR 4/6	5	C	M	silty clay loam	
12-20	10YR 5/1	90	10YR 4/6	10	C	M	silty clay	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input checked="" type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
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<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p><b>Hydric soil present?</b> <u>Y</u></p>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input checked="" type="checkbox"/> High Water Table (A2)</p> <p><input checked="" type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input checked="" type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input checked="" type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input checked="" type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
<p><u>Other Indicators</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	

<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>1</u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>At surface</u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> <u>Y</u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Approximately 1-2 inches of standing water was visible during the April 19 site visit.



**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 2  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): slight slope Local relief (concave, convex, none): convex  
 Slope (%): 1-2% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: \_\_\_\_\_ None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Fraxinus pennsylvanica</u>	40	Y	FACW	
2 <u>Quercus alba</u>	40	Y	FACU	Total Number of Dominant Species Across all Strata: <u>4</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>75.00%</u> (A/B)
4 _____				
5 _____				
	80	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	60	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	20	Y	FACW	OBL species <u>0</u> x 1 = <u>0</u>
3 _____				FACW species <u>60</u> x 2 = <u>120</u>
4 _____				FAC species <u>64</u> x 3 = <u>192</u>
5 _____				FACU species <u>40</u> x 4 = <u>160</u>
	80	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>164</u> (A) <u>472</u> (B)
				Prevalence Index = B/A = <u>2.88</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Rhamnus cathartica</u>	3		FAC	
2 <u>Acer negundo</u>	1		FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 _____				<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 _____				Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____				Problematic hydrophytic vegetation* (explain)
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	4	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____				
2 _____				
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/2	100					silty clay loam	
6-17	10YR 3/2	100					silty clay loam	
17-24	10YR 4/2	90	10YR 5/4	10	C	M	silty clay	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
--	---	---

<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p>Hydric soil present? <u>N</u></p>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>19</u></p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>17</u></p> <p>(includes capillary fringe)</p>	<p>Indicators of wetland hydrology present? <u>N</u></p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample point located on a rise approximately 6-12 inches higher than adjacent wetland. In contrast to wetland, there were no water stained leaves here.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 3  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): slight slope Local relief (concave, convex, none): none  
 Slope (%): 1-2% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name Ozaukee silt loam (OzaB2) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil X, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? No  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? No

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)  
 Some dumping of trash present.

**VEGETATION** -- Use scientific names of plants.

Tree Stratum (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet
1 <u>Acer negundo</u>	25	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	20	Y	FACW	
3 _____				
4 _____				
5 _____				
	45 = Total Cover			<b>Prevalence Index Worksheet</b> Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>60</u> x 2 = <u>120</u> FAC species <u>68</u> x 3 = <u>204</u> FACU species <u>49</u> x 4 = <u>196</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>177</u> (A) <u>520</u> (B) Prevalence Index = B/A = <u>2.94</u>
<b>Sapling/Shrub stratum</b> (Plot size: <u>30ft radius</u> )				
1 <u>Rhamnus cathartica</u>	30	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	10	Y	FACW	
3 <u>Acer negundo</u>	3	N	FAC	
4 _____				
5 _____				
	43 = Total Cover			
<b>Herb stratum</b> (Plot size: <u>5ft radius</u> )				
1 <u>Fragaria virginiana</u>	20	Y	FACU	<b>Hydrophytic Vegetation Indicators:</b> Rapid test for hydrophytic vegetation <input checked="" type="checkbox"/> Dominance test is >50% <input checked="" type="checkbox"/> Prevalence index is ≤3.0*  Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)  Problematic hydrophytic vegetation* (explain)  *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
2 <u>Solidago gigantea</u>	20	Y	FACW	
3 <u>Glechoma hederacea</u>	20	Y	FACU	
4 <u>Phalaris arundinacea</u>	10	N	FACW	
5 <u>Geum canadense</u>	5	N	FAC	
6 <u>Carex blanda</u>	5	N	FAC	
7 <u>Prunus serotina</u>	2	N	FACU	
8 <u>Taraxacum officinale</u>	2	N	FACU	
9 _____				
10 _____				
	84 = Total Cover			
<b>Woody vine stratum</b> (Plot size: <u>30ft radius</u> )				
1 <u>Parthenocissus quinquefolia</u>	5	Y	FACU	<b>Hydrophytic vegetation present?</b> <u>Y</u>
2 _____				
	5 = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest. FAC-N test based on non-dominants was not met.

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-14	10YR 3/1	100					silty clay loam	
14-20	10YR 4/3	97	10YR 4/4	3	C	M	silty clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils:
<input type="checkbox"/> Histisol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)
	<input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R) <input type="checkbox"/> Dark Surface (S7) (LRR K, L) <input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (explain in remarks)
	*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if observed):</b> Type: _____ Depth (inches): _____	<b>Hydric soil present?</b> <u> N </u>
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Remarks:  
 Trash and evidence of dumping in this area.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)
	<input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5)

<b>Field Observations:</b> Surface water present? Yes <u> </u> No <u> X </u> Depth (inches): _____ Water table present? Yes <u> X </u> No <u> </u> Depth (inches): <u> 14 </u> Saturation present? Yes <u> X </u> No <u> </u> Depth (inches): <u> 13 </u> (includes capillary fringe)	<b>Indicators of wetland hydrology present?</b> <u> N </u>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 4  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): none  
 Slope (%): 2-3% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? Yes  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? Yes

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>Y</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>
1 <u>Acer negundo</u>	70	Y	FAC	
2 <u>Fraxinus pennsylvanica</u>	10	N	FACW	Total Number of Dominant Species Across all Strata: <u>5</u> (B)
3 _____				Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
4 _____				
5 _____				
	80	= Total Cover		
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>
1 <u>Rhamnus cathartica</u>	25	Y	FAC	
2 <u>Acer negundo</u>	15	Y	FAC	OBL species <u>0</u> x 1 = <u>0</u>
3 _____				FACW species <u>11</u> x 2 = <u>22</u>
4 _____				FAC species <u>170</u> x 3 = <u>510</u>
5 _____				FACU species <u>5</u> x 4 = <u>20</u>
	40	= Total Cover		UPL species <u>0</u> x 5 = <u>0</u>
				Column totals <u>186</u> (A) <u>552</u> (B)
				Prevalence Index = B/A = <u>2.97</u>
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>
1 <u>Alliaria petiolata</u>	30	Y	FAC	
2 <u>Rhamnus cathartica</u>	30	Y	FAC	<input checked="" type="checkbox"/> Dominance test is >50%
3 <u>Taraxacum officinale</u>	5	N	FACU	<input checked="" type="checkbox"/> Prevalence index is ≤3.0*
4 <u>Fraxinus pennsylvanica</u>	1	N	FACW	Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 _____				Problematic hydrophytic vegetation* (explain)
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	66	= Total Cover		
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic vegetation present?</b> <u>Y</u>
1 _____				
2 _____				
	0	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)  
 Transitional forest dominated by facultative plants. FAC-N test is met by non-dominant species.

**SOIL**

Sampling Point: 4

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-13	10YR 2/2	100					silty clay loam	
13-18	10YR 3/2	100					silty clay loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<p><b>Hydric Soil Indicators:</b></p> <p><input type="checkbox"/> Histisol (A1)</p> <p><input type="checkbox"/> Histic Epipedon (A2)</p> <p><input type="checkbox"/> Black Histic (A3)</p> <p><input type="checkbox"/> Hydrogen Sulfide (A4)</p> <p><input type="checkbox"/> Stratified Layers (A5)</p> <p><input type="checkbox"/> 2 cm Muck (A10)</p> <p><input type="checkbox"/> Depleted Below Dark Surface (A11)</p> <p><input type="checkbox"/> Thick Dark Surface (A12)</p> <p><input type="checkbox"/> Sandy Mucky Mineral (S1)</p> <p><input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)</p>	<p><input type="checkbox"/> Sandy Gleyed Matrix (S4)</p> <p><input type="checkbox"/> Sandy Redox (S5)</p> <p><input type="checkbox"/> Stripped Matrix (S6)</p> <p><input type="checkbox"/> Loamy Mucky Mineral (F1)</p> <p><input type="checkbox"/> Loamy Gleyed Matrix (F2)</p> <p><input type="checkbox"/> Depleted Matrix (F3)</p> <p><input type="checkbox"/> Redox Dark Surface (F6)</p> <p><input type="checkbox"/> Depleted Dark Surface (F7)</p> <p><input type="checkbox"/> Redox Depressions (F8)</p>	<p><b>Indicators for Problematic Hydric Soils:</b></p> <p><input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R)</p> <p><input type="checkbox"/> Dark Surface (S7) (LRR K, L)</p> <p><input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R)</p> <p><input type="checkbox"/> Very Shallow Dark Surface (TF12)</p> <p><input type="checkbox"/> Other (explain in remarks)</p> <p>*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic</p>
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<p><b>Restrictive Layer (if observed):</b></p> <p>Type: _____</p> <p>Depth (inches): _____</p>	<p>Hydric soil present? <u>N</u></p>
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Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<p><u>Primary Indicators (minimum of one is required; check all that apply)</u></p> <p><input type="checkbox"/> Surface Water (A1)</p> <p><input type="checkbox"/> High Water Table (A2)</p> <p><input type="checkbox"/> Saturation (A3)</p> <p><input type="checkbox"/> Water Marks (B1)</p> <p><input type="checkbox"/> Sediment Deposits (B2)</p> <p><input type="checkbox"/> Drift Deposits (B3)</p> <p><input type="checkbox"/> Algal Mat or Crust (B4)</p> <p><input type="checkbox"/> Iron Deposits (B5)</p> <p><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</p> <p><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</p> <p><input type="checkbox"/> Water-Stained Leaves (B9)</p>	<p><u>Secondary Indicators (minimum of two required)</u></p> <p><input type="checkbox"/> Aquatic Fauna (B13)</p> <p><input type="checkbox"/> True Aquatic Plants (B14)</p> <p><input type="checkbox"/> Hydrogen Sulfide Odor (C1)</p> <p><input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)</p> <p><input type="checkbox"/> Presence of Reduced Iron (C4)</p> <p><input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)</p> <p><input type="checkbox"/> Thin Muck Surface (C7)</p> <p><input type="checkbox"/> Gauge or Well Data (D9)</p> <p><input type="checkbox"/> Other (Explain in Remarks)</p>	<p><input type="checkbox"/> Surface Soil Cracks (B6)</p> <p><input type="checkbox"/> Drainage Patterns (B10)</p> <p><input type="checkbox"/> Dry-Season Water Table (C2)</p> <p><input type="checkbox"/> Crayfish Burrows (C8)</p> <p><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</p> <p><input type="checkbox"/> Stunted or Stressed Plants (D1)</p> <p><input type="checkbox"/> Geomorphic Position (D2)</p> <p><input checked="" type="checkbox"/> FAC-Neutral Test (D5)</p>
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<p><b>Field Observations:</b></p> <p>Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____</p> <p>Saturation present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Depth (inches): <u>20</u></p> <p>(includes capillary fringe)</p>	<p><b>Indicators of wetland hydrology present?</b> _____</p>
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Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Area is on a 2-3% slope that drains towards the road.

**WETLAND DETERMINATION DATA FORM - Midwest Region**

Project/Site College Ave. & S. 27th St. City/County: Franklin/Milwaukee Sampling Date: 5-18-2018  
 Applicant/Owner: College Avenue Associates LLC State: WI Sampling Point: 5  
 Investigator(s): K. Sherfinski Section, Township, Range: S1, 5N, 21E  
 Landform (hillslope, terrace, etc.): constructed basin Local relief (concave, convex, none): concave  
 Slope (%): 0-1% Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name \_\_\_\_\_ Blount silt loam, (BIA) NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)  
 Are vegetation \_\_\_\_\_, soil X, or hydrology \_\_\_\_\_ significantly disturbed? Are "normal circumstances" present? No  
 Are vegetation \_\_\_\_\_, soil \_\_\_\_\_, or hydrology \_\_\_\_\_ naturally problematic? present? No

**SUMMARY OF FINDINGS** (If needed, explain any answers in remarks.)

Hydrophytic vegetation present? <u>N</u>	<b>Is the sampled area within a wetland?</b> <u>N</u>
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	
f yes, optional wetland site ID: _____	

Remarks: (Explain alternative procedures here or in a separate report.)  
A constructed basin designed to receive roof drain flow. Soils consist of fill.

**VEGETATION -- Use scientific names of plants.**

<u>Tree Stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Dominance Test Worksheet</b>	
1 _____	_____	_____	_____		Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A)
2 _____	_____	_____	_____	Total Number of Dominant Species Across all Strata: <u>3</u> (B)	
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>33.33%</u> (A/B)	
4 _____	_____	_____	_____		
5 _____	_____	_____	_____		
<u>0</u> = Total Cover					
<u>Sapling/Shrub stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Prevalence Index Worksheet</b>	
1 _____	_____	_____	_____		Total % Cover of:
2 _____	_____	_____	_____	OBL species <u>0</u> x 1 = <u>0</u>	
3 _____	_____	_____	_____	FACW species <u>3</u> x 2 = <u>6</u>	
4 _____	_____	_____	_____	FAC species <u>18</u> x 3 = <u>54</u>	
5 _____	_____	_____	_____	FACU species <u>30</u> x 4 = <u>120</u>	
<u>0</u> = Total Cover				UPL species <u>6</u> x 5 = <u>30</u>	
				Column totals <u>57</u> (A) <u>210</u> (B)	
				Prevalence Index = B/A = <u>3.68</u>	
<u>Herb stratum</u> (Plot size: <u>5ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b>	
1 <u>Solidago altissima</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>		_____ Rapid test for hydrophytic vegetation
2 <u>Hesperis matronalis</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>		_____ Dominance test is >50%
3 <u>Rhamnus cathartica</u>	<u>10</u>	<u>Y</u>	<u>FAC</u>		_____ Prevalence index is ≤3.0*
4 <u>Taraxacum officinale</u>	<u>5</u>	<u>N</u>	<u>FACU</u>		_____ Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
5 <u>Symphytotrichum urophyllum</u>	<u>5</u>	<u>N</u>	<u>UPL</u>		_____ Problematic hydrophytic vegetation* (explain)
6 <u>Glechoma hederacea</u>	<u>5</u>	<u>N</u>	<u>FACU</u>		
7 <u>Alliaria petiolata</u>	<u>5</u>	<u>N</u>	<u>FAC</u>		
8 <u>Poa pratensis</u>	<u>3</u>	<u>N</u>	<u>FAC</u>		
9 <u>Fraxinus pennsylvanica</u>	<u>3</u>	<u>N</u>	<u>FACW</u>		
10 <u>Daucus carota</u>	<u>1</u>	<u>N</u>	<u>UPL</u>		
<u>57</u> = Total Cover					
<u>Woody vine stratum</u> (Plot size: <u>30ft radius</u> )	Absolute % Cover	Dominant Species	Indicator Status		
1 _____	_____	_____	_____		
2 _____	_____	_____	_____		
<u>0</u> = Total Cover					

Remarks: (Include photo numbers here or on a separate sheet)  
Weed species growing in a constructed detention basin.

**SOIL**

Sampling Point: 5

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/1	100					loam	

\*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. \*\*Location: PL = Pore Lining, M = Matrix

<b>Hydric Soil Indicators:</b> <input type="checkbox"/> Histisol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Stratified Layers (A5) <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Sandy Gleyed Matrix (S4) <input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)	<b>Indicators for Problematic Hydric Soils:</b> <input type="checkbox"/> Coast Prairie Redox (A16) (LRR K, L, R) <input type="checkbox"/> Dark Surface (S7) (LRR K, L) <input type="checkbox"/> Iron-manganese masses (F12) (LRR K, L, R) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (explain in remarks)
---	--	--

\*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if observed):</b> Type: <u>Gravel fill</u> Depth (inches): <u>6</u>	<b>Hydric soil present?</b> <u>N</u>
---	--------------------------------------

Remarks:  
 Refusal at 6" due to solid gravel fill. Area consists of a layer of topsoil over gravel and is designed to drain quickly.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

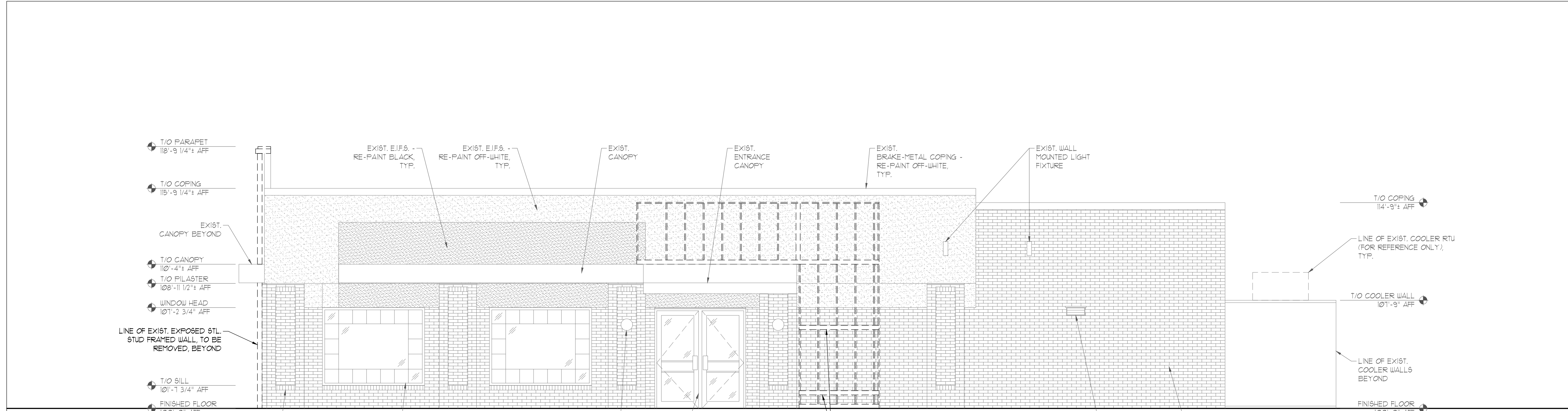
<u>Primary Indicators (minimum of one is required; check all that apply)</u> <input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1) <input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3) <input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8) <input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Aquatic Fauna (B13) <input type="checkbox"/> True Aquatic Plants (B14) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Thin Muck Surface (C7) <input type="checkbox"/> Gauge or Well Data (D9) <input type="checkbox"/> Other (Explain in Remarks)	<u>Secondary Indicators (minimum of two required)</u> <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Crayfish Burrows (C8) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9) <input type="checkbox"/> Stunted or Stressed Plants (D1) <input checked="" type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> FAC-Neutral Test (D5)
--	---	--

<b>Field Observations:</b> Surface water present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Water table present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	<b>Indicators of wetland hydrology present?</b> <u>N</u>
--	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
 Area is an approximately 3 foot deep excavated depression with pvc pipes draining into it.





DEMOLITION EXTERIOR ELEVATION - NORTH  
SCALE: 1/4" = 1'-0" 2



ARCHITECTURAL RENDERING - PROPOSED EXTERIOR ELEVATION - NORTH  
SCALE: NTS 1

FULL SIZE PRINT = 24" x 36" SHEET  
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REV. #	REV. DATE	DESCRIPTION	REV. BY:

Proposed Plans For:  
**27th & College Ave. Re-Development**  
6311 South 27th Street  
Franklin, WI 53132

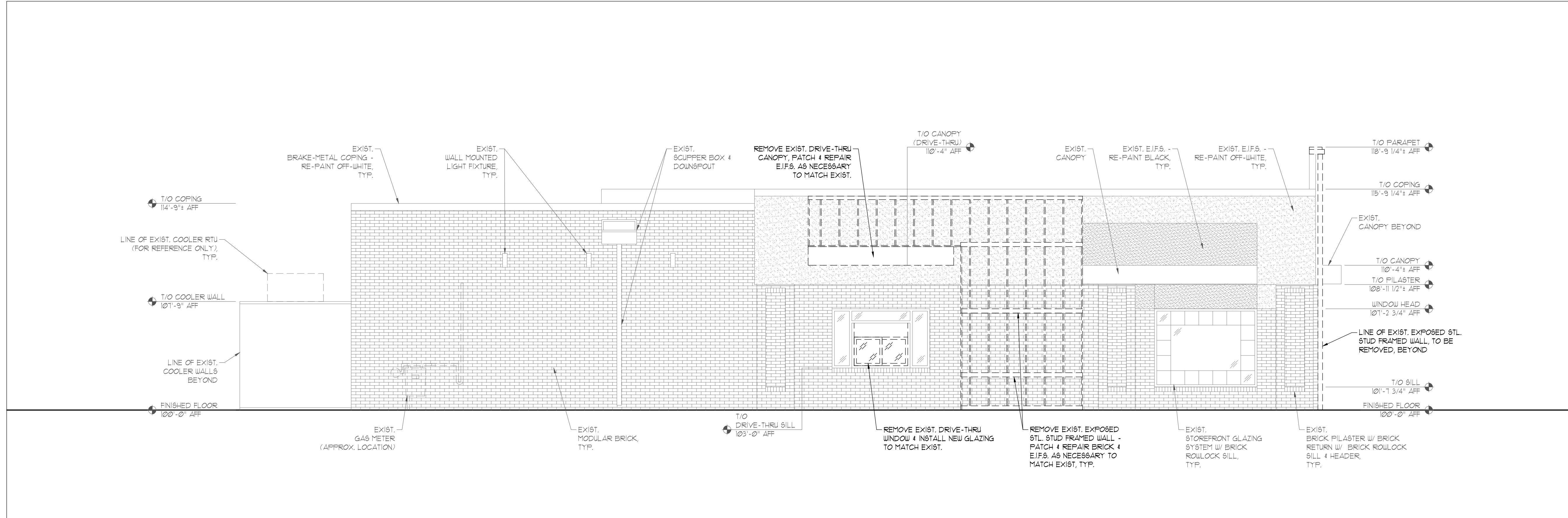
**PERSPECTIVE DESIGN, INC.**  
11525 W. North Avenue  
Wauwatosa, WI 53226  
Tel (414) 302-1780 Fax (414) 302-1781

Drawing Title:  
**DEMOLITION & PROPOSED EXTERIOR ELEVATIONS**

Date: 05/24/23  
Scale: NOTED  
Drawn: DMQ  
Job: -  
Sheet: **A2.1**

NOT FOR CONSTRUCTION

- PRELIMINARY -  
FOR ESTIMATING AND REVIEW ONLY



DEMOLITION EXTERIOR ELEVATION - SOUTH  
SCALE: 1/4" = 1'-0" 2



ARCHITECTURAL RENDERING - PROPOSED EXTERIOR ELEVATION - SOUTH  
SCALE: NTS 1

FULL SIZE PRINT = 24" x 36" SHEET

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REV. #	REV. DATE	DESCRIPTION	REV. BY:

Project:  
**Proposed Plans For:**  
**27th & College Ave.**  
**Re-Development**  
 6311 South 27th Street  
 Franklin, WI 53132

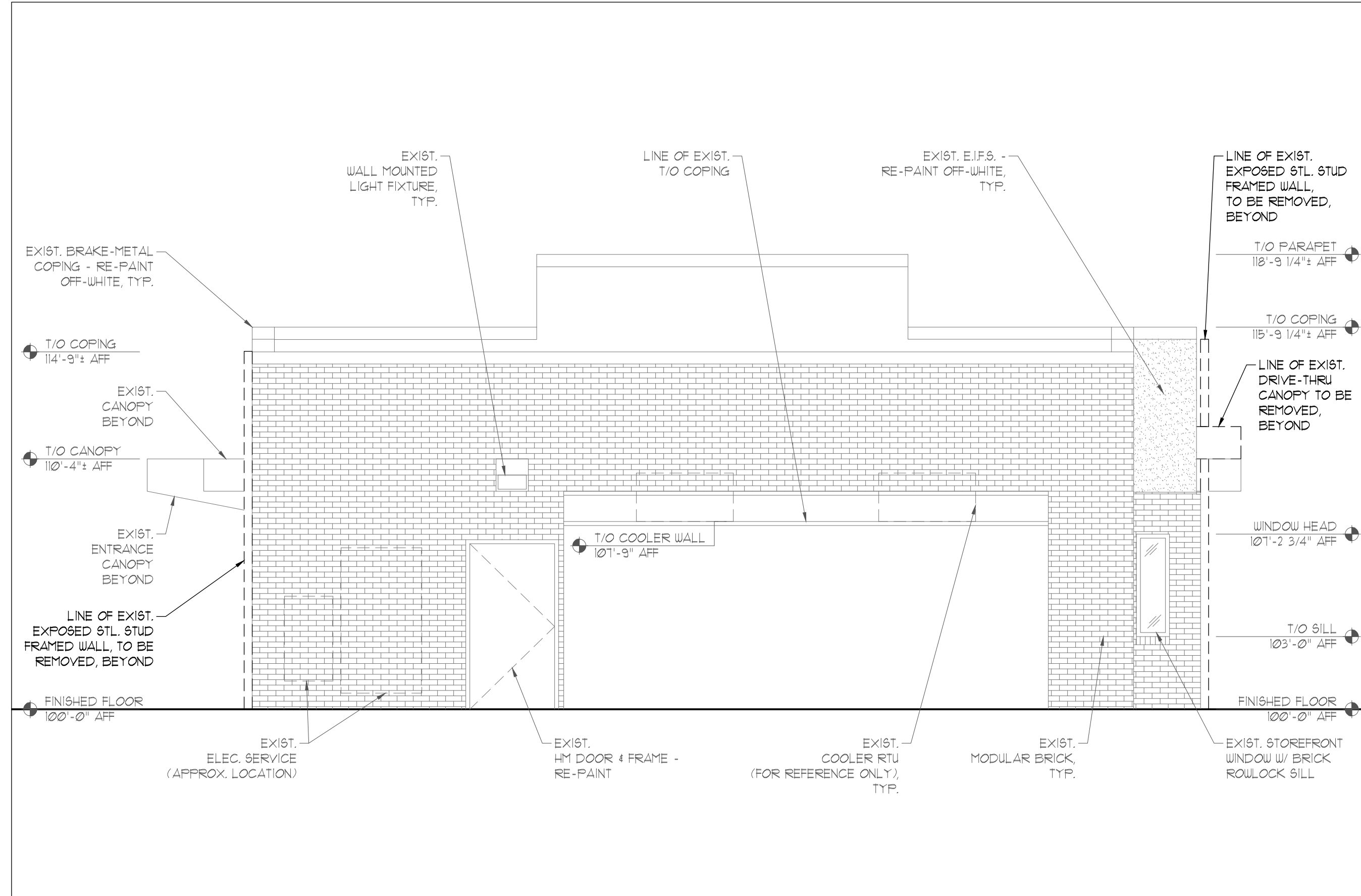
**PERSPECTIVE DESIGN, INC.**  
 11525 W. North Avenue  
 Wauwatosa, WI 53226  
 Tel (414) 302-1750 Fax (414) 302-1751

Drawing Title:  
**DEMOLITION & PROPOSED EXTERIOR ELEVATIONS**

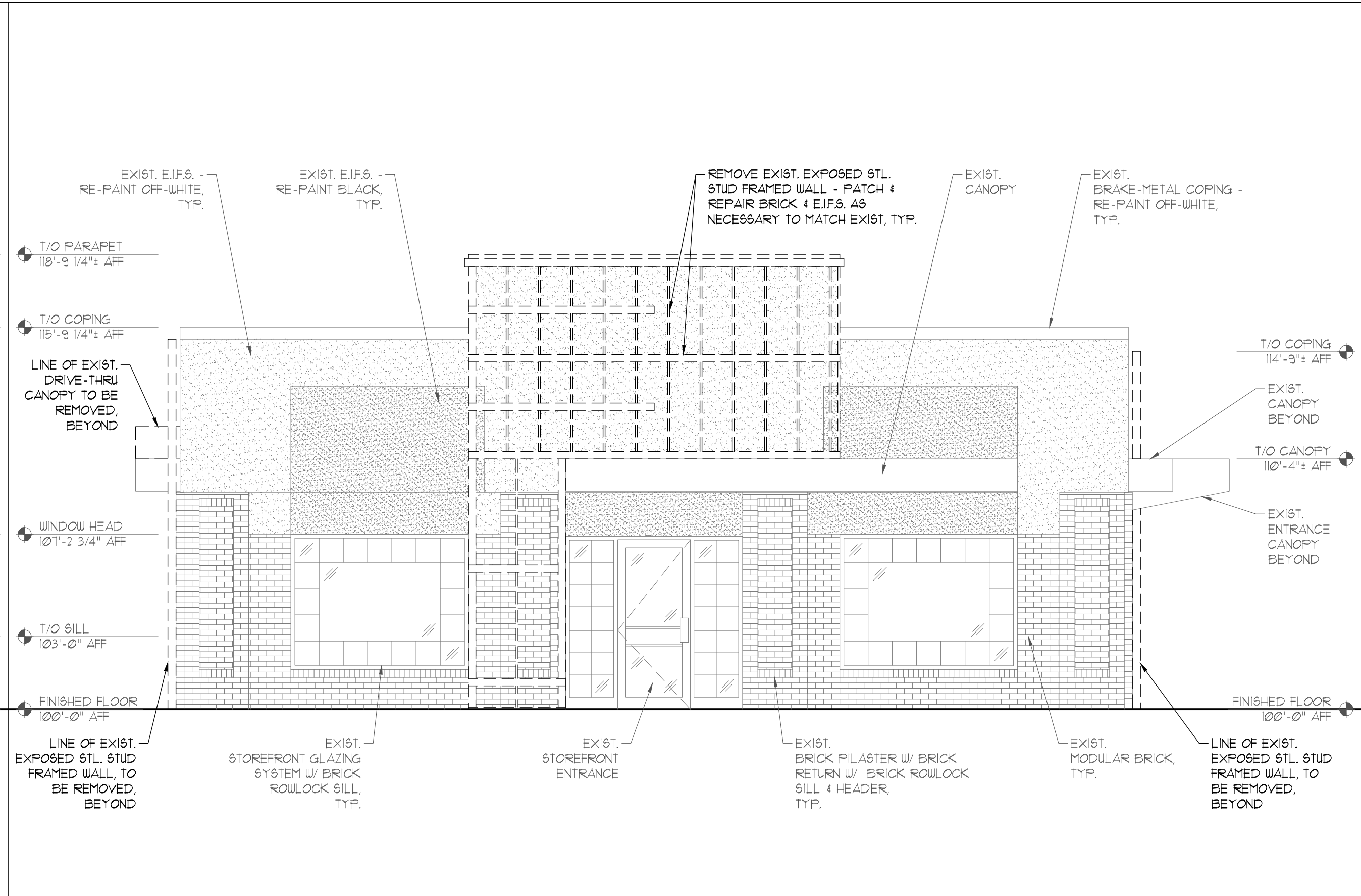
Date: 05/24/23  
 Scale: NOTED  
 Drawn: DMQ  
 Job: -  
 Sheet: **A2.2**

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DEMOLITION EXTERIOR ELEVATION - WEST  
SCALE: 1/4" = 1'-0" 4



DEMOLITION EXTERIOR ELEVATION - EAST  
SCALE: 1/4" = 1'-0" 2



ARCHITECTURAL RENDERING - PROPOSED EXTERIOR ELEVATION - WEST  
SCALE: NTS 3



ARCHITECTURAL RENDERING - PROPOSED EXTERIOR ELEVATION - EAST  
SCALE: NTS 1

FULL SIZE PRINT = 24" x 36" SHEET

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REV. #	REV. DATE	DESCRIPTION

Proposed Plans For:  
**27th & College Ave. Re-Development**  
6311 South 27th Street  
Franklin, WI 53132

**PERSPECTIVE DESIGN, INC.**  
11525 W. North Avenue  
Wauwatosa, WI 53226  
Tel (414) 302-1780 Fax (414) 302-1781



Drawing Title:  
**DEMOLITION & PROPOSED EXTERIOR ELEVATIONS**

Date: 05/24/23  
Scale: NOTED  
Drawn: DMQ  
Job: -  
Sheet:

THIS BOX IS 1/2" x 1/2"  
**A2.3**

NOT FOR CONSTRUCTION

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FOR ESTIMATING AND REVIEW ONLY





CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION

Meeting of August 8, 2024

Planned Development District Amendment, Special Use, and Site Plan

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**RECOMMENDATION:** City Development Staff recommends denial of the Planned Development District Amendment, Special Use, and Site Plan applications related to the Saia Motor Freight Line, LLC use and development project.

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<b>Project Name:</b>	Saia Motor Freight Line Planned Development District Amendment, Special Use, and Site Plan
<b>Project Address/Tax Key:</b>	10613 South 27 <sup>th</sup> Street / 951 9996 019
<b>Property Owner:</b>	Franklin Tech Center LLC A Delaware LLC
<b>Applicant:</b>	Chris Burgum, Saia Motor Freight Line, LLC
<b>Aldermanic District:</b>	District 4
<b>Zoning District:</b>	Planned Development District No. 39
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate

---

**Introduction/Background**

Please note:

- Recommendations are *underlined, in italics* and are included in the draft resolution.

The applicant has filed a Major Planned Development District Amendment, Special Use, and Site Plan Application related to the Saia Motor Freight Line, LLC use and development project located at 10613 S. 27<sup>th</sup> Street.

Planned Development District (PDD) Amendment

The requested PDD Amendment proposes to amend Section 15-3.0444 of the Unified Development Ordinance Planned Development District No. 39 (Mixed Use Business Park) to allow “truck terminals and freight transfer facilities with outdoor storage and parking of vehicles, equipment, and trailers” as a Special Use.

To not be in conflict, the draft ordinance also removes truck terminals and freight transfer facilities as a prohibited use within the PDD.

The subject property is located within the Gateway Area of the PDD; however, the draft ordinance makes this same change for both the Gateway Area and the Business Park Area of the PDD. The Common Council could elect to continue to prohibit this use in the Business Park Area of the PDD as it is not a required change to allow this proposed use.

Note the attached ordinance is drafted based upon staff’s recommendations.

The PDD amendment also revises PDD No. 39 Design Standards as proposed by the applicant. See attached.

Note that this is being proposed as a Major Amendment. Staff concurs that this should be a major amendment as it includes a change of use.

### Special Use

The Special Use is specific to Saia Motor Freight Line, LLC, a truck terminal and freight transfer facility business use with outdoor storage and parking of vehicles, trailers, and equipment, to locate and operate upon property located at 10613 South 27th Street.

### Site Plan

The proposed site plan changes generally consist of the following:

- Painting of the buildings
- Maintenance, repairs, and potential re-paving of drives and parking lot areas
- Installation of new landscape plantings

## **Project Description/Analysis**

### Site Plan

As noted above, the applicant is not proposing significant changes to the site or buildings. The applicant intends to paint the buildings, perform general maintenance and repairs of the buildings and paved areas onsite, and install new landscaping. The existing fencing onsite will remain, but the main entry gate will be replaced with an automated gate.

*Staff recommends that a minimum 10-foot parking setback be established throughout the site, prior to issuance of an Occupancy Permit.*

### Parking

According to the applicant, 118 parking spaces are provided. In addition, there are 10 bicycle spaces and 4 motorcycle spaces as well as parking for 18 tractor trailers, 32 tractor cabs, and 102 pup or shorter semi-trailers.

Parking spaces vary in size throughout the site, but all meet or exceed the minimum required size of 9' wide and 180 square feet.

### Landscape Plan

The Landscape Plan identifies 19 existing canopy trees, 6 existing decorative trees, and 9 existing evergreen trees. The applicant is proposing to add 8 canopy trees, 9 decorative trees, 12 evergreen trees, and 36 shrubs.

Combined, the total plantings onsite consist of 27 canopy trees, 15 decorative trees, 21 evergreen trees, and 36 shrubs.

PDD No. 39 refers to Division 15-5.0300 of the UDO regarding landscape requirements. The UDO requires one planting of each type per 10 provided parking spaces for industrial uses. Considering the passenger vehicle, bicycle, and motorcycle parking, there are 132 parking spaces provided, which require 14 plantings of each type. If trailer and cab parking were included, there are a total of 286 parking spaces provided, which would require 29 plantings of each type.

### Lighting Plan

No exterior lighting changes are proposed.

### Architecture

The applicant is proposing to paint the exterior of the buildings onsite.

The overhead doors will all remain. The applicant has noted that any damaged doors will be replaced as needed.

### Signage

Building signage is anticipated as depicted in the renderings provided by the applicant. Signage will require separate sign review and sign permits prior to installation. All signage must comply with the City's sign regulations.

### Engineering and Storm Water Management

*It is recommended that final approval of grading, erosion control, storm water management, and utilities, as may be applicable, be granted by the Engineering Department prior to any land disturbance activities.*

### **Staff Recommendation:**

City Development Staff recommends denial of the PDD Amendment, Special Use, and Site Plan applications for Saia Motor Freight Line. LLC.

Staff recommends that the City maintain its original vision for this area when creating and adopting the Ordinance and Design Standards for PDD No. 39. The proposed use and development are a significant deviation from that vision and plan. Staff expects that the site will be redeveloped in the future in a manner more consistent with the requirements of PDD No. 39.

With that said, it is also recommended that the Plan Commission and Common Council consider the recommendation below by John Regetz, Director of Economic Development.

The proposed SAIA project will improve the aesthetics of the existing, cross-dock-facility in question and the planned landscaping will also improve the appearance of the whole site. Currently, the proposed SAIA project is the only method to improve appearances of its intended parcel without spending substantial TID funds, that are not available, to tear down the existing building and foundation.

To make this happen the Plan Commission and Common Council should permit the special use, approve the site plan amendment and remove the prohibition on truck terminals, or freight transfer facilities, in PDD 39. The project approvals could also help us address similar parking considerations for other proposed projects in PDD 39, by setting precedent.

The proposed SAIA parcel is the largest on Elm Road (12.941) acres, therefore having the most impact on uses of any parcel on the street. While it may not attract targeted business to the Franklin Corporate Park, the remodeled building will help discourage degrading land uses on Elm Road. Extensive facade renovations and landscaping will also improve the aesthetics of the street.

The 100 jobs and freight services that SAIA provides will benefit the Milwaukee region.

Sincerely,

John G. Regetz  
Director, Economic Development



ORDINANCE NO. 2024-\_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 15-3.0444 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED USE BUSINESS PARK) TO ALLOW TRUCK TERMINALS AND FREIGHT TRANSFER FACILITIES AS A SPECIAL USE AND TO REVISE DESIGN STANDARDS (SAIA MOTOR FREIGHT LINE, LLC, APPLICANT) (10613 SOUTH 27TH STREET)

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WHEREAS, Section 15-3.0444 of the Unified Development Ordinance provides for and regulates Planned Development District No. 39 (Mixed Use Business Park), same having been created by Ordinance No. 2016-2238, with such District primarily being located within the South 27th Street corridor area lying south of West Oakwood Road;

WHEREAS, Planned Development District No. 39 (Mixed Use Business Park) includes those lands more particularly described below; and

That part of the Northeast 1/4, Southeast 1/4 and all that part of Northeast 1/4, Southeast 1/4, and the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of Northeast 1/4 of Section 36 also the place of beginning of the land to be described; thence S 00° 11' 55" E, along the East line of said 1/4 Section, 2658.94 feet to the East 1/4 corner section monument; thence S 00° 25' 34" E, along the East section line of the Southeast 1/4 of said Section, 2655.53 to the Southeast corner section monument; thence S 88° 57' 44" W along the South section line of Southeast 1/4 of said Section, 2619.46 to the South 1/4 corner section monument; thence S 88° 35' 08" W along the South section line of the Southwest 1/4 of said Section, 42.90 feet to the section corner monument; thence S 88° 35' 08" W along the South line of the Southwest 1/4 of said Section, 2588.10 feet to the Southwest corner section monument; thence N 00° 21' 45" W along the West section line of the Southwest 1/4 of said Section, 2644.21 feet to the West 1/4 corner section monument; thence N 88° 36' 18" E, along the North section line of the Southwest 1/4 of said Section, 1808.39 feet to West line of the East fifty (50) acres of the Northwest 1/4 of said Section; thence N 00° 20' 45" W, along the West line of the East fifty (50) acres of the Northwest 1/4 of said Section, 2651.28 feet to the North section line of the Northwest 1/4 of said Section; thence N 88° 27' 28" E along the North section line of the Northwest 1/4 of said Section, 821.90 feet to the North 1/4 corner section

monument; thence N 88° 34' 33" E, along the North section line of the Northeast 1/4 of said Section, 2624.35 feet to the point of beginning.

Containing in all 504 acres of land, more or less.

WHEREAS, Saia Motor Freight Line, LLC having petitioned for an amendment to Planned Development District No. 39 (Mixed Use Business Park), to allow Truck Terminals and Freight Transfer Facilities as a Special Use and to revise PDD No. 39 Design Standards; and

WHEREAS, the City of Franklin Plan Commission having considered the application on the 8th day of August, 2024, and the Plan Commission having determined that the proposed amendment was a major amendment and having recommended to the Common Council that the proposed amendment to Planned Development District No. 39 (Mixed Use Business Park) be approved; and

WHEREAS, the Common Council having considered the application and having concurred with the recommendation of the Plan Commission and having determined that the proposed amendment to Planned Development District No. 39 (Mixed Use Business District) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and that it will 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: §15-3.0444 Planned Development District No. 39 (Mixed Use Business District), of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically Section 15-3.0444A.B.3. of Ordinance No. 2016-2238, is hereby amended to add a new sub “k. Truck terminals and freight transfer facilities with outdoor storage and parking of vehicles, trailers, and equipment.” and re-letter accordingly.

SECTION 2: §15-3.0444 Planned Development District No. 39 (Mixed Use Business District), of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically Section 15-3.0444A.B.4. of Ordinance No. 2016-2238, is hereby amended to delete sub “d. Truck terminals and freight transfer facilities.” and re-letter accordingly.

- SECTION 3: §15-3.0444 Planned Development District No. 39 (Mixed Use Business District), of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically Section 15-3.0444A.D. of Ordinance No. 2016-2238, is hereby amended to revise Planned Development District No. 39: Design Standards as proposed by the applicant, Saia Motor Freight Line, LLC, **attached** hereto, and presented to the Plan Commission on the 8th day of August, 2024.
- SECTION 4: §15-3.0444 Planned Development District No. 39 (Mixed Use Business District), of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically Section 15-3.0444B.B.3. of Ordinance No. 2016-2238, is hereby amended to add a new sub “i. Truck terminals and freight transfer facilities with outdoor storage and parking of vehicles, trailers, and equipment.” and re-letter accordingly.
- SECTION 5: §15-3.0444 Planned Development District No. 39 (Mixed Use Business District), of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically Section 15-3.0444B.B.4. of Ordinance No. 2016-2238, is hereby amended to delete sub “d. Truck terminals and freight transfer facilities.” and re-letter accordingly.
- SECTION 6: All other applicable terms and provisions of §15-3.0444 Planned Development District No. 39 (Mixed Use Business District) not inconsistent with the terms of this Ordinance, and the Unified Development Ordinance of the City of Franklin, as amended from time to time, shall apply to the Saia Motor Freight Line, LLC development, and all terms and provisions of §15-3.0444 Planned Development District No. 39 (Mixed Use Business District) as existing immediately prior to the adoption of this Ordinance and not amended by this Ordinance, shall remain in full force and effect.
- SECTION 7: 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 8: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

ORDINANCE NO. 2024-\_\_\_\_\_

Page 4

SECTION 9: 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 20th day of August, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 20th day of August, 2024.

APPROVED:

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John R. Nelson, Mayor

ATTEST:

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Shirley J. Roberts, City Clerk

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

Planned Development District No. 39: Mixed Use Business Park  
Design Standards

**Purpose.** The Mixed Use Business Park Design Standards are intended to create a high quality, attractive, office/light industrial/commercial mixed use development, and are adopted by reference in Ordinance No. 2016-\_\_\_\_ Planned Development District No. 39 (Mixed Use Business Park). These Design Standards are intended to:

- apply whenever new principal and/or accessory buildings are constructed in the District;
- apply whenever building additions in the District result in an increase in floor area of 50 percent or more;
- allow existing structures to otherwise remain conforming with regard to this Ordinance;
- incorporate the design standards as set forth within the Unified Development Ordinance Part 5 as mandatory standards;
- incorporate certain additional design standards as herein set forth; and
- allow the Plan Commission to waive any of the additional design standards as herein set forth provided that supplemental design elements or improvements (as set forth below in the Supplemental Design Guidelines) are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard.

**SECTION 15-3.0444A.D. Gateway Area Design Standards.** The Gateway Area Design Standards are intended to create a high quality, attractive, primarily office and commercial mixed use development adjacent to South 27<sup>th</sup> Street. Mixed use buildings with commercial and office uses layered vertically, horizontally, or among multiple buildings are encouraged. Efficient land use is also encouraged by facilitating developments that minimize the amount of land needed for surface parking through creative design, lessened setbacks, and shared parking among complimentary uses.

**1. PARKING STANDARDS**

Off-street parking, loading, and unloading shall be provided as set forth in Division 15-5.0200 of the Unified Development Ordinance. The following additional standards also apply:

- a. Parking required and location regulated

Not more than fifty (50) percent of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street, and/or additional

enhanced landscaping or decorative fencing is used to screen such parking. Such additional buildings and/or landscaping or fencing must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot. This requirement applies to all new developments but expressly excepting Truck Terminals and Freight Transfer Facilities constructed prior to 2016.

## 2. GENERAL SITE DESIGN STANDARDS

The following additional site furnishings and bicycle and pedestrian amenities standards apply:

- a. Site furnishings required and coordination regulated  
Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) shall complement the character of the building, and provide an attractive and strong relationship with adjoining properties and the public sidewalk.
- b. Bicycle and pedestrian amenities required
  - i. New streets proposed as part of new developments shall provide “bicycle and pedestrian friendly” streetscapes.
  - ii. Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties. Pedestrian walkways shall be designed with amenities such as special paving treatments (colored paver blocks or textured concrete), lighting (see lighting discussion below) and furnishings to create a pedestrian-friendly character. Where the building entrance of an existing building is facing a private roadway and is not adjacent to a public street, pedestrian walkways shall connect to off-street vehicle and bicycle parking areas and shall be designed with identifiable walkway striping.
  - iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities. Where the façade containing a public entrance is facing a private roadway and is not adjacent to a public street, pedestrian walkways shall connect to off-street vehicle and bicycle parking areas and shall be designed with identifiable walkway striping.

## 3. LANDSCAPE STANDARDS

Landscaping shall be provided as set forth in Division 15-5.0300 of the Unified Development Ordinance. The following additional standards also apply:

- a. Landscaping required and location regulated
  - i. Each new development which contains a building over forty-thousand (40,000) square feet in area shall provide extensive building foundation landscaping for all building frontages facing public streets or parking lots to provide visual breaks in the mass of the building.

b. Central Areas/Features required

Each new development which contains a building over forty-thousand (40,000) square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal

points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

#### 4. ARCHITECTURAL STANDARDS

The following additional building character and design standards apply:

- a. Building Character and Design regulated
  - i. All principal buildings shall be multi-story and exhibit quality architectural design. Corner buildings shall also serve as landmarks with distinctive architectural character, including such features as towers, rounded walls, recessed entries, or other unique features. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - ii. All exterior materials shall be durable, of high-quality, utilized true to form (such as stone below wood rather than the opposite), and appropriate for external use. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - iii. Brick and stone are preferred primary materials for the solid (non-window) portion of new buildings or additions. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - iv. Precast concrete, cast stone, concrete masonry units, terra cotta, stucco, and wood siding are acceptable accent and secondary materials for the solid portion of new buildings or additions. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - v. Other materials may be allowed subject to Plan Commission approval. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - vi. Color choice shall complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - vii. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
  - viii. Roof mounted equipment shall be so located and/or screened to minimize visibility from adjacent streets and sites. This requirement



applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.

- ix. All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the public street shall receive equal design attention. This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.
- x. For each new building more than 40,000 square feet in area, building massing that creates modulation and articulation is required.
- xi. Commercial buildings shall have at least 60% of their ground floor front elevation with transparent windows.

## 5. SIGNAGE STANDARDS

All signs must be in accordance with the Municipal Code, as amended, approved by the Plan Commission, and be subject to issuance of a Sign Permit through the Inspection Department. On-site directional signage may be allowed in any area needed to control traffic or parking provided such signage has received approval from the Department of City Development.

## 6. LIGHTING STANDARDS

All exterior lighting shall be provided as set forth in Division 15-5.0400 of the Unified Development Ordinance.

## 7. SUPPLEMENTAL DESIGN GUIDELINES

It is intended that the applicable design guidelines set forth in the South 27<sup>th</sup> Street Corridor Plan, and the applicable design standards in the South 27<sup>th</sup> Street Design Overlay District, be utilized—as a supplemental guide-- to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Gateway Area portion of Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is encouraged that the design standards set forth in Section 153.0355B. and Section 15-3.0355C. of the South 27<sup>th</sup> Street Design Overlay District be considered. This requirement applies to all new developments but expressly excepting Truck Terminals constructed prior to 2016.

**SECTION 15-3.0444B.D. Business Park Area Design Standards.** The Business Park Area Design Standards are intended to create a high quality, attractive, primarily office and light industrial business park development (excluding the Gateway Area adjacent to South 27<sup>th</sup> Street).

### 1. PARKING STANDARDS

Off-street parking, loading and unloading shall be provided as set forth in Division 15-5.0200 of the Unified Development Ordinance. The following additional standards also apply:

- a. Parking required and location regulated
  - i. No parking will be permitted on any street, driveway, or any place in the District other than in approved parking spaces.
  - ii. Overnight parking of campers, mobile homes, boats, trailers, and similar vehicles is prohibited.
  - iii. Overnight parking of trucks and service vehicles over 8,000 pounds manufactured Gross Vehicle Weight shall be allowed only with a Special Use. Overnight parking of trucks and service vehicles under 8,000 pounds Gross Vehicle Weight shall be behind landscape screening so as to minimize visibility from adjacent roadways.

- iv. Parking in front of buildings shall be designed primarily for visitors and high turnover usage, with employee parking to be located to the side-yard or rear-yard.
- v. Loading and unloading areas shall be located to the side-yard or rear-yard and screened so as to minimize their view from adjacent streets and sites.
- vi. All parking, loading, and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms, and/or decorative fences.

## 2. GENERAL SITE DESIGN STANDARDS

The following additional open space, site maintenance, and bicycle and pedestrian amenities standards apply:

- a. Open Spaces required and location regulated
  - i. Not less than one-half of the required building setback area from any dedicated street shall be devoted solely to lawns, trees, shrubs, and other landscaping.
  - ii. Significant woodlands, wetlands, and other protected natural resource features, as defined by the Unified Development Ordinance, exist within the District. All such resources shall be protected as set forth in Division 15-4.0100 of the Unified Development Ordinance.
- b. General Site Maintenance required
  - i. The owner of any site shall have the duty and responsibility for keeping the buildings, paving, landscaping, lighting, and other improvements on the site in a well-maintained, safe, clean, and attractive condition at all times.
  - ii. Each owner shall be responsible for removal of any weeds, rubbish, or trash of any character which may accumulate on the site.
  - iii. Damaged or cracked areas of parking lots, sidewalks, and other hard surfaces shall be promptly repaired or replaced.
- c. Bicycle and pedestrian amenities required
  - i. New streets proposed as part of new developments shall provide “bicycle and pedestrian friendly” streetscapes.
  - ii. Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties.
  - iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities.

### 3. LANDSCAPE STANDARDS

Landscaping shall be provided as set forth in Division 15-5.0300 of the Unified Development Ordinance. The following additional standards also apply:

- a. Landscaping required and location regulated
  - i. Each development which contains a building over forty-thousand (40,000) square feet in area shall provide extensive building foundation landscaping for all building frontages facing public streets or parking lots to provide visual breaks in the mass of the building.
  - ii. A minimum landscape buffer of 10 feet is required between paved areas and all sides of the building except at entrances and loading areas.

### 4. ARCHITECTURAL STANDARDS

The following additional building character and design standards apply:

- a. Building Character and Design regulated
  - i. All buildings shall incorporate the design principles of composition, detail, proportion, rhythm, scale and unity within the architectural design of all exterior facades, to achieve design integrity and coherence.
  - ii. All exterior materials shall be durable, of high-quality, utilized true to form (such as stone below wood rather than the opposite), and appropriate for external use.
  - iii. Brick, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions.
  - iv. Precast concrete, cast stone, plain/smooth concrete masonry units, and EIFS are acceptable accent and secondary materials for the solid portion of new buildings or additions.
  - v. Aluminum framed doors, windows and skylights are preferred.
  - vi. Metal copings, fascia, soffits, exposed structural elements, and architectural canopies are only permitted as an accent material.
  - vii. Other materials may be allowed subject to Plan Commission approval.
  - viii. Color choice shall complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings.
  - ix. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.
  - x. Roof mounted equipment shall be so located and/or screened to minimize visibility from adjacent streets and sites.

- xi. Outside loading docks shall be located to the side-yard or rear-yard and screened from view from adjacent streets and sites by extended building walls, berms, decorative fencing, and/or landscaping.
- xii. All utility connections, including all electrical and telephone connections and other installation of wires to buildings, shall be made underground from the nearest available source. No transformer, electric, gas, or other meter of any type or other apparatus shall be located on any power pole nor hung on the outside of any building. All transformers and meters shall be placed on or below the surface of the property and where placed on the surface shall be screened and/or landscaped so as to minimize visibility from adjacent streets and sites. No electric utility boxes or transformers shall be located between a building and an abutting street.
- xiii. All visible sides of the building shall be designed with details that complement the front facade.

## 5. SIGNAGE STANDARDS

All signs must be in accordance with the Municipal Code, as amended, approved by the Plan Commission, and be subject to issuance of a Sign Permit through the Inspection Department. On-site directional signage may be allowed in any area needed to control traffic or parking provided such signage has received approval from the Department of City Development. The following additional standards also apply:

- a. Wall signs are prohibited.

## 6. LIGHTING STANDARDS

All exterior lighting shall be provided as set forth in Division 15-5.0400 of the Unified Development Ordinance.

## 7. SUPPLEMENTAL DESIGN GUIDELINES

It is intended that the applicable design guidelines set forth in the South 27<sup>th</sup> Street Corridor Plan, and the applicable design standards in the South 27<sup>th</sup> Street Design Overlay District, be utilized—as a supplemental guide-- to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Business Park Area portion of Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is encouraged that the design standards set forth in Section 153.0355B. and Section 15-3.0355C. of the South 27<sup>th</sup> Street Design Overlay District be considered.

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

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A SPECIAL USE FOR A TRUCK TERMINAL AND FREIGHT  
TRANSFER FACILITY BUSINESS USE WITH OUTDOOR STORAGE AND PARKING  
OF VEHICLES, TRAILERS, AND EQUIPMENT UPON PROPERTY LOCATED AT  
10613 SOUTH 27TH STREET (SAIA MOTOR FREIGHT LINE, LLC, APPLICANT)  
(FRANKLIN TECH CENTER LLC A DELAWARE, LLC, PROPERTY OWNER)

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WHEREAS, Saia Motor Freight Line, LLC, having petitioned the City of Franklin for the approval of a Special Use for a truck terminal and freight transfer facility business use with outdoor storage and parking of vehicles, trailers, and equipment upon property located at 10613 South 27th Street, zoned Planned Development District No. 39. The property which is the subject of the application bears Tax Key No. 951 9996 019 and is more particularly described as follows:

All that part of the Northeast 1/4 of Section 36, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows: Commencing at the Southeast corner of the Northeast 1/4 of Section 36; thence South 88°41'08" West along the South line of said Northeast 1/4, 726.00 feet to the place of beginning of the lands herein to be described; thence 0°11'45" West 660.03 feet; thence South 88°41'08" West 902.71 feet; thence South 0°21'20" East 660.00 feet to a point on the South line of said Northeast 1/4; thence North 88°41'08" East along said South line 900.87 feet to the place of beginning and containing 13.661 acres.

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 8th day of August 2024, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that they will not have an undue adverse impact upon adjoining property; that they will not interfere with the development of neighboring property; that they will be served adequately by essential public facilities and services; that they will not cause undue traffic congestion; and that they will not result in damage to property of significant importance to nature, history or the like; and

SAIA MOTOR FREIGHT LINE, LLC – SPECIAL USE  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 2

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Saia Motor Freight Line, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Saia Motor Freight Line, LLC, successors and assigns, for a truck terminal and freight transfer facility business use with outdoor storage and parking of vehicles, trailers, and equipment, which shall be developed in substantial compliance with, and operated and maintained by Saia Motor Freight Line, LLC, pursuant to those plans dated \_\_\_\_\_, 2024 and annexed hereto and incorporated herein as **Exhibit A**.
2. Saia Motor Freight Line, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Saia Motor Freight Line, LLC, Special Use, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the Saia Motor Freight Line, LLC, Special Use for the property located at 10613 South 27th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. **OTHER CONDITIONS - TBD**

BE IT FURTHER RESOLVED, that in the event Saia Motor Freight Line, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19 of the

SAIA MOTOR FREIGHT LINE, LLC – SPECIAL USE  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 3

Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this 20th day of August, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 20th day of August, 2024.

APPROVED:

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

ATTEST:

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

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



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

A RESOLUTION APPROVING A SITE PLAN TO ALLOW FOR EXTERIOR SITE AND BUILDING MODIFICATIONS CONSISTING OF PAVING DRIVES AND PARKING LOT AREAS AND INSTALLING NEW LANDSCAPING UPON PROPERTY LOCATED AT 10613 SOUTH 27TH STREET (SAIA MOTOR FREIGHT LINE, LLC, APPLICANT) (FRANKLIN TECH CENTER LLC A DELAWARE, LLC, PROPERTY OWNER)

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WHEREAS, Saia Motor Freight Line, LLC, having applied for approval of a proposed site plan to allow for exterior site and building modifications consisting of paving drives and parking lot areas and installing new landscaping upon property located at 10613 South 27th Street, within Planned Development District No. 39 (Mixed Use Business Park); and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0444 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 to allow for exterior site and building modifications consisting of paving drives and parking lot areas and installing new landscaping, as depicted upon the plans City dated \_\_\_\_\_, 2024, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plans for the Saia Motor Freight Line, LLC development project City dated \_\_\_\_\_, 2024.
2. Saia Motor Freight Line, LLC, successors and assigns, and any developer of the Saia Motor Freight Line, LLC development 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 Saia Motor Freight Line, LLC development project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the Saia Motor Freight Line, LLC development project, located at 10613 South 27th Street, within Planned

Development District No. 39 (Mixed Use Business Park): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

- 4. A minimum 10-foot parking setback shall be established throughout the site, prior to issuance of an Occupancy 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.

**6. OTHER CONDITIONS – TBD**

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Saia Motor Freight Line, LLC development project as depicted upon the site plans dated \_\_\_\_\_, 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 for the property located at 10613 South 27th Street (Tax Key No. 951 9996 019), as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 8th day of August, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 8th day of August, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Chairman

ATTEST:

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

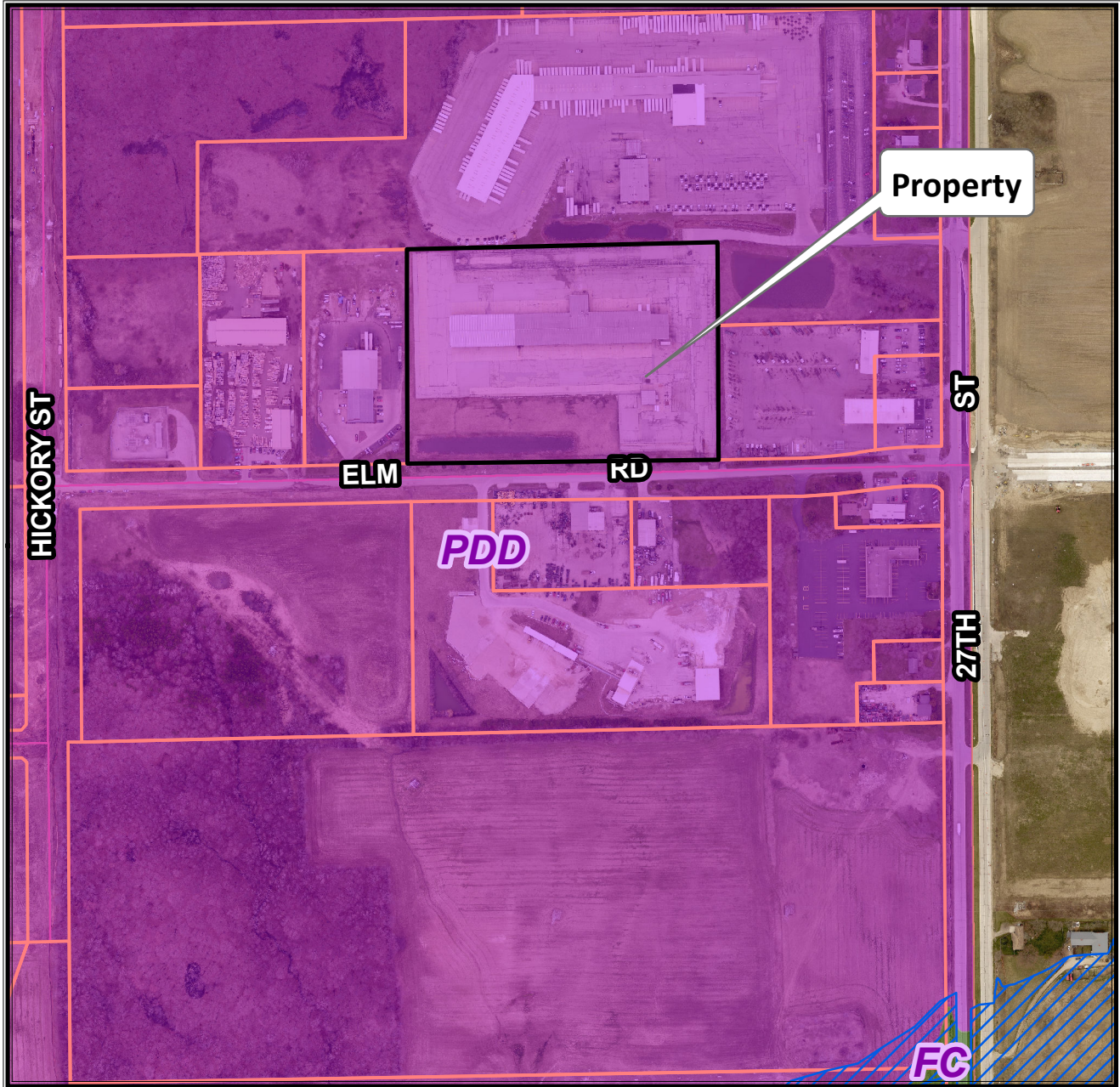
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

EXHIBIT A

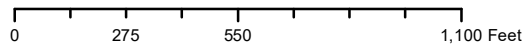
SITE PLANS DATED \_\_\_\_\_, 2024

ATTACHED HERETO

10613 S. 27th Street  
TKN: 951 9996 019



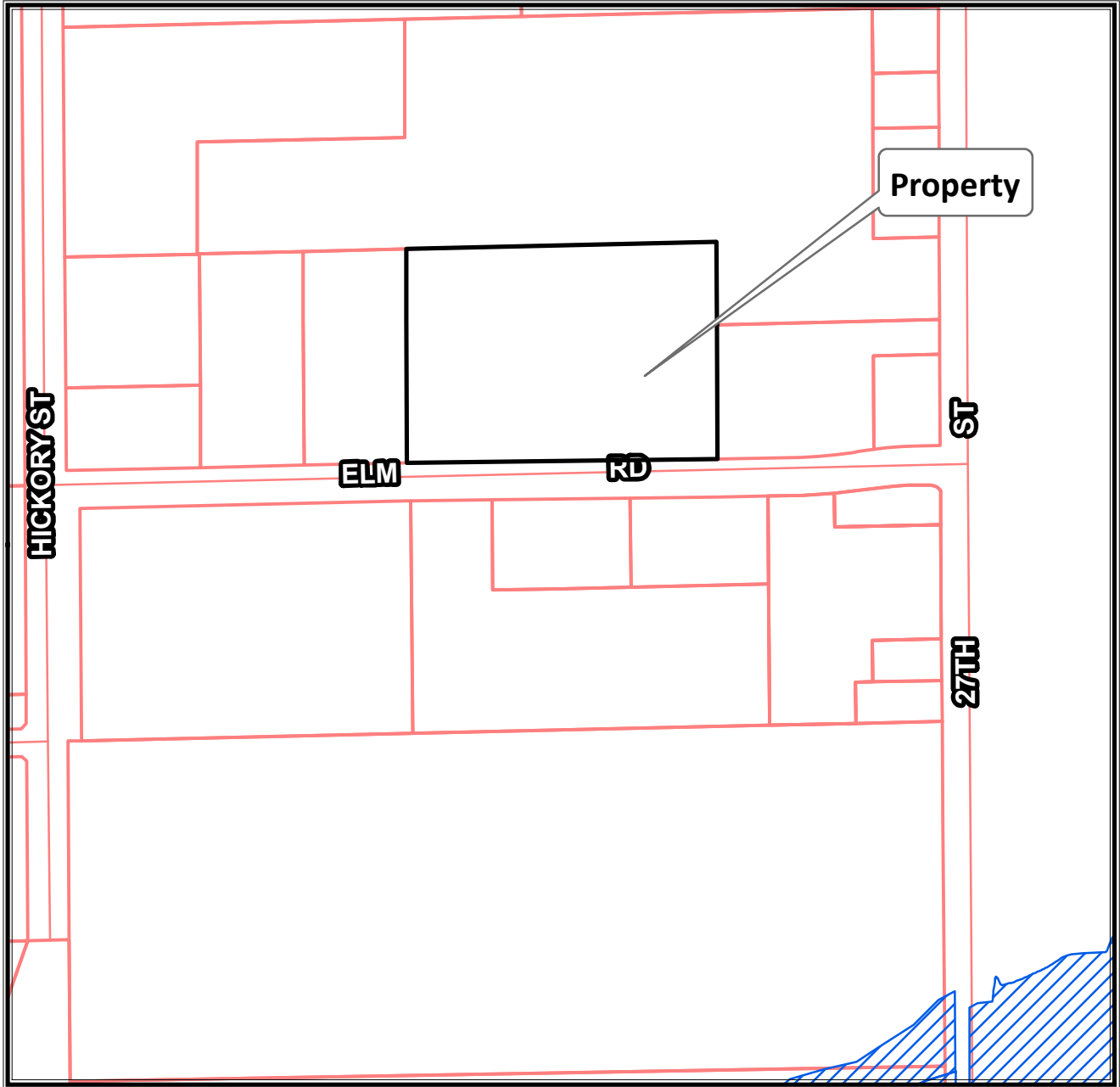
Planning Department  
(414) 425-4024



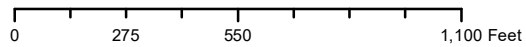
2021 Aerial Photo

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

10613 S. 27th Street  
TKN: 951 9996 019



**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.*





**Application Narrative for  
Planned Development District Amendment, Special Use Request, and Site Plan Review  
at 10613 South 27<sup>th</sup> Street**

**May 24, 2024 (Restated July 31, 2024)**

This narrative is submitted for a Planned Development District Amendment and Special Use Request (Common Council Review Application), as well as a Site Plan Review (Plan Commission Review Application), filed by SAIA Motor Freight Line, LLC (“Saia” or “Applicant”) through its attorneys Amundsen Davis, architects Design 3 Architecture, and civil engineers Kimley-Horn.

**1. Introduction**

**1.1 Saia History & Industry**

1.1.1 Saia is a nearly 100 year old company that is publicly traded and employs over 14,000 people and has over 190 facilities throughout the continental United States. Saia is a freight carrier and transportation logistics company that has outgrown its current facility in the City of Milwaukee.

**1.2 Location & History of the Property**

1.2.1 The parcel is located at 10613 South 27th Street (Tax Key No. 951 9996 019) (the “Property”). The Property consists of a single parcel that totals approximately 13 acres with an existing 47,000 square foot structure located near the center of the Property.

1.2.2 The Property is within the 500+ acre Franklin Commerce Park and it is located to the west of South 27th Street and adjacent to West Elm Road. The primary access to the Property is via a private roadway to South 27th Street shared with XPO Logistics at 10601 South 27th Street. An emergency-only access to Elm Road is at the southeast corner of the Property.

1.2.3 For decades the Property served as a truck terminal for American Freightways and FedEx. The site and cross-dock building remain configured for a truck terminal operation. The Property has been variously listed for sale since FedEx moved out approximately 6 years ago. Saia is now under contract to purchase the Property and invest in substantial updates.



### 1.3 Land Use Designation, Zoning, and Surrounding Uses

- 1.3.1 The Property is designated by the 2025 Comprehensive Master Plan as “Mixed Use.”
- 1.3.2 The Property is zoned Planned Development District (“PDD”) 39 and is located in the “Gateway” area of the PDD, which is tailored to office and administrative uses, and excludes most industrial uses. PDD 39 was adopted in 2016.
- 1.3.3 Areas within the Franklin Commerce Park – particularly vacant land or previous agricultural uses – have been sequentially developed since PDD 39 was adopted in 2016. The City and its development partners have also installed and improved infrastructure and roadways. However, the Property itself is surrounded by longtime uses that are owner-occupied and many of which are essential/supportive services to local and regional industry and businesses forming an “Existing Services Cluster.” The surrounding uses include the XPO Logistics truck terminal, a Waste Management facility for storing and dispatching garbage trucks, an auto body shop, an adult entertainment facility, a Waste Management facility for storing dumpsters, roller bins, and trucks, a Schmitz Redi-Mix concrete plant, the BTL Pallet production and storage facility, and the WE Energies Root River Substation.



## 2. Project Summary

- 2.1 The Property has been vacant for approximately 6 years when FedEx moved out. Saia is under contract to purchase the Property and it will make a multi-million dollar investment in the purchase, substantial updates at the site, and renovations of the building.

2.2 Saia will retain a significant number of mature plants at the Property, add approximately 20 trees within the site at the north edge of the stormwater pond, plant significantly enhanced perimeter landscaping along Elm Road, and comply with ordinance requirements by adding 8 interior trees in the off-street vehicle and bicycle parking area. In total, 31 existing trees will be preserved, 41 new trees will be planted, and 51 shrubs will be planted.



Elm Road – From Southwest



Elm Road – From Southeast



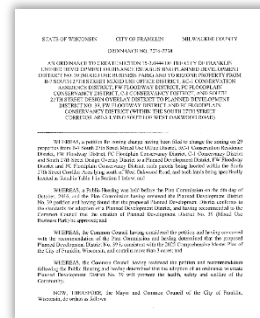
- 2.3 Saia will resurface the terminal yard paved surface to accommodate the trucking operations and it will renovate the existing building including HVAC upgrades, LED lighting, clean and professional-style office environment, and exterior metal building repairs and refreshed paint.



- 2.4 Terminal operations will be 24/7 with peak truck traffic between 7 am – 10 pm. Saia will have site security including the existing security fence around the Property, 24-hour monitored security, and state-of-the-art cameras.
- 2.5 Although the Property is in Tax Incremental District No. 8, Saia does not require any new infrastructure or services from the City. Saia is not asking the City for any development incentive payment. However, the current assessment for the Property of \$3,958,800 will likely increase to benefit the City generally and TID 8 specifically.
- 2.6 Saia will relocate 60+ jobs to the City, pay \$3 million per year in total wages, and is expected to grow to 100 jobs within 10 years.

**3. PDD 30 Major Amendment**

- 3.1 For the project to proceed with Saia’s substantial investment, a Major Amendment to PDD 39 is required to allow for the uses and to accommodate the design as proposed.



### 3.2 Use Amendments

- 3.2.1 A “Truck Terminal” is a permitted use.
- 3.2.2 “Outdoor Storage” is a permitted use but limited to Truck Terminal vehicles and equipment; outdoor stockpiles of materials are prohibited.

### 3.3 Gateway Area Design Standards

- 3.3.1 The following amendments to the Gateway Area Design Standards are necessary to accommodate the design as proposed. The amendments are identified in red within the existing ordinance sections as copied below
- 3.3.2 § 15-3.0444A.D.1.a. Not more than fifty (50) percent of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street, and/or additional enhanced landscaping or decorative fencing is used to screen such parking. Such additional buildings and/or landscaping or fencing must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot. **This requirement applies to all new developments but expressly excepting Truck Terminals constructed prior to 2016.**
- 3.3.3 § 15-3.0444A.D.2.b.ii. Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties. Pedestrian walkways shall be designed with amenities such as special paving treatments (colored paver blocks or textured concrete), lighting (see lighting discussion below) and furnishings to create a pedestrian-friendly character. **Where the building entrance of an existing building is facing a private roadway and is not adjacent to a public street, pedestrian walkways shall connect to off-street vehicle and bicycle parking areas and shall be designed with identifiable walkway striping.**
- 3.3.4 § 15-3.0444A.D.2.b.iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities. **Where the façade containing a public entrance is facing a private roadway and is not adjacent to a public street, pedestrian walkways shall connect to off-street vehicle and bicycle parking areas and shall be designed with identifiable walkway striping.**
- 3.3.5 § 15-3.0444A.D.3.a.i. Each **new** development which contains a building over forty-thousand (40,000) square feet in area shall provide extensive building foundation landscaping for all building frontages facing public streets or parking lots to provide visual breaks in the mass of the building.
- 3.3.6 § 15-3.0444A.D.3.b. Each **new** development which contains a building over forty-thousand (40,000) square feet in area shall provide central area(s) or feature(s)

such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

- 3.3.7 § 15-3.0444A.D.4.a.i. All principal buildings shall be multi-story and exhibit quality architectural design. Corner buildings shall also serve as landmarks with distinctive architectural character, including such features as towers, rounded walls, recessed entries, or other unique features. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.8 § 15-3.0444A.D.4.a.ii. All exterior materials shall be durable, of high-quality, utilized true to form (such as stone below wood rather than the opposite), and appropriate for external use. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.9 § 15-3.0444A.D.4.a.iii. Brick and stone are preferred primary materials for the solid (non-window) portion of new buildings or additions. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.10 § 15-3.0444A.D.4.a.iv. Precast concrete, cast stone, concrete masonry units, terra cotta, stucco, and wood siding are acceptable accent and secondary materials for the solid portion of new buildings or additions. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.11 § 15-3.0444A.D.4.a.v. Other materials may be allowed subject to Plan Commission approval. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.12 § 15-3.0444A.D.4.a.vi. Color choice shall complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.13 § 15-3.0444A.D.4.a.vii. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**

- 3.3.14 § 15-3.0444A.D.4.a.viii. Roof mounted equipment shall be so located and/or screened to minimize visibility from adjacent streets and sites. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.15 § 15-3.0444A.D.4.a.ix. All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the public street shall receive equal design attention. **This requirement applies to all new developments but expressly excepting existing buildings that face a private roadway and that are not adjacent to a public street.**
- 3.3.16 § 15-3.0444A.D.4.a.x. For each **new** building more than 40,000 square feet in area, building massing that creates modulation and articulation is required.
- 3.3.17 § 15-3.0444A.D.7. It is intended that the applicable design guidelines set forth in the South 27th Street Corridor Plan, and the applicable design standards in the South 27th Street Design Overlay District, be utilized – as a supplemental guide – to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Gateway Area portion of Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is encouraged that the design standards set forth in Section 15-3.0355B. and Section 15-3.0355C. of the South 27th Street Design Overlay District be considered. **This requirement applies to all new developments but expressly excepting Truck Terminals constructed prior to 2016.**

#### **4. Special Use Request – Truck Terminal and Freight Transfer Facility**

- 4.1** Operations at the Property will involve a truck terminal and freight transfer facility business use with outdoor storage and parking of vehicles, trailers, and equipment. Saia therefore requests that a special use be approved.



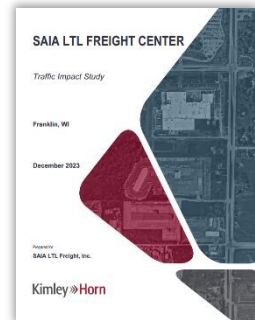
#### **4.2 General Standards for Special Uses under Sec. 15-3.0701.A.**

- 4.2.1** Ordinance and Comprehensive Master Plan Purposes and Intent: Saia's use will be consistent with the Franklin Commerce Park and PDD 39 general and specific purposes where the use is located within the Existing Services Cluster and whereby freight services support the existing and future businesses in the City thereby allowing new developments to reduce loading docks and outdoor storage areas. Further, Saia will make a multi-million dollar investment in the purchase, substantial updates at the site, and renovations of the building without asking the City for any new infrastructure or services or a development incentive payment.
- 4.2.2** No Undue Adverse Impact: Saia's use will not have a substantial or undue adverse impact on adjacent properties or their property values where the use is located within the Existing Services Cluster and because Saia will make a multi-million dollar investment in the purchase, substantial updates at the site, and renovations of the building without asking the City for any new infrastructure or services or a development incentive payment. For the same reasons, the use will not endanger the public health, safety, morals, comfort, and general welfare within the community or neighborhood. To the contrary, Saia will enhance the community by relocating 60+ jobs to the City, paying \$3 million in total annual wages, and growing to 100 jobs within 10 years.
- 4.2.3** No Interference with Surrounding Development: Saia's use will not dominate the immediate vicinity or interfere with the use and development of neighboring property where it is reactivating an existing purpose-built facility within the Existing Services Cluster that will not expand such services uses to other areas of Franklin Commerce Park. To the contrary, Saia's freight services will support the existing and future businesses in the area and the City overall thereby allowing

new developments to reduce loading docks and outdoor storage areas. Further, Saia will make a multi-million dollar investment in the purchase, substantial updates at the site, and renovations of the building without asking the City for any new infrastructure or services or a development incentive payment thereby leaving more capacity in TID 8 for other projects. Yet following Saia's significant investment, the current assessment for the Property of \$3,958,800 will likely increase to benefit the City generally and TID 8 specifically.

4.2.4 Adequate Public Facilities: Saia does not need any new infrastructure or services to operate its facility.

4.2.5 No Traffic Congestion: Saia's use will not cause undue traffic congestion nor will it draw traffic through residential streets because the Property has easy access to the freeway system and there are not any residential streets in close proximity. In fact, for decades the Property served as a truck terminal for American Freightways and FedEx. The primary access is via a private roadway to South 27th Street that is shared with XPO Logistics, a similar use. The private roadway access and South 27th Street (STH 241) route are suitable for the use. Further, Saia previously submitted a traffic study to the City following the Wisconsin DOT 2023 traffic impact analysis guidelines (submitted again herewith).



4.2.6 No Destruction of Significant Features: The use will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance where it is reactivating a purpose-built facility that has existed in the same site layout for decades serving as a truck terminal for American Freightways and FedEx. Rather than destroying any features, Saia will make a multi-million dollar investment in the purchase and substantial updates at the site including retaining a significant number of mature plants at the Property, adding approximately 20 trees within the site at the north edge of the stormwater pond, planting significantly enhanced perimeter landscaping along Elm Road, and complying with ordinance requirements by adding 8 interior trees in the off-street vehicle and bicycle parking area.

4.2.7 Compliance with Standards: The special use shall, in all other respects, conform to the applicable regulations of PDD 39, as amended herewith, and as approved by the Common Council and/or the Plan Commission.

#### **4.3 Special Standards for Specified Special Uses under Sec. 15-3.0701.B.**

4.3.1 Not applicable.

#### **4.4 Considerations for Special Uses under Sec. 15-3.0701.C.**

4.4.1 Public Benefit: Saia's use is necessary or desirable to provide a service that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community where it is reactivating an existing purpose-built facility within the Existing Services Cluster that will not expand such services uses to other areas of Franklin Commerce Park. Further, Saia's freight

services will support the existing and future businesses in the area and the City overall thereby allowing new developments to reduce loading docks and outdoor storage areas. Finally, Saia will make a multi-million dollar investment in the purchase, substantial updates at the site, and renovations of the building providing a public benefit and without asking the City for any new infrastructure or services or a development incentive payment from TID 8.

- 4.4.2 **Alternative Locations:** Recognizing that the City has previously discouraged truck terminals in PDD 39 and other areas of the Comprehensive Master Plan, limiting such a use to the Property and not any alternative location will serve several public goals including (i) reactivating an existing purpose-built facility and not establishing such a use in a new location, (ii) limiting the use to the Existing Services Cluster that will not expand such services uses to other areas of Franklin Commerce Park, and (iii) the freight services use will be proximately located to support the existing and future businesses in the City thereby allowing new developments to reduce loading docks and outdoor storage areas.
- 4.4.3 **Mitigation of Adverse Impacts:** Saia's use will minimize any adverse effects on the immediate vicinity through building design, site design, landscaping, and screening where the use is located within the Existing Services Cluster and because Saia will make a multi-million dollar investment in the purchase, substantial updates at the site, and renovations of the building without asking the City for any new infrastructure or services or a development incentive payment. Saia's multi-million dollar investment in the purchase and substantial updates at the site will include retaining a significant number of mature plants at the Property, adding approximately 20 trees within the site at the north edge of the stormwater pond, planting significantly enhanced perimeter landscaping along Elm Road, and complying with ordinance requirements by adding 8 interior trees in the off-street vehicle and bicycle parking area. Finally, Saia previously submitted a traffic study to the City following the Wisconsin DOT 2023 traffic impact analysis guidelines demonstrating that no adverse traffic impacts will occur or that cannot be reasonably mitigated (submitted again herewith).
- 4.4.4 **Establishment of Precedent of Incompatible Uses in the Surrounding Area:** The use will not establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area because it will be limited to reactivating an existing purpose-built facility in the Existing Services Cluster that was constructed prior to 2016. The approval will not result in such a facility being established in a new location and the proximity of freight services will enable the City to continue its precedent of requiring new developments to reduce loading docks and outdoor storage areas.

## **5. Site Plan Review**

- 5.1 Upon approval of the Planned Development District Amendment and the Special Use Request, for the project to proceed with Saia's substantial investment, a Site Plan Review approval is required to accommodate the design as proposed, as discussed herein, and as shown in the project plans.

**5.2** Again, although the Property is in TID No. 8, Saia does not require any new infrastructure or services from the City and Saia is not asking the City for any development incentive payment. However, the current assessment for the Property of \$3,958,800 will likely increase to benefit the City generally and TID 8 specifically.

**5.3** With respect to timing, Saia is under contract to purchase the Property and it will proceed swiftly upon approval. While the facility was purpose-built as truck terminal, Saia will need several months to make its multi-million dollar investment in the renovations of the building (HVAC upgrades, LED lighting, buildout of a clean and professional-style office environment, and exterior metal building repairs and refreshed paint) and substantial updates at the site (retaining a significant number of mature plants at the Property, adding approximately 20 trees within the site at the north edge of the stormwater pond, planting significantly enhanced perimeter landscaping along Elm Road, and complying with ordinance requirements by adding 8 interior trees in the off-street vehicle and bicycle parking area).

## **6. Conclusion**

**6.1** Beginning with our Concept Review application and February 21, 2024 presentation – and together with the accompanying Planned Development District Amendment, Special Use Request, and Site Plan Review application and support materials – and as supplemented by the information to be presented at the City’s meetings – Saia respectfully requests that the PDD Major Amendment, Special Use, and Site Plan Review be granted.

Respectfully Submitted,

**SAIA Motor Freight Line, LLC**

Brett Rabe, Cris Burgum, Jeannie Kennedy

**Amundsen Davis LLC**

Brian C. Randall, Esq.

John F. D’Jock, Esq.

**Design 3 Architecture, P.C.**

**Kimley-Horn and Associates, Inc.**

**Attachments:** Site Plan EX-00; Landscape Plan (LX-01 and LX-02); Site Renderings (SAIA Elm Road from SW Rendering and SAIA Elm Road from SE Rendering); and Building Renderings (SAIA Building from East NE Rendering, SAIA Building from NE Rendering, SAIA Building from North Rendering, and SAIA Building from SE Rendering)





July 29, 2024

**VIA E-MAIL**

**NFuchs@franklinwi.gov**

Mr. Nick Fuchs

Planning Associate

City of Franklin

9229 West Loomis Road

Franklin, WI 53132

**Re: *Saia – Application for Planned Development District Amendment, Special Use Request, and Site Plan Review (10613 South 27<sup>th</sup> Street - Parcel 951-9996-019)***

Dear Nick:

It is our understanding that Kimley-Horn, the civil engineers for our project, have had recent dialogue with you regarding the Development Department staff review comments shared in response to our original application. We further understand that Kimley-Horn will file revised plans (Site Plan and Landscaping Plan) under separate cover.

However, this is to provide written replies (inline below in *italics*) to all of the staff comments including those questions that we received from you via email.

**Emailed Questions**

1. Will the entire building exteriors be painted? *Yes.*
2. Will the overhead doors be replaced? *No but damaged doors to be replaced as needed.*
3. Will the smaller building near Elm Road be retained and used? *Yes, the building will be used for safety inspections and fluid checks.*
4. Will the exterior fencing be changed? *No but the main entry gate on the north to the private roadway will be replaced with an automated roll gate.*

**City Development Department comments\***

1. General
  - a. As previously mentioned, the project narrative lists amendments to the South 27th Street Design Overlay District standards. Please be aware that these are not necessary. ... *Acknowledged and understood.*

\* Please be advised that certain of the staff review comments are excerpted to reduce the length of this letter.

## 2. Planned Development District Amendment and Special Use

- a. Please be aware that staff anticipates including multiple recommendations in the staff report for Plan Commission consideration. Planning Staff anticipates recommending denial of the PDD Amendment.... Alternatively, the Economic Development Director is recommending approval.... *Acknowledged and understood.*
- b. Also note that staff is recommending and proposing a draft ordinance that would allow truck terminals and freight transfer facilities with outdoor storage and parking of vehicles, equipment, and trailers as a Special Use. *Acknowledged and understood.*

## 3. Site Plan

- a. Please complete and submit the [Site Intensity and Capacity Calculations](#) worksheets found in Division 15-3.0500 of the Unified Development Ordinance (UDO). *Not applicable per follow up by Kimley-Horn.*
- b. Are there any proposed exterior lighting changes? If so, please submit a Lighting Plan in compliance with [Division 15-5.0400](#) of the UDO. *No exterior lighting changes are proposed so a Lighting Plan is not required.*
- c. Please indicate the amount of existing and proposed impervious surfaces (in square feet) on the site plan. *Quantities of existing and proposed impervious surfaces will be shown on the Site Plan in the "Landscaping Summary" note.*
- d. Please indicate the Landscape Surface Ratio on the site plan. Note that a 25% LSR is required. This does not appear to be met. Staff recommends adding sufficient greenspace to the site to comply with this standard. *25% LSR will be shown on the revised plans.*
- e. Staff recommends that a minimum 10-foot parking setback be established throughout the entire site. *The proposed parking area will only require maintenance and rehabilitation so the existing setbacks may be maintained. If during the project design phase it is determined that a full depth replacement of pavement is needed, a revised plan will be submitted to staff.*
- f. Note that 5 ADA spaces are required per Table 15-5.0202(I)(1) of the UDO, not 4 as indicated on the site plan. *The "Parking Summary" site plan table will be updated for 5 ADA spaces being required and 5 ADA spaces will continue to be shown on the plans.*

- g. How was the required quantity of parking calculated? What ratio and square footage were utilized? *The parking requirements were calculated as indicated in the site plan table: under the "Parking Summary," City standard is for 99 spaces (94 spaces/5 accessible spaces) and 118 spaces are provided; under the "Zoning Information" summary, parking requirements for Trucking (No Loading or Warehousing) are 1.5/1,000 square feet of gross floor area so with 49,709 square feet of total building area, 74.56 spaces are required and 118 spaces are provided. Finally, the number of parking spaces are provided in accordance with Saia's operational experience for similar facilities and what is sufficient.*
- h. How was the landscaping quantity determined? The PDD No. 39 Design Standards refer to Division 15-5.0300 of the UDO. Table 15-5.0302 requires 1 planting of each type (Canopy Tree, Evergreens, Decorative Trees, and Shrubs) per 10 provided parking spaces. Please update the site plan table accordingly. *Landscaping quantity has been updated and will be shown on the revised plans in the site plan table.*
- i. Please ensure all new plantings are located within the property, and not located in City right-of-way. *The location of the plantings are within the property and will be shown on the revised plans.*
- j. It is recommended to provide irrigation in accordance with Section 15-5.0303D of the UDO. *Irrigation is not proposed because the site is currently serviced by well water.*
- k. Staff recommends providing a minimum 2-year plant replacement guaranty for all landscaping provided. *Acknowledged and understood, the scope of work for the selected contractor will include this guaranty.*
- l. It is recommended that a snow storage plan in compliance with Section 15-5.0210 of the UDO be provided. Note snow storage areas should not interfere with landscaping. *Snow storage is planned to be provided onsite in the "assumed septic drain field" location that is believed not to be operational. If during the project design phase it is confirmed that the drain field is still active, the snow storage area will be relocated and a revised plan will be submitted to staff.*
- m. Are dumpsters located onsite? Staff recommends that dumpsters be kept within an enclosure. If a dumpster enclosure is planned onsite, please show the location on the site plan and also provide elevations and material details. *No dumpsters are planned but a trash compactor will be located next to the building and will be shown on the revised plans.*

- n. Note that site plan approval will be conditioned upon final utility, grading, erosion control, and storm water management plans being reviewed and approved by the Engineering Department. *Acknowledged and understood.*

**Fire Department Comments**

5. Follow all relevant WI DSPPS and IBC code requirements for fire protection systems for given occupancy, use, and construction types. *Acknowledged and understood.*
6. Pre-existing fire alarm and fire sprinkler systems shall be maintained in compliance with relevant code. *Acknowledged and understood.*
7. Fire Extinguisher placement as per NFPA 10. *Acknowledged and understood.*
8. At no time may any Hazardous, Combustible, or Flammable Materials exceed allowable quantities. *Acknowledged and understood.*
9. Master Key set required for placement in Knox Box. *Acknowledged and understood.*

Please do not hesitate to contact us should you or any other City official or staff member have immediate questions, wish to discuss these replies or the forthcoming revised plans filed by Kimley-Horn, or need anything further from us.

Very truly yours,

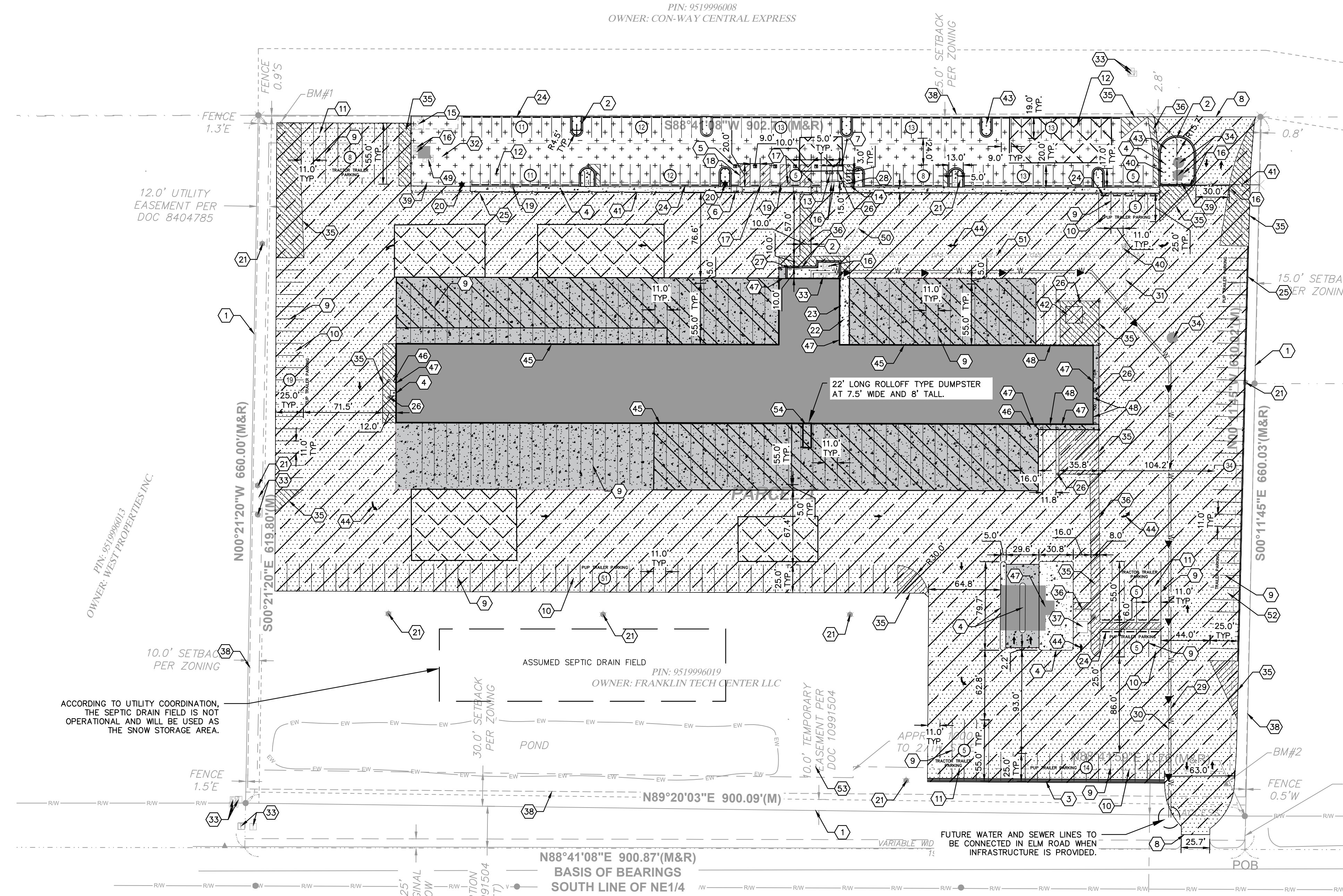
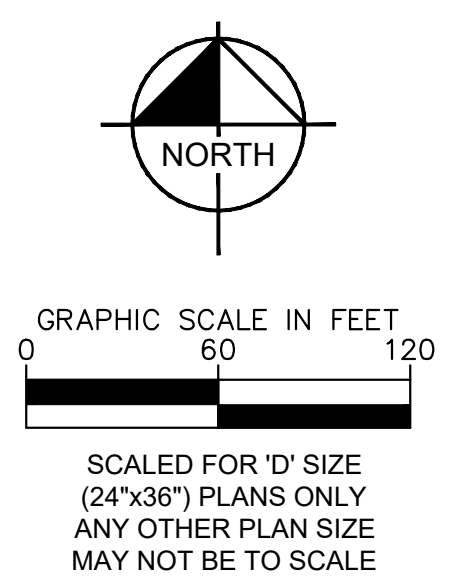
Amundsen Davis, LLC



Brian C. Randall

cc: (All via Email)  
generalplanning@franklinwi.gov  
Ms. Gail Olsen, Department of City Development / Planning  
Mr. John Regetz, Economic Development Director  
Mr. Brett Rabe, Director of Real Estate  
Mr. Cris Burgum, Vice President  
Ms. Jeannie Kennedy, Real Estate Manager  
Mr. David Lane  
John F. D’Jock, Esq.

PIN: 9519996008  
OWNER: CON-WAY CENTRAL EXPRESS

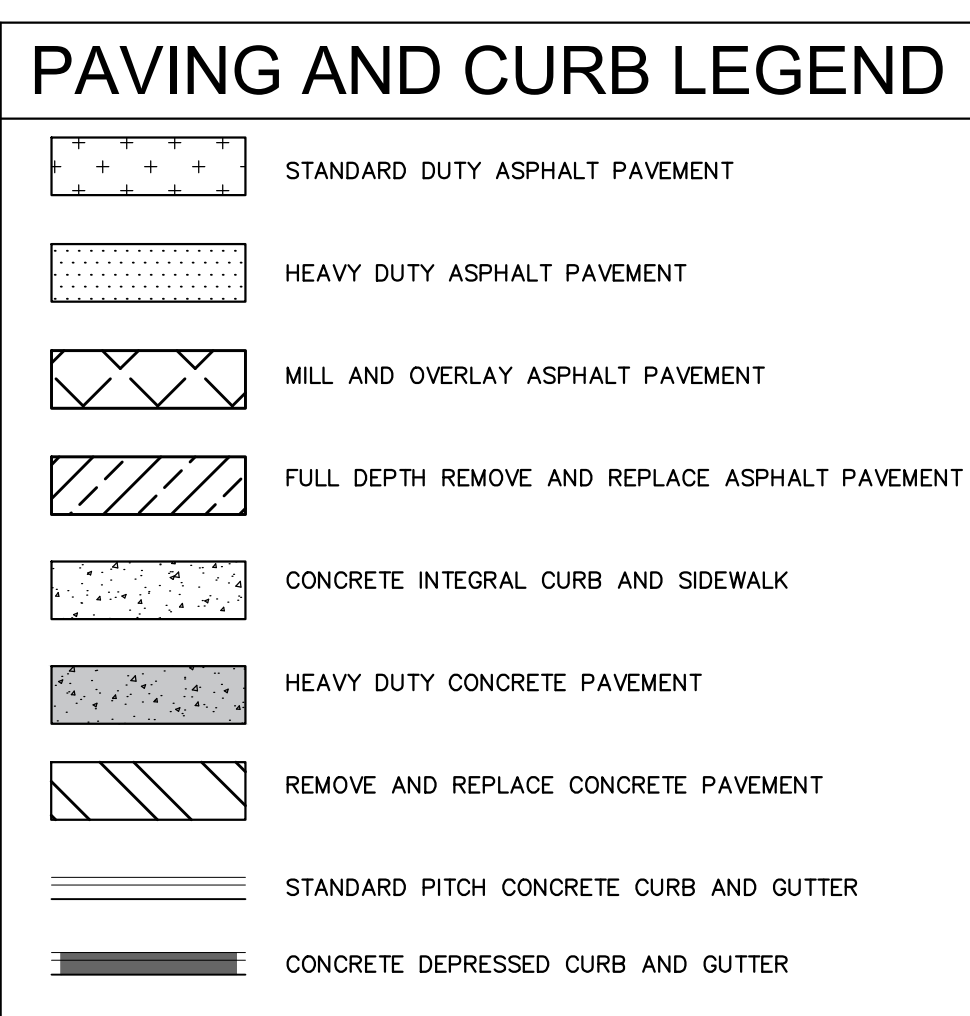


### GENERAL NOTES

1. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. REFER TO ARCHITECTURAL AND LANDSCAPING SIGNS FOR MORE DETAILS.
5. ALL PROPOSED ON-SITE STRIPING SHALL BE PAINTED UNLESS OTHERWISE NOTED.

### KEY NOTES

- 1 PROPERTY LINE, TYP.
- 2 CONCRETE CURB AND GUTTER, TYP.
- 3 DEPRESSED CURB AND GUTTER
- 4 CONCRETE INTEGRAL CURB AND SIDEWALK, TYP.
- 5 ACCESSIBLE PAVEMENT MARKINGS, TYP.
- 6 ACCESSIBLE WALL MOUNTED PARKING SIGN, TYP.
- 7 MOTORCYCLE PAVEMENT MARKINGS, TYP.
- 8 CONNECT TO EXISTING PAVEMENT, TYP.
- 9 4" WIDE PAINTED SOLID LINE, TYP.
- 10 PUP TRAILER PARKING STALL, TYP.
- 11 TRAILER PARKING STALL, TYP.
- 12 STANDARD PARKING STALL, TYP.
- 13 MOTORCYCLE PARKING STALL, TYP.
- 14 BICYCLE PARKING STALL
- 15 TRANSFORMER PAD TO REMAIN (FOR REFERENCE ONLY)
- 16 MISC. ELECTRICAL EQUIPMENT TO REMAIN (FOR REFERENCE ONLY)
- 17 ELECTRICAL EQUIPMENT TO BE REMOVED
- 18 ACCESSIBLE NO PARKING AISLE, TYP.
- 19 EXTERIOR LIGHT POLE TO BE RELOCATED
- 20 PROPOSED RELOCATION OF EXTERIOR LIGHT POLE
- 21 EXISTING LIGHT POLES TO REMAIN (FOR REFERENCE ONLY)
- 22 CONCRETE RAMP
- 23 RAMP HANDRAILS
- 24 STANDARD CONCRETE WHEEL STOP, TYP.
- 25 TRUCK CONCRETE WHEEL STOP, TYP.
- 26 BOLLARD, TYP. (SEE DETAILS)
- 27 EXISTING FLAG POLE
- 28 BIKE RACK, TYP.
- 29 FUTURE WATER LINE
- 30 FUTURE SEWER LINE
- 31 EXISTING SANITATION SEWER LINE
- 32 EXISTING WATER TOWER TO REMAIN
- 33 EXISTING UTILITY TO REMAIN
- 34 EXISTING MANHOLE TO REMAIN
- 35 NO PARKING HATCH
- 36 CROSSWALK HATCH
- 37 EXISTING SCALE TO REMAIN
- 38 EXISTING FENCE TO REMAIN
- 39 EXISTING FENCE TO BE REMOVED
- 40 EXISTING SEWER VALVE TO REMAIN
- 41 PROPOSED FENCE
- 42 PROPOSED EMPLOYEE BREAK AREA
- 43 PROPOSED LANDSCAPE ISLAND
- 44 DIRECTIONAL ARROW PAVEMENT MARKING, TYP.
- 45 LOADING DOCK AREA
- 46 EXTERIOR METAL STAIRS TO REMAIN
- 47 EXISTING BUILDING DOOR
- 48 EXISTING OVERHEAD DOOR
- 49 EXISTING FIRE DEPARTMENT CONNECTION
- 50 EXISTING UNDERGROUND ELECTRICAL LINE
- 51 EXISTING GAS LINE
- 52 TRACTOR CAB PARKING STALL, TYP.
- 53 BUILDING SETBACKS, TYP.
- 54 PROPOSED ROLLOFF TYPE DUMPSTER



### ZONING INFORMATION

[SURVEYORS NOTE: ZONING NOT DEPICTED—SURVEYOR NEEDS LOCATION OF SETBACKS GATEWAY VS BUSINESS PARK]

ZONING DISTRICT: PLANNED DEVELOPMENT DISTRICT NO. 39

SETBACKS:  
FRONT: GATEWAY AREA = 40 FEET; BUSINESS PARK AREA = 30 FEET; MINIMUM REQUIRED SETBACKS FROM ARTERIAL STREET & HIGHWAYS = 40 FEET  
CORNER SIDE: GATEWAY AREA = 30 FEET; BUSINESS PARK AREA = 25 FEET  
SIDE: GATEWAY AREA = 15 FEET; BUSINESS PARK AREA = 10 FEET  
REAR: GATEWAY AREA = 25 FEET; BUSINESS PARK AREA = 25 FEET

MAXIMUM BUILDING HEIGHT: GATEWAY AREA = 3 STORIES/45 FEET; BUSINESS PARK AREA = OFFICE PRINCIPAL STRUCTURE = 4 STORIES/60 FEET; OTHER PRINCIPAL STRUCTURES = 45 FEET

MINIMUM LOT AREA: GATEWAY AREA = 40,000 SQ FT; BUSINESS PARK AREA = 43,560 SQ FT

MINIMUM LOT WIDTH: GATEWAY AREA = 150 FEET; BUSINESS PARK AREA = 150 FEET

MAXIMUM FAR: NONRESIDENTIAL STANDARDS = 0.50 (GROSS)

MIN PARKING REQUIRED: TRUCKING (NO LOADING OR WAREHOUSING) = 1.5/1,000 SQUARE FEET OF GFA  
TOTAL BUILDING AREA = 49,709 SQ FT  
49,709/1000 = 49.709 X 1.5 = 74.56  
75 SPACES REQUIRED

INFORMATION PROVIDED BY:  
ZONING REPORTS LLC

DATED: NOVEMBER 14, 2023

### LANDSCAPING SUMMARY

SITE AREA:	563,480 SF 12.94 AC
IMPERVIOUS AREA:	EXISTING CONDITIONS: 372,288 SF 8.55 AC PROPOSED CONDITIONS: 369,508 SF 8.49 AC
PERVIOUS AREA:	191,252 SF 4.39 AC 194,032 SF 4.45 AC

### PARKING SUMMARY

PARKING SPACES REQUIRED (CITY STANDARD)	= 94 SPACES
PARKING SPACES PROVIDED	= 113 SPACES
ACCESSIBLE PARKING SPACES REQUIRED	= 5 SPACES
ACCESSIBLE PARKING SPACES PROVIDED	= 5 SPACES
TOTAL PARKING SPACES PROVIDED	= 118 SPACES
BICYCLE PARKING SPACES PROVIDED	= 10 SPACES
MOTORCYCLE PARKING SPACES PROVIDED	= 4 SPACES
TRACTOR TRAILER PARKING SPACES PROVIDED	= 18 SPACES
TRACTOR CAB PARKING SPACES PROVIDED	= 34 SPACES
PUP TRAILER PARKING SPACES PROVIDED	= 102 SPACES

### LANDSCAPE NOTES

LANDSCAPING REQUIREMENTS FOR OFF-STREET PARKING AREAS:  
SHADE OR DECORATIVE TREES ARE REQUIRED WITHIN THE VEHICULAR USE AREA AT A RATIO OF ONE TREE FOR EVERY 15 PARKING SPACES. NOTE: TREES 10 FEET OF THE VEHICULAR USE AREA CAN BE COUNTED TOWARD THE REQUIREMENT

REQUIRED:  
1 SHADE OR DECORATIVE TREE PER 15 PARKING SPACES  
118 TOTAL PARKING SPACES/15 = 7.86  
8 INTERIOR PARKING TREES REQUIRED.

PROPOSED:  
8 INTERIOR PARKING TREES PROVIDED.

NO. \_\_\_\_\_

REVISIONS \_\_\_\_\_

DATE \_\_\_\_\_

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4201 WINFIELD ROAD, SUITE 600, WARRENVILLE, IL 60555  
PHONE: 630-487-5550  
WWW.KIMLEY-HORN.COM

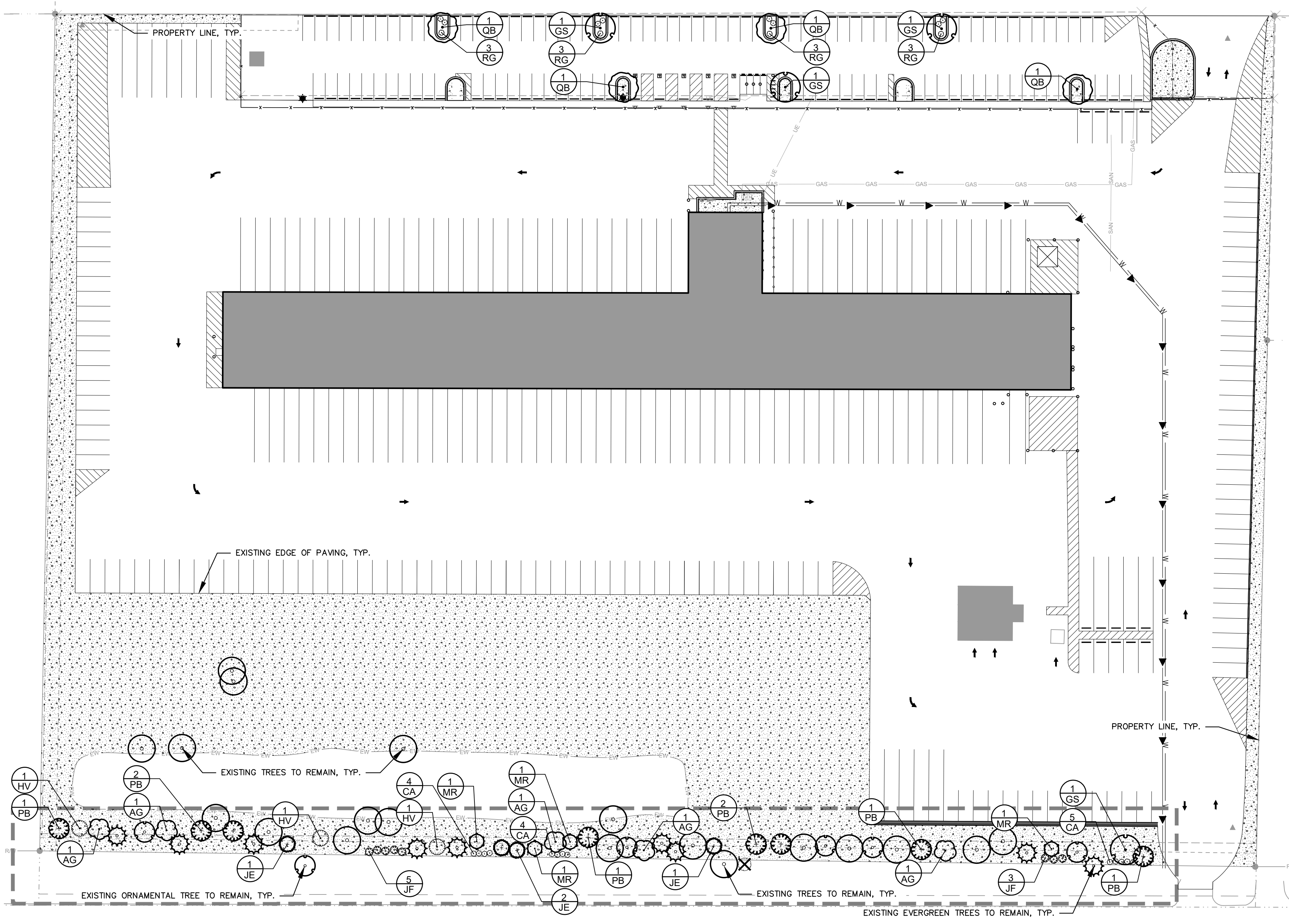
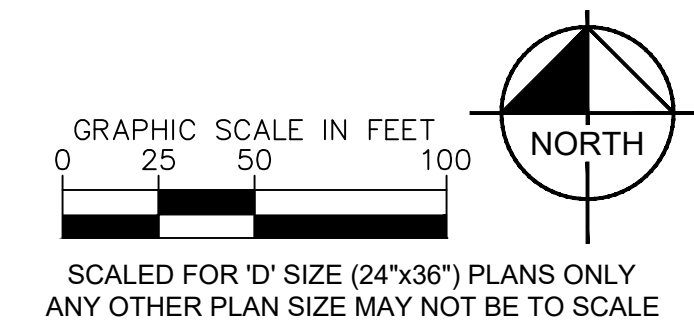
## PROPOSED SITE PLAN

SAIA  
FRANKLIN, WI

SHEET NUMBER  
**EX-00**

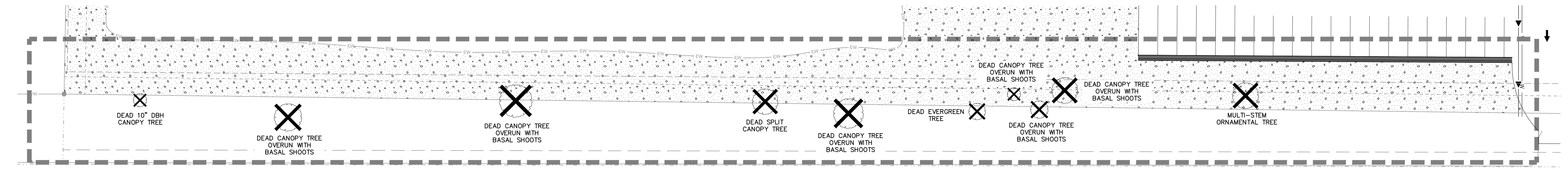
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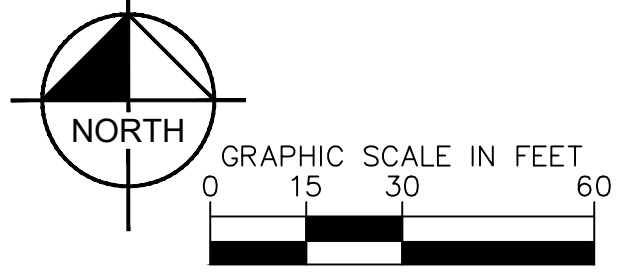
**PLANT SCHEDULE**

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
<b>CANOPY TREES</b>						
	X1	19	EXISTING CANOPY TREE	-		
	GS	4	GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE' / SKYLINE HONEY LOCUST	B & B	2.5" CAL. MIN.	
	QB	4	QUERCUS BICOLOR / SWAMP WHITE OAK	B & B	2.5" CAL. MIN.	
<b>EVERGREEN TREES</b>						
	X2	9	EXISTING EVERGREEN TREE	-		
	JE	4	JUNIPERUS VIRGINIANA / EASTERN REDCEDAR	B & B		4' HT. MIN.
	PB	8	PICEA PUNGENS GLAUCA / COLORADO BLUE SPRUCE	B & B		4' HT. MIN.
<b>ORNAMENTAL TREES</b>						
	AG	5	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' / AUTUMN BRILLIANCE APPLE SERVICEBERRY	B & B	1.5" CAL. MIN.	
	X3	6	EXISTING ORNAMENTAL TREE	-		
	MR	4	MALUS X 'JFS-KW5' / ROYAL RAINDROPS® CRABAPPLE	B & B	1.5" CAL. MIN.	
<b>DECIDUOUS SHRUBS</b>						
	CA	13	CORNUS SANGUINEA 'CATO' / ARCTIC SUN® BLOODTWIG DOGWOOD	5 GAL.	SEE PLAN	18" HT. MIN.
	HV	3	HAMAMELIS VIRGINIANA / COMMON WITCH HAZEL	5 GAL.	SEE PLAN	18" HT. MIN.
	RG	12	RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC	3 GAL.	SEE PLAN	
<b>EVERGREEN SHRUBS</b>						
	JF	8	JUNIPERUS CHINENSIS 'SEA GREEN' / SEA GREEN JUNIPER	5 GAL.	SEE PLAN	18" HT. MIN.
<b>GROUND COVERS</b>						
	TS		TURF SEED SEED ALL AREAS DISTURBED DURING CONSTRUCTION OR IDENTIFIED TO NOT HAVE ADEQUATE GROUND COVER.			



**STREET FRONTAGE GREENBELT - TREE REMOVAL PLAN**

EXISTING TREE TO BE REMOVED



<p>© 2024 KIMLEY-HORN AND ASSOCIATES, INC. 4201 WINFIELD ROAD, SUITE 600, WARRENVILLE, IL 60555 PHONE: 630-487-5550 WWW.KIMLEY-HORN.COM</p>	<p><b>LANDSCAPE PLAN</b></p> <p>SAIA FRANKLIN, WI</p>						
<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	BY				<p>SHEET NUMBER</p> <p><b>L1.0</b></p>
NO.	DATE	BY					

# LANDSCAPE CODE

FRANKLIN, WI - LANDSCAPE CODE REQUIREMENTS (PDD 39 STANDARDS)		
ZONING ORDINANCE	REQUIRED	PROPOSED
<b>3.A LANDSCAPE STANDARDS</b>		
EACH DEVELOPMENT WHICH CONTAINS A BUILDING OVER FORTY-THOUSAND SQUARE FEET IN AN AREA SHALL PROVIDE EXTENSIVE BUILDING FOUNDATION LANDSCAPING FOR ALL BUILDING FRONTAGES FACING PUBLIC STREETS OR PARKING LOTS TO PROVIDE VISUAL BREAKS IN THE MASS OF THE BUILDING.	FOUNDATION LANDSCAPING ALONG SOUTH SIDE OF BUILDING	REQUIRED FOUNDATION LANDSCAPE NOT MET DUE TO EXISTING CONDITIONS

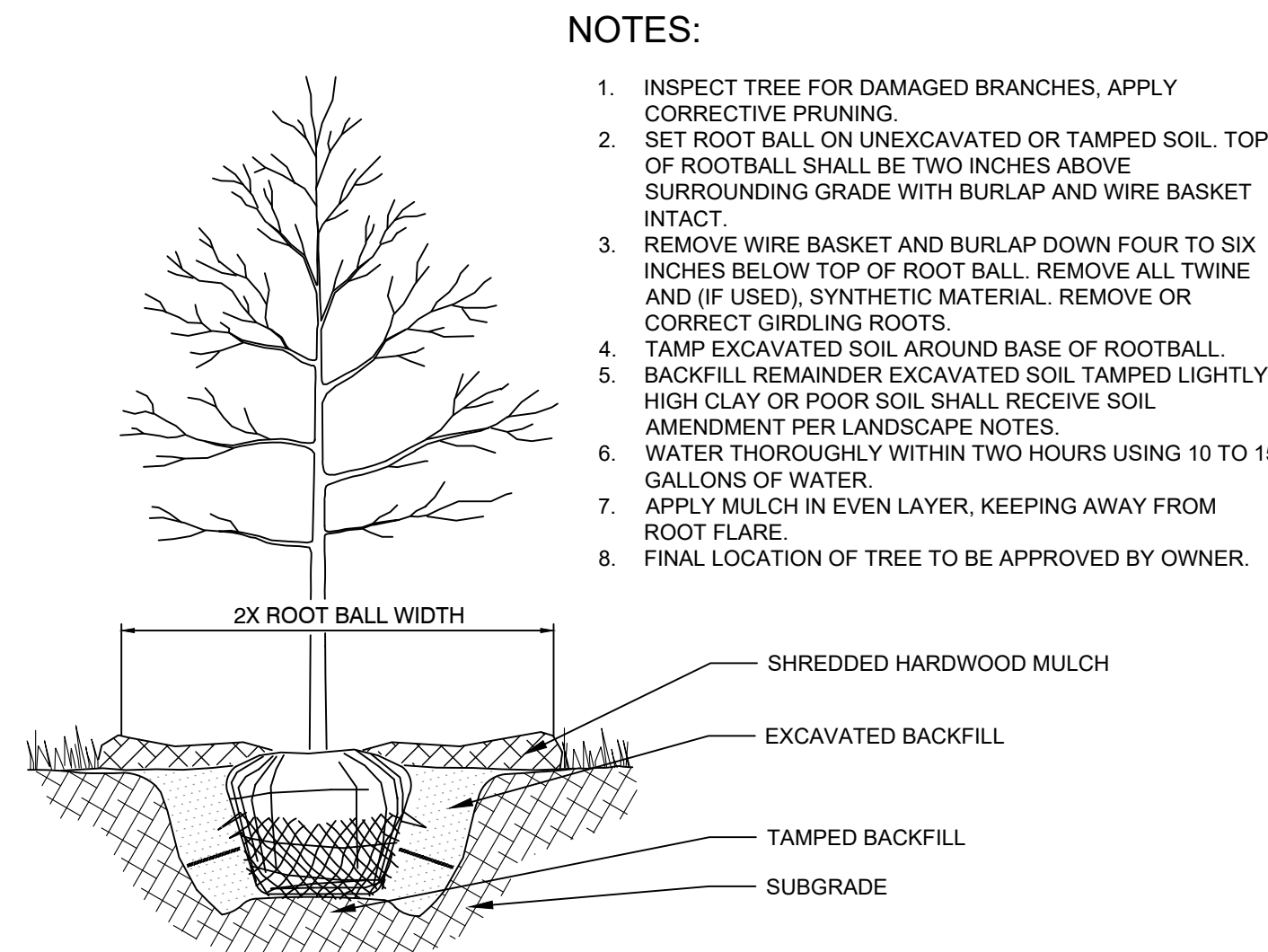
FRANKLIN, WI - LANDSCAPE CODE REQUIREMENTS (UNIFIED DEVELOPMENT ORDINANCE 15-3.0302 - REQUIRED LANDSCAPING)		
ZONING ORDINANCE	REQUIRED	PROPOSED
<b>SECTION 15-5.0302- MINIMUM LANDSCAPE STANDARDS</b>		
LANDSCAPE SURFACE RATIO	25%	TOTAL AREA = 563475.45 SQ FT TOTAL LANDSCAPE SURFACE = 142,780.49 SQ FT LANDSCAPE/TOTAL = .253 LSR = 25.3%
1 CANOPY/SHADE TREE PER 10 PROVIDED PARKING SPACES 1 EVERGREEN TREE PER 10 PROVIDED PARKING SPACES 1 DECORATIVE TREE PER 10 PROVIDED PARKING SPACES 1 SHRUB TREE PER 10 PROVIDED PARKING SPACES	118 PARKING SPACES / 10 = 11.8 UNITS 12 CANOPY TREES 12 EVERGREEN TREES 12 DECORATIVE TREES 12 SHRUBS	<b>24 CANOPY TREES</b> (8 PROPOSED, 16 EXISTING) <b>12 PROPOSED EVERGREEN TREES</b> <b>12 DECORATIVE/ORNAMENTAL TREES</b> (6 PROPOSED, 6 EXISTING) <b>12 PROPOSED SHRUBS</b>
<b>SECTION 15-5.0304 - OFF STREET PARKING AREAS AND LOTS</b>		
PROVIDE OFF STREET PARKING LOT LANDSCAPING WITHIN THE PARKING LOT AND NEAR ENTRY AND CIRCULATION DRIVES.	PROVIDE LANDSCAPE NEAR ENTRY DRIVE AND INSIDE PARKING LOT	INTERIOR LANDSCAPING PROVIDED

FRANKLIN, WI - LANDSCAPE CODE REQUIREMENTS (UNIFIED DEVELOPMENT ORDINANCE 15-3.0350 - OVERLAY DESIGN STANDARDS)		
ZONING ORDINANCE	REQUIRED	PROPOSED
<b>15-3.0353.F. ON-SITE LANDSCAPING</b>		
ON-SITE LANDSCAPING SHALL BE PROVIDED PER THE LANDSCAPING REQUIREMENTS FOUND IN 15-5.0302. IN ADDITION THE PROJECT SHALL PROVIDE: <b>1.)</b> EXTENSIVE BUILDING FOUNDATION LANDSCAPING FOR ALL BUILDING FRONTAGES FACING PUBLIC STREETS, PARKING LOTS, OR RESIDENTIAL DISTRICTS (NO SHADE TREES SHALL BE USED), <b>2.)</b> SCREEN FENCES AND/OR LANDSCAPED BUFFERS AT PROPERTY EDGES AND <b>3.)</b> OFF STREET PARKING AREA LANDSCAPING AS SET FORTH IN 15-5.0302.	LANDSCAPE BUFFER AT PROPERTY EDGE AND PROPERTY EDGES.	LANDSCAPE BUFFER PROVIDED ALONGSIDE W ELM ROAD AND ALONGSIDE EAST AND WEST PROPERTY EDGES WHERE FEASIBLE
<b>15-3.0354.B LANDSCAPING REQUIREMENTS FOR OFF-STREET PARKING AREAS</b>		
SHADE OR DECORATIVE TREES ARE REQUIRED WITHIN THE VEHICULAR USE AREA AT A RATIO OF ONE TREE FOR EVERY 15 PARKING SPACES. <b>NOTE:</b> TREES 10 FEET OF THE VEHICULAR USE AREA CAN BE COUNTED TOWARD THE REQUIREMENT.	1 SHADE OR DECORATIVE TREE PER 15 PARKING SPACES 118 TOTAL PARKING SPACES/15 = 7.86 <b>8 INTERIOR PARKING TREES REQUIRED</b>	8 INTERIOR TREES PROVIDED
<b>15-3.0354.D SCREENING FOR OFF-STREET PARKING AREAS</b>		
ON SITE PERIMETER GREENBELTS AT LEAST 10 FT. IN WIDTH SHALL BE INSTALLED ALONG ANY STREET SIDE AND ALONG ALL INTERIOR LOT LINES WHEN PARKING IS LOCATED ON THAT SIDE OF ANY BUILDING ON THE SITE. STREET SIDE GREENBELT PLANTINGS SHALL BE 18" HIGH AT PLANTING AND 30" HIGH AT MATURITY. GREENBELTS SHALL PROVIDE SEMI OPAQUE SCREENING AT MINIMUM DURING WINTER.	10' GREENBELT INSTALLED ALONG W ELM ROAD	EXISTING LANDSCAPE BERM ALONG W ELM ROAD PROVIDES 30" SCREEN. ADDITIONAL SHRUBS PROVIDED ALONG GREENBELT TO COMPENSATE FOR DIPS IN BERM HEIGHT AND GAPS IN EXISTING VEGETATION.

- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING MATERIALS AND PLANTS SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR UTILITIES, ADJACENT LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS DAMAGED BY THE CONTRACTOR OR THEIR SUBCONTRACTOR'S OPERATIONS DURING INSTALLATION OR DURING THE SPECIFIED MAINTENANCE PERIOD. CALL FOR UTILITY LOCATIONS PRIOR TO ANY EXCAVATION.
- THE CONTRACTOR SHALL REPORT ANY DISCREPANCY IN PLAN VS. FIELD CONDITIONS IMMEDIATELY TO THE LANDSCAPE ARCHITECT, PRIOR TO CONTINUING WITH THAT PORTION OF WORK.
- NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR TRENCHES OR EXCAVATIONS THAT SETTLE.
- ALL PLANTS TO BE SPECIMEN GRADE, WELL BRANCHED, HEALTHY, FULL, PRE-INOCULATED AND FERTILIZED. PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, AND SCARS. PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES. PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES. TRUNKS WILL BE WRAPPED IF NECESSARY TO PREVENT SUN SCALD AND INSECT DAMAGE. THE LANDSCAPE CONTRACTOR SHALL REMOVE THE WRAP AT THE PROPER TIME AS PART OF THIS CONTRACT.
- THE OWNER'S REPRESENTATIVE MAY REJECT ANY PLANT MATERIALS THAT ARE DISEASED, DEFORMED, OR OTHERWISE NOT EXHIBITING SUPERIOR QUALITY.
- ALL NURSERY STOCK SHALL BE GUARANTEED, BY THE CONTRACTOR, FOR ONE YEAR FROM DATE OF FINAL INSPECTION. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNERS WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
- PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
- PRUNE PLANTS AS NECESSARY- PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
- TOPSOIL SHALL BE PROVIDED AND GRADED BY THE GENERAL CONTRACTOR UP TO 6 INCHES BELOW FINISHED GRADE IN TURF AREAS AND 18 INCHES IN PLANTING AREAS.
- PLANTING AREA TOPSOIL SHALL BE AMENDED WITH 25% SPHAGNUM PEATMOSS, 5% HUMUS AND 70% PULVERIZED SOIL FOR ALL NON TURF SEED MIX AREAS, SHRUB, ORNAMENTAL GRASS, PERENNIAL AND ANNUAL BEDS.
- SEED/SOD LIMIT LINES ARE APPROXIMATE. CONTRACTOR SHALL SEED/SOD ALL AREAS WHICH ARE DISTURBED BY GRADING WITH THE SPECIFIED SEED/SOD MIXES.
- EDGING TO BE A SPADED EDGE UNLESS INDICATED OTHERWISE ON THE PLANS. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. A SPADED BED EDGE SHALL SEPARATE MULCH BEDS FROM TURF OR SEEDED AREAS. A SPADED EDGE IS NOT REQUIRED ALONG CURBED EDGES.
- CONTRACTOR SHALL INSTALL SHREDDED HARDWOOD MULCH AT A 3" DEPTH TO ALL TREES, SHRUB, PERENNIAL, AND GROUND COVER AREAS. TREES PLACED IN AREA COVERED BY TURF SHALL RECEIVE A 4 FT WIDE MAXIMUM TREE RING WITH 3" DEPTH SHREDDED HARDWOOD MULCH.
- INSTALLATION OF TREES WITHIN PARKWAYS SHALL BE COORDINATED IN THE FIELD WITH LOCATIONS OF UNDERGROUND UTILITIES. TREES SHALL NOT BE LOCATED CLOSER THAN 5' FROM UNDERGROUND UTILITY LINES AND NO CLOSER THAN 10' FROM UTILITY STRUCTURES.
- DO NOT DISTURB THE EXISTING PAVING, LIGHTING, OR LANDSCAPING THAT EXISTS ADJACENT TO THE SITE UNLESS OTHERWISE NOTED ON PLAN.
- ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. SOD/SEED SHALL BE LOCAL HARDY TURF GRASS MIX UNLESS, OTHERWISE NOTED.
- PLANT QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE OWNER AND JURISDICTIONAL REVIEW AGENCIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES AS DRAWN. THE CONTINUED MAINTENANCE OF ALL REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY ON WHICH SAID MATERIALS ARE REQUIRED. ALL PLANT MATERIALS REQUIRED BY THIS SECTION SHALL BE MAINTAINED AS LIVING VEGETATION AND SHALL BE PROMPTLY REPLACED IF THE PLANT MATERIAL HAS DIED PRIOR TO FINAL ACCEPTANCE. PLANTING AREAS SHALL BE KEPT FREE OF TRASH, LITTER, AND WEEDS AT ALL TIMES.

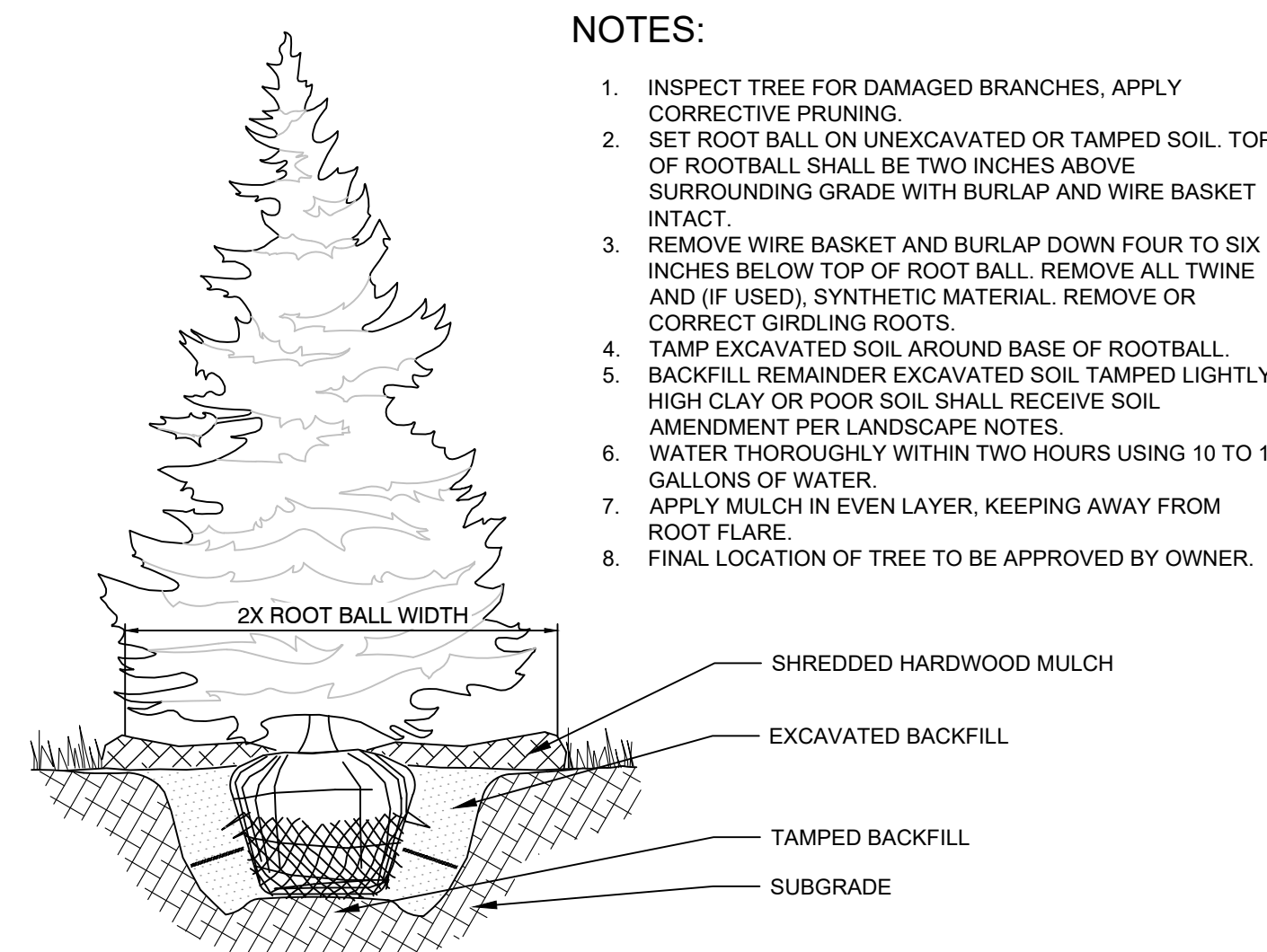
## 1 LANDSCAPE NOTES

NTS



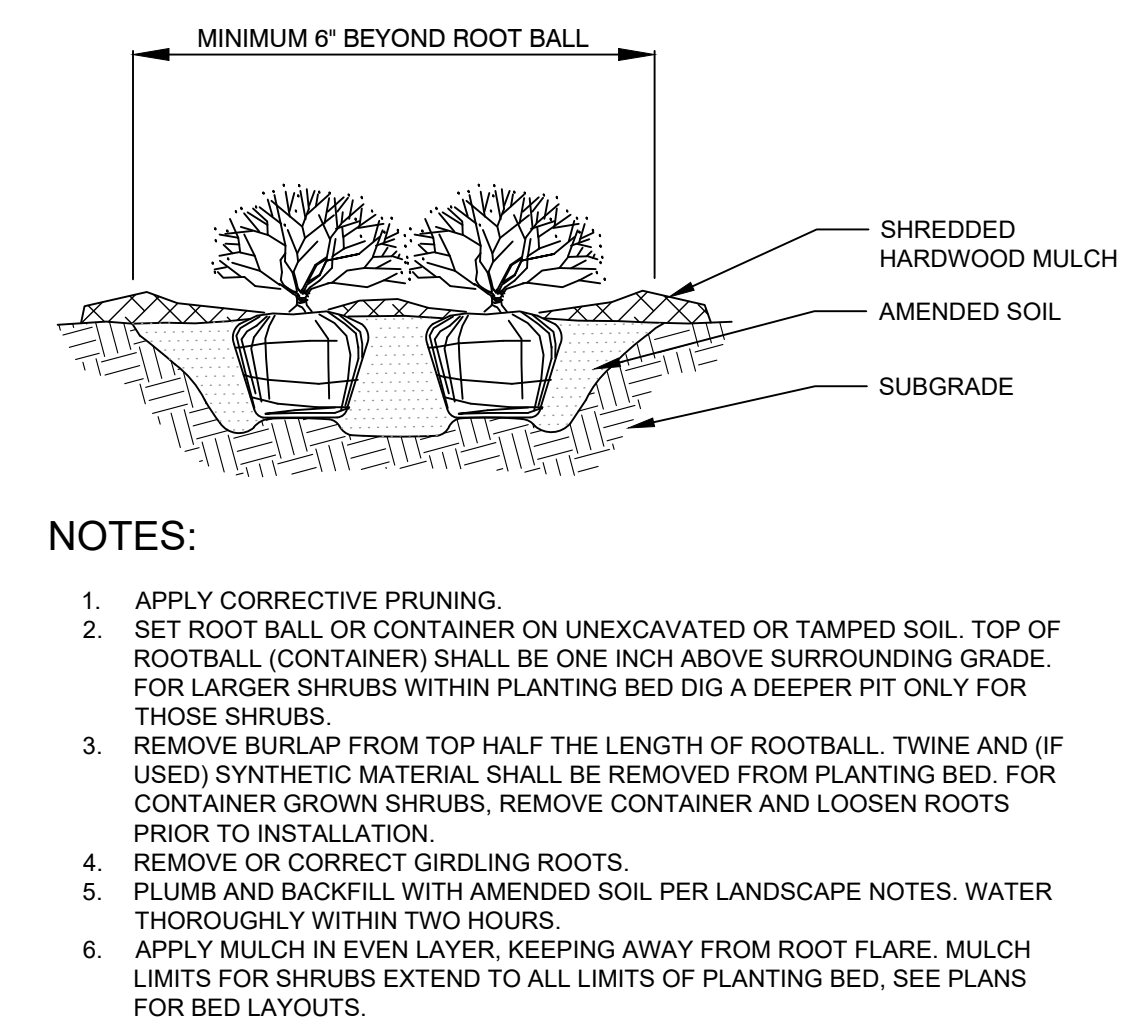
## 2 TREE PLANTING

NTS



## 3 EVERGREEN TREE PLANTING

NTS



## 4 SHRUB PLANTING

NTS

**Kimley»Horn**  
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4201 WINFIELD ROAD, SUITE 600, WARRENVILLE, IL 60555  
PHONE: 630-487-5550  
WWW.KIMLEY-HORN.COM

KHA PROJECT	168653029
DATE	08/20/2024
SCALE	AS SHOWN
DESIGNED BY	JL
DRAWN BY	DJJ
CHECKED BY	JTP

## LANDSCAPE NOTES AND DETAILS

SAIA  
FRANKLIN, WI

SHEET NUMBER  
**L2.0**

NO.	REVISIONS	DATE	BY

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 (414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: May 23, 2024

STAMP DATE: \_\_\_\_\_ city use only

## COMMON COUNCIL REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: Cris Burgum	NAME: Brian C. Randall, Attorney
COMPANY: Saia Motor Freight Line, LLC	COMPANY: Amundsen Davis, LLC
MAILING ADDRESS: 11465 Johns Creek Parkway	MAILING ADDRESS: 111 E. Kilbourn Street - Suite 1400
CITY/STATE: Johns Creek, GA ZIP: 30097	CITY/STATE: Milwaukee, WI ZIP: 53202
PHONE: (678) 542-3944	PHONE: (414) 225-1484
EMAIL ADDRESS: CBurgum@saia.com	EMAIL ADDRESS: BRandall@AmundsenDavisLaw.com

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 10613 S. 27th Street, Franklin, WI 53132	TAX KEY NUMBER: 9519996019
PROPERTY OWNER: Franklin Tech Center, LLC Attn: Arnold Kozys	PHONE: (708) 968-3333
MAILING ADDRESS: 2202 West 166th Street	EMAIL ADDRESS: Arnold@SatoriProperties.com
CITY/STATE: Markham, IL ZIP: 60438	DATE OF COMPLETION: _____ office use only

### APPLICATION TYPE

**Please check the application type that you are applying for**

- Concept Review  
  Comprehensive Master Plan Amendment  
  Planned Development District  
  Rezoning  
 Special Use / Special Use Amendment  
  Unified Development Ordinance Text Amendment

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 plan commission and common council approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE:	APPLICANT SIGNATURE: _____
NAME & TITLE: Arnold Kozys DATE: <u>5/25/24</u>	NAME & TITLE: Cris Burgum, Vice President DATE: 05/23/2024
PROPERTY OWNER SIGNATURE: _____	APPLICANT REPRESENTATIVE SIGNATURE:
NAME & TITLE: _____ DATE: _____	NAME & TITLE: Brian C. Randall, Attorney DATE: <u>5/20/24</u> 05/23/2024



**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 1/2" 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.
- 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](http://www.franklinwi.gov).
- Three (3) complete collated sets of application materials to include ...
  - X  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](http://www.franklinwi.gov).

Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132  
(414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)

APPLICATION DATE: May 23, 2024STAMP DATE: city use only

## PLAN COMMISSION REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

#### APPLICANT [FULL LEGAL NAMES]

#### APPLICANT IS REPRESENTED BY [CONTACT PERSON]

NAME: Cris Burgum	NAME: Brian C. Randall, Attorney
COMPANY: Saia Motor Freight Line, LLC	COMPANY: Amundsen Davis, LLC
MAILING ADDRESS: 11465 Johns Creek Parkway	MAILING ADDRESS: 111 E. Kilbourn Street - Suite 1400
CITY/STATE: Johns Creek, GA	CITY/STATE: Milwaukee, WI
ZIP: 30097	ZIP: 53202
PHONE: (678) 542-3944	PHONE: (414) 225-1484
EMAIL ADDRESS: CBurgum@saia.com	EMAIL ADDRESS: BRandall@AmundsenDavisLaw.com

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 10613 S. 27th Street, Franklin, WI 53132	TAX KEY NUMBER: 9519996019
PROPERTY OWNER: Franklin Tech Center, LLC Attn: Arnold Kozys	PHONE: (708) 968-3333
MAILING ADDRESS: 2202 West 166th Street	EMAIL ADDRESS: Arnold@SatoriProperties.com
CITY/STATE: Markham, IL	DATE OF COMPLETION: office use only
ZIP: 60438	

### APPLICATION TYPE

Please check the application type that you are applying for

Building Move  Sign Review  Site Plan / Site Plan Amendment  Temporary Use

Most requests require Plan Commission review and approval.

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

### SIGNATURES

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

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

I, the applicant, certify that I have read the following page detailing the requirements for plan commission approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: 	APPLICANT SIGNATURE: 
NAME & TITLE: Arnold Kozys	NAME & TITLE: Cris Burgum, Vice President
DATE: 5/25/24	DATE: 5/23/24
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE: 
NAME & TITLE:	NAME & TITLE: Brian C. Randall, Attorney
DATE:	DATE: 5/23/24

**CITY OF FRANKLIN APPLICATION CHECKLIST**

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

**BUILDING MOVE APPLICATION MATERIALS**

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 1/2" X 11") of the plat of survey, showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

**SIGN REVIEW APPLICATION MATERIALS**

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than 1/2" = 1'. Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).
  - Three (3) scaled copies of the Site Plan, showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.
- Email or flash drive with all plans / submittal materials.
  - Required for signage in Planned Development Districts (PDD) No. 7 and 18. Additional materials / copies may be required for board/commission meetings.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

**SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS**

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (lot size ≤ 1 acre)
  - Tier 3: \$500 (≤ 10% increase or decrease in total floor area of all structures with no change to parking; or change to parking only).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- One (1) copy of the Site Intensity and Capacity Calculations, if applicable (see division 15-3.0500 of the UDO)
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

**TEMPORARY USE APPLICATION MATERIALS**

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.



April 8<sup>th</sup>, 2024

Jeannie Kennedy  
Real Estate Manager  
Saia LTL Freight, Inc.  
11465 Johns Creek Parkway  
Johns Creek, GA 30097

**RE: *Natural Resource Summary – 10613 S. 27<sup>th</sup> Street, Franklin, WI***

We understand that Saia LTL Freight, Inc. (the “Client”) is applying to re-zone their property at 10613 S. 27<sup>th</sup> Street in Franklin, WI to an updated PDD Zoning. The City of Franklin requires all development to comply with their natural resource protection ordinance 15-4.0100 as part of the Zoning review. Ordinance 15-4.0100 identifies the following Natural Resources to be protected and which Kimley-Horn does not believe are present on the site:


Table 15-4.0100						
Natural Resource Protection Standards						
Natural Resource Feature	Zoning District Type					
	Agricultural (g)		Residential (a), (g)		Nonresidential (b), (g)	
	Protection Standard	Mitigation Permitted	Protection Standard	Mitigation Permitted	Protection Standard	Mitigation Permitted
Steep Slopes:	0%	N/A	60% (d)	No	40% (d)	No
10-19%	65% (d)	No	75% (d)	No	70% (d)	No
20-30%	90% (d)	No	85% (d)	No	80% (d)	No
+30%						
Woodlands & Forests:	70% (d)(e)	No	70% (d)(e)	No	70% (e)	Yes
Mature	50% (d)(e)	No	50% (e)	Yes	50% (e)	Yes
Young						
Lakes & Ponds	100% (d)	No	100%	Yes	100%	Yes
Streams	100% (c)(d)	No	100% (c)(d)	No	100% (c)(d)	No
Shore Buffers	100% (c)(d)	No	100% (c)(d)	No(f)	100% (c)(d)	No(f)
Flood- plains/ Flood- ways	100% (c)(d)	No	100% (c)(d)	No	100%(c)	Yes
Wetlands & Shoreland Wetlands	100% (c)(d)	No	100% (c)(d)	No	100% (c)	Yes
Wetland Buffers	100% (c)(d)	No	100% (c)(d)	No	100% (c)	Yes

1. Steep Slopes – Kimley-Horn has reviewed the topographic survey data provided by Xcel Consultants and dated November 7<sup>th</sup>, 2023 and has confirmed that the only large area with steep slopes is the storm water detention pond side slopes. Per the City, storm water detention ponds are not applicable to the Natural Resource Protection Ordinance.

2. Woodlands & Forests – Kimley-Horn has verified that no woodlands or forests exist on site through a review of aerial photography and a site visit on March 13<sup>th</sup>, 2024.
3. Lakes & Ponds – Kimley-Horn has verified that no lakes or ponds exist on site through a review of aerial photography and a site visit on March 13<sup>th</sup>, 2024. A storm water detention pond does exist on site, and Kimley-Horn confirmed with the City that a detention pond is not applicable to Natural Resource Protection.
4. Streams – Kimley-Horn has verified that no streams exist on site via desktop research and a site visit on March 13<sup>th</sup>, 2024.
5. Flood-plains – Kimley-Horn has verified through desktop research of the FEMA Flood Map Service Center that the site lies within Zone X of the FEMA Flood Map 55079C0227E dated 9/26/2008.
6. Wetlands - Kimley-Horn has verified through desktop research of the USFWS Wetland Mapper that no wetlands exist on site.
7. Wetland Buffers – Kimley-Horn has verified through desktop research of the USFWS that existing wetlands are more than 30' away.

Kimley-Horn has not been contracted to complete a Natural Resource Determination of the site, but we do believe that based on our desktop review and a previous site visit that no natural resources exist on the site.

Sincerely,

DocuSigned by:  
  
B4E8ADE86B7D410...

Eric Tracy, P.E.

### LEGAL DESCRIPTION

All that part of the Northeast 1/4 of Section 36, Town 5 North, Range 21 East, in the City of Franklin,  
County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Northeast 1/4 of Section 36; thence South 88 degrees 41' 08" West along the South line of said Northeast 1/4, 726.00 feet to the place of beginning of the lands herein described; then North 0 degrees 11' 45" West 660.03 feet; thence South 88 degrees 41' 08" West 902.71 feet; then South 0 degrees 21' 20" East 660.00 feet to a point on the South line of said Northeast 1/4; then North 88 degrees 41' 08" East along said South line 900.87 feet to the place of beginning.

Basis of Bearings:

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone), in which the South line of the NE 1 /4 is assumed to bear S88°41'08"W.









SAIA

SAIA  
City People



SAIA

SAIA  
LTL Freight

SAIA

SAIA

SAIA



SAIA

D3A



D3A

SAIA<sup>®</sup>



REPORT TO THE PLAN COMMISSION

Meeting of August 8, 2024

Site Plan Amendment

RECOMMENDATION: City Development Staff recommends approval of the Site Plan Amendment Application for Little Cancun’s outdoor patio and associated site changes, subject to the recommended conditions of approval.

Table with 2 columns: Field Name and Value. Fields include Project Name, Property Owner, Applicant, Property Address/Tax Key Number, Aldermanic District, Agent, Zoning District, Use of Surrounding Properties, Application Request, and Staff Planner.

Project Description/Analysis

The applicant, Little Cancun, LLC, filed a Site Plan Amendment Application requesting approval of an outdoor patio and associated site modifications. The subject property is approximately 1.29 acres and consists of the existing restaurant and parking lot. The applicant recently removed parking spaces and constructed a 646 square foot patio with a capacity for 52 people. The applicant has stated that the patio is to serve as a waiting area, and no dining service will be provided outside.

The patio is located adjacent to the northwest corner of the building, and is about 180-feet from the north property line, 50-feet from the south property line, 35-feet from the east property line, and 85-feet from the west property line. The patio is also approximately 185-feet from the southeast corner of the single-family property located to the west.

According to the applicant, a six-foot-tall wood fence is proposed to enclose the patio; however, fence details or images were not provided by the applicant. As such, staff recommends that fence details be provided, including location and style, for Department of City Development staff review and approval.

The restaurant operates between the hours of 11:00 a.m. and 9:00 p.m. Sunday through Thursday and 11:00 a.m. to 10:00 p.m. Friday and Saturday. The patio will be open during the same hours as it functions as a waiting area for customers to be seated inside.

B-4 South 27th St Mixed Use Commercial District

Little Cancun is an existing restaurant and a Permitted Use in the B-4 South 27th Street Mixed Use Commercial District under SIC Code 5812, Eating Places (without drive through facilities).

There are existing nonconformities with the site and building and current B-4 District standards, such as lot size, greenspace, and building setbacks; however, the proposed patio is not in conflict with any B-4 District standards nor does it increase the degree of any existing nonconformities.

The B-4 District requires a minimum LSR of 0.30 or 30%. With a site area of about 56,192 square feet, 16,858 square feet of greenspace is required. Staff estimates about 15,000 square feet of greenspace onsite.

#### South 27th Street Design Overlay District

The subject property is located within the South 27<sup>th</sup> Street Corridor and the South 27<sup>th</sup> Street Design Overlay District; however, these standards do not apply as no new buildings are proposed and no building addition that increases floor area by 50% is proposed.

#### Site Intensity and Capacity Calculation Worksheets

Considering the scope and scale of the proposed project as well as that a NRPP was not required by staff, no changes to floor area, and no new impervious surface is being added, staff did not require these worksheets.

#### Parking

Four parking spaces were eliminated in order to install the outdoor patio, which results in 67 parking spaces remaining. The parking provided exceeds the suggested parking ratio of the Unified Development Ordinance for restaurants.

Three ADA accessible spaces are located adjacent to the building entrance, which is in conformance with UDO standards.

#### Lighting

The applicant has indicated that they intend to include string lights above the patio area.

#### Landscaping

Staff suggests that the applicant submit a Landscape Plan that includes a variety of evergreen trees along the furthest most west property line adjacent to the single-family home to the west.

#### Natural Resources

The applicant did not provide a Natural Resource Protection Plan (NRPP) as the improvements are within areas of existing impervious surface. In review of a NRPP submitted in 2017 for the Statesman Apartments development to the south, a wetland does exist on that property adjacent to the Little Cancun property. The associated wetland buffer and setback extend onto this property; however, there are no new impervious surface areas being added or any further encroachments into the wetland buffer and setback.

### **STAFF RECOMMENDATION**

City Development Staff recommends approval of the Site Plan Amendment Application for Little Cancun's outdoor patio and associated site changes, subject to the recommended conditions of approval.

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

A RESOLUTION APPROVING A SITE PLAN AMENDMENT FOR  
THE CONSTRUCTION OF AN OUTDOOR PATIO FOR PROPERTY  
LOCATED AT 7273 SOUTH 27<sup>TH</sup> STREET  
(LITTLE CANCUN LLC, APPLICANT)  
(TI INVESTORS OF FRANKLIN APARTMENTS  
LLC, PROPERTY OWNER)

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WHEREAS, Little Cancun LLC, having petitioned the City of Franklin for the approval of a Site Plan Amendment for the development of an outdoor patio, upon property located at 7273 South 27<sup>th</sup> Street, such Site Plan having been previously approved on October 8, 1987 via Plan Commission approval of a Zoning Permit and by approval of a Zoning Compliance Permit on October 17, 2003, zoned B-4 South 27<sup>th</sup> Street Mixed Use Commercial District. The property which is the subject of the application bears Tax Key No. 761-9990-002.

WHEREAS, the development proposes an outdoor patio, fencing, and low-level string style lighting within existing impervious surface area, and the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0304 B-4 South 27<sup>th</sup> Street Mixed Use Commercial 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 Little Cancun LLC dated June 3, 2024, as submitted by Little Cancun LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. Little Cancun LLC, successors and assigns and any developer of the Little Cancun LLC 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 Little Cancun 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 Little Cancun LLC and the Little Cancun LLC project for the property located at 7273 South 27<sup>th</sup> Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.



3. The Little Cancun LLC project shall be developed in substantial compliance with the plans dated June 3, 2024.
4. Fence details shall be provided, including location and style, for Department of City Development staff review and approval.

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Little Cancun LLC development as depicted upon the plans dated June 3, 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 property located at 7273 South 27<sup>th</sup> Street, as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 8th day of August, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 8th day of August, 2024.

APPROVED:

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

ATTEST:

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

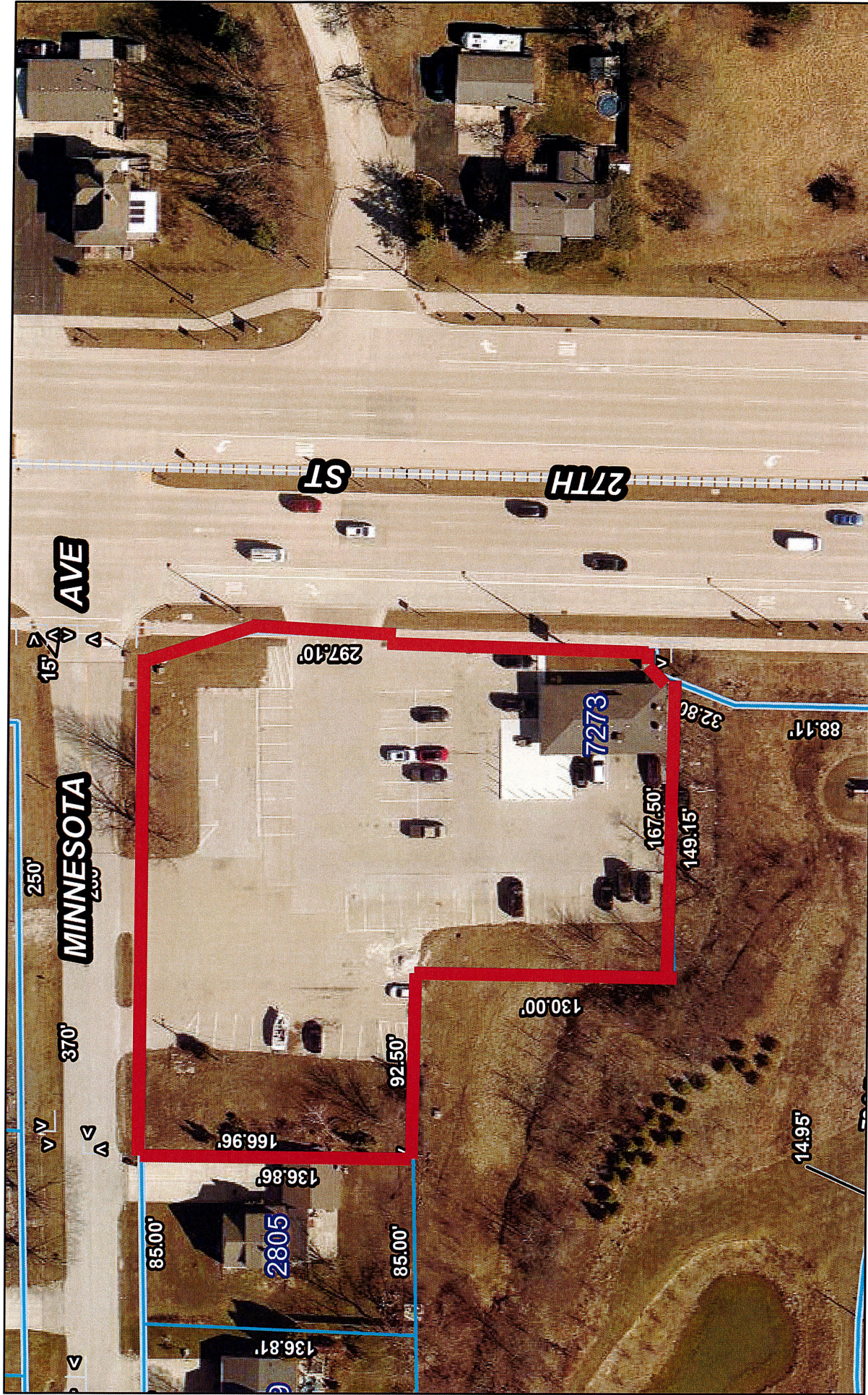
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

EXHIBIT A

PLANS DATED JUNE 3, 2024

ATTACHED HERETO

# City of Franklin Property Viewer

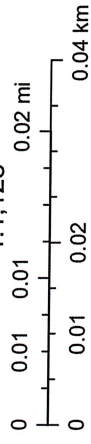


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Parcel

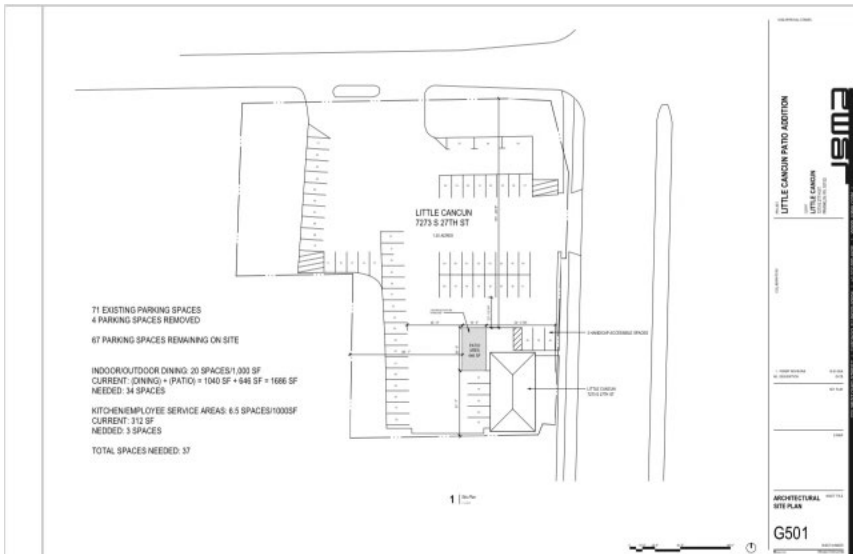
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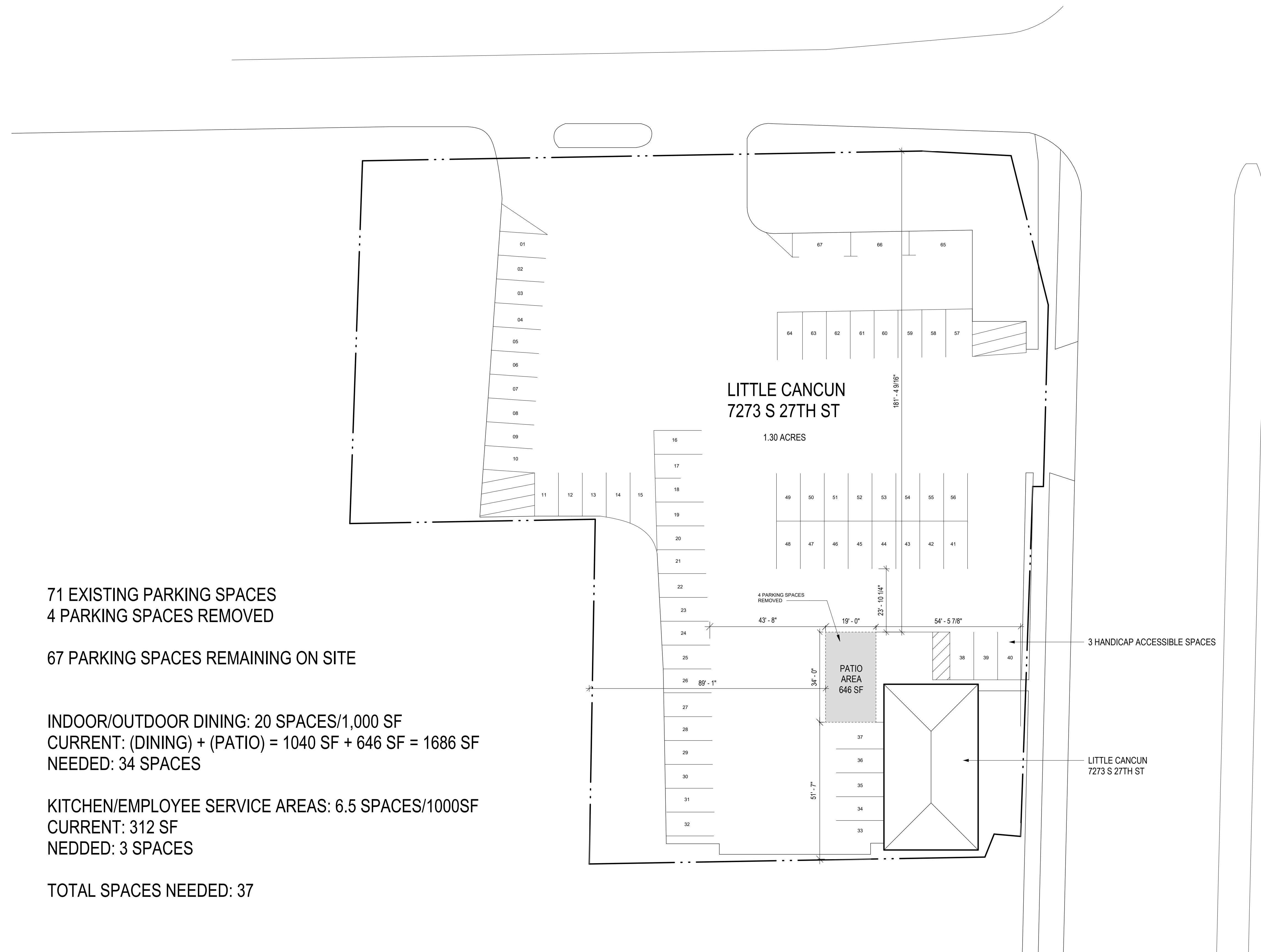


SEWRPC, Maxar, Microsoft, City of Franklin, WI

# LITTLE CANCUN OUTDOOR PATIO SITE PLAN AND AMENDMENT APPLICATION

- Little Cancun patio
- Veronica Cervera 7273 S. A, Franklin, WI 53132
- Date of site plan submitted. 6/17/2024
- Revision date 6/03/2024
- Architectural work done on the behalf of Little Cancun Franklin for the department of city development.





PROJECT  
**LITTLE CANCUN PATIO ADDITION**

CLIENT  
**LITTLE CANCUN**  
7273 S 27TH ST.  
FRANKLIN, WI, 53132



223 WEST OHIO STREET | CHICAGO, ILLINOIS 60654 | +1 312.895.4438 | WWW.JGMA.COM

COLLABORATORS

NO.	DESCRIPTION	DATE
1	PERMIT REVISIONS	06.03.2024

KEY PLAN

STAMP

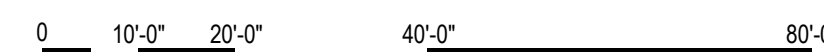
ARCHITECTURAL SHEET TITLE  
**SITE PLAN**

**G501**

SHEET NUMBER

PROJECT NO.24149

**1** Site Plan  
1" = 20'-0"





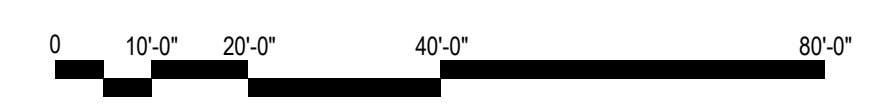
71 EXISTING PARKING SPACES  
 4 PARKING SPACES REMOVED  
 67 PARKING SPACES REMAINING ON SITE

INDOOR/OUTDOOR DINING: 20 SPACES/1,000 SF  
 CURRENT: (DINING) + (PATIO) = 1040 SF + 646 SF = 1686 SF  
 NEEDED: 34 SPACES

KITCHEN/EMPLOYEE SERVICE AREAS: 6.5 SPACES/1000SF  
 CURRENT: 312 SF  
 NEEDED: 3 SPACES

TOTAL SPACES NEEDED: 37

1 | Site Plan - GIS  
 1" = 20'-0"



PROJECT  
**LITTLE CANCUN PATIO ADDITION**

CLIENT  
**LITTLE CANCUN**  
 7273 S 27TH ST.  
 FRANKLIN, WI, 53132

COLLABORATORS

1 PERMIT REVISIONS	06.03.2024
NO. DESCRIPTION	DATE

KEY PLAN

STAMP

ARCHITECTURAL SHEET TITLE  
**SITE PLAN - GIS**

**G502**



# CITY OF FRANKLIN

## REPORT TO THE PLAN COMMISSION

Meeting of August 8, 2024

### Preliminary Plat

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**RECOMMENDATION:** City Development staff recommends approval of the Ridgewood Reserve Preliminary Plat, subject to the conditions set forth in the attached resolution.

---

<b>Project Name:</b>	Ridgewood Reserve Preliminary Plat
<b>Project Address:</b>	Not Assigned
<b>Applicant:</b>	Rick Przybyla, Creative Homes, Inc.
<b>Agent:</b>	Anthony Zanon, Pinnacle Engineering
<b>Property Owner:</b>	Creative Homes, Inc.
<b>Zoning:</b>	R-6 Suburban Single-Family Residence District and FW Floodway District
<b>2025 Comprehensive Plan:</b>	Residential and Areas of Natural Resource Features
<b>Use of Surrounding Properties:</b>	Single-family residential to the north, south, east, and west
<b>Applicant's Action Requested:</b>	Approval of the proposed Preliminary Plat
<b>Planner:</b>	Nick Fuchs, Associate Planner

---

### Project Description/Analysis

The applicant filed a Preliminary Plat Application for the creation of nine single-family residential lots and one outlot upon four existing parcels generally located to the north of West Drexel Avenue, east of South Ridgewood Drive, and west of South 76th Street.

The four parcels have an area of approximately 6.56 acres. The proposed subdivision consists of an extension and dedication of South Ridgewood Drive into a cul-de-sac with nine single-family lots around the new street. Lot sizes range from 13,918 square feet to 35,896 square feet with an average lot size of 19,866 square feet. The proposed subdivision will be served by municipal water and public sanitary sewer.

A stormwater pond is proposed within Outlot 1. The applicant must submit a Stormwater Management Plan and calculations to the Engineering Department for review, and final Engineering Department approval will be required as part of the review of the future Final Plat Application.

### R-6 Suburban Single-Family Residence District

The R-6 District allows a gross and net density of 2.972. This equates to a potential allowed density of 19 and 16 dwelling units for this development, respectively. As such, the development of nine lots conforms to this standard. Furthermore, all lots exceed the minimum lot size requirement of 11,000 square feet and all lots have a lot width at the building setback line of at least 90 feet.

In review of the Preliminary Plat, staff finds that all development standards of the R-6 District are met.

Natural Resource Protection Plan (NRPP)

The property contains a mature woodland, a stream and associated shore buffer, floodplain, wetlands, wetland buffers, and wetland setbacks. The wetlands were delineated by Dave Meyer of Wetland & Waterway Consulting, LLC on January 31, 2022.

The applicant is proposing to temporarily disturb portions of the wetland setback; however, these areas will be restored to their natural state.

The applicant is also disturbing 22% of the mature woodland onsite. Part 4 of the UDO requires that 70% of mature woodlands be protected. As such, the development complies with that standard.

All other natural resources will be protected. The majority of protected natural resources onsite are located within Outlot 1 of the Preliminary Plat, except for portions of floodplain located in the northwest corner of Lot 1 and the northeast corner of Lot 4. These areas are outside of the required minimum building setbacks for these lots.

*Staff recommends that a separate written Conservation Easement be submitted for Common Council review and approval at the time of Final Plat.* The Conservation Easement boundary is shown on the Preliminary Plat.

Signage:

Currently, a subdivision monument sign is not anticipated.

The applicant may propose signage to demarcate the conservation easement boundary and no trespassing.

Any proposed signage will require separate City review and approval.

Other required documents

§15-7.0603 requires submittal of any Declaration of Deed Restrictions, Protective Covenants, Conservation Easements, and Homeowners' Association prior to approval of the Final Plat. The applicant has provided draft Covenants and Declarations of Restrictions.

Improvements including streets and utilities must be installed prior to recording of the Final Plat (§15-2.0303.A). If complete construction is not practicable, the applicant may enter into a Subdivider's ("Developer's") agreement with the City of Franklin, and provide a letter of credit for improvements (§15-2.0303.B). It is not anticipated, but should the final plat be recorded in two phases, the applicant would need to provide the financial guaranty in the amount required for each phase of the final plat prior to the recording of that phase.

**Recommendation**



City Development staff recommends approval of the Ridgewood Reserve Preliminary Plat, subject to the conditions set forth in the attached resolution.

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

A RESOLUTION CONDITIONALLY APPROVING A  
PRELIMINARY PLAT FOR RIDGEWOOD RESERVE SUBDIVISION  
(GENERALLY LOCATED TO THE NORTH OF WEST DREXEL AVENUE, EAST OF  
SOUTH RIDGEWOOD DRIVE, AND WEST OF SOUTH 76TH STREET)  
(CREATIVE HOMES, INC., PROPERTY OWNER/APPLICANT)

---

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a preliminary plat for Ridgewood Reserve subdivision, such plat being Outlot A of Certified Survey Map No. 3410, as recorded in the Register of Deeds Office for Milwaukee County as Document No. 5239312, Outlot 1 of Certified Survey Map No. 9456, as recorded in the Register of Deeds Office for Milwaukee County as Document No. 11306731, Outlot 1 of Certified Survey Map No. 9457, as recorded in the Register of Deeds Office for Milwaukee County as Document No. 11306732, and additional lands, all being a part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the southeast corner of the Southeast 1/4 of said Section 9; thence South 88°35'08" West along the south line of said Southeast 1/4, 990.40 feet; thence North 00°15'17" West along the west line of Parcel 1 of Certified Survey Map No. 9456, 200.49 feet to the Point of Beginning; thence continuing North 00°15'17" West, 681.33 feet; thence North 88°37'15" East, 330.40 feet to the west line of Parcel 1 of Certified Survey Map No. 3416; thence South 00°15'13" East along said west line, 220.00 feet to the south line of said Parcel 1; thence North 88°37'15" East along said south line of said Parcel 1, 165.00 feet to the east line of Outlot 1 of Certified Survey Map No. 9457; thence South 00°15'17" East along said east line, 421.51 feet to the north line of Parcel 1 of said Certified Survey Map No. 9457; thence South 88°35'08" West along said north line and then along the north line of Parcel 1 of Certified Survey Map No. 3410, 290.00 feet; thence South 77°44'20" West along the north line of Parcel 1 and Parcel 2 of Certified Survey Map No. 9456, 209.95 feet to the Point of Beginning. Containing 285,580 square feet (6.5560 acres) of land., more specifically, of the properties bearing Tax Key Nos. 792-9003-000, 792-9005-000, 792-9994-000, and 792-9996-003, Creative Homes, Inc., applicant; and

WHEREAS, said preliminary plat having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof at its meeting on August 8, 2024, 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 preliminary plat is appropriate for approval pursuant to law upon certain conditions.

RICK J. PRZYBYLA, CREATIVE HOMES, INC. – PRELIMINARY PLAT  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 2

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Preliminary Plat of Ridgewood Reserve subdivision, as submitted by Rick J. Przybyla, Creative Homes, Inc., 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.
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. Creative Homes, Inc., successors and assigns and any developer of the Ridgewood Reserve nine lot and one outlot subdivision development shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Ridgewood Reserve nine lot and one outlot subdivision development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
4. The approval granted hereunder is conditional upon Rick Przybyla, Creative Homes, Inc. and the Ridgewood Reserve nine lot and one outlot subdivision development project for the properties generally located to the north of West Drexel Avenue, east of South Ridgewood Drive, and west of South 76th Street, bearing Tax Key Nos. 792-9003-000, 792-9005-000, 792-9994-000, and 792-9996-003: (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.
5. The Ridgewood Reserve nine lot and one outlot subdivision development project shall be developed in substantial compliance with the terms and provisions of this Resolution.

RICK J. PRZYBYLA, CREATIVE HOMES, INC. – PRELIMINARY PLAT  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 3

6. A written conservation easement shall be submitted as part of the Final Plat Application for Common Council review and approval, and recording with the Milwaukee County Register of Deeds Office at the time of recording the Final Plat.
7. A “Conservation Easement Restrictions” note shall be depicted on the face of the plat as part of the Final Plat application.
8. A draft of the declaration of deed restrictions, protective covenants, and the legal instruments and rules for any proposed Wisconsin non-profit membership corporation (homeowners association) whereby the subdivider intends to regulate land uses in the proposed subdivision and otherwise protect the proposed development shall be submitted to the City as part of the Final Plat for review and approval solely as to form and as such may pertain to existing city rules and regulations.
9. Any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit. Other signage, such as conservation easement signs, shall comply with Chapter 210 of the Municipal Code and be subject to Planning Department review and approval and issuance of a Sign Permit.
10. The Final Plat shall be in full compliance with all pertinent City of Franklin Design Standards and Construction Specifications.

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:

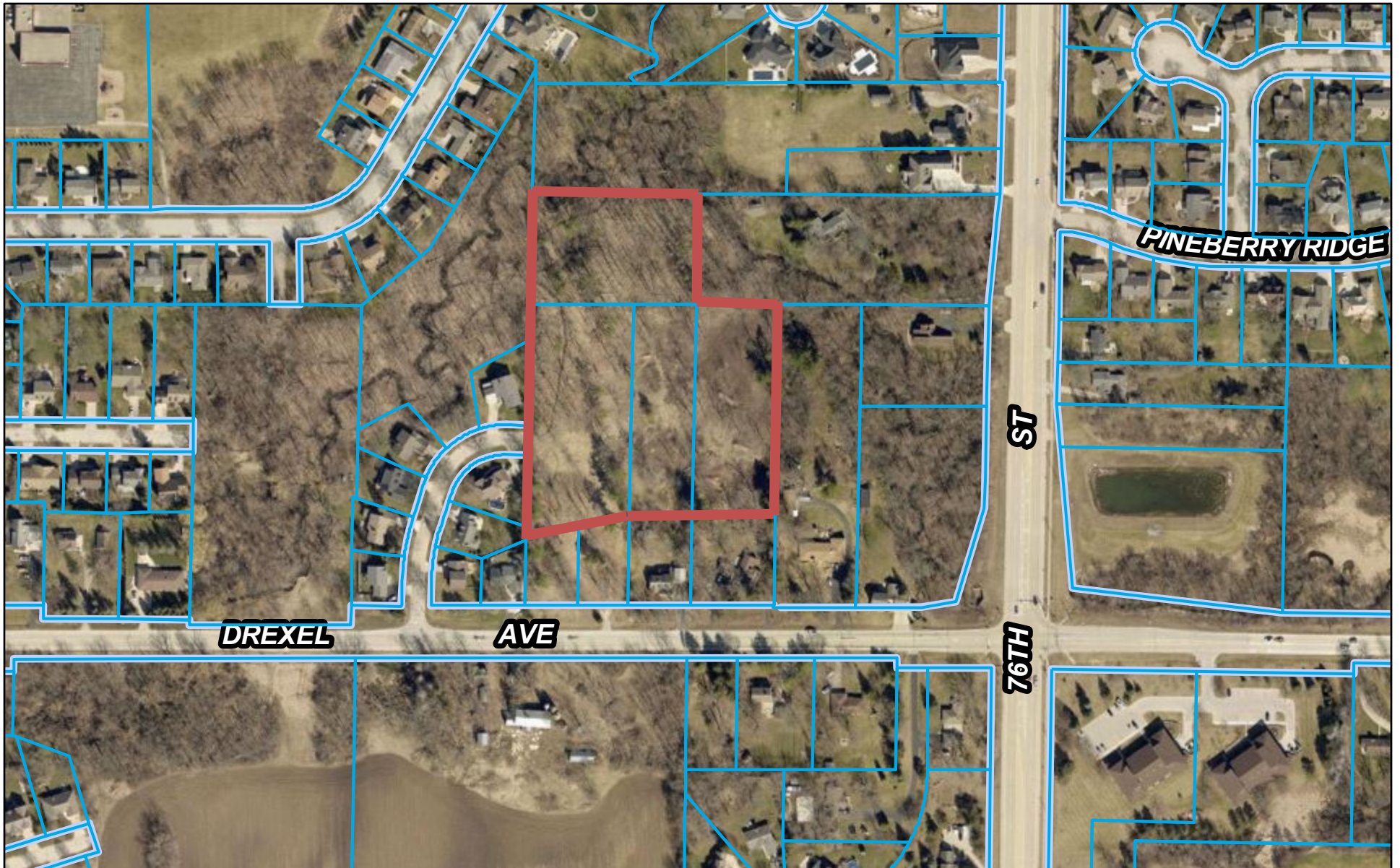
\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

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

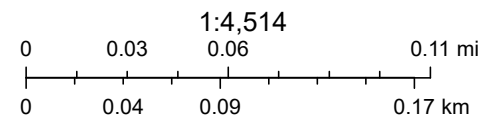
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# City of Franklin Property Viewer



7/23/2024, 10:28:54 AM

 Parcel



SEWRPC, Maxar, City of Franklin, WI

7/16/2024

Nick Fuchs  
Planning Associate  
City of Franklin  
9229 West Loomis Road  
Franklin, WI 53132

Re: Preliminary Plat Submittal for Plan Commission  
Ridgewood Reserve  
PEG #5407.00-WI

Dear Mr. Fuchs,

For your review and distribution please find the following for the Ridgewood Reserve preliminary plat submittal for Plan Commission:

1. Project Narrative
2. Legal Description of property
3. Site Intensity Calculations
4. Response letter to City review comments
5. Response letter to Milwaukee County review comments
6. DOA plat review form
7. Natural Resources Protection Plan
8. Preliminary civil plans
9. Preliminary Plat

The application and associated application fees were submitted to the City with the first submittal to staff.

In addition to the documents attached, Creative Homes is requesting a model home permit for either Creative Homes or another builder. Please include this request with the preliminary plat approval request.

Please free to contact me if you have any questions.

Sincerely,

**PINNACLE ENGINEERING GROUP**



Anthony S. Zanon, P.E.  
Senior Project Manager | Principal

# PROPOSED RIDGEWOOD RESERVE

## PROJECT SUMMARY

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- Located just east of Ridgewood Drive and behind 7832 W. Drexel Avenue
- Site Area of Proposed Subdivision is 6.55 Acres
- All lots serviced by municipal sewer and water
- 9 single family, with some estate sized lots
- Architecturally controlled community
- Anticipated minimum square foot requirements – Ranch 1,900sq. ft / 2-story 2,300 sq.ft
- Lot sizes ranging from approximately 13,918-35,896 square feet with an average lot size of approximately 20,000 sq. ft.

## DEVELOPER / COMPANY PROFILE

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Creative Homes, Inc., is a small family owned and operated business, located in the City of Franklin, which has been a builder of quality homes and developments for over 41 years. Creative Homes, Inc. has developed over 500 lots throughout the communities of Franklin, Muskego, and Greenfield, with significant concentration in the City of Franklin. Creative Homes, Inc. also builds semi-custom homes.

## MARKET ANALYSIS / FINANCIAL PLAN

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- 9 single family sized lots
- Packages starting at approximately \$ 750,000, with an average of \$ 750,000 - \$ 950,000
- 9 lot/home packages x \$ 850,000 = \$ 7,650,000 (approximate assessed)
- School impact = less than .5 / lot X 9 lots = 4/5 students

## BENEFITS

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- High demand for single family lots in Franklin, especially those open to other builders
- Tax benefit to the City of Franklin with higher priced homes

## SCHEDULE FOR PROPOSED TIME FRAME

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- Development for installing all utilities will be approximately 6-8 months
- Total sales completion will take approximately 12-18 months
- Approximate development costs of \$ 600,000



# DRAFT

## COVENANTS AND DECLARATIONS OF RESTRICTIONS

### PROPOSED RIDGEWOOD RESERVE FRANKLIN, WI

KNOW ALL MEN BY THESE PRESENTS that the undersigned, CREATIVE HOMES, INC., being the owner of lots 1-9 being described as:

LEGAL DESCRIPTION TO FOLLOW WITH NEW TITLE

And intending to establish a general plan for the use, occupancy and enjoyment of said Subdivision, does hereby declare that all lots therein shall be subject to the following restrictions and covenants, which shall remain in force for a period of thirty (30) years from the date of recording hereof.

1. **GENERAL PURPOSES.** The purpose of this Declaration is to insure the best use and most appropriate development and improvement of each building site thereof; to protect owners of building sites against such use of surrounding building sites as will detract from the residential value of their property; to preserve as far as is practical, the natural beauty of said property, to guard against the erection thereon of poorly designed or poorly proportioned structures; to obtain harmonious use of material and color scheme; to insure the highest and best residential development of said property; to encourage and secure the erection of attractive homes hereon with appropriate locations thereof on building sites; to prevent haphazard and inharmonious improvements of building sites; to secure and maintain proper setbacks from street and adequate free spaces between structures, and in general, to provide adequately for a high quality of improvement in said property, and thereby to preserve and enhance the value of investments made by purchasers of building sites therein.

2. **STRUCTURES.** No lot shall be used for anything other than single-family residence purposes. All structures shall be designed by a registered architect or professional engineer or designer, experienced in residential design. The plans shall show the square footage for both first floor and second floor if a two story. Each dwelling shall have a minimum of two full baths. Each dwelling shall have a minimum roof pitch of 7/12, however actual roof pitch shall be at the developer's discretion and may vary depending on the type of home. Roof color shall be limited to that of weathered-wood, driftwood, black, deep browns, or similar color tones. Roof color **must** be approved by Developer. There shall be no bare walls allowed. It is at the sole discretion of the Developer to add windows, brick, shutters, trim boards, vents or any item that will enhance said dwelling. Vinyl windows will be allowed only when accompanied with trim boards and/or shutters around each vinyl window, or at Developer's discretion. All siding, corner boards and fascia boards must be of natural material, Hardi Plank LP or equal. Soffit material may be vinyl or aluminum. It shall be solely at Developer's discretion to require front elevation of home to include some type of brick or stone.

Please note: Developer would like to see some brick or stone on the front elevation of homes, with the exception of a salt-box style home. Additional restrictions may be required for that of a salt-box style home. Please contact Developer for further information on such. Exterior of all homes shall be of a traditional, colonial, French, country, or Tudor design. No contemporary or Spanish style homes will be allowed. All exterior color selections, including, but not limited to siding, trim, gutters, roof, front door, shutters, garage door, etc. MUST be approved by Developer PRIOR to submitting plans to the City of Franklin for architectural approval.

**Lot owner is encouraged to get approval prior to purchasing said Lot if there is a doubt about home to be constructed.**

The following items MUST be submitted to Developer/Creative Homes, Inc. PRIOR to obtaining any approvals, (this includes architectural approval), from the City of Franklin:

- A. Three (3) sets of final home plans
- B. Three (3) copies of final survey showing location of home on said lot
- C. Final Color Selections indicating all final color selections for siding, trim, roof, front door, etc.

\*\* Creative Homes, Inc. will not grant any approvals unless **all** of the required information is submitted \*\*

\*\* Creative Homes, Inc. will process and conduct an architectural review, within **30 Days**, once all required information is submitted \*\*

\*\* Creative Homes, Inc. encourages buyer(s) to plan ahead in the submission of required information \*\*

3. **RESTRICTION ON SUBDIVISION.** There shall be no further division or subdivision of lots in this Subdivision without approval of the Plan Commission of the City of Franklin.

4. **DWELLING STRUCTURE.** No Dwelling shall exceed two stories in height, excluding exposed areas. The ground area within the perimeter of the building at grade exclusive of porches, garages, bays, patios, breezeways and similar additions, shall not be less than the following schedule: (a) Not less than 1,900 square feet in the case of a one-story dwelling; (b) Not less than 2,300 square feet total in the case of a dwelling of one and one-half stories; (c) Not less than 2,300 square feet in the case of a dwelling of two stories, and the floor area of the first floor shall not be less than 1,100 square feet (d) Not less than 2,300 square feet total in the case of a dwelling of one and one-half stories;

For purposes of figuring total area, the undersigned, in his sole discretion, shall determine what constitutes a two-story or a one and one-half story dwelling. All buildings shall be completed within the allotted time set by the City of Franklin in its ordinance. **Three (3) sets of plans, and three (3) copies of the survey, showing the location of the homes, and naming the roof color, trim color, and the siding color, shall be submitted to Creative Homes, Inc., / Developer 9244 W. Grandview Court, Franklin, WI 53132, of which one set will be signed by owner if it meets numbers 1, 2 and 4 above.**

5. **GARAGES.** No garage shall be larger than necessary to accommodate four (4) cars and all garages shall be attached to the dwelling either forming an integral part with the dwelling house or by connection of porch or breezeway. Garage design at Developer's discretion.

6. **TEMPORARY STRUCTURES.** No structures of any kind shall be moved onto any lot and no living quarters of temporary character shall be permitted at any time, it being the intention that only permanent, private dwellings and garages shall be permitted. All garages shall be built at the same time as the private dwellings and shall be large enough to accommodate a minimum of two (2) cars. No boats, trailers, mobile homes, RV's, or commercial trucks may be parked on the premises outside the garage other than for the delivery of materials or merchandise, except during the construction or remodeling periods.

7. **STORAGE.** No lot shall be used in whole or in part for the storage of rubbish of any character whatsoever, nor for the storage of any property that will cause such lots to appear in an unclean or untidy condition, or that will be obnoxious to the eye; nor shall any substance be kept upon any lot that will omit foul or obnoxious odor. Also prohibited is anything that will cause any noise that will or might disturb the peace, quiet, comfort or serenity of the occupants of surrounding properties. Storage sheds which are constructed, must comply with City requirements. These said sheds **must** match the home constructed on said lot in color, roof material and siding material and be approved by developer prior to obtaining approval from the City of Franklin. (See No. 12)

8. **UTILITY LINES.** All electric, cable and telephone lines shall be placed underground.

9. **CONCRETE APPROACH.** No curb cuts have been installed on any lots within the Ridgewood Reserve development. It shall be solely the lot owner(s) responsibility to install a curb cut per City of Franklin requirements. This requirement includes maintaining the flow line in the curb and gutter per the City of Franklin requirements and standards. It is the sole responsibility of the lot owner(s) to work directly with the City of Franklin regarding obtaining any necessary guidelines. If curb and gutter are installed incorrectly, it shall be the sole responsibility of the lot owner(s) to correct and pay for any and all fees incurred to make any and all corrections that the City of Franklin requires. If Creative Homes, Inc. / Developer is required to make any corrections to the lot owner(s) installed curb cut per the City of Franklin requirements and instruction, lot owner(s) shall reimburse Creative Homes, Inc. / Developer the cost of repair plus 30% administrative fee within 3 days of receipt of invoice. Also, if curb, gutter, and/or sidewalks are damaged and the city requires replacement, it shall be paid for by the owner of the lot. Buyer and Developer to inspect curb, gutters, and sidewalks prior to closing and to ensure they meet City of Franklin standards.

10. **ANIMALS.** No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot except two dogs, two cats, and other small household pets such as canaries or parakeets, provided they are not kept, bred or maintained for any commercial purposes.

11. **GRADES.** The undersigned reserves the right to set finished yard grades. It is the sole responsibility of the lot owner to remove the excess dirt from excavation that is not needed. All dirt from excavation of any lot which is not used on the premises shall be deposited in such place in the Subdivision as shall be directed by the undersigned, or if not needed in the Subdivision, within a three (3) mile radius of said Subdivision, if and only if the undersigned specifies and approves a need for the dirt. Trucking of such dirt shall be solely at the cost of the lot owner. If the undersigned does not want or need the excess dirt, it shall be the sole responsibility of the lot owner to remove the excess dirt from excavation.

11a. **SPLIT LEVEL LOTS.** To be determined per final master plan. Any change from said plan must be approved by Developer **and** the City of Franklin Engineering Department.

11b. **LOT GRADES.** Some of the lots within the Subdivision may have been filled and graded to different elevations than that of the original topography to satisfy the master grading plan.

11c. **DRIVEWAY GRADES.** The City of Franklin recommends grades less than 6%, however they do allow driveway grades up to 10%. All driveway grades shall be at the sole discretion of the City of Franklin. A waiver from the City of Franklin is required to be signed by the homeowner at the time of building permit processing. Homeowners have the option, and are recommended and encouraged by Developer / Creative Homes, Inc. to add an additional step(s) in the garage from the garage floor to dwelling. With each additional step added, the grade percentage is lowered. All subdivision grading has been specifically designed for driveways to be located on the high side of the lot.

Buyer(s) are to solely follow the master grading plan, which specifies this information. Any desired change from said plan must be submitted to Developer / Creative Homes, Inc. in the form of a grading plan completed by a registered engineering firm, for review by Developer. Changes from master grading plan must be approved first by Developer, and second from the City of Franklin Engineering Department. **Approval from both is required.**

11d. **BASEMENT GUIDELINE.** Seller advises Buyers that some of the lots within the Subdivision may have been filled and graded to different elevations than that of the original topography. Seller does not guarantee topsoil / subsoil conditions on any lot, against any abnormal soil conditions or those which may add additional building costs. Seller has made no representations as to the soil conditions to Buyers. Buyers are also aware that an excess or shortage of soil may be generated by such factors such as the size of the home, required drainage patterns, or other factors. Buyers are aware that responsibility of acquisition of or disposal of soil is the sole responsibility of the Buyers. Seller encourages Buyers to perform whatever soil tests Buyers deem necessary to verify subsoil conditions, at Buyers expense. Buyers are therefore granted permission to enter upon the lot for soil testing purposes. The tests shall be at the sole expense of the Buyers.

12. **CONTROL.** In order to maintain harmony in appearance and to protect the owners of the lots in the Subdivision, no building, fence, sign, wall, solar panels, satellite dish, 24" or larger, cyclone fences (landscape fences, open rail type, are the exception) or other structure shall be erected, constructed or maintained upon any lot, nor shall any change or alteration be made thereon unless the complete plans and specifications, thereof (a plot plan showing the exact location of such buildings, garage, fence, wall or other structure, the elevation thereof and the grade of the lot and sketch or view of such building or structures or changes), shall have been submitted to and approved in writing by the undersigned or his assigns as herein provided. The decision of the undersigned with respect to any such matter shall be final and binding upon all parties. **(Upon the undersigned owner being divested of all rights, will, and interest in and to any lot in said Subdivision, control hereunder shall be passed to a committee, to be designed by a majority of the owners of record of the lots of the Subdivision.) See # 18**

(In-ground swimming pools shall be allowed, but must be located as close as possible to rear of home, with extensive landscaping and/or privacy fence surrounding swimming pool, per Developer's approval. A plan showing the exact location of the swimming pool, and landscape and/or privacy fence specifications must be submitted to Developer / Creative Homes, Inc. **PRIOR** to construction or installation).

13. **LANDSCAPE - ARCHITECTURAL CONTROL.** All landscaping, including driveway, must be completed within 18 months after the completion of the residence, or, if home is completed during the winter season, landscaping shall be completed at the earliest opportunity season permits, and should conform to the grading as set forth by the City of Franklin Engineering Department. Landscaping is the sole responsibility of the homeowner. Driveway shall consist of concrete or similar material. No permanent gravel drive will be permitted. Developer will select and approve a mailbox and post which shall be purchased by Developer and the cost charged to buyer at time of closing (\$795.00). Installation shall be the sole responsibility of the lot owner and installed per Postal Service requirements. At least two trees, minimum caliper of 1-1/2 to 2 inches shall be installed on each lot at time of landscaping. Also, developer will install a city tree (per city requirements) at a cost to the lot owner of \$ 500.00 per tree, to be paid at the time of closing. Note: Corner lots may require 2 trees per the City of Franklin requirements. **It is the sole responsibility of the lot owner to cut grass and/or noxious weeds per city requirements.**

14. **VIOLATION.** Any violations of these restrictions, which exist for a period of three years without a written protest thereof being received by the owner of the lot involved, shall not be considered a violation thereafter. These restrictions shall be deemed and construed to run with the land and shall be binding upon the respective owners of each of said lots and upon all persons holding or claiming under or through them. Upon the violation of any one or all of these restrictions by any owner or owners of said lots, their heirs, executors, administrators or assigns, the owner shall have the right to proceed at law or inequity against the person or persons violating or attempting to violate any such covenant or restrictions and shall be entitled to both equitable and legal relief. Invalidation of any one of these covenants and restrictions by judgment of Court order shall be construed and deemed severable and all of which are not so invalidated, shall remain in full force.

15. **UTILITIES.** Developer reserves the right for a period of three months after the execution of this document hereof, to grant easements to WE Energies and SBC, or other similar applicable companies, for utility purposes over, upon, under and across **ALL** lots in this Subdivision, whether owned by the developer or third parties. Such easements shall, so far as is reasonably possible, be confined to areas within 20 feet of all lot lines and be granted on standard utility forms.

16. **CONSTRUCTION.** The owner's builder and/or owner of said lot, shall be responsible for cleaning up the debris that has blown from their building site under construction. The owner's builder and/or owner of said lot, shall also be responsible for cleaning up the mud and dirt on the roadways caused by their construction. The owner's builder and/or owner, shall clean roadway of debris and dirt within twelve (12) hours after receiving verbal

or written notice. Owner/builder is to advise Developer of any cracks or damage to curbs, gutters, and/or sidewalks prior to closing of lot. The owner's builder and/or owner shall be responsible for any damage done to curbs and/or gutters after closing.

17. **BUILDING CONSTRUCTION.** Owner and/or builder shall begin construction within two (2) years from date of closing, unless otherwise approved in writing by Developer. Owner and/or builder shall complete dwelling within one (1) year from start of construction.

**It is the sole responsibility of the lot owner to cut grass and/or noxious weeds per city requirements.**

18. **HOMEOWNERS' MEMBERSHIP / ASSOCIATION.** Each Homeowner / Lot-owner shall be a Member of the Association. Such membership shall be appurtenant to and may not be separated from ownership of any Lot. Every member of the association shall have one vote for each Lot owned by the Member. When more than one person or entity holds an interest in a Lot, who votes shall be determined among themselves. So long as Developer, or its successors, shall own 1 or more Lots, the authority and functions of the Board of Directors of the Membership Association shall remain in and be exercised solely by the Developer, or its successors. When Developer, or its successors no longer own 1 or more Lots, Developer shall select two Homeowners to serve as the temporary Board of Directors of the Association until an annual meeting of Members is held. At that time the Board of Directors shall be elected. After Developer appoints the temporary Board of Directors of the Association, it is the sole responsibility for this temporary Board of Directors to act on behalf of the Members. The Members of the Board of Directors shall not be entitled to any compensation for their services. Any Member who is delinquent in the payment of assessments charged against his Lot shall not be entitled to vote until all such assessments have been paid in full. It shall be the sole responsibility of the homeowners to form such association upon Developer and/or it's successors divesting their rights.

19. **GENERAL PROVISIONS; TERMS & EXTENSIONS.** The restrictions and covenants herein contained shall be binding upon all persons, parties, and entities having an interest in the land affected thereby, claiming under them for a period of thirty (30) years from the date hereof, at which time these Declarations of Restrictions shall be automatically renewed for successive periods of ten (10) years, unless, prior to the end of the initial or any successive period, a document signed by the owners of at least seventy-five percent (75%) of the lots has been recorded terminating or amending these Declarations of Restrictions either in whole or in part.

20. **AMENDMENT.** It shall be understood that the contents found within these Declarations of Restrictions, or any provisions to these Declaration of Restrictions, may be annulled, waived, changed, modified, or amended, at any time, by a written declaration, executed in such manner as to be recordable, setting forth such annulment, waiver, change, modification, or amendment, as executed,

- a. Solely by Developer / Creative Homes, Inc., or its successors or assigns, until such time the Developer / Creative Homes, Inc. shall no longer own 1 or more Lots.
- b. Thereafter, by the owners of at least seventy-five percent (75%) of the Lots.

21. **ANNUAL GENERAL ASSESSMENT FOR MEMBERSHIP.** There will be an annual Homeowners Membership Assessment each year, which shall be used exclusively for the care, maintenance, operation, and preservation of the common lands of Faithway Reserve. The assessed fee shall include, but shall not be limited to, the cost of labor, equipment, materials, insurance, management, and supervision thereof, and fees paid for auditing the books of the Membership, and for necessary legal services and counsel fees to the Board of Directors. No lot owner shall be responsible for more than one eighth (1/8) of the total cost of upkeep and maintenance of any common areas, if applicable. Payment may be made by special assessment or annual assessment, as the Membership determines. The Homeowners Membership shall have the power to levy assessments against the owners of individual lots for the purposes of carrying on the business of the Membership, and for payment of expenses properly incurred by the Members. There shall be an annual assessment added to the Homeowners Membership each year, which shall be payable to Faith Community Church for the use and maintenance of their storm water pond. See recorded document; First amendment to Agreement Document #10852881, Recorded 3-6-2019.

21a. **DETERMINATION OF THE MEMBERSHIP.** The Board of Directors of Faithway Reserve, once appointed by Developer, shall prepare and annually submit to Homeowners a budget of expenses for the coming year listing all costs contemplated within the purposes of the annual general assessment described in # 18 above. Upon adoption and approval of the annual budget by a majority of the Members, the Board shall determine the assessments by dividing the amount of the budget among the Lots equally.

22b. **METHOD OF ASSESSMENT.** The assessment for each lot shall be levied at approximately the same time each year. The Board shall declare the assessments so levied due and payable within 30 days from the date of such levy. The Secretary or other officer shall notify the Homeowner of each lot as to the amount of the assessment and the date such assessment becomes due and payable. Such notice shall be mailed to the Homeowners at the last known post office address by United States mail, postage prepaid.

22c. **INTEREST ON UNPAID ASSESSMENTS.** Any assessment which is not paid when due shall thereafter until paid in full, bear interest at the rate of 12% per annum or the highest rate permitted by law, whichever is higher.

23. **CITY OF FRANKLIN** . In the event that the Association fails to maintain the Common Area as required hereunder, the Common Council of the City of Franklin may serve written notice upon the Association and/or upon the owners of the Property subject to this Declaration, setting forth the manner in which the Association has failed to maintain the Common Area as required, and demanding that such deficiencies be remedied within thirty (30) days thereof. The notice shall specify a date and place for hearing thereon, to be held within fourteen (14) days of the notice date. At such hearing the Common Council may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be remedied. If the deficiencies set forth in the original notice or in any modification thereof, shall not be remedied as required, the City, in order to preserve taxable values in the area and to preserve the Common Area from becoming a public nuisance, may enter upon said Common Area and maintain the same for a period not to exceed one year. Said entry and maintenance shall not vest in the public any rights to use the Common Area except in the event same is voluntarily dedicated to the public. If the Common Council shall determine that the Association is ready and able to maintain said Common Area as required hereunder, the City shall then cease to maintain said Common Area and give notice thereof to the Association and/or Property owners. If the Common Council shall determine that the Association is not ready or willing or able to maintain said Common Area as required hereunder, the Common Council may, in its discretion, continue to maintain said Common Area subject to a similar hearing and determination in the next succeeding year and in each year thereafter. The cost of such maintenance by the City shall be assessed ratably against the Lots subject to this Declaration and shall become a tax lien on said Lots, which may be enforced and collected by all methods available under the laws or the State of Wisconsin pertaining to such liens. The City at the time of entry upon said Common Area for the purpose of maintenance, shall file a notice of lien against the Lots in the office of the Milwaukee County Register of Deeds and/or the Milwaukee County Clerk of Circuit Court, as may be required. Nothing contained herein nor any act or omission of the City of Franklin hereunder, shall be construed to create any obligation or liability on the part of the City of Franklin, its agents or designees, whatsoever.

24. **MODEL HOMES**. "MODEL HOMES" or "SPEC HOMES" will be allowed ONLY with written permission by **CREATIVE HOMES, INC** on any lot in the subdivision except those as may be constructed by **CREATIVE HOMES, INC**. No owner, therefore, of any lot may construct thereon a home, which is not going to be occupied as a principal residence by the owner of said lot without written permission by **CREATIVE HOMES, INC**. For the purposes of this paragraph, a model home and/or spec home are defined as any home constructed on any lot with the intent, purpose, or result of being displayed, presented, and/or advertised as a home which is capable of being duplicated and/or constructed again elsewhere, and is advertised as a model or spec for such purposes. This clause may be enforced by injunction against any such use of the lot.

25. **STORM WATER / IMPERVIOUS** Each property owner's impervious area for their lot is estimated at 5,000 square feet. When surveying lot at time of building, surveyor **MUST** include on survey all impervious areas with percentages. At developer's discretion, if unused impervious area in excess of 5,000 square feet is able to be used on another person's lot, the developer, at his discretion, may allow the excess to be used, but **ONLY** with developer's signed acceptance as well as the City of Franklin's engineering department.

26. **EXCROW FOR DAMAGE CURB, ISLAND AND ROAD** At time of closing, developer will withhold \$1,500.00 to insure that upon inspection of the final lift, no damage has been incurred per the City Inspectors. If damage has been incurred, Developer will refund part or all of the initial \$1,500.00 to the lot owner.

THIS INSTRUMENT DRAFTED BY:

\_\_\_\_\_  
CREATIVE HOMES, INC.  
Rick J. Przybyla

PLEASE RETURN TO:

RICK J. PRZYBYLA  
CREATIVE HOMES, INC.  
9244 West Grandview Court  
Franklin, WI 53132

Signature of Rick J. Przybyla authenticated the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**RIDGEWOOD RESERVE**  
**LEGAL DESCRIPTION**  
**05/09/2024**

Outlot A of Certified Survey Map No. 3410, as recorded in the Register of Deeds Office for Milwaukee County as Document No. 5239312, Outlot 1 of Certified Survey Map No. 9456, as recorded in the Register of Deeds Office for Milwaukee County as Document No. 11306731, Outlot 1 of Certified Survey Map No. 9457, as recorded in the Register of Deeds Office for Milwaukee County as Document No. 11306732, and additional lands, all being a part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of the Southeast 1/4 of said Section 9; thence South 88°35'08" West along the south line of said Southeast 1/4, 990.40 feet; thence North 00°15'17" West along the west line of Parcel 1 of Certified Survey Map No. 9456, 200.49 feet to the Point of Beginning; thence continuing North 00°15'17" West, 681.33 feet; thence North 88°37'15" East, 330.40 feet to the west line of Parcel 1 of Certified Survey Map No. 3416; thence South 00°15'13" East along said west line, 220.00 feet to the south line of said Parcel 1; thence North 88°37'15" East along said south line of said Parcel 1, 165.00 feet to the east line of Outlot 1 of Certified Survey Map No. 9457; thence South 00°15'17" East along said east line, 421.51 feet to the north line of Parcel 1 of said Certified Survey Map No. 9457; thence South 88°35'08" West along said north line and then along the north line of Parcel 1 of Certified Survey Map No. 3410, 290.00 feet; thence South 77°44'20" West along the north line of Parcel 1 and Parcel 2 of Certified Survey Map No. 9456, 209.95 feet to the Point of Beginning.

Containing 285,580 square feet (6.5560 acres) of land.

**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**

<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	<b>6.55</b> 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.	- <b>0.00</b> acres
<b>STEP 3:</b>	Subtract ( - ) land which, as a part of a previously approved development or land division, was reserved for open space.	- <b>0.00</b> acres
<b>STEP 4:</b>	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract ( - ) the land proposed for nonresidential uses; <i>or</i> In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract ( - ) the land proposed for residential uses.	- <b>0.00</b> acres
<b>STEP 5:</b>	Equals "Base Site Area"	= <b>6.55</b> 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:				X _____	_____
10-19%	0.00	0.60	0.40	= _____	_____
20-30%	0.65	0.75	0.70	X _____	_____
+ 30%	0.90	0.85	0.80	= _____	_____
Woodlands & Forests:				X _____	_____
Mature	0.70	<b>0.70</b>	0.70	= <b>0.40</b> _____	<b>0.28</b> _____
Young	0.50	0.50	0.50	X _____	_____
Lakes & Ponds	1	1	1	= _____	_____
Streams	1	<b>1</b>	1	X <b>0.01</b> _____	<b>0.01</b> _____
Shore Buffer	1	<b>1</b>	1	= <b>0.21</b> _____	<b>0.21</b> _____
Floodplains	1	<b>1</b>	1	X <b>0.53</b> _____	<b>0.53</b> _____
Wetland Buffers	1	<b>1</b>	1	= <b>0.10</b> _____	<b>0.10</b> _____
Wetlands & Shoreland Wetlands	1	<b>1</b>	1	X <b>0.03</b> _____	<b>0.03</b> _____
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					<b>1.16</b>

*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 15-3.0504**

**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**

<p><b>STEP 1:</b></p>	<p><b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</b></p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>6.55</u></p> <p>Multiple by Minimum <i>Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard): X <u>0.00</u> <b>(TABLE 15-3.0207)</b></p> <p>Equals <b>MINIMUM REQUIRED ON-SITE OPEN SPACE</b> =</p>	<p><b>0.00</b> acres</p>
<p><b>STEP 2:</b></p>	<p><b>CALCULATE NET BUILDABLE SITE AREA:</b></p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>6.55</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater: <u>- 1.16</u></p> <p>Equals <b>NET BUILDABLE SITE AREA</b> =</p>	<p><b>5.39</b> acres</p>
<p><b>STEP 3:</b></p>	<p><b>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</b></p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>5.39</u></p> <p>Multiple by Maximum <i>Net Density (ND)</i> (see specific residential zoning district ND standard): X <u>2.972</u> <b>(TABLE 15-3.0207)</b></p> <p>Equals <b>MAXIMUM NET DENSITY YIELD OF SITE</b> =</p>	<p><b>16</b> D.U.s</p>
<p><b>STEP 4:</b></p>	<p><b>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</b></p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>6.55</u></p> <p>Multiple by Maximum <i>Gross Density (GD)</i> (see specific residential zoning district GD standard): X <u>2.972</u> <b>(TABLE 15-3.0207)</b></p> <p>Equals <b>MAXIMUM GROSS DENSITY YIELD OF SITE</b> =</p>	<p><b>19</b> D.U.s</p>
<p><b>STEP 5:</b></p>	<p><b>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</b></p> <p>Take the <i>lowest</i> of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):</p>	<p><b>16</b> D.U.s</p>

**calculated gross density = proposed 9 lots / 6.55 ac (base site area) = 1.37**  
**calculated net density = proposed 9 lots / 5.39 ac (net buildable area) = 1.67**  
**calculated open space = 1.81 ac (open space is outlot 1) / 6.55 ac (base site area) = 0.27**

# City of Franklin

## Department of City Development

Date: June 14, 2024

Pinnacle Engineering Group responses 6/25/24

To: Rick Przybyla, Creative Homes, Inc.  
Anthony Zanon, Pinnacle Engineering

From: Nick Fuchs, Planning Associate

RE: Staff Comments – Ridgewood Reserve Preliminary Plat

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Below are review comments and recommendations for the above-referenced application submitted by Creative Homes, Inc.

### Department of City Development

1. Does the Building Setback line encroach into the floodplain on Lot 4? The building setback line should not encroach into protected natural resource features. **No, the floodplain line does not impact the building setback. The 2-ft above 100-yr floodplain line is on the lot but that does not impact the building setback.**
2. Is any signage anticipated? **No subdivision sign. The developer may put conservation signs and “no trespassing signs” along the conservancy and pond area.**
3. What is the length of the cul de sac? Please confirm it does not exceed 800 feet in length. **The length from the centerline of W Drexel Ave to the centerline of the cul-de-sac is 800’. The centerline is 531.84’ within Tuckaway Brook to the west (this is labeled along the centerline of South Ridgewood Drive) and 268.16’ in the proposed Ridgewood Reserve subdivision. This distance is now labeled on the centerline of the road in the proposed subdivision.**
4. On the NRPP Exhibit, is the wetland delineation date correct? Should the year be 2022, not 2021? **The NRPP Exhibit was revised to note 2022.**
5. As discussed, please address all Milwaukee County Department of Administration comments. **See the attached County review letter with the responses noted.**

### Engineering Department Comments

6. There are no comments on the proposed preliminary plat. The construction plan is under Engineering review.

### Inspection Services Department Comments

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

### Fire Department Comments

8. No Fire Department comments

### Health Department Comments

9. Health Dept has no comments on this development

DEPARTMENT OF ADMINISTRATIVE SERVICES

Milwaukee County



June 7, 2024

Dept. of Administration  
Plat Review  
101 East Wilson St. FL 9  
Madison, WI 53703  
P.O. Box 1645  
Madison, Wisconsin 53701

Pinnacle Engineering Group responses 6/25/24.

RE: **Ridgewood Reserve**  
**Preliminary Plat - File C-12-788**  
**State File: 121933**

Dear WI Dept of Administration – Plat Review:

A copy of the Preliminary Plat of Ridgewood Reserve located in the SE ¼ of Section 9, Township 5 North, Range 21 East, in the City of Franklin has been reviewed by Milwaukee County in accordance with Section 236.12 of the Wisconsin Statutes.

We object to the above preliminary plat. This objection may be rescinded if certain conditions are met by the developer. The special conditions are as follows:

The following comments are from the Register of Deeds Office.

1. Review fee of **\$150** does not appear to have been paid. Please remit by sending to the attention of **Kristine Kampa** at **901 N. Ninth Street; Rm 103, Milwaukee, Wisconsin 53233** to avoid delay in recording/processing. **The City of Franklin mailed the check on 6/12/24.**
2. Plat is made up of multiple recorded CSMs and unplatted lands. Three of those lots are owned by Creative Homes Inc, and one (792-9005) is owned by Rick J. Przybyla and Mary A. Przybyla. All lots that make up this plat should have the exact same owner to avoid delay in processing. Deed(s) should be recorded to correct this prior to recording the plat. ←
3. We are reviewing the preliminary plat for closure issues and verify ownership. Please refer to Wisconsin State Statutes and local ordinances for any further requirements.  
**Comment only, no change.**

See the attached Quit Claim Deed 11428932. Creative Homes Inc owns all the property.

If you require additional information or clarification on the above comments, please contact Ms. Kristine Kampa at Milwaukee County Register of Deeds office at 414-278-4048 or via email at [kristine.kampa@milwaukeecountywi.gov](mailto:kristine.kampa@milwaukeecountywi.gov)

The following comments are from the Economic Development Office.

1. There should be language that the Outlots of this plat are owned and shall be maintained by the homeowner's association of this plat and each individual lot owner shall have an undividable fractional ownership of Outlots and that Milwaukee County and the City of Franklin shall not be liable for any fees or special assessments in the event Milwaukee County or the City of Franklin should become the owner of any lot in the subdivision by reason of delinquency. The homeowner's association shall maintain said Outlots in an unobstructed condition so as to maintain its intended purpose. **This note was shown on the plat as General Note 13.**

Final Plat - File C-12-788  
State File: 121933

If you require additional information or clarification on the above comments, please contact Ms. Emily Streff at Milwaukee County Economic Development office at 414-897-2384 or via email at [emily.streff@milwaukeecountywi.gov](mailto:emily.streff@milwaukeecountywi.gov).

Very truly yours,

*Max Saichek*

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Max Saichek

cc: Sarah Toomsen, Parks  
Emily Streff, Economic Development  
Kristine Kampa, Register of Deeds  
John Konopacki, Surveyor  
City of Franklin Planning

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State Bar of Wisconsin Form 3-2003  
**QUIT CLAIM DEED**

DOC # 11428932  
 RECORDED  
 06/21/2024 11:25 AM  
 ISRAEL RAMON  
 REGISTER OF DEEDS  
 Milwaukee County, WI  
 AMOUNT: 30.00  
 TRANSFER FEE:  
 FEE EXEMPT #: 77.25 (15)  
 \*\*\*This document has been  
 electronically recorded and  
 returned to the submitter.\*\*\*

Document Number

Document Name

**THIS DEED**, made between Rick J. Przybyla and Mary A. Przybyla, husband and wife  
 \_\_\_\_\_ ("Grantor," whether one or more),  
 and Creative Homes, Inc.  
 \_\_\_\_\_

\_\_\_\_\_  
 ("Grantee," whether one or more).  
 Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Milwaukee  
 County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Outlot 1 of Certified Survey Map No. 9457, recorded in the Register of Deeds Office for Milwaukee County on December 16, 2022, as Document No. 11306732 being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Recording Area

Name and Return Address  
 Creative Homes, Inc.  
 9244 W. Grandview Ct.  
 Franklin, WI 53132

792-9005-000

Parcel Identification Number (PIN)

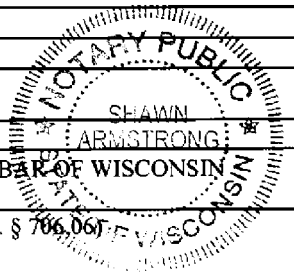
This is not \_\_\_\_\_ homestead property.  
 (is) (is not)

Dated June 21, 2024

Rick J. Przybyla (SEAL) Mary A. Przybyla (SEAL)  
 \*Rick J. Przybyla \*Mary A. Przybyla  
 \_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)  
 \* \_\_\_\_\_ \*

**AUTHENTICATION**

Signature(s) \_\_\_\_\_  
 authenticated on \_\_\_\_\_  
 \* \_\_\_\_\_  
 TITLE: MEMBER STATE BAR OF WISCONSIN  
 (If not, \_\_\_\_\_  
 authorized by Wis. Stat. § 706.06)



THIS INSTRUMENT DRAFTED BY:  
Rick J. Przybyla  
 \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF WISCONSIN )  
 ) ss.  
 WAUKESHA COUNTY )  
 Personally came before me on June 21, 2024,  
 the above-named Rick J. Przybyla and Mary A. Przybyla  
 \_\_\_\_\_  
 to me known to be the person(s) who executed the foregoing  
 instrument and acknowledged the same.  
Shawn Armstrong  
 \*Shawn Armstrong  
 Notary Public, State of Wisconsin  
 My Commission (is permanent) (expires: 07/17/2027) )

(Signatures may be authenticated or acknowledged. Both are not necessary.)

# Request for Land Subdivision Plat Review

Department of Administration

Plat Review – DOA  
 Mailing Address: PO Box 1645  
 Madison WI 53701  
 Phone: 608-266-3200  
 Email: [plat.review@wi.gov](mailto:plat.review@wi.gov)  
 Web: <https://doa.wi.gov/platreview>

**Online Submittal and Payment: Instead of this form go to <https://appengine.egov.com/apps/wi/DIR/PlatReview>**  
 Mailing a check adds about a week to the process.

Subdivision Name: Ridgewood Reserve	
<p style="text-align: center;"><b>Surveyor, Company &amp; Street Address:</b></p> <p>License #: 2461</p> <p>Name: <u>John P. Konopacki</u></p> <p>Company: <u>Pinnacle Engineering Group, LLC</u></p> <p>Street address: <u>20725 Watertown Road, Suite 100</u></p> <p>(no PO boxes): <u>Waukesha, WI 53186</u></p> <p>Phone: <u>262-754-8888</u></p> <p>Email: <u>john.konopacki@pinnacle-engr.com</u></p>	<p style="text-align: center;"><b>Surveyor's Seal</b></p>  <p style="text-align: center;">               Surveyor's Signature         </p> <p style="text-align: center;"> <u>5/9/2024</u>              Date         </p>

**Complete: 1-7 for FINAL Plats; 3-7 for PRELIMINARY Plats; 4 & 6 for ASSESSOR'S Plats; or 3-4 & 6 for CSMs**

I certify that, as the Wisc. Professional Land Surveyor responsible for the field survey & preparation of this plat:

1.  All monuments have been set per s. 236.15 (1), Wis. Stats.  
 OR  
 All exterior boundary monuments have been set, but the town, village or city has temporarily waived placing interior monuments per s. 236.15 (1)(h), Wis. Stats.

2. Preliminary plat name:

3. Subdivider's name, Creative Homes Inc and Rick & Mary Przybyla  
 and email: rickprzybyla@hotmail.com

4.  Email plat PDF (not scanned) and this form to [plat.review@wi.gov](mailto:plat.review@wi.gov). Number of sheets 1
5. Is this plat served by public sewer?  Yes  No
6.  Mail a check or money order covering the Department of Administration, Plat Review fee with this form.
7. DOT:  Not abutting a S.T.H., U.S.H. or I.H., OR  DOT form enclosed.

Surveyor's Receipt & Transmittal Record		Shaded Area for Office Use Only	
Date Received:	Date Time Limit Expires:	Preliminary	
Date Copies Sent:		Final	
DOT:	County:	Assessor	
By:	Plat Review Officer	CSM	

# Fee Schedule

A Guide for Calculating the Fee Required by Adm 49, Wis. Admin. Code

## PRELIMINARY PLAT

\$ <sup>125</sup> \$125 Filing Fee

\$ <sup>100</sup> \$100 Review Fee

\$ <sup>40</sup> Reprographics & Postage Fee - \$40/sheet x <sup>1</sup> sheets (required for all plats)

## FINAL PLAT

\$ <sup>125</sup> \$125 Filing Fee \*\*\*

\*\*\* (Required unless a preliminary plat has been previously submitted. Also required for subsequent additions or phases of a plat.)

\$ <sup>120</sup> Parcel Fee - \$30/parcel x <sup>1</sup> parcels (outlots + lots) (\$120 minimum) (required for all plats)

\$ <sup>40</sup> Reprographics & Postage Fee - \$40/sheet x <sup>1</sup> sheets (required for all plats)

## ASSESSOR'S PLAT

\$ <sup>125</sup> \$125 Filing Fee

\$ <sup>120</sup> Parcel Fee - \$30/parcel x <sup>1</sup> parcels (outlots + lots) (\$120 minimum) (required for all plats)

\$ <sup>40</sup> Reprographics & Postage Fee - \$40/sheet x <sup>1</sup> sheets (required for all plats)

## REVISED PLAT (not certified)

\$ <sup>120</sup> \$120 Review Fee

\$ <sup>30</sup> Reconfiguration Fee (add/remove lots/outlots or move streets)-\$30/parcel x <sup>1</sup> parcels

## RESUBMITTED PLAT (previously certified or withdrawn)

\$ <sup>120</sup> \$120 Review Fee. Includes 2 sheets, additional sheets \$40/sheet x <sup>1</sup> sheets

\$ <sup>30</sup> Reconfiguration Fee (add/remove lots/outlots or move streets)-\$30/parcel x <sup>1</sup> parcels

## MISC

\$ <sup>100</sup> \$100 Certified Survey Map

\$ <sup>50</sup> \$ 50 Written pre-submission consultation request.

\$ <sup>265</sup> **TOTAL FEE DUE**

Mail this form with check or money order, payable to: **Department of Administration**

**DON'T use staples or tape on the check.**

Shaded Area for Office Use Only

Date fee received: \_\_\_\_\_

Payer: \_\_\_\_\_ Check Number: \_\_\_\_\_

Check Date: \_\_\_\_\_

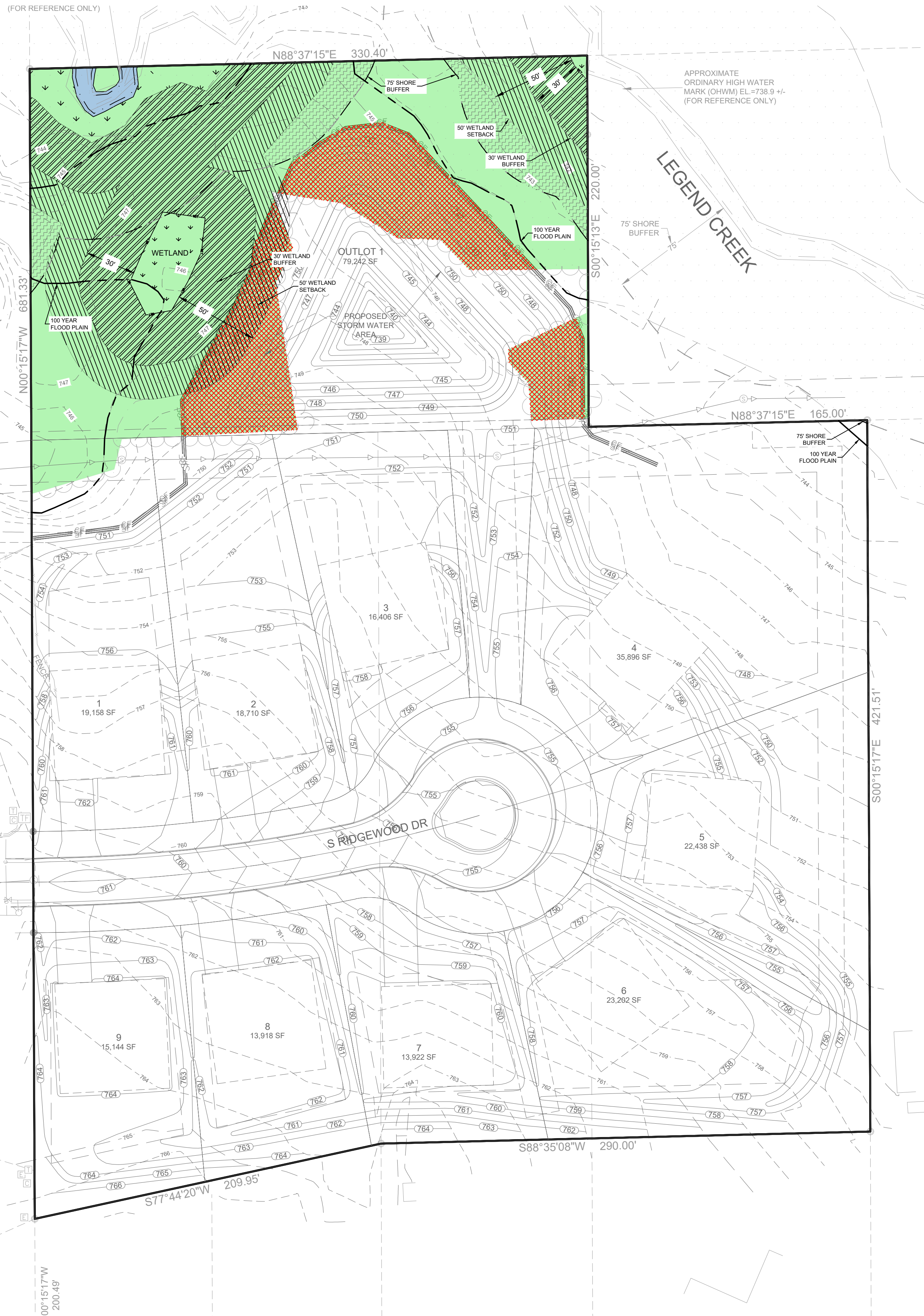
Amount: \_\_\_\_\_



# NATURAL RESOURCE FEATURE AREAS

RESOURCE TYPE	TOTAL AREA	NATURAL RESOURCE AREAS TO BE DISTURBED	NATURAL RESOURCE MITIGATION	RESOURCE TYPE	TOTAL AREA	NATURAL RESOURCE AREAS TO BE DISTURBED	NATURAL RESOURCE MITIGATION
STEEP SLOPES AREA - 10-19% SLOPES	N/A	N/A	N/A	STREAM	677 SF (0.01 AC)	N/A	N/A
STEEP SLOPES AREA - 20-30% SLOPES	N/A	N/A	N/A	YOUNG WOODLAND	N/A	N/A	N/A
PONDS	N/A	N/A	N/A	MATURE WOODLAND	55,283 SF (1.27 AC)	(0.28 AC)	MATURE WOODLAND DISTURBANCE ONSITE IS 22%. 70% OF THE MATURE WOODLANDS MUST BE PRESERVED ONSITE. 78% OF MATURE WOODLANDS ARE BEING PRESERVED.
WETLANDS	3,838 SF (0.09 AC)	N/A	N/A	SHORELAND BUFFER - 75' OFFSET	20,649 SF (0.47 AC)	N/A	N/A
WETLAND BUFFER - 30' OFFSET	14,785 SF (0.34 AC)	N/A	N/A	FLOODPLAIN	22,996 SF (0.53 AC)	N/A	N/A
WETLAND SETBACK - 50' OFFSET (EXCLUDES 30' OFFSET)	10,477 SF (0.24 AC)	DISPLAY ONLY	N/A	TOTAL LAND AREA CONTAINING NATURAL RESOURCE FEATURES	56,111 SF (1.28 AC)	N/A	N/A

-WETLANDS DELINEATED BY WETLAND AND WATERWAY CONSULTING, LLC (01/31/2022)



**PROPERTY LOCATION**  
 OUTLOT OF C.S.M. 3410, OUTLOT 1 OF C.S.M. NO. 9456, OUTLOT 1 OF C.S.M. NO. 9457, AND ADDITIONAL LANDS IN THE SE 1/4 OF THE SE 1/4 OF SEC 9, T5N, R21E, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

**OWNER**  
 CREATIVE HOMES INC. and RICK & MARY PRZYBYLA  
 9244 W GRANDVIEW CT.  
 FRANKLIN, WI 53132

**APPLICANT**  
 CREATIVE HOMES INC. and RICK & MARY PRZYBYLA  
 9244 W GRANDVIEW CT.  
 FRANKLIN, WI 53132

Z:\PROJECTS\2024\5407.00-W\CAD\EXHIBITS\5407.00 - NRPP EXHIBIT NO EXISTING TREES 05-06-24.DWG 5/16/2024 1:10 PM

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC. DESIGNED: ASZ, CHECKED: BR, REVISION: ASZ

### TRAFFIC CONTROL NOTES

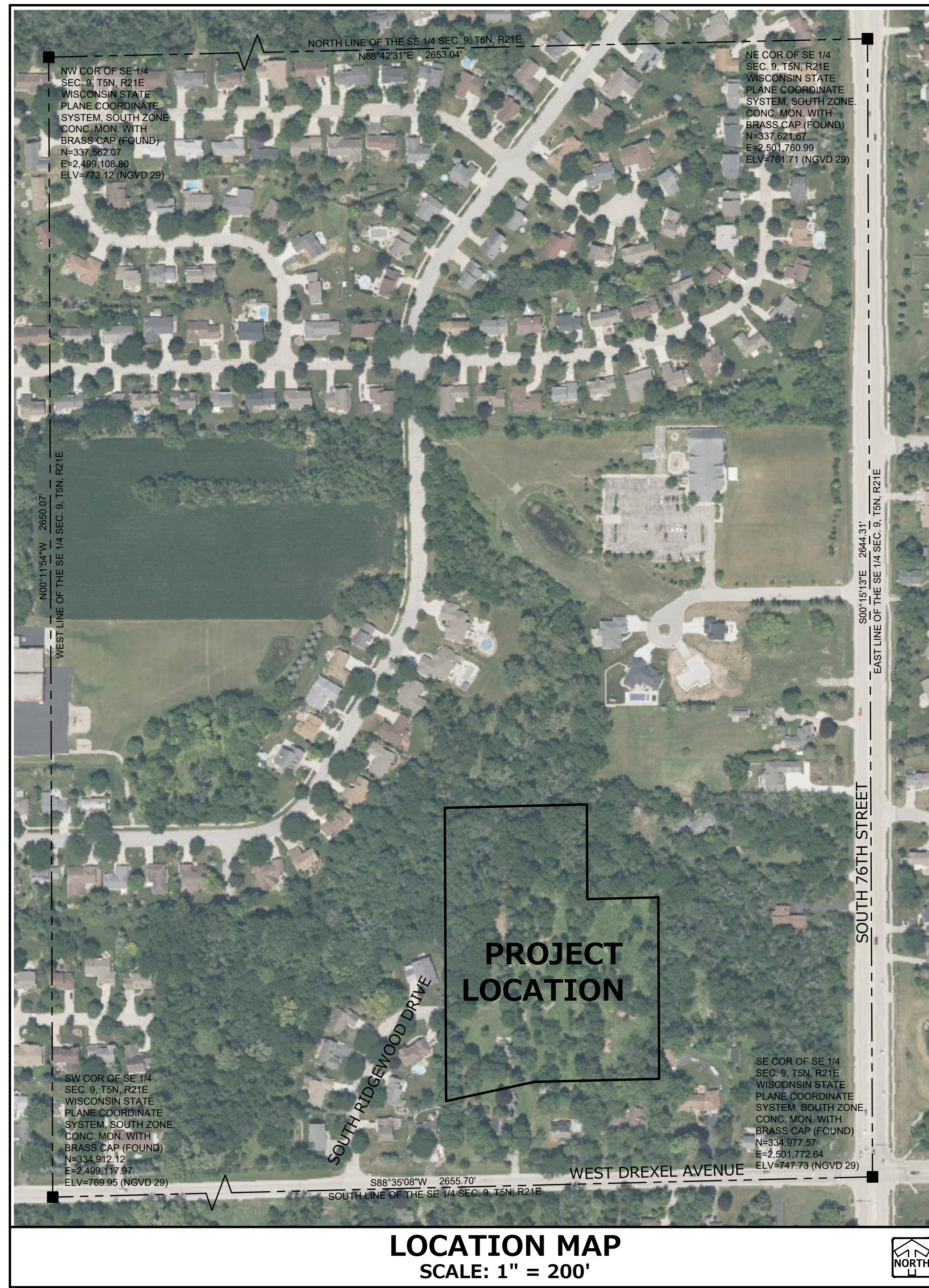
- CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL MEASURES IN ACCORDANCE WITH WISDOT STANDARD DETAIL DRAWINGS TO COMPLETE WORK ON WEST RYAN ROAD.
  - SDD 15C12 - 09a, FOR TRAFFIC CONTROL FOR LANE CLOSURE WITH FLAGGING OPERATION.
  - SDD 15D28 - 04, FOR ANY WORK ON THE ROADWAY SHOULDER.
- ANY LANE CLOSURE AND/OR FLAGGING OPERATION NEEDS TO BE APPROVED BY THE CITY OF FRANKLIN, WITH A MINIMUM 72-HOURS ADVANCED NOTICE.

### LEGEND

	EXISTING	PROPOSED
SANITARY SEWER MANHOLE	⊙	⊙
STORM SEWER MANHOLE	⊙	⊙
STORM SEWER CATCH BASIN (ROUND CASTING)	○	●
STORM SEWER CATCH BASIN (RECTANGULAR CASTING)	□	■
PRECAST FLARED END SECTION	□	■
VALVE BOX	⊞	⊞
FIRE HYDRANT	⊞	⊞
CLEANOUT	⊞	⊞
SANITARY SEWER	—	—
STORM SEWER	—	—
WATER MAIN	—	—
ELECTRICAL CABLE	—	—
GAS MAIN	—	—
TELEPHONE LINE	—	—
UTILITY CROSSING	—	—
LIGHTING	⊙	⊙
ELECTRICAL TRANSFORMER OR PEDESTAL	⊞	⊞
POWER POLE	⊞	⊞
POWER POLE WITH LIGHT	⊞	⊞
GUY WIRE	—	—
STREET SIGN	—	—
CONTOUR	—	—
SPOT ELEVATION	—	—
WETLANDS	—	—
FLOODWAY	—	—
FLOODPLAIN	—	—
HIGH WATER LEVEL (HWL)	—	—
NORMAL WATER LEVEL (NWL)	—	—
DIRECTION OF SURFACE FLOW	—	—
DITCH OR SWALE	—	—
DIVERSION SWALE	—	—
OVERFLOW RELIEF ROUTING	—	—
TREE WITH TRUNK SIZE	—	—
SOIL BORING	—	—
TOPSOIL PROBE	—	—
FENCE LINE, TEMPORARY SILT	—	—
FENCE LINE, WIRE	—	—
FENCE LINE, CHAIN LINK OR IRON	—	—
FENCE LINE, WOOD OR PLASTIC	—	—
CONCRETE SIDEWALK	—	—
CURB AND GUTTER	—	—
DEPRESSED CURB	—	—
REVERSE PITCH CURB & GUTTER	—	—
EASEMENT LINE	—	—

### ABBREVIATIONS

BL	BASE LINE	MH	MANHOLE
BP	BOTTOM OF PIPE	NWL	NORMAL WATER LEVEL
C	LONG CHORD OF CURVE	PC	POINT OF CURVATURE
C & G	CURB AND GUTTER	PT	POINT OF TANGENCY
CB	CATCH BASIN	PVI	POINT OF VERTICAL INTERSECTION
CL	CENTERLINE	R	RADIUS
CD	DEGREE OF CURVE	ROW	RIGHT-OF-WAY
EP	EDGE OF PAVEMENT	SAN	SANITARY SEWER
FF	FINISHED FLOOR	ST	STORM SEWER
FG	FINISHED GRADE	T	TANGENCY OF CURVE
FL	FLOW LINE	TB	TOP OF BANK
FP	FLOODPLAIN	TC	TOP OF CURB
FR	FRAME	TF	TOP OF FOUNDATION
FW	FLOODWAY	TP	TOP OF PIPE
FYG	FINISHED YARD GRADE	TS	TOP OF SIDEWALK
HWL	HIGH WATER LEVEL	TW	TOP OF FOUNDATION WALL
INV	INVERT	WM	WATER MAIN
L	LENGTH OF CURVE	Δ	INTERSECTION ANGLE



### GENERAL NOTES

- THE INTENTION OF THE PLANS AND SPECIFICATIONS IS TO SET FORTH PERFORMANCE AND CONSTRUCTION MATERIAL STANDARDS FOR THE PROPER EXECUTION OF WORK. ALL WORKS CONTAINED WITHIN THE PLANS AND SPECIFICATIONS SHALL BE COMPLETED IN ACCORDANCE WITH ALL REQUIREMENTS FROM LOCAL, STATE, FEDERAL OR OTHER GOVERNING AGENCY'S LAWS, REGULATIONS, JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., AND THE OWNER'S DIRECTION.
- THE CONTRACTOR IS RESPONSIBLE TO REVIEW AND UNDERSTAND ALL COMPONENTS OF THE PLANS AND SPECIFICATIONS, INCLUDING FIELD VERIFYING SOIL CONDITIONS, PRIOR TO SUBMISSION OF A BID PROPOSAL.
- THE CONTRACTOR SHALL PROMPTLY REPORT ANY ERRORS OR AMBIGUITIES LEARNED AS PART OF THEIR REVIEW OF PLANS, SPECIFICATIONS, REPORTS AND FIELD INVESTIGATIONS.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE COMPUTATION OF QUANTITIES AND WORK REQUIRED TO COMPLETE THIS PROJECT. THE CONTRACTOR'S BID SHALL BE BASED ON ITS OWN COMPUTATIONS AND IN NO SUCH INSTANCE RELY ON THE ENGINEER'S ESTIMATE.
- QUESTIONS/CLARIFICATIONS WILL BE INTERPRETED BY ENGINEER/OWNER PRIOR TO THE AWARD OF CONTRACT. ENGINEER/OWNER WILL SUBMIT OFFICIAL RESPONSES IN WRITING. INTERPRETATIONS PRESENTED IN OFFICIAL RESPONSES SHALL BE BINDING ON ALL PARTIES ASSOCIATED WITH THE CONTRACT. IN NO WAY SHALL WORD-OF-MOUTH DIALOG CONSTITUTE AN OFFICIAL RESPONSE.
- PRIOR TO START OF WORK, CONTRACTOR SHALL BE COMPLETELY FAMILIAR WITH ALL CONDITIONS OF THE SITE, AND SHALL ACCOUNT FOR CONDITIONS THAT AFFECT, OR MAY AFFECT CONSTRUCTION INCLUDING, BUT NOT LIMITED TO, LIMITATIONS OF WORK ACCESS, SPACE LIMITATIONS, OVERHEAD OBSTRUCTIONS, TRAFFIC PATTERNS, LOCAL REQUIREMENTS, ADJACENT ACTIVITIES, ETC. FAILURE TO CONSIDER SITE CONDITIONS SHALL NOT BE CAUSE FOR CLAIM OF JOB EXTRAS.
- COMMENCEMENT OF CONSTRUCTION SHALL EXPLICITLY CONFIRM THAT THE CONTRACTOR HAS REVIEWED THE PLANS AND SPECIFICATIONS IN ENTIRETY AND CERTIFIES THAT THEIR SUBMITTED BID PROPOSAL CONTAINS PROVISIONS TO COMPLETE THE PROJECT, WITH THE EXCEPTION OF UNFORESEEN FIELD CONDITIONS; ALL APPLICABLE PERMITS HAVE BEEN OBTAINED; AND CONTRACTOR UNDERSTANDS ALL OF THE REQUIREMENTS OF THE PROJECT.
- SHOULD ANY DISCREPANCIES OR CONFLICTS IN THE PLANS OR SPECIFICATIONS BE DISCOVERED AFTER THE AWARD OF CONTRACT, ENGINEER SHALL BE NOTIFIED IN WRITING IMMEDIATELY AND CONSTRUCTION OF ITEMS AFFECTED BY THE DISCREPANCIES/CONFLICTS SHALL NOT COMMENCE, OR CONTINUE, UNTIL A WRITTEN RESPONSE FROM ENGINEER/OWNER IS DISTRIBUTED. IN THE EVENT OF A CONFLICT BETWEEN REFERENCED CODES, STANDARDS, SPECIFICATIONS AND PLANS, THE ONE ESTABLISHING THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.
- THE CONTRACTOR SHALL, AT ITS OWN EXPENSE, OBTAIN ALL NECESSARY PERMITS AND LICENSES TO COMPLETE THE PROJECT. OBTAINING PERMITS, OR DELAYS, IS NOT CAUSE FOR DELAY OF THE CONTRACT OR SCHEDULE. CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS.
- THE CONTRACTOR SHALL NOTIFY ALL INTERESTED GOVERNING AGENCIES, UTILITY COMPANIES AFFECTED BY THIS CONSTRUCTION PROJECT, AND DIGGERS' HOTLINE IN ADVANCE OF CONSTRUCTION TO COMPLY WITH ALL JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., PERMIT STIPULATIONS, AND OTHER APPLICABLE STANDARDS.
- SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE TO INITIATE, INSTITUTE, ENFORCE, MAINTAIN, AND SUPERVISE ALL SAFETY PRECAUTIONS AND JOB SITE SAFETY PROGRAMS IN CONNECTION WITH THE WORK.
- CONTRACTOR SHALL KEEP THE JOBSITE CLEAN AND ORDERLY AT ALL TIMES. ALL LOCATIONS OF THE SITE SHALL BE KEPT IN A WORKING MANNER SUCH THAT DEBRIS IS REMOVED CONTINUOUSLY AND ALL RESPECTIVE CONTRACTORS OPERATE UNDER GENERAL "GOOD HOUSEKEEPING."
- THE CONTRACTOR SHALL INDEMNIFY THE OWNER, ENGINEER, AND THEIR AGENTS FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION, INSTALLATION, AND TESTING OF THE WORK ON THIS PROJECT.

## ENGINEERING IMPROVEMENT PLANS

FOR

# RIDGEWOOD RESERVE

CITY OF FRANKLIN, WI  
PLANS PREPARED FOR  
**CREATIVE HOMES INC AND  
RICK & MARY PRZYBYLA**

9244 W. GRANDVIEW CT.  
FRANKLIN, WI 53132  
PHONE: 414-529-0958

### INDEX OF SHEETS

C-1	COVER SHEET
C-2	MASTER GRADING PLAN
C-3	PLAN & PROFILE
L-1	STREET TREE PLAN

### CIVIL ENGINEERING CONTACTS

ANTHONY S. ZANON, P.E.  
20725 WATERTOWN ROAD, SUITE 100  
BROOKFIELD, WI 53186  
(262) 754-8888



Toll Free (800) 242-8511  
Milwaukee Area (414) 259-1181  
Hearing Impaired TDD (800) 542-2289  
www.DiggersHotline.com

EXPIRATION DATE: JULY 31st, 2024

PINNACLE ENGINEERING GROUP, LLC  
ENGINEER'S LIMITATION

PINNACLE ENGINEERING GROUP, LLC AND THEIR CONSULTANTS DO NOT WARRANT OR GUARANTEE THE ACCURACY AND COMPLETENESS OF THE DELIVERABLES HEREIN BEYOND A REASONABLE DILIGENCE. IF ANY MISTAKES, OMISSIONS, OR DISCREPANCIES ARE FOUND TO EXIST WITHIN THE DELIVERABLES, THE ENGINEER SHALL BE PROMPTLY NOTIFIED PRIOR TO BID SO THAT HE MAY HAVE THE OPPORTUNITY TO TAKE WHATEVER STEPS NECESSARY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ENGINEER OF SUCH CONDITIONS SHALL ABSOLVE THE ENGINEER FROM ANY RESPONSIBILITY FOR THE CONSEQUENCES OF SUCH FAILURE. ACTIONS TAKEN WITHOUT THE KNOWLEDGE AND CONSENT TO THE ENGINEER, OR IN CONTRADICTION TO THE ENGINEER'S DELIVERABLES OR RECOMMENDATIONS, SHALL BECOME THE RESPONSIBILITY NOT OF THE ENGINEER BUT OF THE PARTIES RESPONSIBLE FOR TAKING SUCH ACTION.

FURTHERMORE, PINNACLE ENGINEERING GROUP, LLC IS NOT RESPONSIBLE FOR CONSTRUCTION SAFETY OR THE MEANS AND METHODS OF CONSTRUCTION.

PLAN | DESIGN | DELIVER  
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BROOKFIELD, WI 53186  
(262) 754-8888  
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## RIDGEWOOD RESERVE

CITY OF FRANKLIN, MILWAUKEE CO., WISCONSIN

COVER SHEET

### REVISIONS

NO.	DATE	DESCRIPTION

PEG JOB NO: 2024-00-WI-01  
ASZ  
START DATE: 05-09-24  
SCALE: N/A

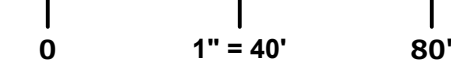
SHEET  
C-1  
C-3

**PINNACLE ENGINEERING GROUP**  
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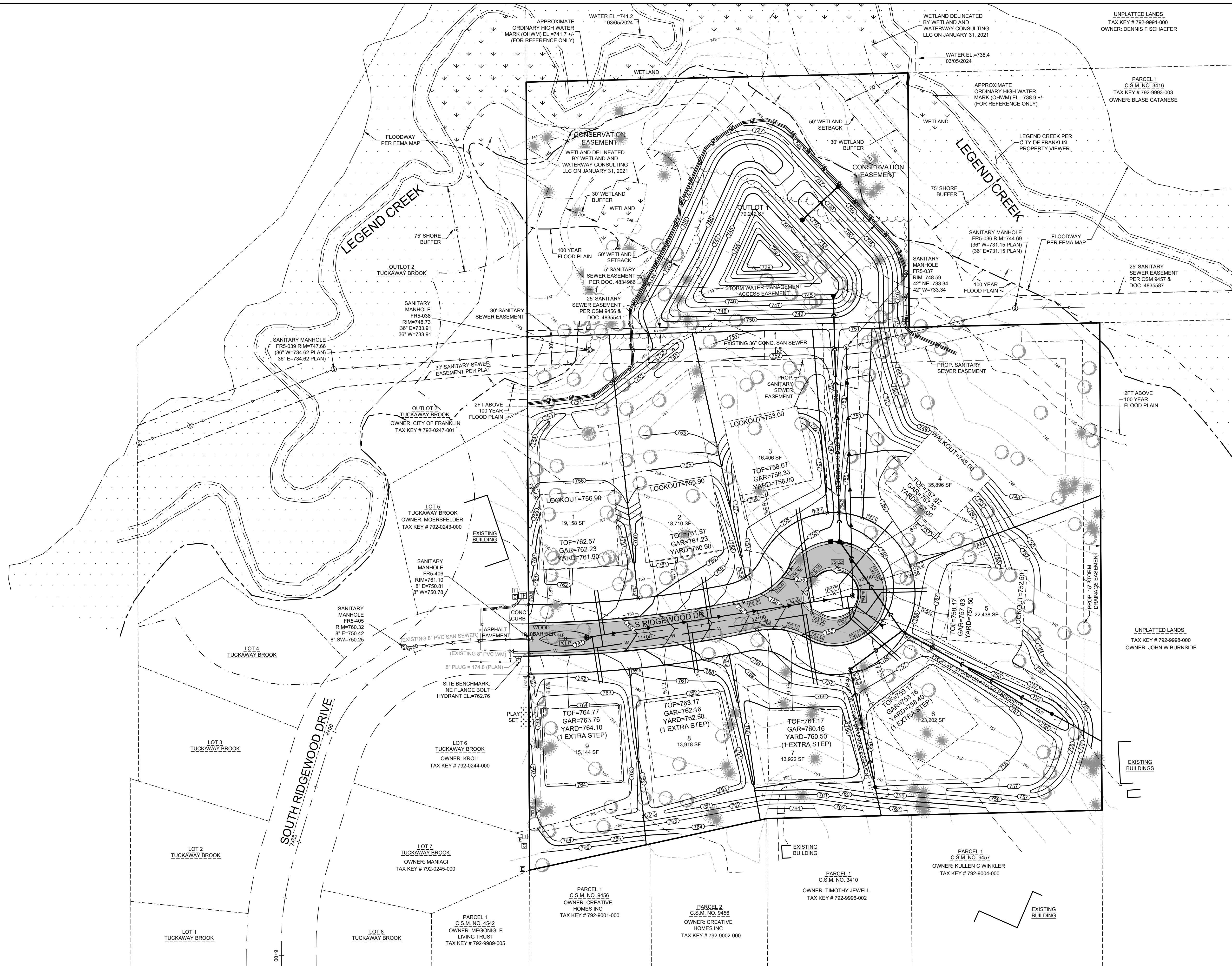
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GRAPHICAL SCALE (FEET)



Coordinates referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1983/2011)  
Bearings referenced to the south line of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East which has a bearing of S89°35'06"W.



PROJECT ENGINEER/SURVEYOR:  
ANTHONY S. ZANON, P.E.  
JOHN P. KONOPACKI, P.L.S.  
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(262) 754-8888  
tony.zanon@pinnacle-engr.com

OWNER/DEVELOPER:  
CREATIVE HOMES INC. and  
RICK & MARY PRZYBYLA  
9244 W. GRANDVIEW CT.  
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(414) 529-0958  
(415) rickprzybyla@hotmail.com

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# RIDGEWOOD RESERVE

OUTLOT A OF C.S.M. 3410, OUTLOT 1 OF C.S.M. NO. 9456, OUTLOT 1 OF C.S.M. NO. 9457, AND ADDITIONAL LANDS IN THE SE 1/4 OF THE SE 1/4 OF SEC. 9, T5N, R21E, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

## MASTER GRADING PLAN

### REVISIONS

NO.	DATE	DESCRIPTION

PEC JOB NO: 5407.00-WI  
REV. NO.: 01  
REV. DATE: 05-09-24  
SCALE: 1" = 40'

SHEET  
C-2  
C-3

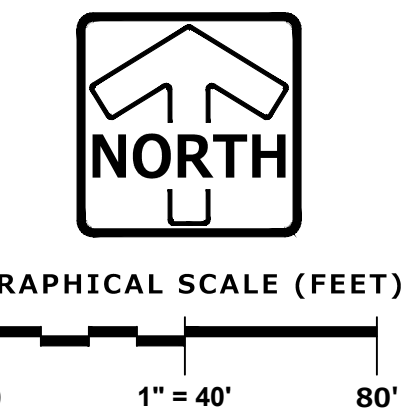
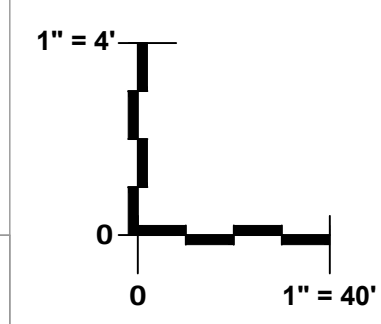
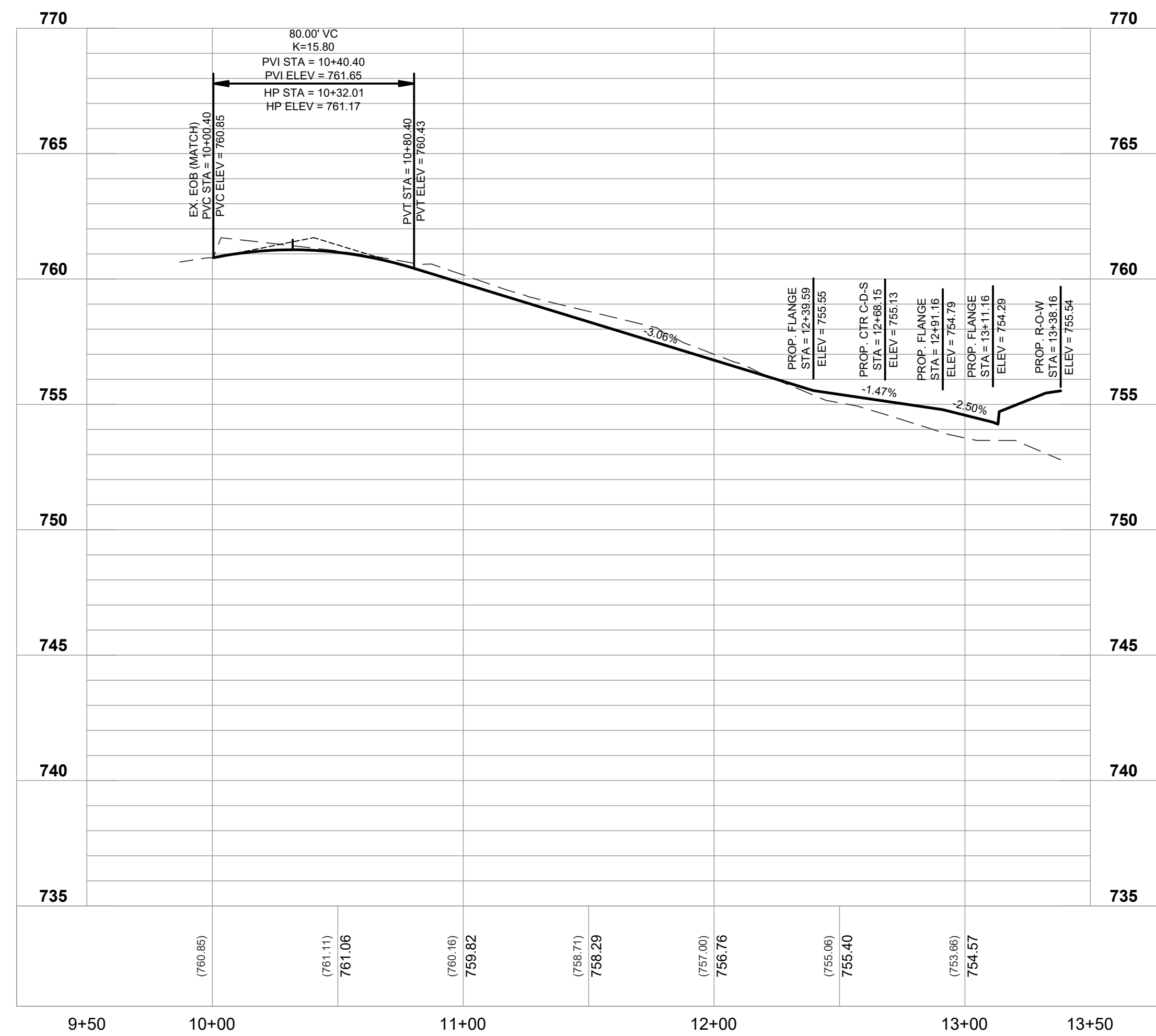
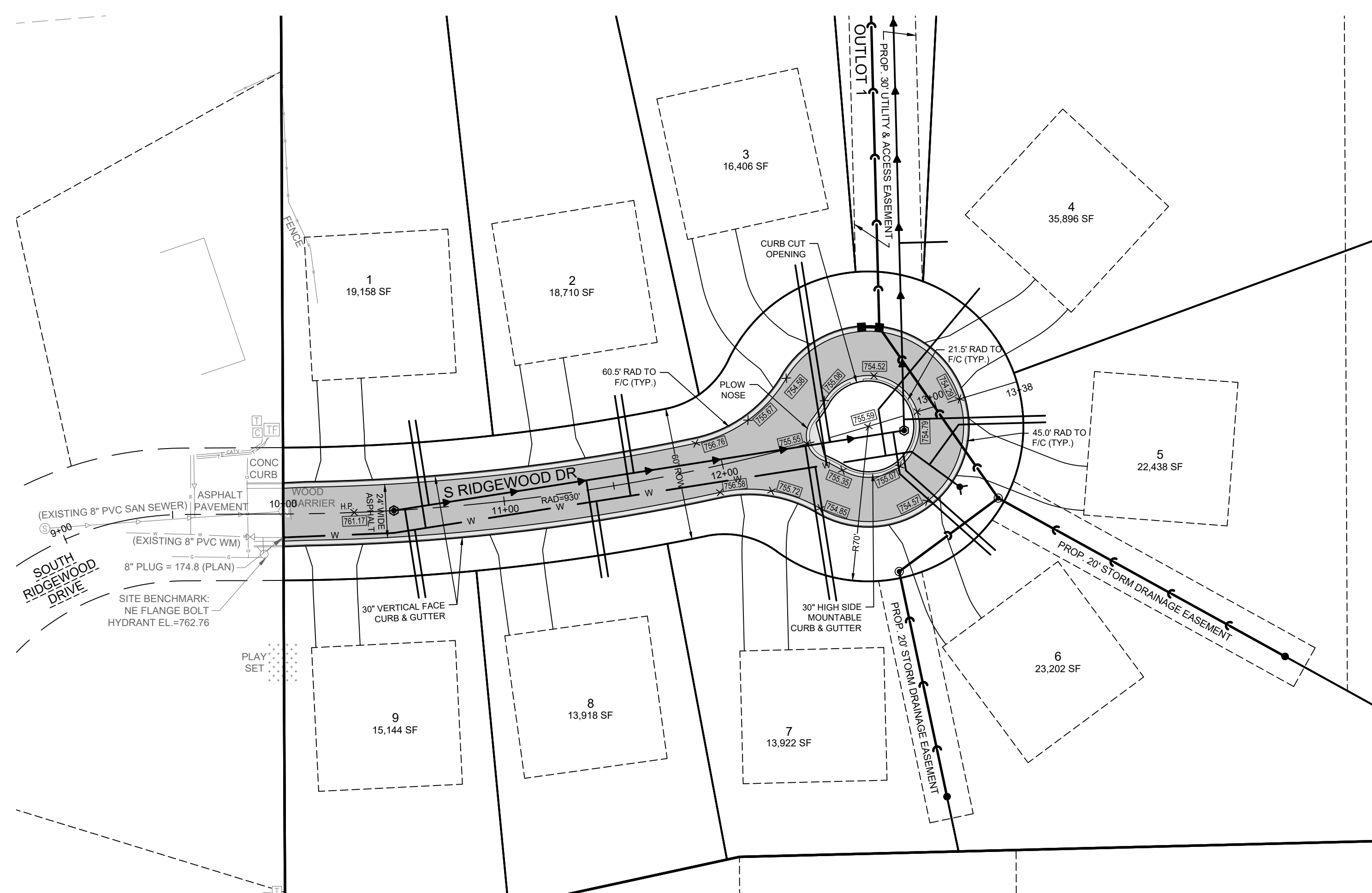
MASTER GRADING PLAN

PRELIMINARY

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DESIGNED: ASZ  
REVIEWED: ASZ  
DRAFTED: BR



**NOTE:** The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer and/or Surveyor does not guarantee their exact location or the location of others not shown.  
Contact Diggers Hotline, Inc., Etc.

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**TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN**

**WIS STATUTE 100.02(3)(a) REQUIRE YOU TO WORK SAFE NOTICE BEFORE YOU EXCAVATE**  
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**RIDGEWOOD RESERVE**  
CITY OF FRANKLIN, MILWAUKEE CO., WISCONSIN

**PLAN & PROFILE**

REVISIONS	

REG. JOB NO: 5407.00-WI  
REG. PM: ASZ  
START DATE: 05-09-24  
SCALE: 1" = 40'

**SHEET C-3**  
**C-3**

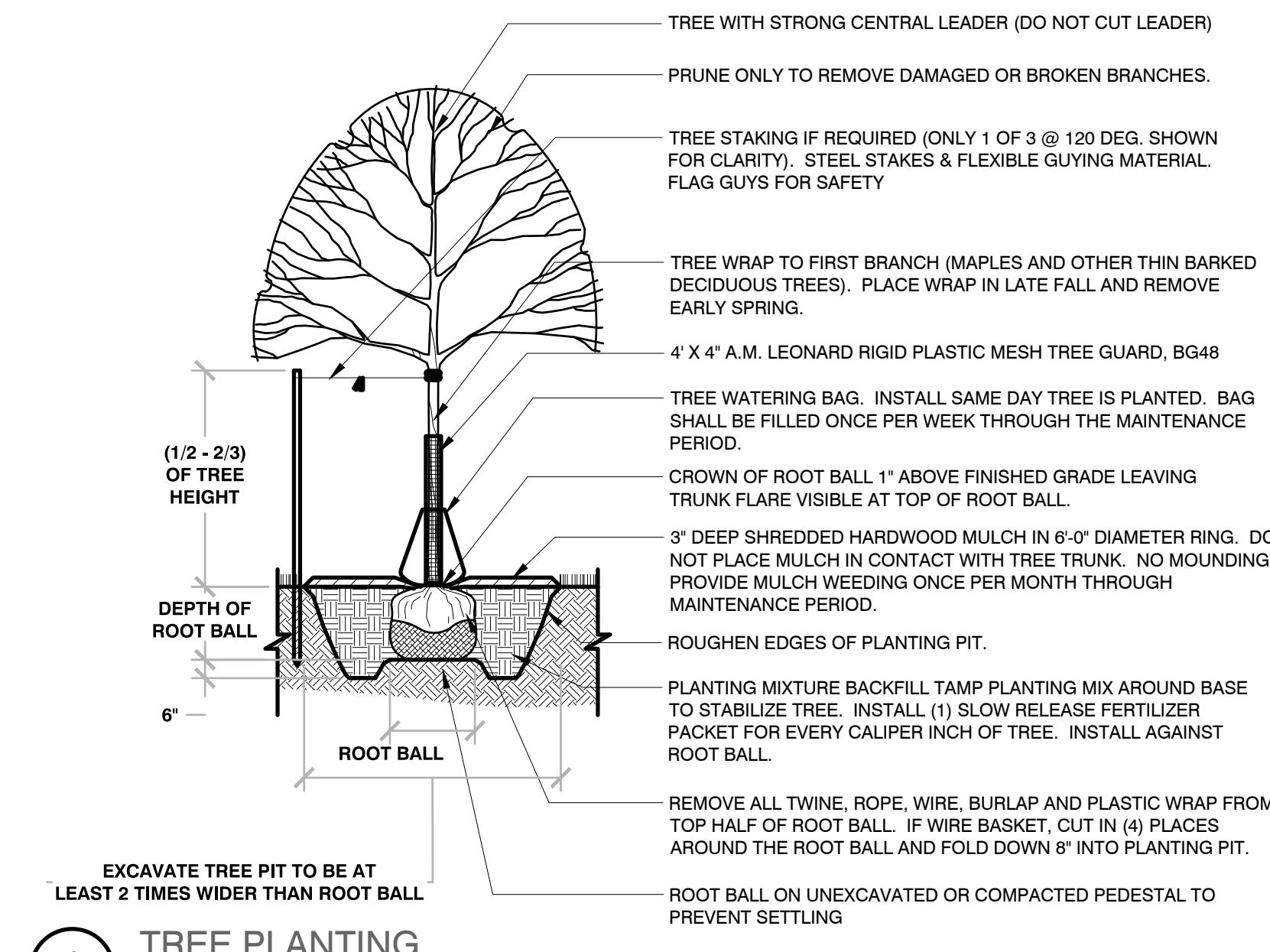
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PLAN & PROFILE  
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**GENERAL PLANTING NOTES**

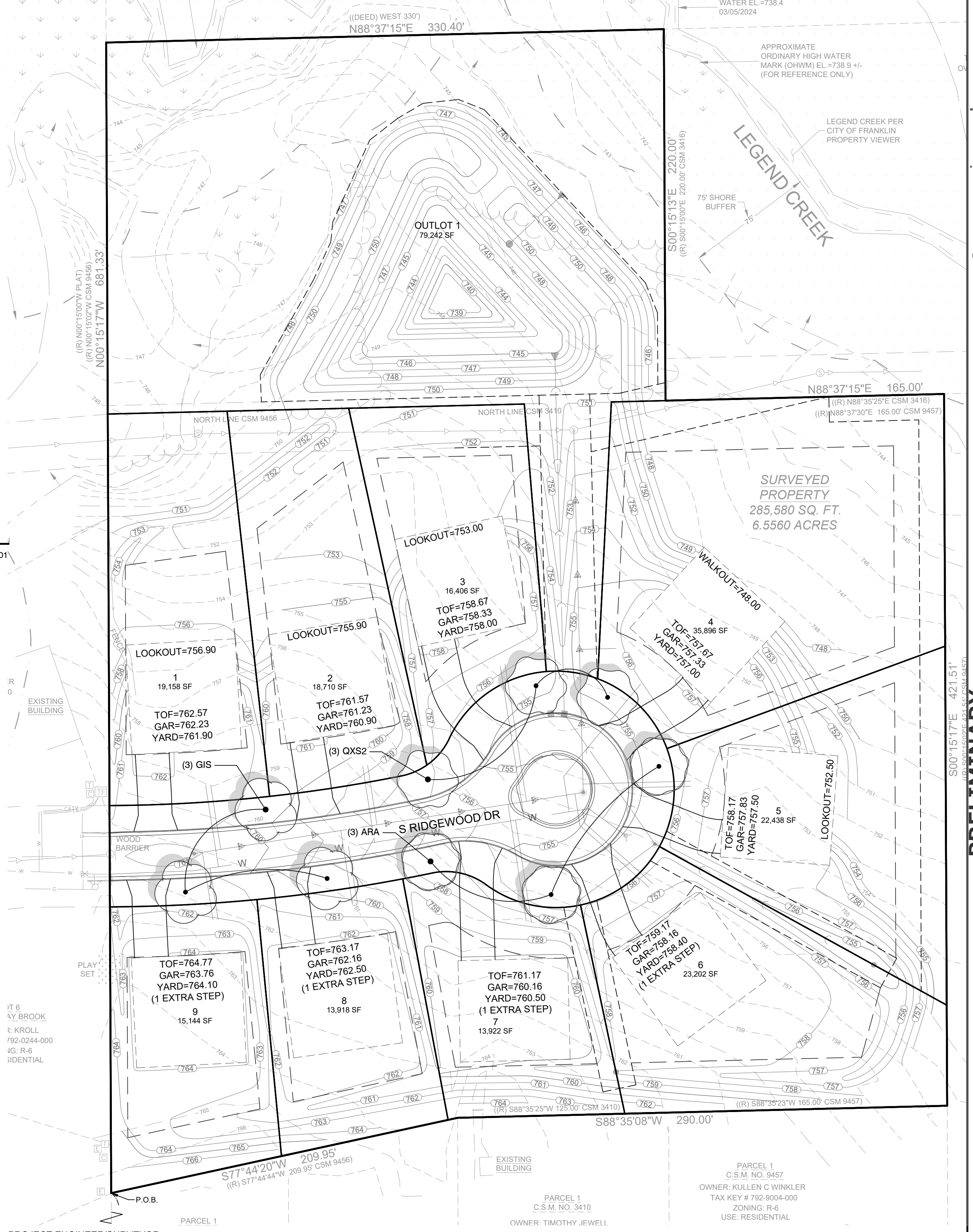
- THE LAYOUT OF INDIVIDUAL TREES SHALL BE STAKED BY THE CONTRACTOR IN ADVANCE OF INSTALLATION. FLAGGING, STAKES, OR PAINT MAY BE USED TO DELINEATE LOCATIONS AS SCALED FROM THE PLANS. AN APPROVED REPRESENTATIVE WILL REVIEW THESE LOCATIONS WITH THE CONTRACTOR AND MAKE MINOR ADJUSTMENTS AS NECESSARY.
- THE CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING THE PLANT MATERIAL QUANTITIES REQUIRED BY THE LANDSCAPE PLANS. REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.
- NO PLANT MATERIAL OR PLANT SIZE SUBSTITUTIONS WILL BE ACCEPTED WITHOUT APPROVAL BY THE LANDSCAPE ARCHITECT. ANY CHANGES SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT IN WRITING PRIOR TO INSTALLATION.
- ALL BNB STOCK SHALL BE NURSERY GROWN IN A CLAY LOAM SOIL FOR A MINIMUM OF THREE GROWING SEASONS WITHIN 200 MILES OF PROJECT LOCATION, IN A ZONE COMPATIBLE WITH USDA HARDINESS ZONE 5A. EXISTING SOIL SHALL BE AMENDED PER SOIL ANALYSIS REPORT TO ENSURE A PROPER GROWING MEDIUM IS ACHIEVED.
- ALL PLANT MATERIAL SHALL COMPLY WITH STANDARDS DESCRIBED IN AMERICAN STANDARD OF NURSERY STOCK - Z60.1 ANSI. LANDSCAPE ARCHITECT OR OWNERS AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO INSPECT AND POTENTIALLY REJECT ANY PLANT MATERIAL DEEMED TO NOT MEET THE REQUIRED STANDARDS.
- ALL STOCK SHALL BE FREE OF DISEASES AND HARMFUL INSECTS, DAMAGE, DISORDERS AND DEFORMITIES.
- TREES SHALL HAVE SINGLE, STRAIGHT TRUNKS AND WELL BALANCED BRANCH SYSTEMS. MULTI-STEM TREES SHALL HAVE 3-4 STRAIGHT TRUNKS AND WELL BALANCED BRANCH SYSTEMS. HEIGHT-TO-CALIPER RATIOS SHALL BE CONSISTENT WITH THE LATEST EDITION OF ANSI Z60.1.
- ROOT SYSTEMS SHALL BE LARGE ENOUGH TO ALLOW FOR FULL RECOVERY OF THE TREE, AND SHALL CONFORM TO STANDARDS AS THEY APPEAR IN THE MOST CURRENT REVISION OF THE AMERICAN ASSOCIATION OF NURSERYMEN'S AMERICAN STANDARD OF NURSERY STOCK ANSI Z60.1.
- BNB TREES SHALL BE DUG WITH A BALL OF SOIL, NOT SOFT BALLED OR POTTED AND SHALL BE FIRM IN THEIR ROOTBALL. ROOT BALL SHALL BE WRAPPED (WITH BIODEGRADABLE MATERIAL). THE TREE ROOT FLARE, OR COLLAR, SHALL BE AT OR WITHIN THE TOP THREE INCHES OF GRADE.
- ALL SPRING TREES MUST BE FRESHLY DUG IN THE MOST RECENT SPRING.
- ALL AUTUMN TREES MUST BE FRESHLY DUG IN THE MOST RECENT AUTUMN.
- TREES SHALL BE ALIVE, HEALTHY AND APPROPRIATELY MOIST, AT TIME OF DELIVERY. TREES SHALL BE SUBJECT TO INSPECTION FOR CONFORMITY TO SPECIFICATION REQUIREMENTS AND APPROVAL BY THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE. THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY TREES THAT DO NOT MEET THE SPECIFICATIONS OR THAT HAVE BEEN DAMAGED DURING SHIPMENT. THE LANDSCAPE INSTALLER MUST RECEIVE APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY SUBSTITUTIONS OR ALTERATIONS.
- ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH PLANTING DETAILS.
- WHILE PLANTING TREES, BACKFILL  $\frac{2}{3}$  OF PLANTING HOLE AND WATER TREE THOROUGHLY BEFORE INSTALLING THE REMAINDER OF SOIL MIXTURE. AFTER ALL SOIL HAS BEEN PLACED INTO THE PLANTING HOLE WATER THOROUGHLY AGAIN.
- THE CONTRACTOR MUST LABEL ALL TREES WITH THE COMMON AND BOTANICAL NAMES PRIOR TO FINAL INSPECTION.
- OAK TREES SHALL BE TREATED FOR TWO-LINE CHESTNUT BORER BOTH AT THE TIME OF INSTALLATION AND DURING THE SECOND GROWING SEASON.
- ALL TREES PLANTED IN TURF AREAS SHALL RECEIVE A 3" DEEP SHREDDED HARDWOOD MULCHED RING AS SHOWN IN PLANTING DETAILS.
- ALL TREE RINGS SHALL HAVE A 4" DEEP TRENCHED BED EDGE CREATED BY EITHER A FLAT LANDSCAPE SPADE OR MECHANICAL EDGER. BED EDGES ARE TO BE CUT CLEAN AND SMOOTH AS SHOWN ON LANDSCAPE PLANS WITH A CLEAN DEFINITION BETWEEN TURF AND PLANTING AREAS.
- ALL FINISH GRADING AND LAWN AREAS TO BE INSTALLED BY LANDSCAPE CONTRACTOR.
- ALL DISTURBED AREAS WITHIN THE PROJECT SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
- ALL DISTURBED AREAS OUTSIDE THE LIMITS OF WORK SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION AT NO ADDITIONAL COST TO THE OWNER.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, INCLUDING ANY IRRIGATION LINES, PRIOR TO DIGGING. CONSULT DIGGERS HOTLINE.
- TREES SHALL BE INSTALLED NO CLOSER THAN:
  - 10 FEET FROM ANY FIRE HYDRANT
  - 7 FEET FROM STORM SEWER, SANITARY SEWER LATERALS, DRIVEWAYS, AND WATER SERVICE
- THE CONTRACTOR SHALL ENSURE THAT SOIL CONDITIONS AND COMPACTION ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AROUND THE CONSTRUCTION SITE. UNDESIRABLE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF WORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER SURFACE AND SUBSURFACE DRAINAGE IN ALL AREAS
- THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, FEES, AND LICENSES NECESSARY FOR THE INSTALLATION OF THIS PLAN.
- THE CONTRACTOR IS TO REVIEW ALL SITE ENGINEERING DOCUMENTS PRIOR TO INSTALLATION. ANY CONFLICTS MUST BE REPORTED TO THE LANDSCAPE ARCHITECT. THESE LANDSCAPE DRAWINGS ARE FOR THE INSTALLATION OF PLANT MATERIALS ONLY UNLESS OTHERWISE STATED.
- THE CONTRACTOR SHALL PROVIDE WATERING AND MAINTENANCE SERVICES FOR A PERIOD OF 60 DAYS TO ENSURE VEGETATIVE ESTABLISHMENT. UPON COMPLETION OF THE PROJECT, CONTRACTOR SHALL SUPPLY THE OWNER IN WRITING WITH ONGOING WATERING AND MAINTENANCE INSTRUCTIONS.
- PLANT MATERIALS SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR FROM TIME OF OWNER ACCEPTANCE. ONLY ONE REPLACEMENT PER PLANT WILL BE REQUIRED DURING THE WARRANTY PERIOD EXCEPT IN THE EVENT OF FAILURE TO COMPLY WITH THE SPECIFIED REQUIREMENTS.
- THE CONTRACTOR IS RESPONSIBLE TO CONDUCT A FINAL WALK THROUGH WITH THE LANDSCAPE ARCHITECT AND OR OWNERS REPRESENTATIVE TO ANSWER QUESTIONS, PROVIDE INSTRUCTIONS, AND ENSURE THAT PROJECT REQUIREMENTS HAVE BEEN MET.

**SOIL PLACEMENT NOTES**

- THOROUGHLY BLEND PLANTING SOIL MIX FOR PLANTING BED AREAS. (1 PART EXISTING SOIL, 1 PART TOPSOIL, 1 PART ORGANIC SOIL AMENDMENT, 2.9 POUNDS PER CUBIC YARD OF 4-4-4 ANALYSIS SLOW-RELEASE FERTILIZER)
- TREE HOLES SHALL BE FILLED WITH A PREPARED PLANTING MIXTURE OF 1 PART TOPSOIL, 2 PARTS PLANTING SOIL MIX.

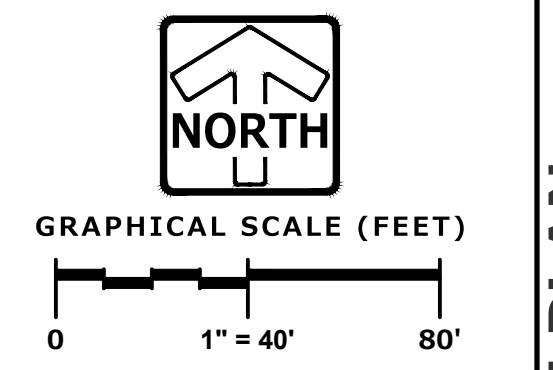


PLANT SCHEDULE				
SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
<b>TREES</b>				
	ARA	3	Acer rubrum 'Autumn Flame' Autumn Flame Maple 50' T x 40' W	2' Cal.
	GIS	3	Gloditsia triacanthos inermis 'Skycoke' Skyline Thornless Honey Locust 45' T x 35' W	2' Cal.
	QXS2	3	Quercus x schuetti Swamp Bur Oak 70' T x 65' W	2' Cal.



**PROJECT ENGINEER/SURVEYOR:**  
ANTHONY S. ZANON, P.E.  
JOHN P. KONOPACKI, P.L.S.  
PINNACLE ENGINEERING GROUP  
20725 WATERTOWN ROAD, SUITE 100  
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tony.zanon@pinnacle-engr.com

**OWNER/DEVELOPER:**  
CREATIVE HOMES INC. and  
RICK & MARY PRZYBYLA  
9244 W. GRANDVIEW CT.  
FRANKLIN, WI. 5132  
(414) 529-0958  
(415) rickprzybyla@hotmail.com



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**RIDGEWOOD RESERVE**  
OUTLOT A OF C.S.M. 3410, OUTLOT 1 OF C.S.M. NO. 9456, OUTLOT 1 OF C.S.M. NO. 9457,  
AND ADDITIONAL LANDS IN THE SE 1/4 OF THE SE 1/4 OF SEC. 9, T5N, R21E, CITY OF  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

**STREET TREE PLAN**

**REVISIONS**

NO.	DATE	DESCRIPTION

REG. JOB NO. 5407.00-WI  
REG. PM. ASZ  
START DATE: 05-09-24  
SCALE: 1" = 40'

SHEET  
[-1]  
[-1]

LEGAL DESCRIPTION:

Outlot 1 of Certified Survey Map No. 9456, as recorded in the Register of Deeds office for Milwaukee County as Document No. 11306731, being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin.

Outlot 1 of Certified Survey Map No. 9457, as recorded in the Register of Deeds office for Milwaukee County as Document No. 11306732, being all that part of the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin.

GENERAL NOTES:

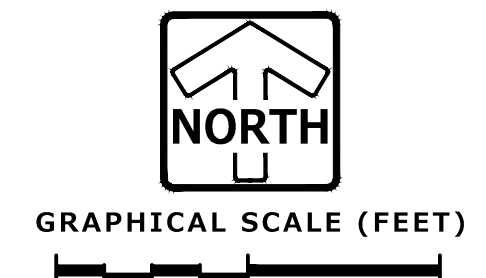
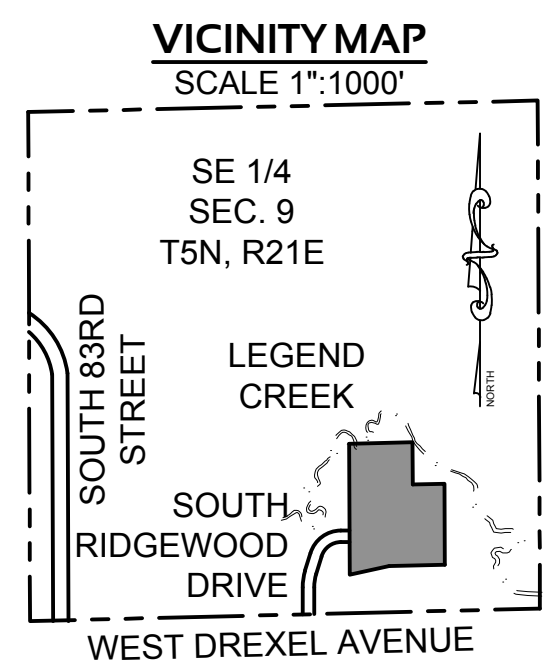
- 1. Survey prepared for: CREATIVE HOMES INC. - RICK PRZYBYLA
2. Field work completed on FEBRUARY 19, 2024
3. Existing improvements graphically shown on this survey are based on surveyed locations by Horizon Land Development Services, LLC.

SITE INFORMATION:

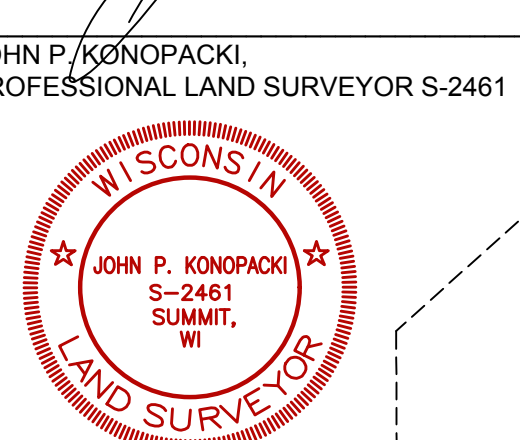
PROPERTY IS ZONED R-6 (SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT) AND FW (FLOODWAY DISTRICT).
R-6 CONVENTIONAL REQUIREMENTS:
GROSS & NET DENSITY = 2.972
MINIMUM LOT AREA = 11,000 SQUARE FEET

LEGEND OF SYMBOLS & ABBREVIATIONS:

Table with 4 columns: Symbol, Description, Symbol, Description. Includes symbols for manholes, storm inlets, cleanouts, catch basins, laterals, transformers, unknown manholes, wells, hydrants, water valves, down spouts, sprinkler valves, water shut off, standpipes, water manholes, flood lights, light poles, traffic signal poles, utility poles, guy wires, sanitary sewer, storm sewer, water main, fiber optic line, telephone line, electric line, overhead wires, cable television, gas main, wetlands, tree line, and no access.



I, John P. Konopacki, Professional Land Surveyor, hereby certify that this plat is correct to the best of my knowledge and belief with the information provided and complies with requirements of Chapter A-E 7, s. 35.93 of the Wisconsin State Statutes. I also certify that this plat is a correct representation of all existing land divisions and features on subject property and I have fully complied with the provisions of the Village of Pleasant Prairie Land Division and Development Control Ordinance, Chapter 395, and Chapter 236 of the Wisconsin State Statutes.



Pinnacle Engineering Group logo and contact information: WISCONSIN OFFICE: 20725 WATERTOWN ROAD, BROOKFIELD, WI 53186. (262) 754-8888. CHICAGO | MILWAUKEE | NATIONWIDE.

RIDGEWOOD RESERVE PRELIMINARY PLAT. OUTLOT A OF C.S.M. 3410, OUTLOT 1 OF C.S.M. NO. 9456, OUTLOT 1 OF C.S.M. NO. 9457, AND ADDITIONAL LANDS IN THE SE 1/4 OF THE SE 1/4 OF SEC. 9, T5N, R21E, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

REVISIONS table with columns for No., Date, and Description. Includes a row for 'CITY & COUNTY COMMENTS' dated 06-18-24.

SHEET C-1 C-1. Includes project number, date, scale, and drawing title.

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DESIGNED: BR. DRAFTED: BR. REVIEWED: ASZ.

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



**Meeting of August 8, 2024**

**Site Plan Amendment**

**RECOMMENDATION:** The Planning Department recommends approval of this site plan amendment, subject to the proposed conditions of approval.

<b>Project name:</b>	Croatian Park turf field, parking lot, and associated site modifications
<b>Property Owner:</b>	Federation of Croatian Societies Inc.
<b>Applicant:</b>	Federation of Croatian Societies Inc.
<b>Property Address/TKN:</b>	9100-9140 & 9220 S. 76th Street / 884 9995 000 & 884 9996 000
<b>Aldermanic District:</b>	District 1
<b>Zoning District:</b>	P-1 Park District & C-1 Conservancy District
<b>Use of Surrounding Properties:</b>	Milwaukee County owned land to the north and east, vacant land zoned R-8 to the south and single-family residential to the west
<b>Applicant’s Action Requested:</b>	Approval of the proposed Site Plan Amendment
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate

**Introduction**

The Croatian Eagles Soccer Club has submitted a Site Plan Amendment application for the construction of a 120,000 square foot artificial turf soccer field with lighting and fencing, paving of an existing gravel drive and parking lot, and completion of associated grading and storm water management improvements upon properties located at 9100-9140 and 9220 South 76th Street.

**Project Analysis**

The property is zoned P-1 Park District, and is owned by the nonprofit Croatian Federation. The facility is home to a beer garden, bocce and other recreational facilities, parking, and a number of soccer fields.

**Site Plan**

The proposed site plan consists of the new turf field with lighting and fencing as well as paving of an existing gravel drive and parking area. There is also an area to the north of the field that will be paved and include sunshades and landscape walls. The fence is a four-foot-tall black epoxy coated chain-link fence.

The applicant is also proposing to remove existing gravel around the new drive on the southernmost parcel and converting it into greenspace. This is an area of approximately 26,000 square feet. The existing access drive from S. 76<sup>th</sup> Street into the southern parcel (about 3,400 square feet) will also be removed and converted to greenspace.

### Parking

The parking lot consists of 56 parking spaces. Parking spaces are 9-foot wide and 180 square feet in conformance with Section 15-5.0202B. of the UDO. The parking lot includes two ADA parking spaces. The parking lot shall include a minimum of three ADA accessible parking spaces as required by Table 15-5.0202(I)(1).

### Landscape Plan

The applicant is not proposing any landscaping as part of this project.

With the paving of 56 parking spaces, staff recommends that a Landscape Plan shall be submitted, for Planning Department review and approval, in compliance with Division 15-5.0300 of the Unified Development Ordinance.

This would require a minimum of 12 plantings of each type (canopy trees, evergreens, decorative trees, and shrubs) to be planted on the property.

### Lighting Plan

The applicant is proposing six light poles around the turf soccer field. The lights will be placed on 45-foot tall wood poles. According to the applicant, the light fixtures include visors to focus and direct illumination where needed.

Staff recommends that a Lighting Plan shall be submitted, for Planning Department review and approval, in compliance with Division 15-5.0400. The lights for the turf soccer field shall conform to the standards of Section 15-5.0403 of the Unified Development Ordinance. Furthermore, staff recommends that the lights shall be shut off by 10:00 p.m.

### Natural Resources

The subject properties contain protected natural resources as shown on the Site Plan. The existing Conservation Easement boundary is also illustrated on the Site Plan.

The drive that extends to the southern parcel from the parking lot is located between two wetlands. The drive does not impact the wetlands or encroach into the Conservation Easement; however, the drive does disturb and permanently impact the 30-foot wetland buffer and 50-foot wetland setback.

As such, staff recommends that the drive extension from the parking lot to the south be removed. Alternatively, a Natural Resource Special Exception Application may be submitted for review by the City.

### Engineering and Storm Water Management

It is recommended that final approval of grading, erosion control, storm water management, and utilities, as may be applicable, be granted by the Engineering Department prior to any land disturbance activities.

### Recommendation



Staff recommends approval of the Site Plan Amendment Application for properties located at 9100-9149 and 9220 S. 76<sup>th</sup> Street, subject to the conditions within the draft resolution.

*[Draft 8/1/24]*

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

A RESOLUTION AMENDING THE SITE PLAN FOR PROPERTIES  
LOCATED AT 9100-9140 AND 9220 SOUTH 76TH STREET TO ALLOW FOR  
INSTALLATION OF A TURF FIELD, EXTERIOR LIGHTING, FENCING, PARKING,  
RETAINING WALL, SUN SHADES, AND ASSOCIATED GRADING AND STORM  
WATER MANAGEMENT MODIFICATIONS  
(TAX KEY NOS. 884-9995-000 AND 884-9996-000)  
(FEDERATION OF CROATIAN SOCIETIES INC., APPLICANT)

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WHEREAS, the Federation of Croatian Societies Inc. having applied for an amendment to the Site Plan for the properties located at 9100-9140 and 9220 South 76th Street, such Site Plan having been previously approved on June 9, 2005, by Resolution No. 2005-0080 and amended thereafter by Resolution No. 2010-003, on April 8, 2010, 2017-010, on August 3, 2017, 2021-012, on June 3, 2021, and 2024-004, on February 8, 2024; and

WHEREAS, such proposed amendment proposes the installation of a turf field, exterior lighting, fencing, parking, retaining wall, sun shades, and associated grading and storm water management modifications, and the Plan Commission having reviewed such proposal and having found same to be in compliance with and in furtherance of those express standards and purposes of a Site Plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

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

1. Federation of Croatian Societies Inc., successors and assigns and any developer of the Federation of Croatian Societies Inc. artificial turf soccer field and parking 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 Federation of Croatian Societies Inc. artificial turf soccer field and parking project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
2. The approval granted hereunder is conditional upon the City of Franklin and the

FEDERATION OF CROATIAN SOCIETIES INC. - SITE PLAN AMENDMENT  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 2

Federation of Croatian Societies Inc. artificial turf soccer field and parking project for the properties located at 9100-9140 and 9220 South 76th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

3. The Federation of Croatian Societies Inc. artificial turf soccer field and parking project shall be developed in substantial compliance with the plans City file-stamped \_\_\_\_\_, 2024.
4. The applicant shall provide necessary technical corrections to the site plan in accordance with Section 15-7.0103.
5. The parking lot shall include a minimum of three ADA accessible parking spaces as required by Table 15-5.0202(I)(1).
6. A Landscape Plan shall be submitted, for Planning Department review and approval, in compliance with Division 15-5.0300 of the Unified Development Ordinance.
7. A Lighting Plan shall be submitted, for Planning Department review and approval, in compliance with Division 15-5.0400. The lights for the turf soccer field shall conform to the standards of Section 15-5.0403 of the Unified Development Ordinance.
8. Lights for the subject turf soccer field shall be shut off by 10:00 p.m.
9. The drive extension from the parking lot to the south shall be removed. Alternatively, a Natural Resource Special Exception Application may be submitted for review by the City.
10. 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 Federation of Croatian Societies Inc. artificial turf soccer field and parking project as depicted upon the plans City file-stamped \_\_\_\_\_, 2024 attached hereto and incorporated herein, shall be developed and constructed within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin; and the Site Plan for the properties located at 9100-9140 and 9220 South 76th Street, as previously approved, is amended accordingly.

FEDERATION OF CROATIAN SOCIETIES INC. - SITE PLAN AMENDMENT  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 3

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

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

APPROVED:

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

ATTEST:

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

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

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 5313  
 (414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: \_\_\_\_\_

STAMP DATE: \_\_\_\_\_ city use only

## ADMINISTRATIVE REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]		APPLICANT IS REPRESENTED BY [CONTACT PERSON]	
NAME: Fredy Jany, President		NAME: Tim Lynch	
COMPANY: Croatian Eagles Soccer Club		COMPANY: Lynch & Associates, LLC	
MAILING ADDRESS: P.O. Box 320031		MAILING ADDRESS: 5482 S. Westridge Drive	
CITY/STATE: Franklin, WI	ZIP: 53132	CITY/STATE: New Berlin, WI	ZIP: 53151
PHONE: (262) 391-7121		PHONE: (262) 402-5040	
EMAIL ADDRESS: fmjany@gmail.com		EMAIL ADDRESS: tlynch@lynch-engineering.com	

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 9100 S. 76th Street		TAX KEY NUMBER: 8849996000	
PROPERTY OWNER: Federation of Croatian Societies Inc.		PHONE: (414) 530-1133	
MAILING ADDRESS: P.O. Box 341548		EMAIL ADDRESS: tomkuzmanovic@gmail.com	
CITY/STATE: Franklin, WI	ZIP: 53132	DATE OF COMPLETION: _____ office use only	

### APPLICATION TYPE

**Please check the application type that you are applying for**

Home Occupation   
  Minor Site Plan Amendment

### 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 Administrative review approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE:		APPLICANT SIGNATURE:	
NAME & TITLE: Tomislav Z. Kuzmanovic President Federation of Croatian Societies Inc.      DATE: 5-1-2024		NAME & TITLE: FREDY JANY PRESIDENT CESC      DATE: 7/1/2024	
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.

### BUILDING MOVE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 ½" X 11") of the plat of survey, *showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.*  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

### SIGN REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than ½" = 1'. *Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).*
  - Three (3) scaled copies of the Site Plan, *showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.*
- Email or flash drive with all plans / submittal materials.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

### SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (*lot size ≤ 1 acre*)
  - Tier 3: \$500 (*≤ 10% increase or decrease in total floor area of all structures with no change to parking: or change to parking only*).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. *The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)*
- One (1) colored copy of the building elevations on 11" X 17" paper, *if applicable.*
- One (1) copy of the Site Intensity and Capacity Calculations, *if applicable (see division 15-3.0500 of the UDO)*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

### TEMPORARY USE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, *see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.



LYNCH & ASSOCIATES  
ENGINEERING CONSULTANTS, LLC

## MEMORANDUM

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Date: 07/07/2024  
To: Nick Fuchs, Planning Associate  
From: Tom Miles, Tim Lynch  
Copy: Fredy Jany  
Subject: RE: Planning Department Comments

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### **Planning Department Comments**

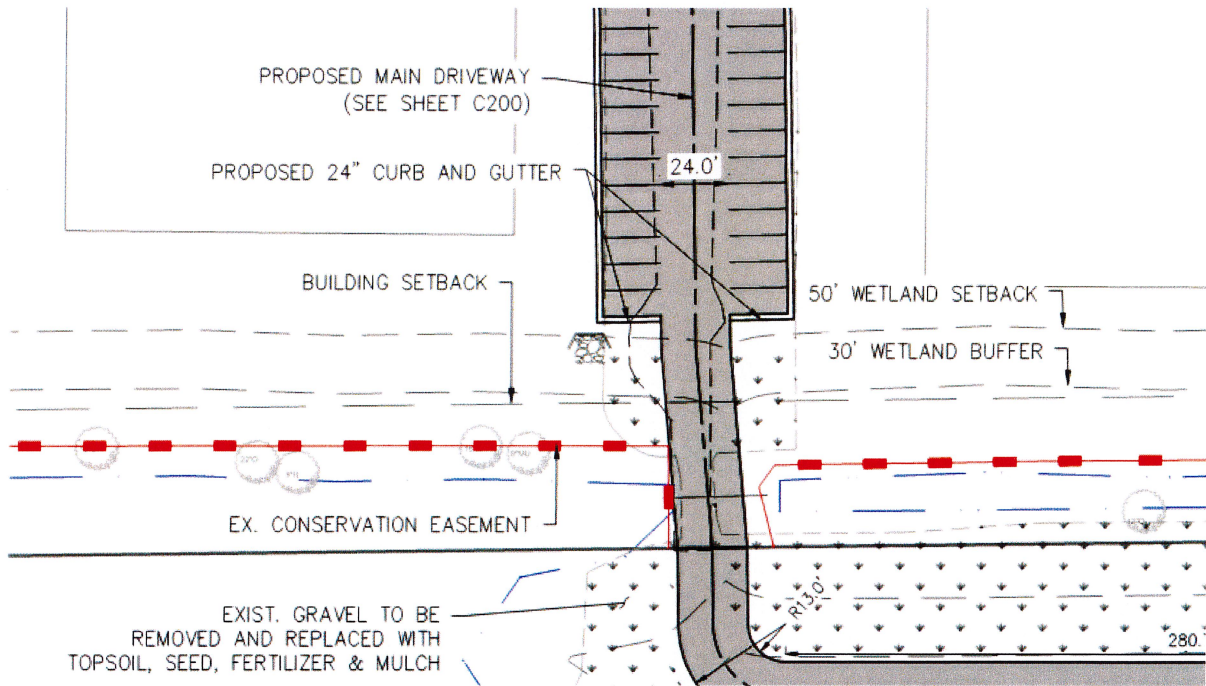
1. Staff recommends submittal of a separate Natural Resource Protection Plan map that shows the existing and proposed improvements, the protected natural resources and the conservation easement boundary location. Alternatively, additional colored lines or shading could be utilized on the site plan to better illustrate the conservation easement and natural resource features boundaries. It is difficult to differentiate between these boundaries, setbacks, and other details on the site plan.

Site plan has been updated to better illustrate conservation easement, wetland setbacks, building setbacks and boundaries.

2. Are any proposed improvements located within the existing conservation easement? Are any improvements located within natural resource features protected by Part 4 of the Unified Development Ordinance?

It appears the drive extending from the south end of the parking lot to the southernmost parcel into the turnaround goes through the existing conservation easement and wetland buffer and wetland setback. If so, staff recommends not extending this drive, but rather just remove the gravel area as proposed. Otherwise, a Natural Resource Special Exception is required as well as an amendment to the Conservation Easement boundary.

The driveway is designed to serve as a drop-off access point for the southern lot. It has been situated within the existing conservation easement (refer to the image below). To ensure compliance, the existing impervious area has been reduced, while preserving the essential drop-off area for the driveway, which is crucial for the utilization of the southern parcel.



3. Why is the drive extended so far onto the southern parcel as it appears to just be a turnaround location? Will that drive serve anything else in the future on that southern lot? Would a turnaround at the south end of the new parking lot serve the same purpose without extending the drive?

The southern parcel is home to the youth fields. The rationale for situating the driveway drop-off queue on the southern parcel is to minimize the distance from the drop-off point to the field, ensuring the safety of players and coaches. Additionally, maximizing parking capacity on the northern lot to balance the parking lost on the southern lot factored into the decision to maintain the turnaround area on the southern parcel.

4. Please submit completed Site Intensity and Capacity Calculations found in Division 15-3.0500 of the UDO.

Site intensity and Capacity Calculations included on site plan.

5. Please provide a Site Data Table that includes parcel size (square feet and acres), current zoning district, existing and proposed impervious surfaces (in square feet), required setbacks, and Landscape Surface Ratio. Furthermore, please include all applicable information below on the Site Plan, listed in Section 15-7.0103 of the UDO.

Requested information has been added to the site plan.

- Scale and Site Size. The scale of drawing and the size of the site (in square feet or acres) noted on the Site Plan.
- Existing and Proposed Street Names. Existing and proposed street names.
- Existing and Proposed Public Street Rights-of-Way or Reservations. Existing and proposed public street rights-of-way or reservations and widths.

Suggested information has been added to the site plan.

6. Note the required minimum side yard setback of the P-1 District is 20-feet.

Note has been added to site plan.





7. Is any new landscaping proposed? If so, please provide a Landscape Plan in accordance with Division 15-5.0300 and Division 15-7.0300 of the UDO.

Restoration is proposed for all disturbed grass areas but no additional landscaping has been proposed as part of these improvements.

8. The Lighting Plan (Sheet C108) does not appear to show all proposed lights? A detailed lighting plan must be provided in conformance with Division 15-5.0400 of the UDO. The lighting plan submittal should include photometrics, fixture details, and peak height of all lighting.

The lighting plan has been updated to include northern and southern lot lighting. Photometrics for the northern parcel has been included in the updated lighting plan submittal.

9. Are lights shielded in any way? Are light levels adjustable/dimmable? How often are the lights utilized? Is there a proposed time for shut off?

The light fixtures are equipped with directional visors to focus illumination precisely where needed. The proposed LED lights are inherently directional, resulting in minimal light spillover compared to incandescent lighting.

10. Is the pavilion parking being proposed as part of this project? The plans note that pavilion improvements are not part of this request; however, there is also a note that states "Proposed paved pavilion parking lot" on Sheet C102. Staff is just looking for confirmation.

We included pavilion improvements when considering overall site impervious and stormwater calculations. We displayed the improvements in our plans as a form of reference, but we assume this work may be done prior to the turf field improvements.

11. The parking exhibit (EX. 1) states that 85 parking spaces are required and 97 proposed. Is this calculation based solely on the turf field or all uses onsite? The note also states that a 25% reduction is being requested. Per the quantity provided, it appears that there are twelve more spaces than required, not a request for reduction. Please provide more details or clarify as may be needed.

The reduction will not be requested as the combined parking between the Club and the Federation will meet the parking requirements.

12. If a parking reduction is proposed, please provide reasoning and justification for the reduction in a revised project narrative or supplemental letter. This may include, for example, information regarding actual parking demands, opportunities for shared parking between uses, or consideration of other parking comparisons or ratios.

The reduction will not be requested as the combined parking between the Club and the Federation will meet the parking requirements.

13. Please label/dimension the parking space size on the Site Plan. Note parking spaces shall have a minimum width of nine feet and must be at least 180 square feet in size.

Labels have been added to parking spaces. All proposed spaces are 9'x20' meeting the 180-sf size requirement.

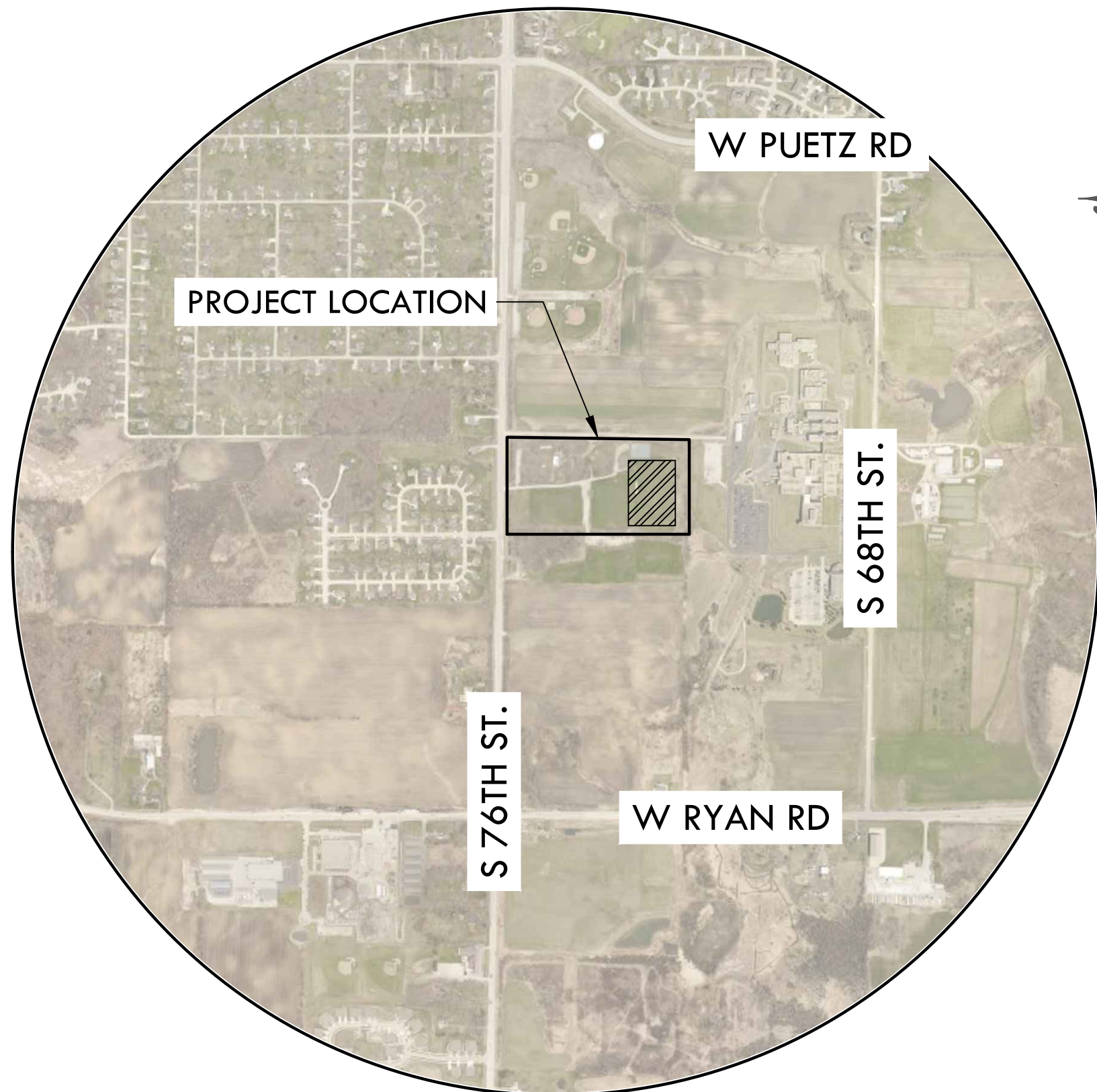
14. Please provide and show on the Site Plan ADA accessible parking in conformance with Table 15-5.0202(I)(1) of the UDO.

ADA stalls have been called out on site plan and are in conformance with UDO.

15. Note final grading, erosion control, storm water management, and utility plans must be reviewed and approved by the Engineering Department prior to any land disturbance.

Understood.





VICINITY MAP  
1" = 400'

# TURF FIELD PROJECT FOR CROATIAN EAGLES SOCCER CLUB FRANKLIN, WI

SHEET INDEX	
C001	TITLE SHEET & VICINITY MAP
C002	GENERAL NOTES
C003	PHASING PLAN
C101	EXISTING CONDITIONS
C102	SITE PLAN
C103	STRIPING PLAN
C104	TURF FIELD DRAINAGE PLAN
C105	STORM SEWER PLAN
C106	GRADING & EROSION CONTROL PLAN
C107	TURF FIELD SUBGRADE GRADING PLAN
C108	LIGHT LAYOUT PLAN
C201	NORTH PARCEL DRIVEWAY PLAN & PROFILE
C202	SOUTH PARCEL DRIVEWAY PLAN & PROFILE
C300-301	MAIN DRIVEWAY PLAN & PROFILE
C401	STORMWATER STORAGE DETAILS
C402	TURF FIELD CROSS-SECTION
C501-504	CONSTRUCTION DETAILS

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN  
CALL DIGGERS HOTLINE TOLL FREE 800-242-8511  
(414-259-1181 MILWAUKEE METRO) (TDD: 800-542-2289)  
www.diggershotline.com  
WIS. STATUTE 182.0175 (1974) REQUIRES MIN. OF 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE.

#### BENCHMARKS

#### CONTACT INFORMATION

COMPANY NAME	ADDRESS	CONTACT	PHONE	EMAIL
LYNCH & ASSOCIATES	5482 S. WESTRIDGE DR. NEW BERLIN, WI 53151	TIM LYNCH, P.E.	262.402.5040	TLYNCH@LYNCH-ENGINEERING.COM

#### REVISIONS

NO.	REVISION	DATE
1	CITY REVIEW COMMENTS	7/8/2024

#### ISSUED FOR REVIEW

PLAN DATE 06.09.22

PROJECT NO.  
22.0015

SHEET NO.

C001

TURF FIELD PROJECT FOR  
CROATIAN EAGLES SOCCER CLUB  
FRANKLIN, WI

LYNCH & ASSOCIATES  
ENGINEERING CONSULTANTS, LLC

**A. GENERAL**

1. THE CONTRACTOR IS RESPONSIBLE FOR EXAMINING ALL SITE CONDITIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND SHALL COMPARE FIELD CONDITIONS WITH DRAWINGS.
2. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL UTILITY INFORMATION SHOWN ON THE PLANS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL CALL DIGGER'S HOTLINE AT 1-800-242-8511 TO NOTIFY THE UTILITIES OF HIS INTENTIONS, AND TO REQUEST FIELD STAKING OF EXISTING UTILITIES.
3. CONTRACTOR IS ADVISED THAT ALL MUD AND DEBRIS MUST NOT BE DEPOSITED ONTO THE ADJACENT ROADWAYS PER THE REQUIREMENT OF THE MUNICIPALITY OR OTHER APPROPRIATE GOVERNMENT AGENCIES.
4. ANY ADJACENT PROPERTIES OR ROAD RIGHT-OF-WAYS WHICH ARE DAMAGED DURING CONSTRUCTION MUST BE RESTORED BY THE CONTRACTOR. THE COST OF THE RESTORATION IS CONSIDERED INCIDENTAL, AND SHOULD BE INCLUDED IN THE BID PRICES.

**B. EROSION CONTROL**

1. ALL INSTALLATION AND MAINTENANCE OF EROSION CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE APPLICABLE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARD.
2. ALL EROSION CONTROL FACILITIES SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT AND WARRANTY PERIOD IN CONFORMANCE WITH THE DNR WPDES GENERAL PERMIT.
3. ALL DISTURBED GROUND LEFT INACTIVE FOR THIRTY DAYS OR MORE SHALL BE STABILIZED WITH TOPSOIL, SEED, AND MULCH IN ACCORDANCE WITH THE WDNR TECHNICAL STANDARDS 1059 AND 1058.
4. TEMPORARY SEED MIXTURE SHALL CONFORM TO 630.2.1.5.1.4 OF THE WISDOT STANDARD SPECIFICATIONS. USE WINTER WHEAT OR RYE FOR FALL PLANTINGS STATED AFTER SEPTEMBER 1.
5. DISTURBED AREAS THAT CANNOT BE STABILIZED WITH A DENSE GROWTH OF VEGETATION BY SEEDING AND MULCHING DUE TO TEMPERATURE OR TIMING OF CONSTRUCTION, SHALL BE STABILIZED BY APPLYING ANIONIC POLYACRYLAMIDE (PAM) IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1050.
6. ANY SEDIMENT TRACKED ONTO A PUBLIC OR PRIVATE ROAD SHOULD BE REMOVED BY STREET CLEANING, NOT FLUSHING, BEFORE THE END OF EACH WORKING DAY.
7. DUST CONTROL SHALL BE PROVIDED AS NECESSARY IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1068.
8. FINAL STABILIZATION OF LANDSCAPED AREAS SHALL BE IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN.
9. ALL SEEDED AREAS WILL BE FERTILIZED, RESEEDED AS NECESSARY, AND MULCHED ACCORDING TO SPECIFICATIONS IN THE APPROVED LANDSCAPE PLAN TO MAINTAIN A VIGOROUS DENSE VEGETATIVE COVER.
10. THE PERMANENT SEED MIXTURE FOR RIGHT-OF-WAY AND LOTS SHALL BE WISDOT SEED MIXTURE NO. 40 AND SOWN AT A RATE OF 4LBS/100 SQ. FT. SEED MIXTURE NO. 40 CONSISTS OF 35% KENTUCKY BLUEGRASS, 20% RED FESCUE, 20% HARD FESCUE AND 25% IMPROVED FINE PERENNIAL RYEGRASS.
11. APPROVED EROSION CONTROL PLAN SHALL BE KEPT ON SITE AT ALL TIMES.

**C. GRADING**

1. SILT FENCE AND OTHER EROSION CONTROL FACILITIES MUST BE INSTALLED PRIOR TO CONSTRUCTION OR ANY OTHER LAND DISTURBING ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL EROSION CONTROL FACILITIES ONCE THE THREAT OF EROSION HAS PASSED WITH THE APPROVAL OF THE GOVERNING AGENCY.
2. THE CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPUTATIONS OF ALL GRADING AND FOR ACTUAL LAND BALANCE, INCLUDING UTILITY TRENCH SPOIL. THE CONTRACTOR SHALL IMPORT OR EXPORT MATERIAL AS NECESSARY TO COMPLETE THE PROJECT.

**LEGEND**

EXISTING		PROPOSED
	CITY-VILLAGE LIMITS	
	BENCHMARK	
	CHISELED CROSS	
	CONTROL POINT	
	FOUND 5/8" IRON BAR	
	FOUND 1" IRON PIPE	
	MONUMENT - CONCRETE W/ BRASS CAP	
	PK NAIL - FOUND SPIKE	
	RECORD AS	
	SET 5/8"x18" IRON 1.13#/L.F.	
	SET IRON PIPE	
	WITNESS MONUMENT	
	TREELINE	
	BUSH	
	TREE - CONIFEROUS	
	TREE - DECIDUOUS	
	TREE - GENERAL	
	FLOODPLAIN LINE	
	WETLAND BOUNDARY	
	WETLAND SYMBOL	
	SOIL BORING	
	TEST PIT	
	ROAD CENTER LINE	
	DITCH CENTER LINE	
	FENCE - BARBED WIRE	
	FENCE - CHAIN LINK	
	GUARDRAIL	
	RETAINING WALL	
	BOLLARD	
	DETECTABLE WARNING FIELD	
	HANDICAP SYMBOL	
	FLAG POLE	
	MAILBOX	
	SIGN	
	STORM SEWER	
	MANHOLE - STORM	
	STORM INLET - CURB	
	STORM INLET - BEEHIVE	
	STORM INLET - SQUARE	
	END SECTION	
	SANITARY	
	SANITARY FORCE MAIN	
	MANHOLE - SANITARY	
	CLEAN OUT	
	SEPTIC TANK COVER	
	SEPTIC VENT	
	WATER MAIN	
	MANHOLE - WATER MAIN	
	CURB STOP	
	HYDRANT	
	WATER MAIN VALVE	
	WELL	
	WATER MAIN BACK FLOW PREVENTER	
	GAS LINE	
	MANHOLE - GAS	
	GAS VALVE	
	GAS LINE MARKER	
	ELECTRIC	
	MANHOLE - ELECTRIC	
	ELECTRICAL TRANSFORMER	
	POWER POLE	
	GUY WIRE	
	LIGHT POLE	
	PULL BOX	
	OVERHEAD UTILITY	
	UTILITY PEDESTAL	
	CABLE TELEVISION	
	CABLE TV BOX	
	TELEPHONE	
	TELEPHONE PEDESTAL	
	FIBER OPTIC	
	MANHOLE	
	CONSTRUCTION LIMITS	
	INLET PROTECTION	
	SILT FENCE	

**CONSTRUCTION SEQUENCE**

1. INSTALL SILT FENCE AT THE LOCATIONS NOTED ON THE PLANS. THIS MUST BE DONE BEFORE ANY GRADING ACTIVITIES TAKE PLACE.
2. TOPSOIL IS TO BE STRIPPED AND STOCKPILED. THE STOCKPILE IS TO BE PROTECTED WITH SILT FENCE WITHIN 7 DAYS AND SEEDED WITHIN 30 DAYS OF LAYUP.
3. ROUGH GRADING MAY TAKE PLACE AFTER TOPSOIL STRIPPING.
4. PERMANENT SEEDING TO BE COMPLETED BY OCTOBER 15TH OF THE YEAR GRADING WORK IS COMPLETED OR BY JUNE 1ST OF THE FOLLOWING YEAR.

TURF FIELD PROJECT

**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI

**LYNCH & ASSOCIATES**  
ENGINEERING CONSULTANTS, LLC

GENERAL NOTES	NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW

PLAN DATE 06.09.22

DESIGNED BY TCL

0 NTS  
SCALE

PROJECT NO.  
**22.0015**

SHEET NO.  
**C002**

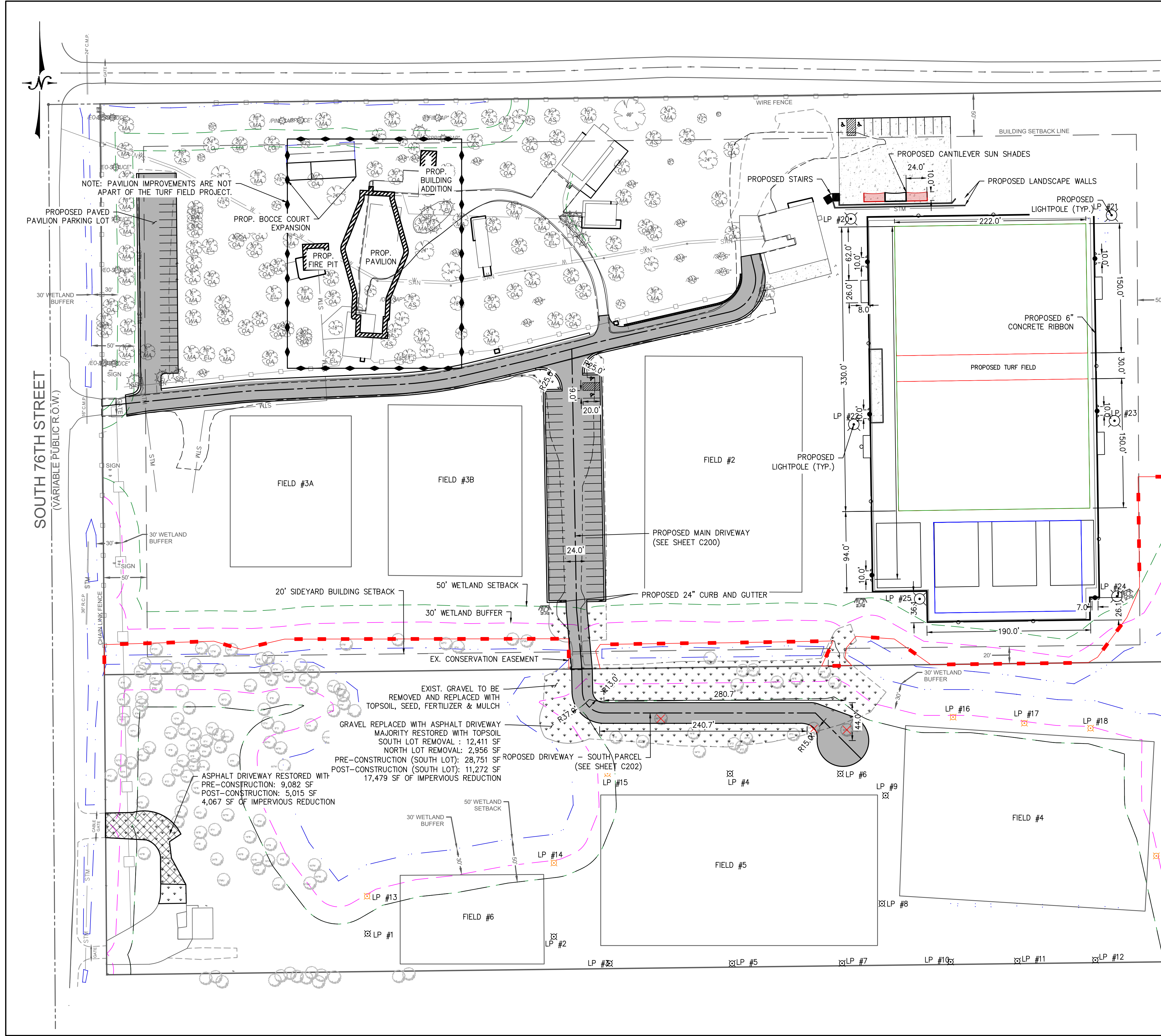


TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN  
CALL DIGGER'S HOTLINE TOLL FREE 800-242-8511  
(414-259-1181 MILWAUKEE METRO) (TDD: 800-542-2289)  
www.diggershotline.com

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







Required On-Site Open Space	14.5191 Acres
Net Buildable Site	14.5191 Acres
Max Net Density Yield Of Site	8.2759 Acres
Max Gross Density Yield Of Site	9.0018 Acres
Max Permitted D.U.s of Site	8.2759 Acres

Parcel Size	1,264,905 S.F. 29.0382 Acres
Zoning District	P-1
Existing Impervious Surface	1.9789 Acres
Proposed Impervious Surface	3.8254 Acres
Required Setbacks	50' Wetland Setback 20' Side Setback 50' Front Setback 50' Rear Setback
Landscape Surface Ratio	0.87
PARKING REQUIRED	85 STALLS
PARKING PROVIDED	95 STALLS (4 HC)

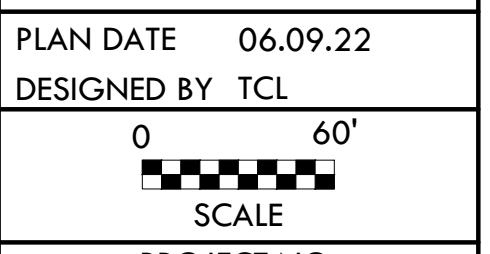
- EX CONSERVATION EASEMENT
- 30' WETLAND BUFFER
- 50' WETLAND SETBACK

TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

NO.	BY	DATE
1	TCL	07.08.24
2	TCL	07.17.24

ISSUED FOR REVIEW

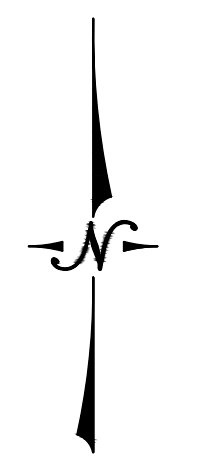
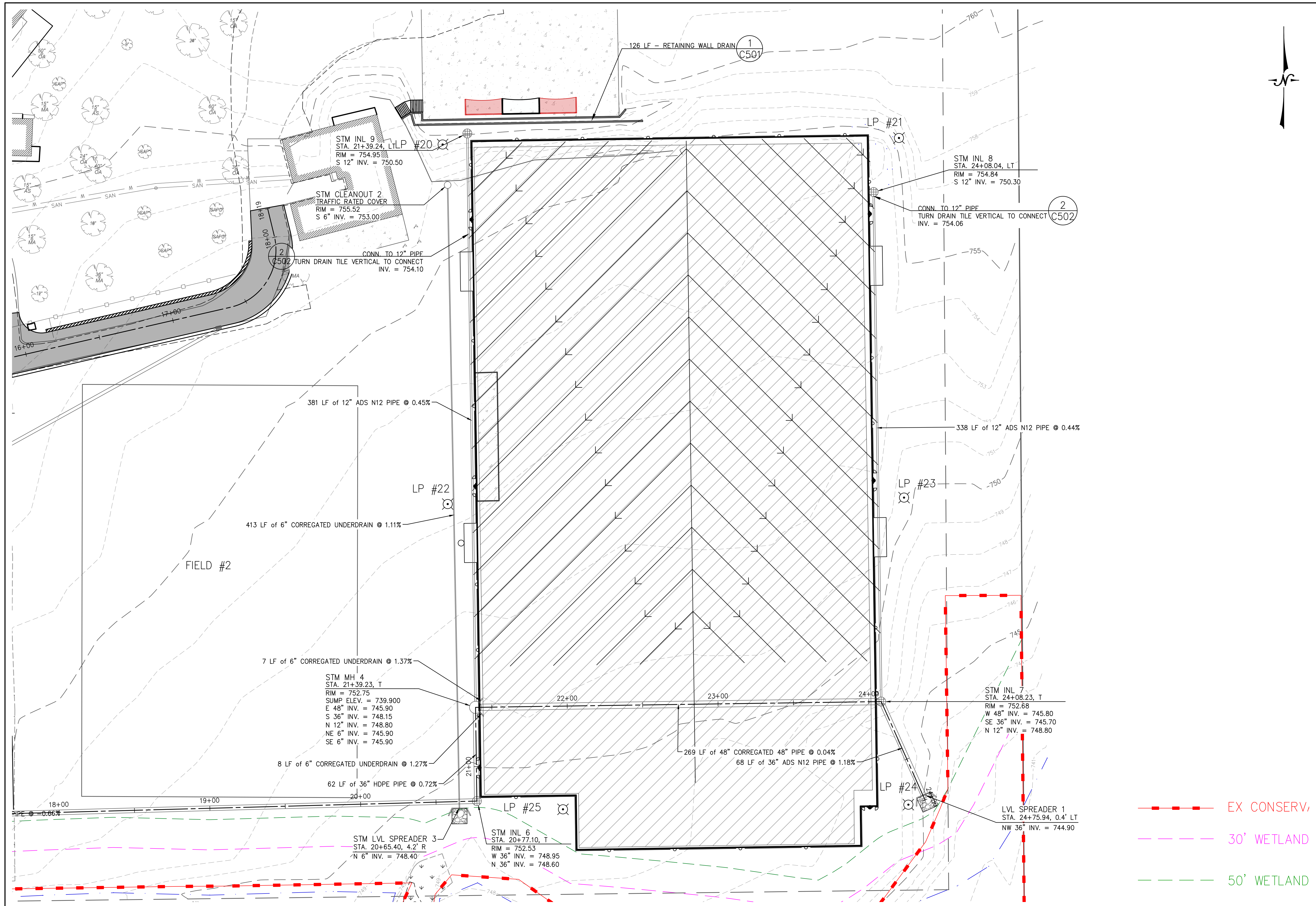
PLAN DATE 06.09.22  
DESIGNED BY TCL



PROJECT NO.  
**22.0015**

SHEET NO.  
**C102**





TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
 FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

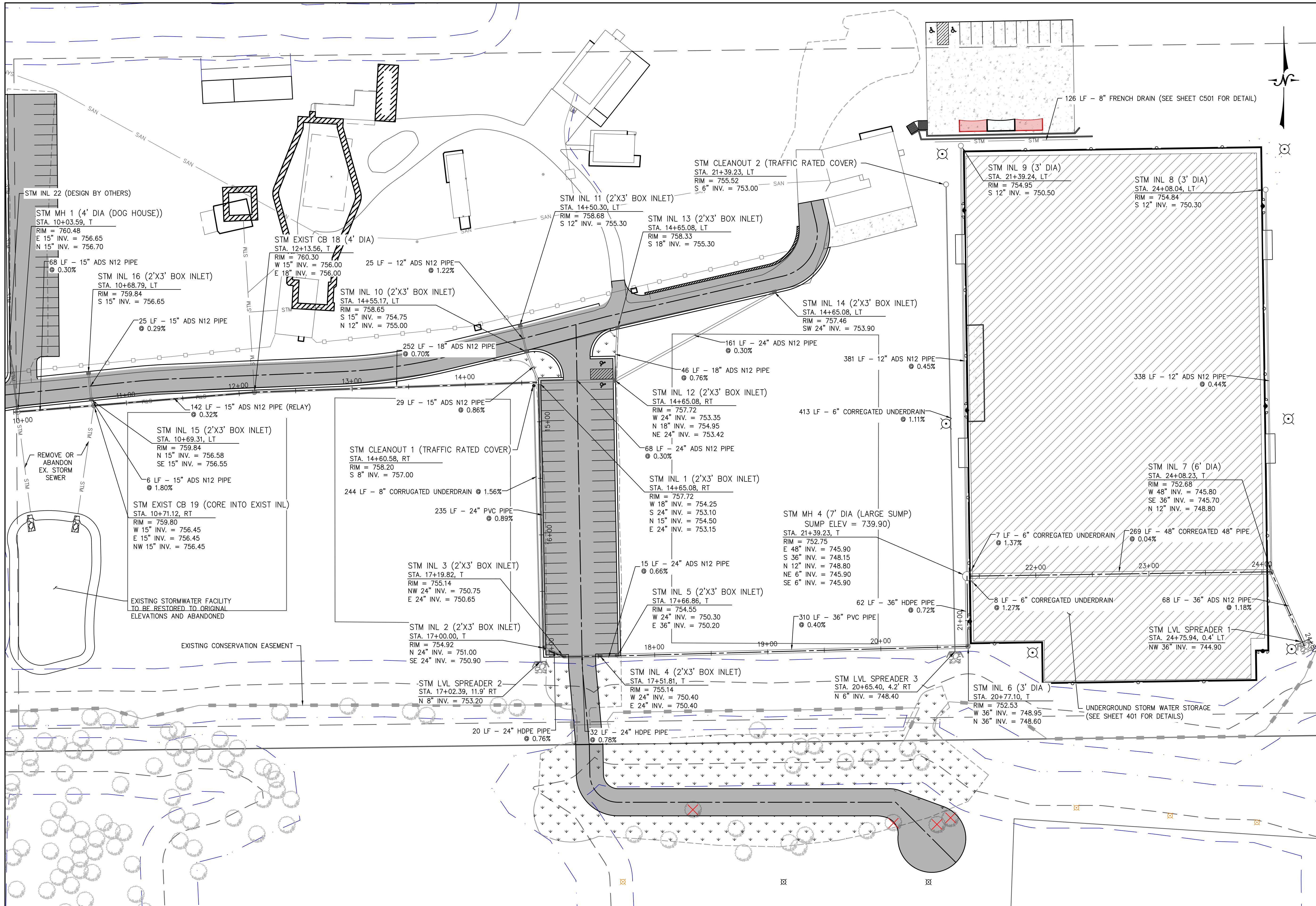
TURF FIELD DRAINAGE PLAN	
NO.	1
REVISIONS	
CITY REVIEW COMMENTS	
BY	TCL
DATE	07.08.24

ISSUED FOR REVIEW	
PLAN DATE	06.09.22
DESIGNED BY	TCL

SCALE	0 = 30'
PROJECT NO.	22.0015
SHEET NO.	C104

- - - - - EX CONSERV,
- - - - - 30' WETLAND
- - - - - 50' WETLAND





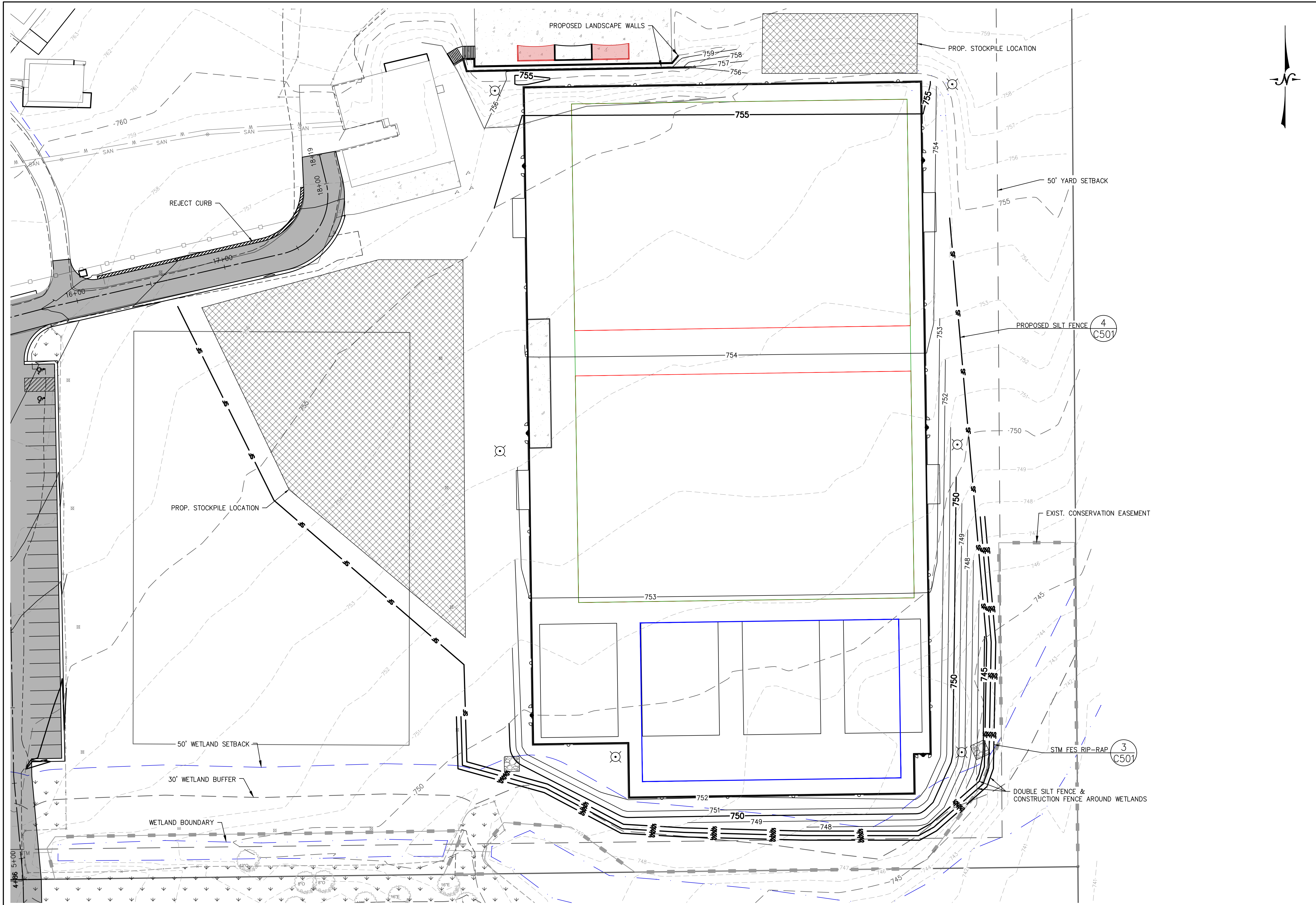
TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
 FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

**STORM SEWER PLAN**

NO.	REVISIONS	BY	DATE	CITY REVIEW COMMENTS
1		TCL	07/08/24	

**ISSUED FOR REVIEW**  
 PLAN DATE 06.09.22  
 DESIGNED BY TCL

0 40'  
 SCALE  
 PROJECT NO.  
**22.0015**  
 SHEET NO.  
**C105**



TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
 FRANKLIN, WI

**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

**GRADING & EROSION CONTROL PLAN**

NO.	REVISIONS	BY	DATE
1	CITY REVIEW COMMENTS	TCL	07.08.24

**ISSUED FOR REVIEW**

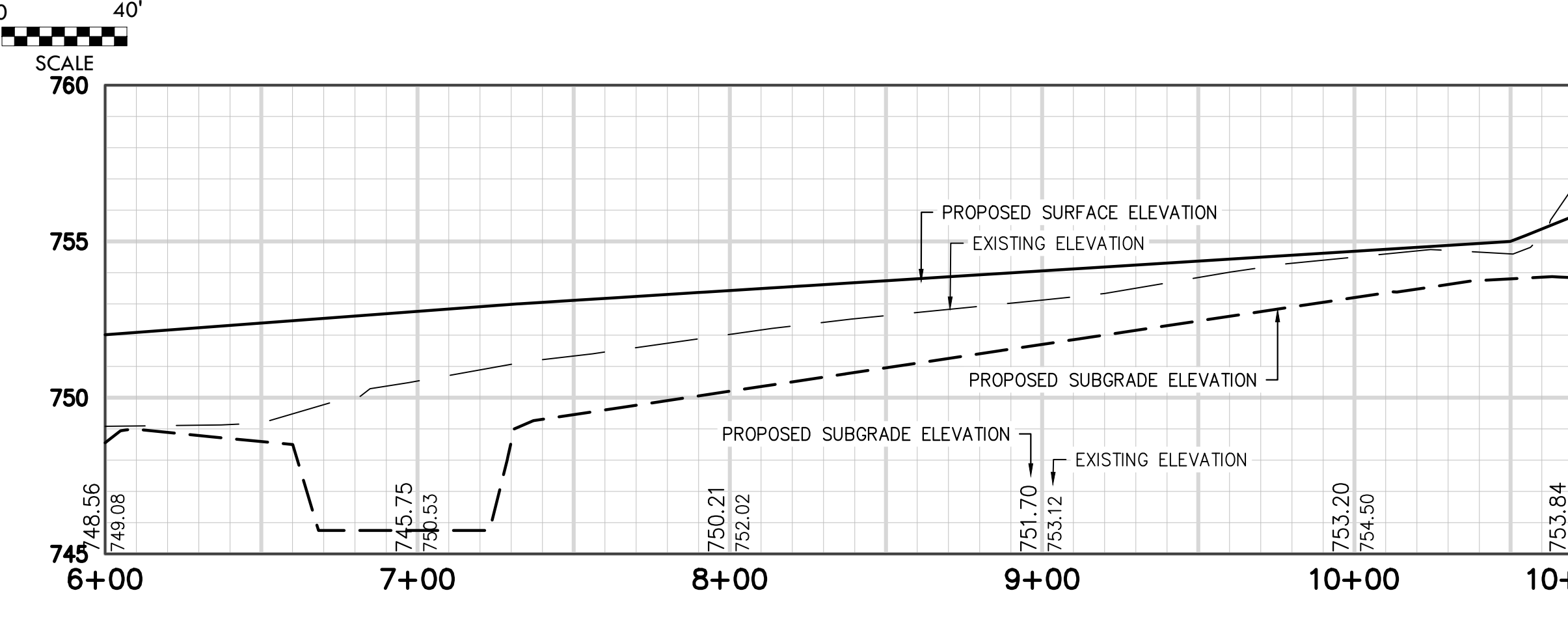
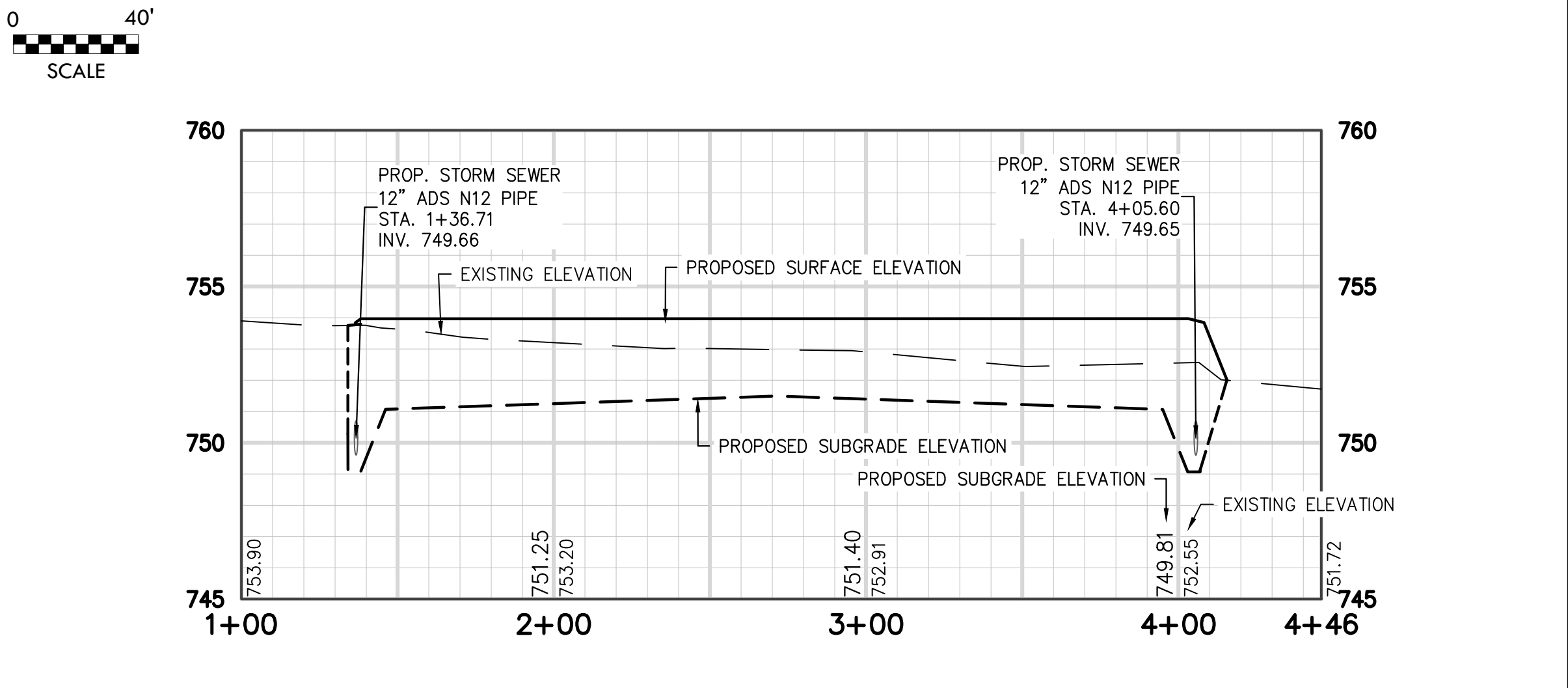
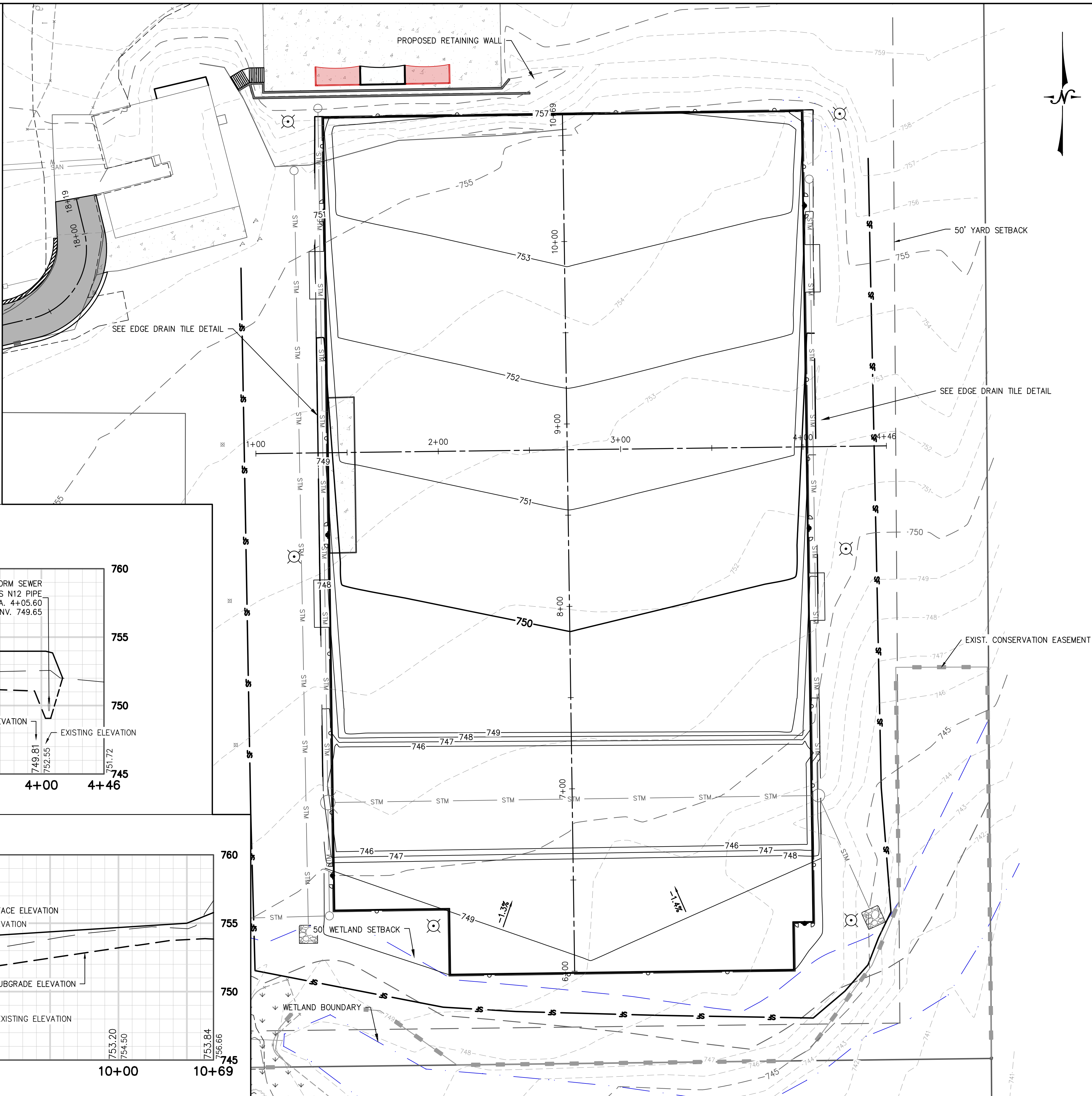
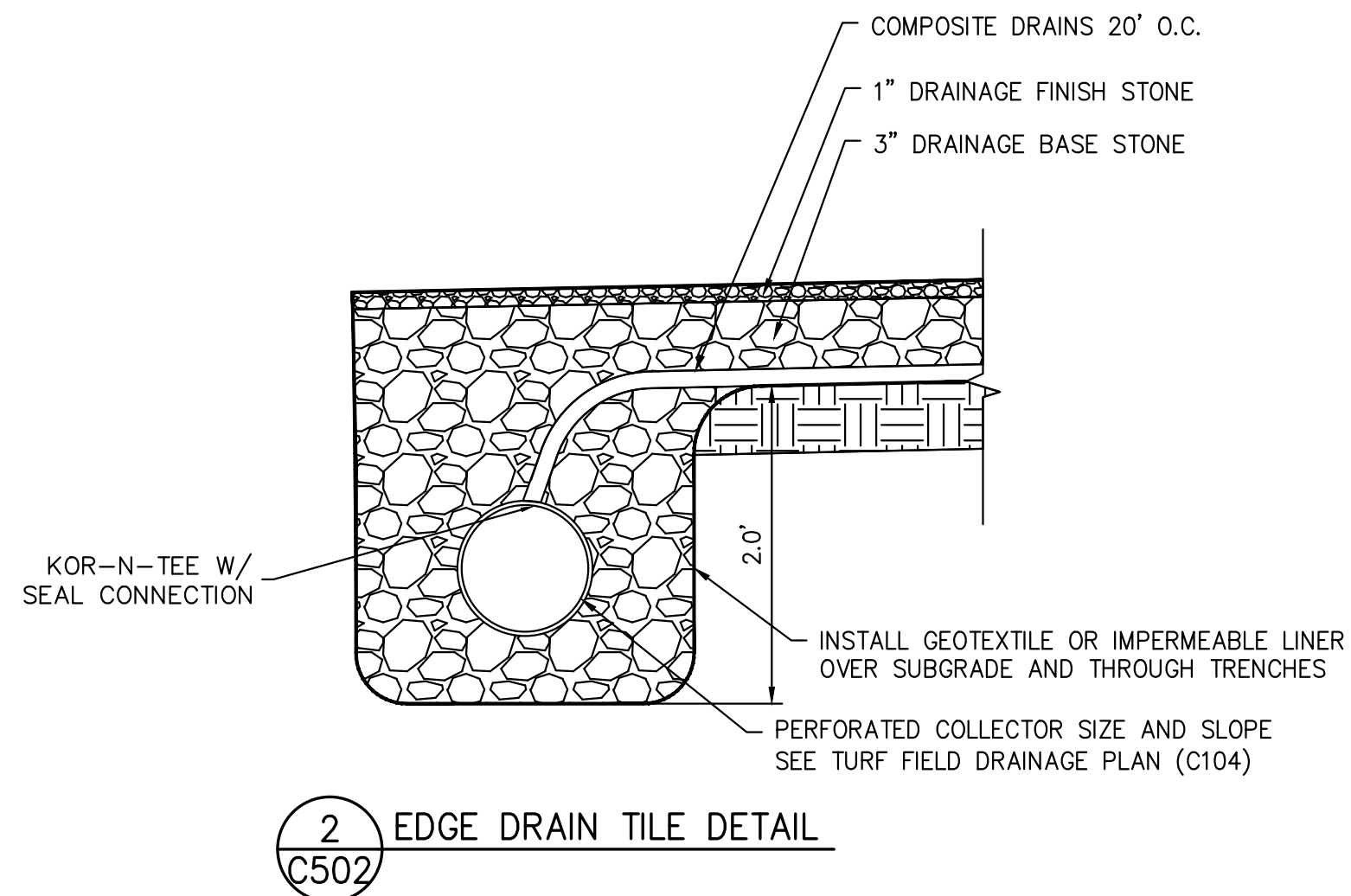
PLAN DATE 06.09.22  
 DESIGNED BY DKV



SCALE  
 PROJECT NO.  
**22.0015**

SHEET NO.

**C106**



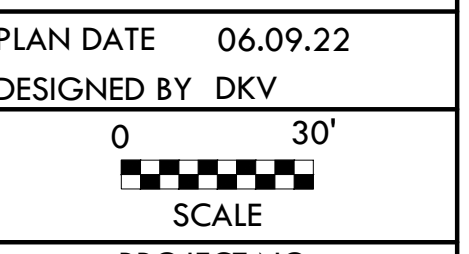
TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

GRADING PLAN - SUBGRADE

NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW

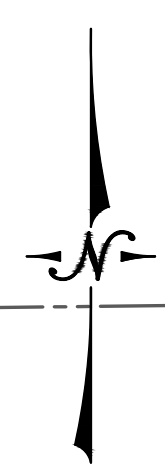
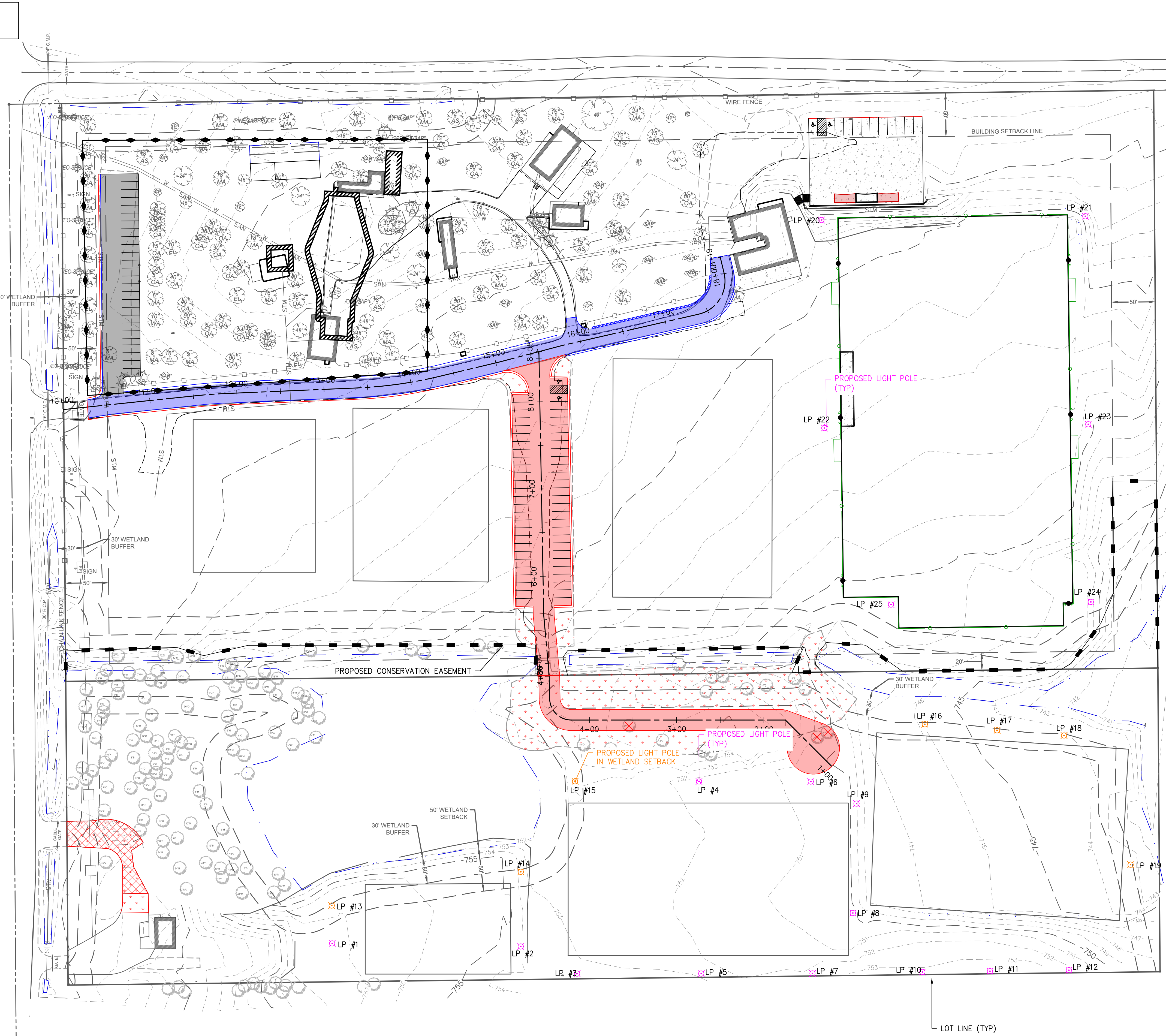
PLAN DATE 06.09.22  
 DESIGNED BY DKV



PROJECT NO.  
**22.0015**

SHEET NO.  
**C107**

LIGHT POLE SUMMARY:  
 WITHIN WETLAND SETBACK = 7 POLES  
 OUTSIDE OF WETLAND SETBACK = 18 POLES  
 POLE HEIGHT = 45 FT



TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**

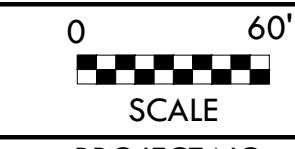
FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

LIGHTING PLAN

NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW

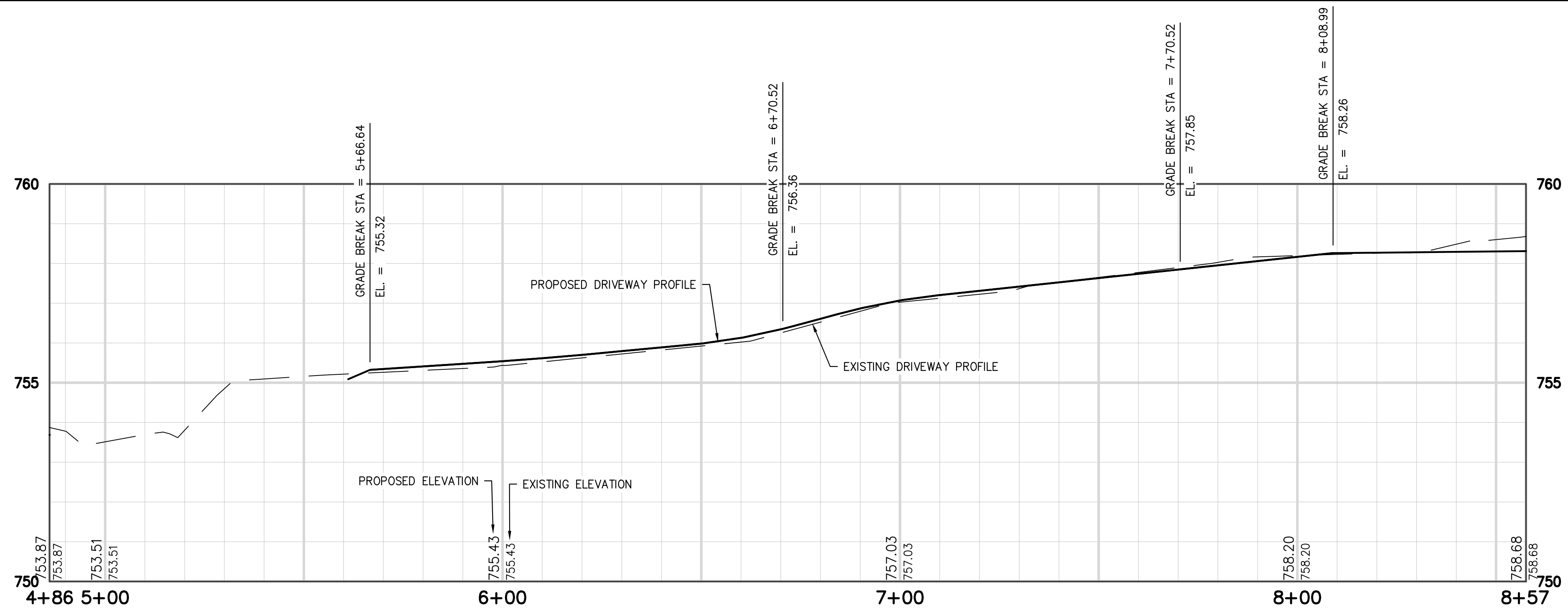
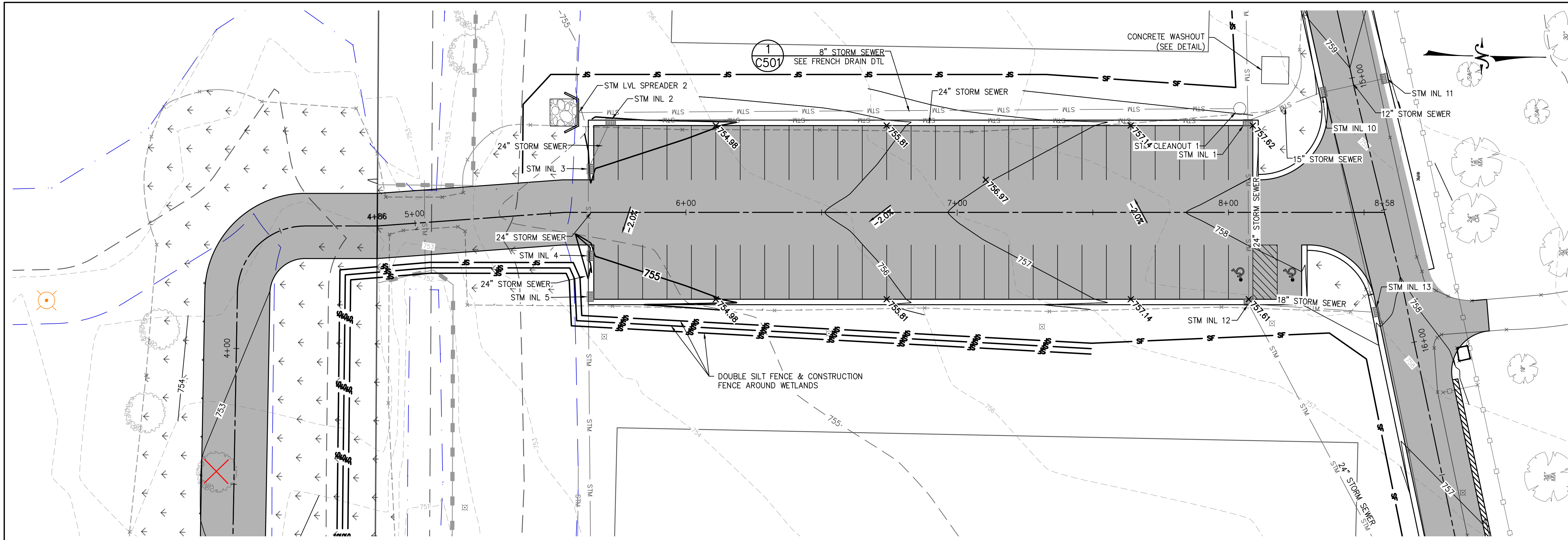
PLAN DATE 06.09.22  
 DESIGNED BY TCL



SCALE  
 PROJECT NO.  
**22.0015**

SHEET NO.

**C108**



NORTH DRIVEWAY PROFILE  
STA. 4+86 TO STA. 8+58

TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI

**LYNCH & ASSOCIATES**  
ENGINEERING CONSULTANTS, LLC

**NORTH PARCEL DRIVEWAY PLAN & PROFILE**

NO.	REVISIONS	BY	DATE
1	CITY REVIEW COMMENTS	TCL	07.08.24

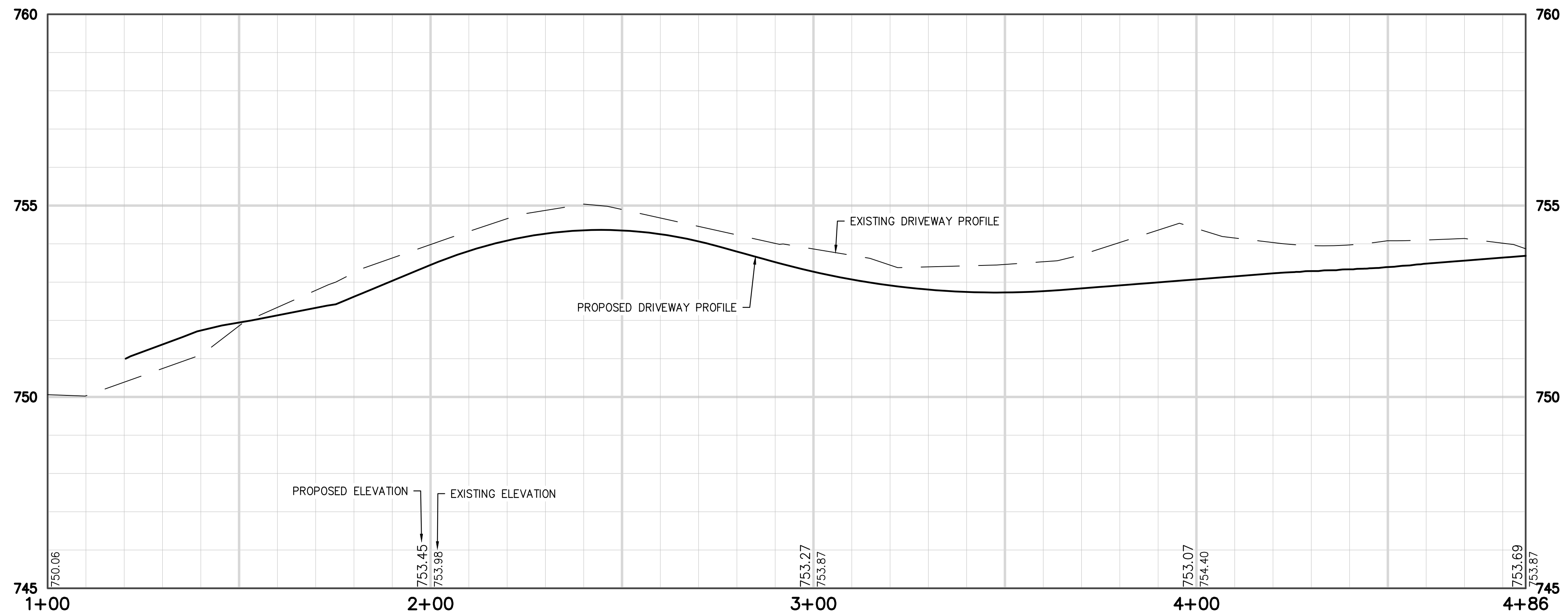
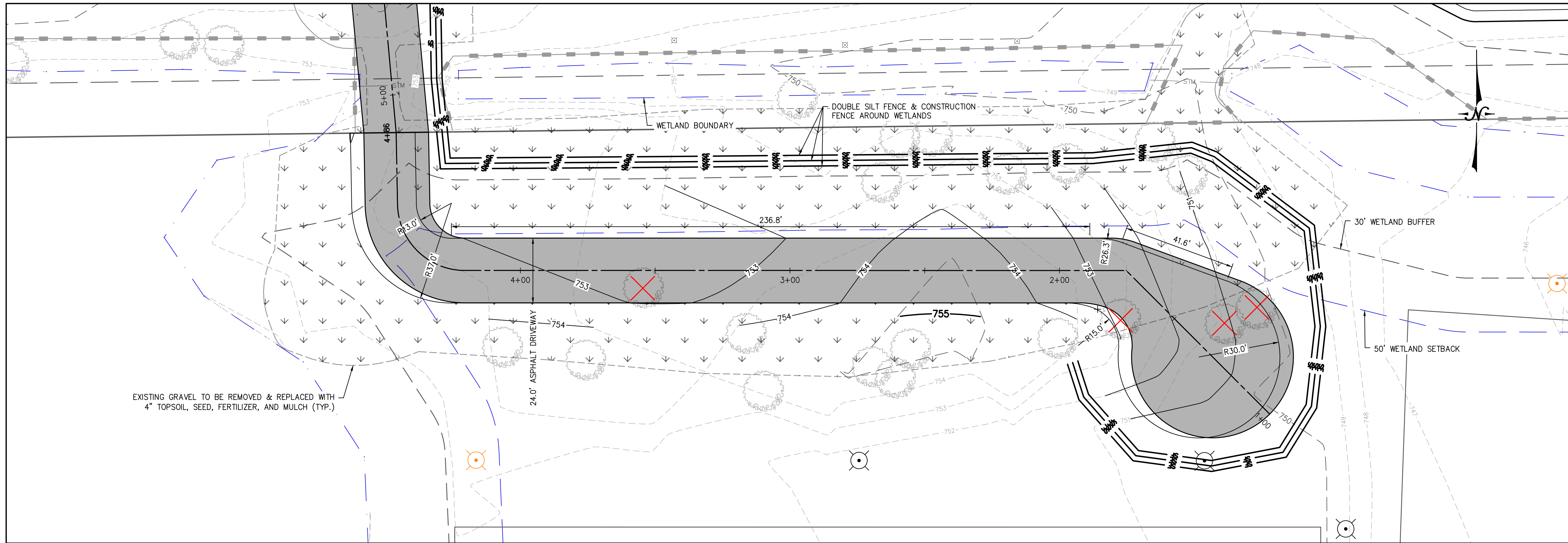
ISSUED FOR REVIEW

PLAN DATE 06.09.22  
DESIGNED BY TCL

0 20'  
SCALE

PROJECT NO.  
**22.0015**

SHEET NO.  
**C201**



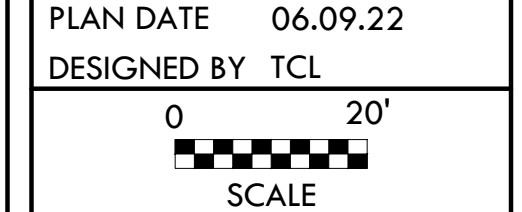
TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
 FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

**SOUTH PARCEL DRIVEWAY PLAN & PROFILE**

NO.	REVISIONS	BY	DATE
1	CITY REVIEW COMMENTS	TCL	07.08.24

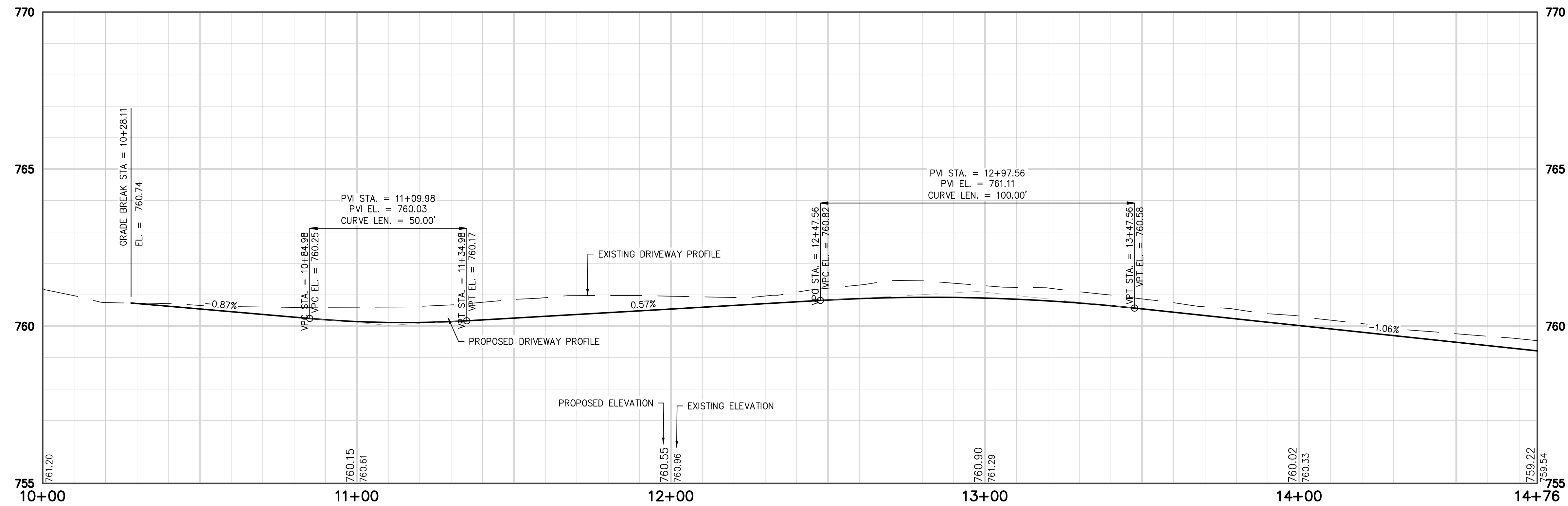
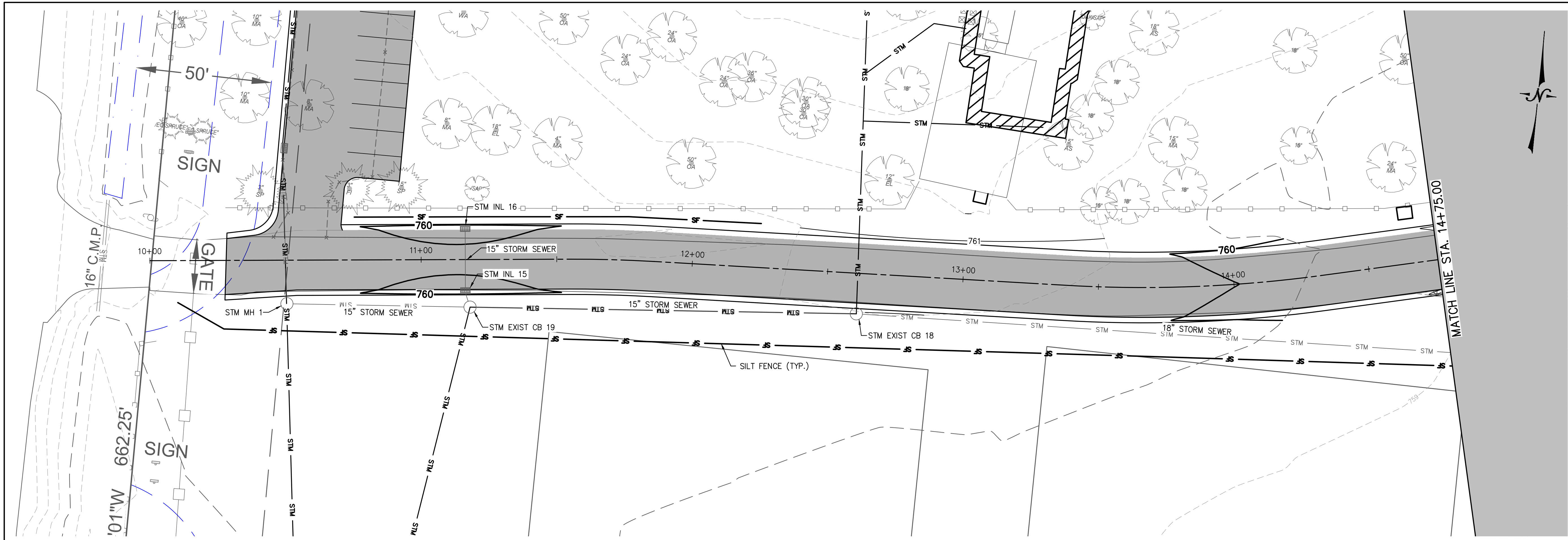
**ISSUED FOR REVIEW**

PLAN DATE 06.09.22  
 DESIGNED BY TCL



PROJECT NO.  
**22.0015**

SHEET NO.  
**C202**



TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
 FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

MAIN DRIVEWAY PLAN & PROFILE

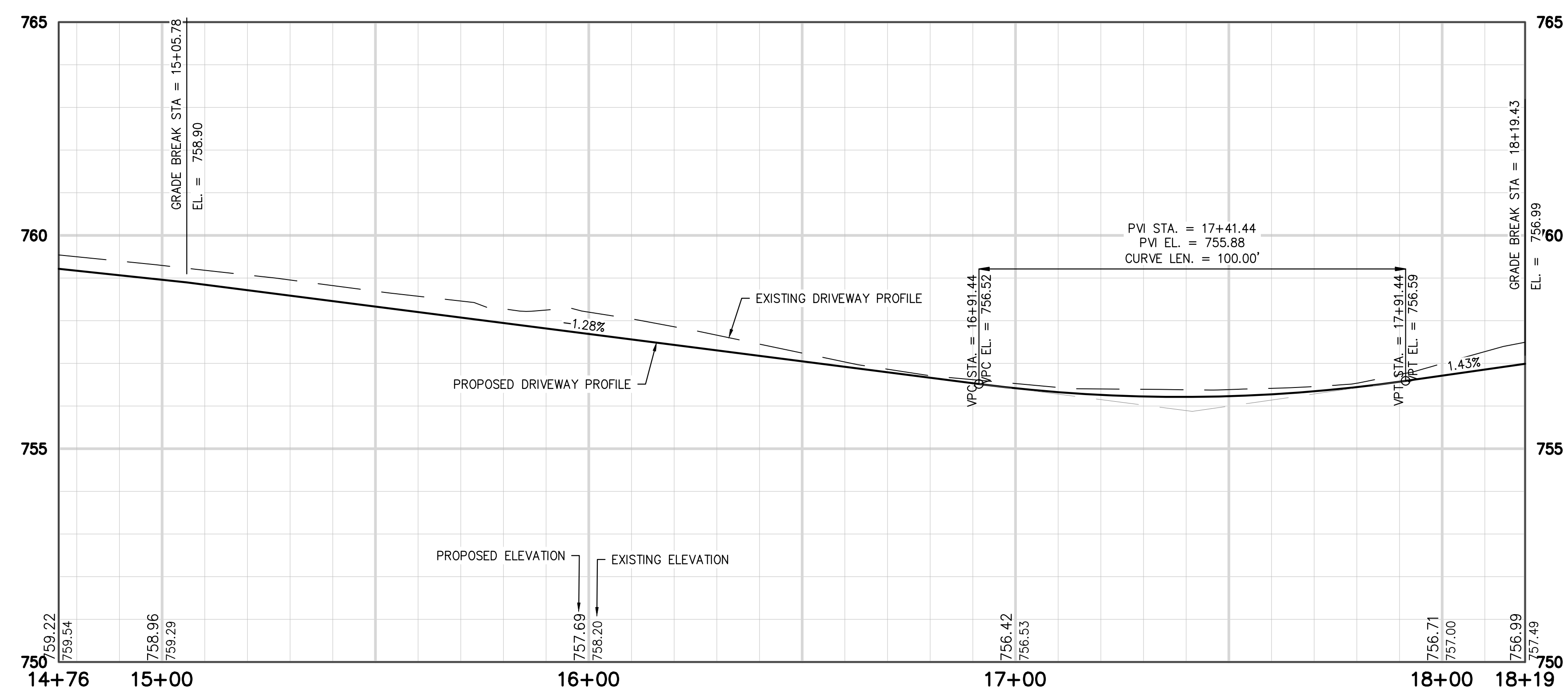
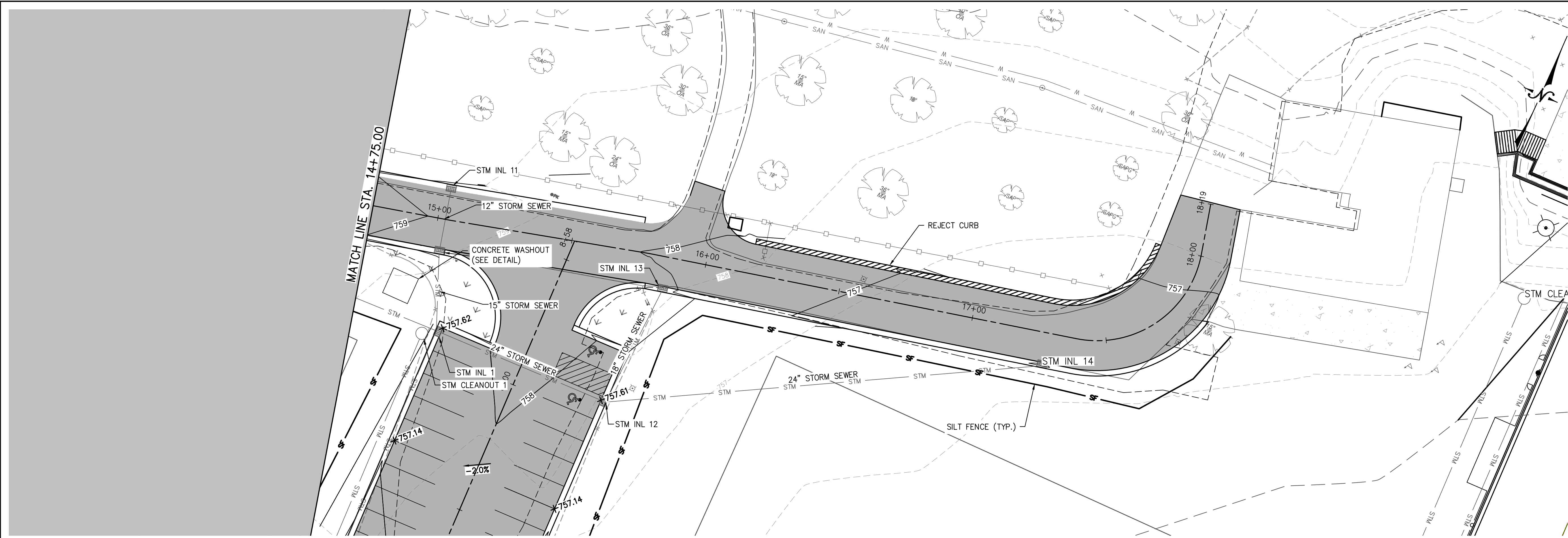
NO.	REVISIONS	BY	DATE
1	CITY REVIEW COMMENTS	TCL	07.08.24

ISSUED FOR REVIEW

PLAN DATE 06.09.22  
 DESIGNED BY TCL

SCALE 0 20'  
 PROJECT NO. 22.0015

SHEET NO. C301



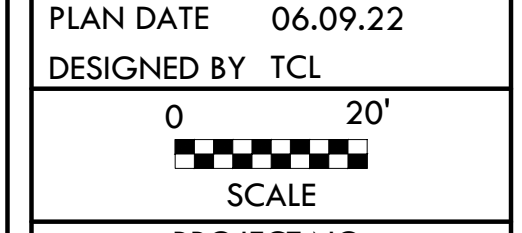
TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
 FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

**MAIN DRIVEWAY PLAN & PROFILE**

NO.	REVISIONS	BY	DATE
1	CITY REVIEW COMMENTS	TCL	07.08.24

**ISSUED FOR REVIEW**

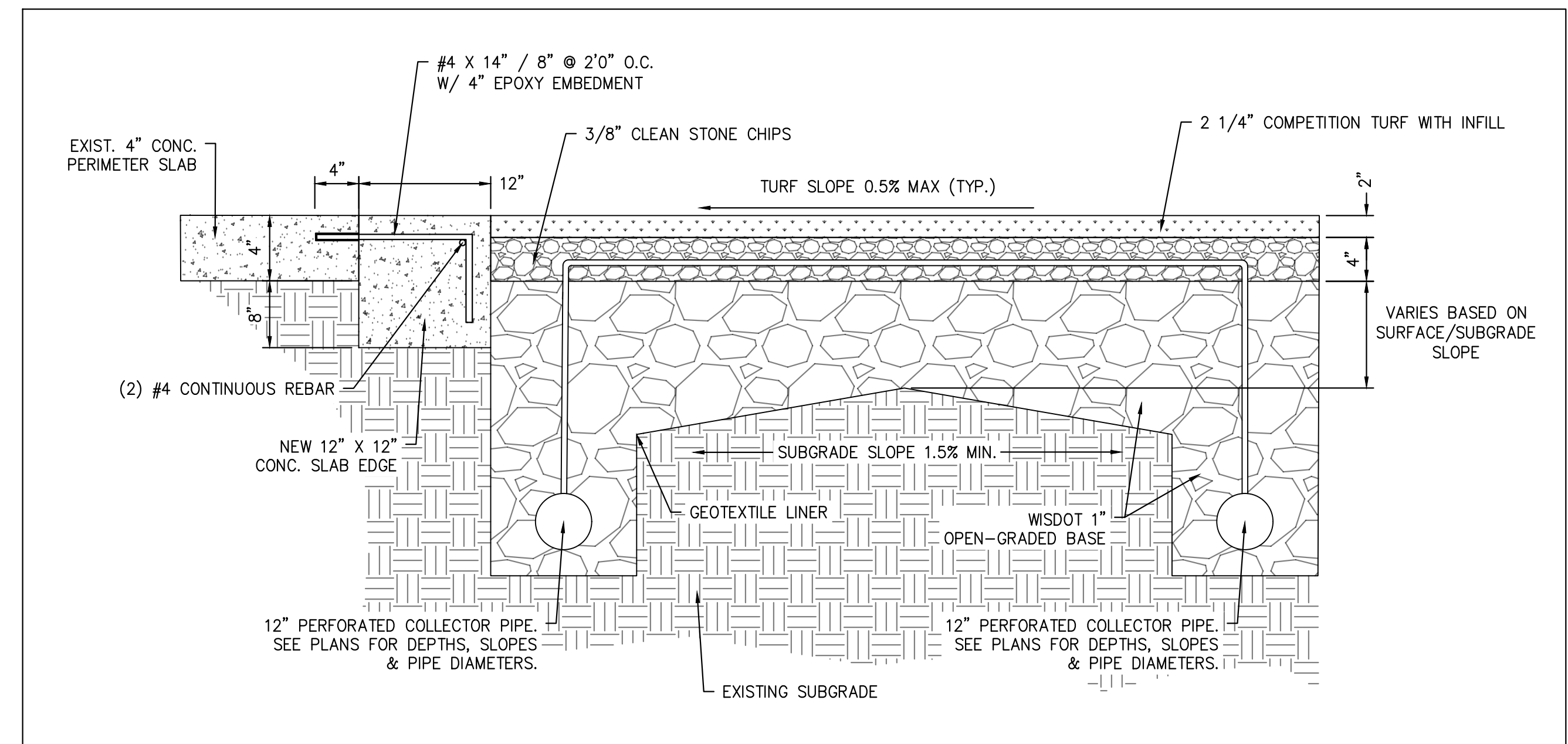
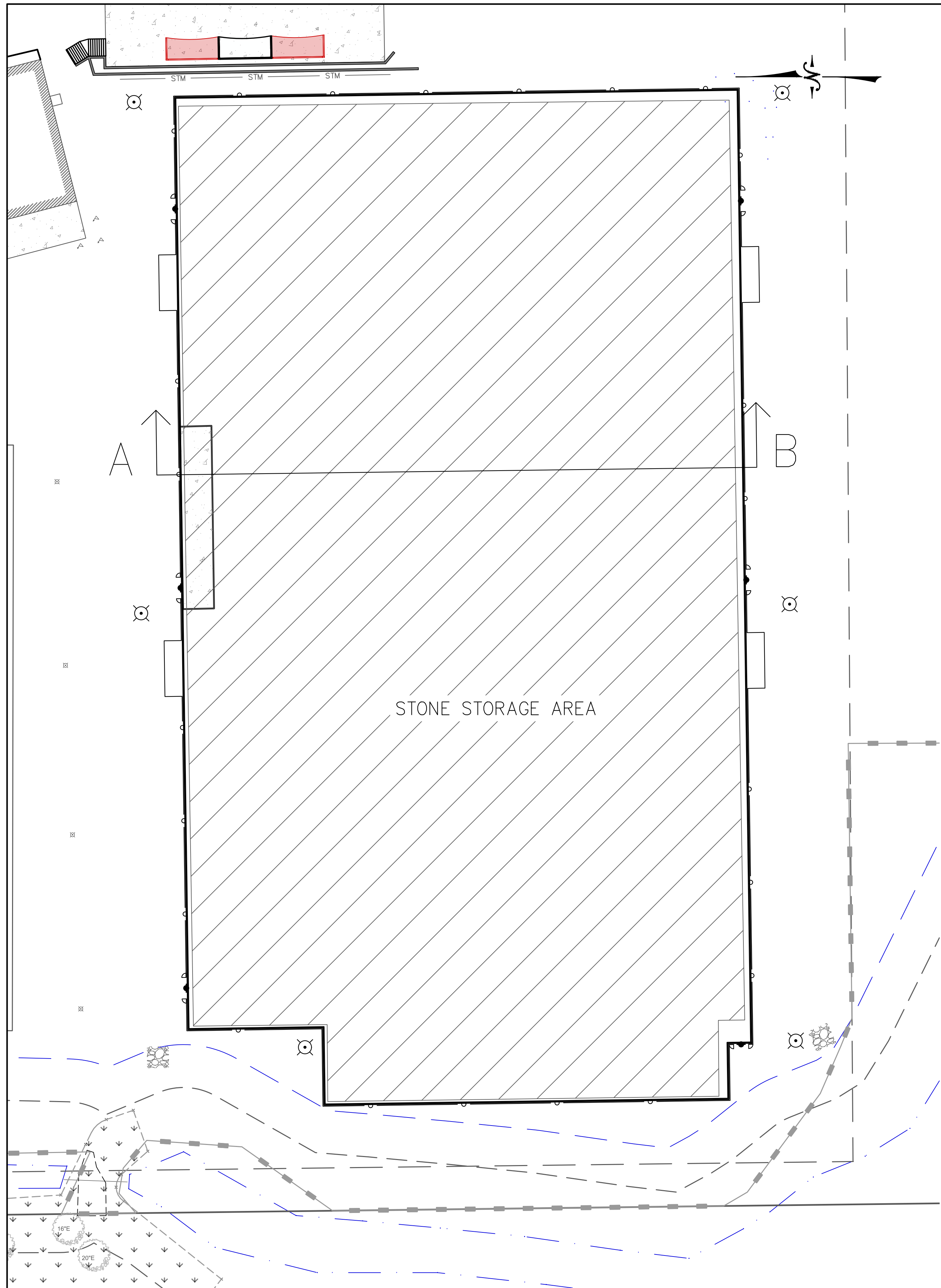
PLAN DATE 06.09.22  
 DESIGNED BY TCL



PROJECT NO.  
**22.0015**

SHEET NO.  
**C302**





A-B FIELD PROFILE WITH DRAINAGE

TURF FIELD PROJECT  
**CROATIAN EAGLES SOCCER CLUB**

FRANKLIN, WI

**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

TURF FIELD CROSS-SECTION

NO. REVISIONS BY DATE

ISSUED FOR REVIEW

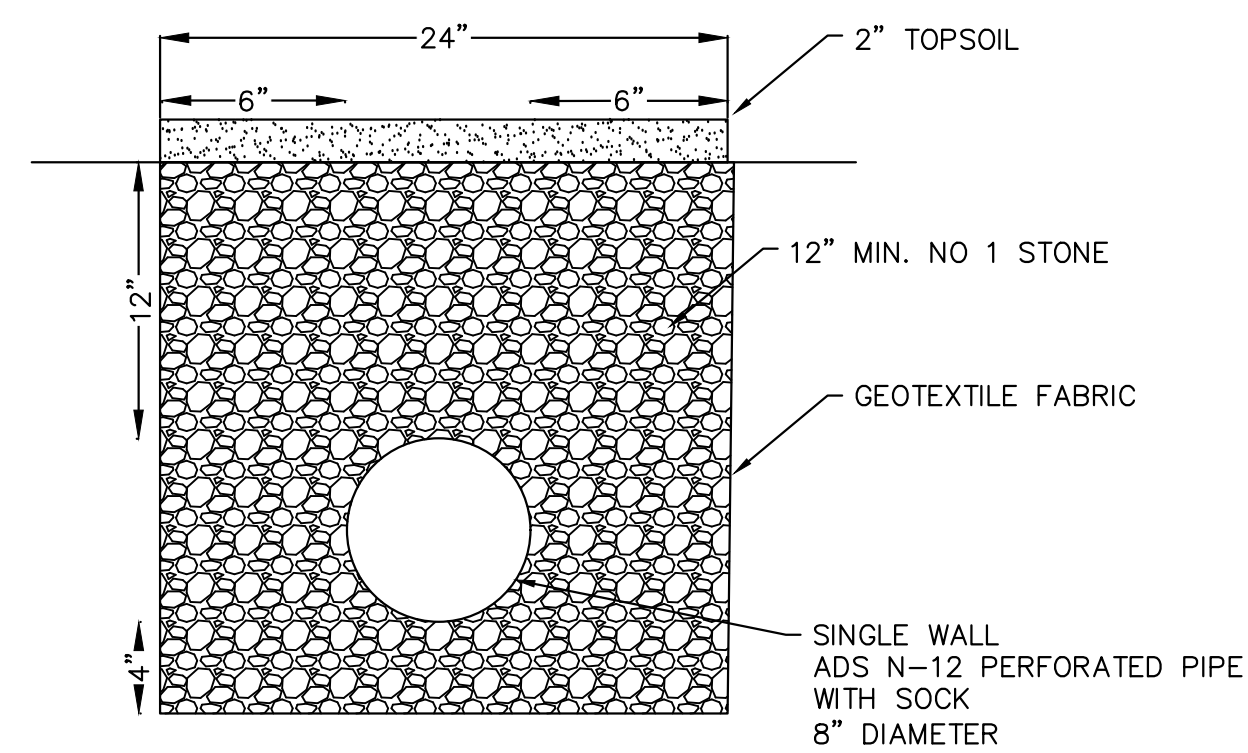
PLAN DATE 06.09.22  
 DESIGNED BY TCL

0 30'  
 SCALE

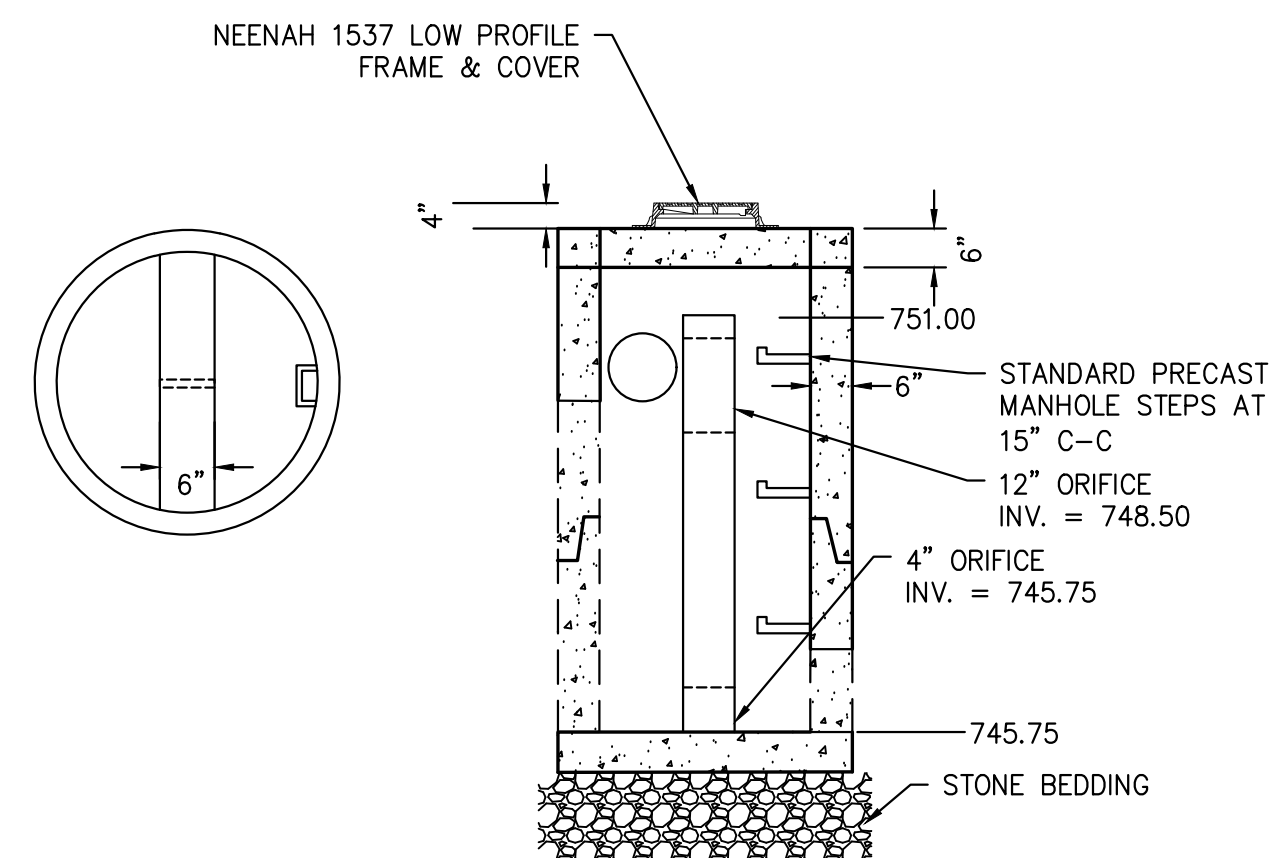
PROJECT NO.  
 22.0015

SHEET NO.

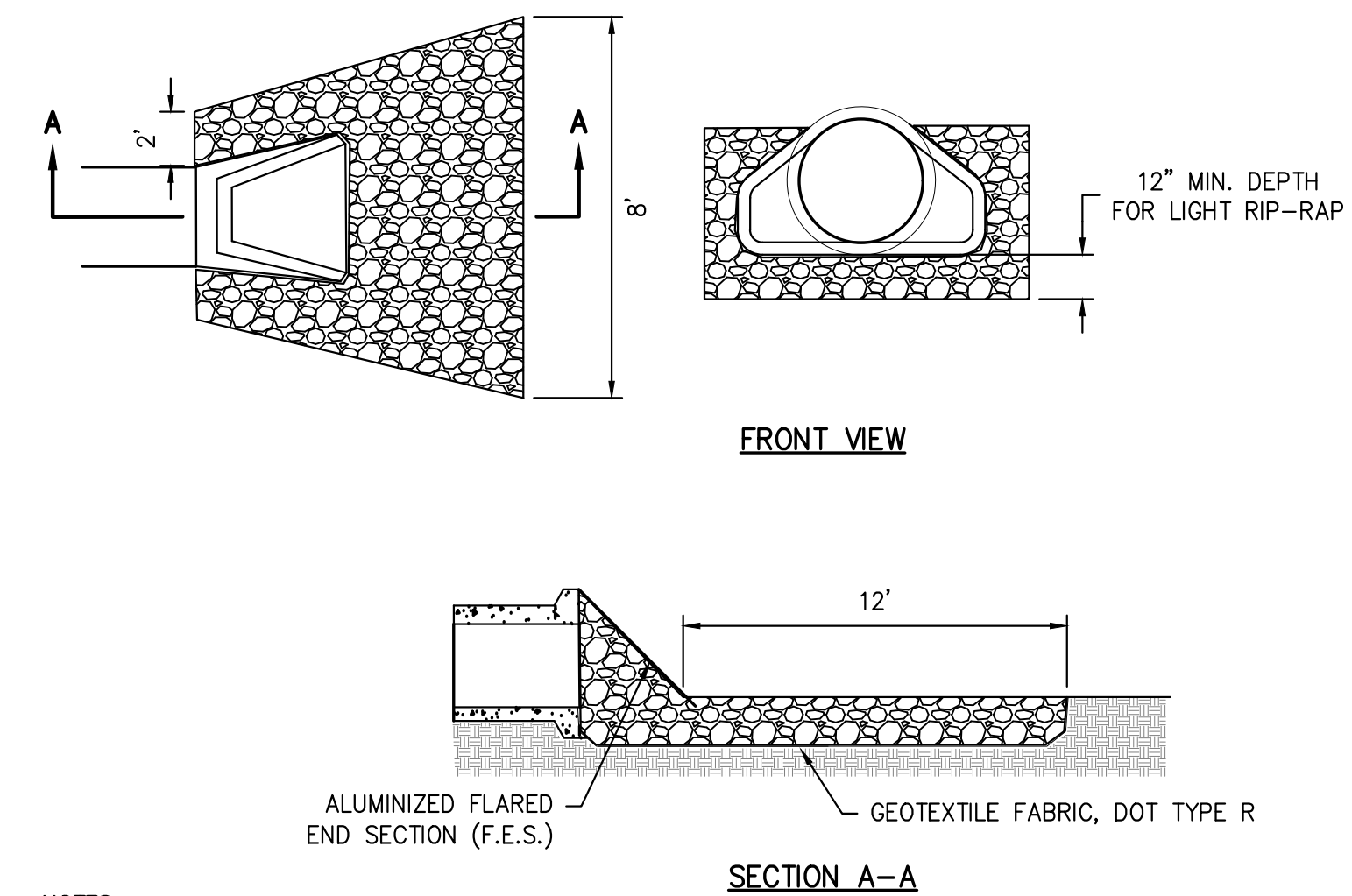
**C401**



1 FRENCH DRAIN DETAIL  
C501



2 STM INLET #7  
6' DIA. MANHOLE  
C501

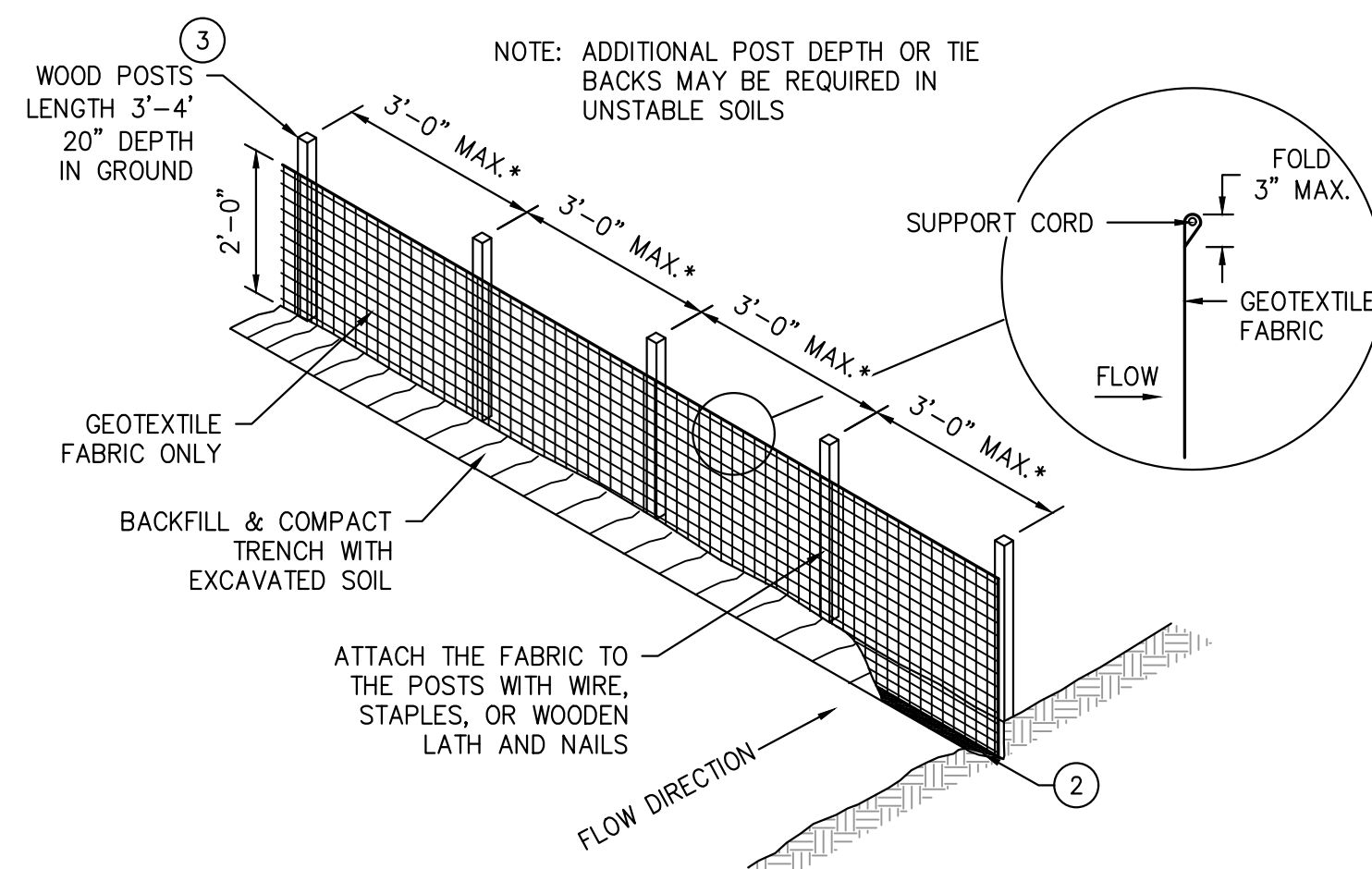


NOTES:

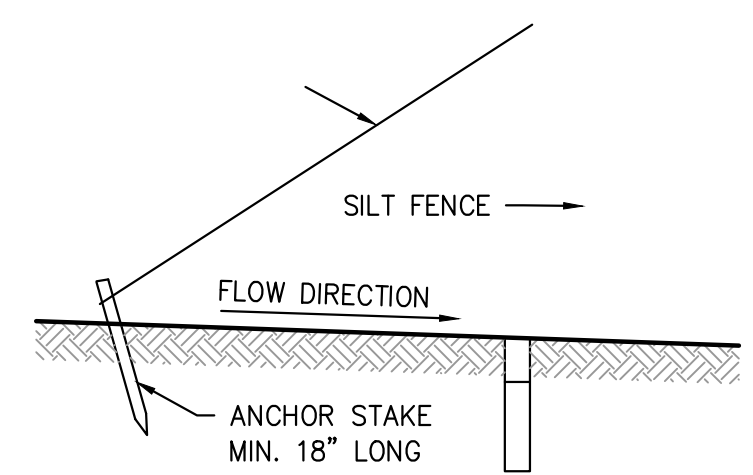
- EXCAVATE TO ONE FOOT BELOW PIPE OUTLET AND WIDEN CHANNEL TO THE REQUIRED RIP-RAP THICKNESS FOR EACH APRON. FOUNDATION TO BE CUT TO ZERO GRADE AND SMOOTHED.
- PLACE FILTER CLOTH ON BOTTOM AND SIDES OF PREPARED FOUNDATION. ALL JOINTS TO OVERLAP A MINIMUM OF ONE FOOT.
- EXERCISE CARE IN RIP-RAP PLACEMENT TO AVOID DAMAGE TO FILTER FABRIC.
- PLACE RIP-RAP ON ZERO GRADE, TOP OF RIP-RAP TO BE LEVEL WITH PROPOSED OUTLET NO OVERFALL AT ENDS.
- RIP-RAP SHALL BE MEDIUM RIP-RAP IN ACCORDANCE WITH SECTION 606 OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
- IMMEDIATELY AFTER CONSTRUCTION, STABILIZE ALL DISTURBED AREAS WITH VEGETATION.
- LINE CHANNEL TO TOP OF BANKS FOR A DISTANCE OF 12' DOWNSTREAM. NO RESTRICTION OF CHANNEL CROSS SECTION SHOULD EXIST.

3 FLARED END SECTION AND RIP-RAP  
C501

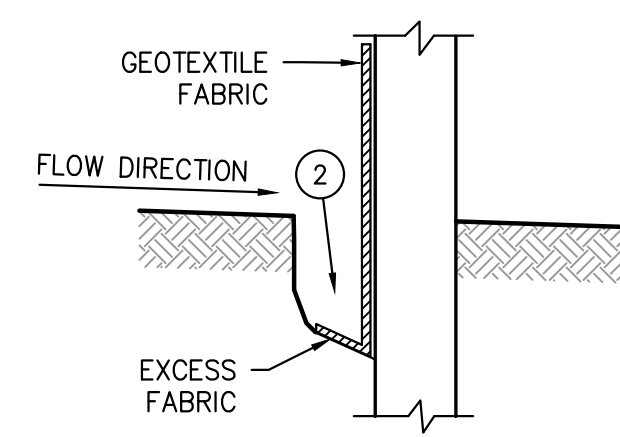
This drawing based on Wisconsin Department of Transportation Standard Detail Drawing 8 E 9-6.



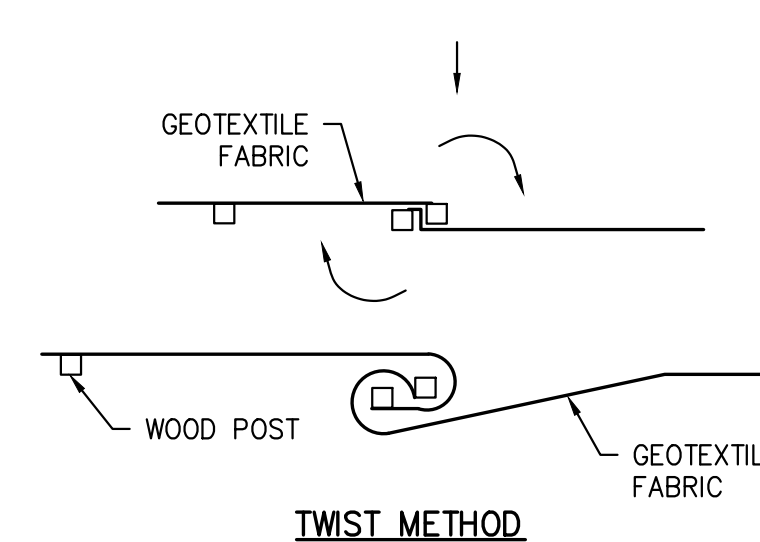
NOTE: 8'-0" POST SPACING ALLOWED IF A WOVEN GEOTEXTILE FABRIC IS USED.



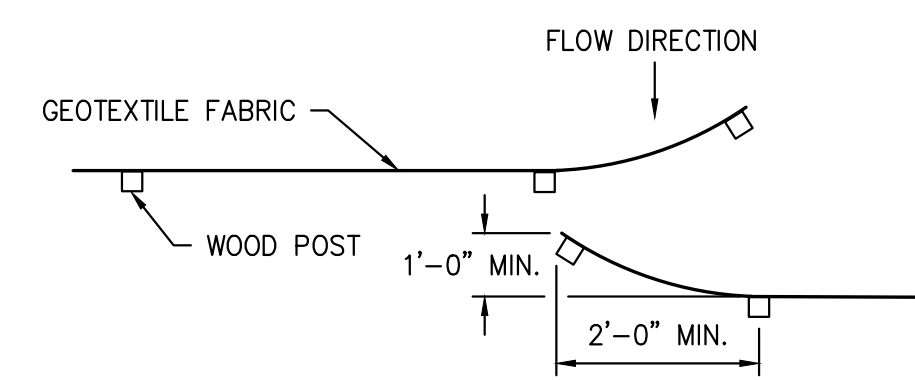
SILT FENCE TIE BACK  
(WHEN ADDITIONAL SUPPORT REQUIRED)



TRENCH DETAIL



TWIST METHOD



HOOK METHOD

JOINING TWO LENGTHS OF SILT FENCE

GENERAL NOTES:

- HORIZONTAL BRACE REQUIRED WITH 2" x 4" WOODEN FRAME OR EQUIVALENT AT TOP OF POSTS.
- TRENCH SHALL BE A MINIMUM OF 4" WIDE AND 6" DEEP TO BURY AND ANCHOR THE GEOTEXTILE FABRIC. FOLD MATERIAL TO FIT TRENCH AND BACKFILL AND COMPACT TRENCH WITH EXCAVATED SOIL.
- WOOD POSTS SHALL BE A MINIMUM SIZE OF 1-1/8" x 1-1/8" OF OAK OR HICKORY.
- SILT FENCE TO EXTEND ACROSS THE TOP OF THE PIPE.
- CONSTRUCT SILT FENCE FROM A CONTINUOUS ROLL IF POSSIBLE BY CUTTING LENGTHS TO AVOID JOINTS. IF A JOINT IS NECESSARY USE ONE OF THE FOLLOWING TWO METHODS:  
A) OVERLAP THE END POSTS AND TWIST, OR ROTATE, AT LEAST 180°  
B) HOOK THE END OF EACH SILT FENCE LENGTH.
- SILT FENCE SHALL BE INSTALLED USING CURRENT WISDOT STANDARDS AT THE TIME OF CONSTRUCTION.

4 SILT FENCE  
C501

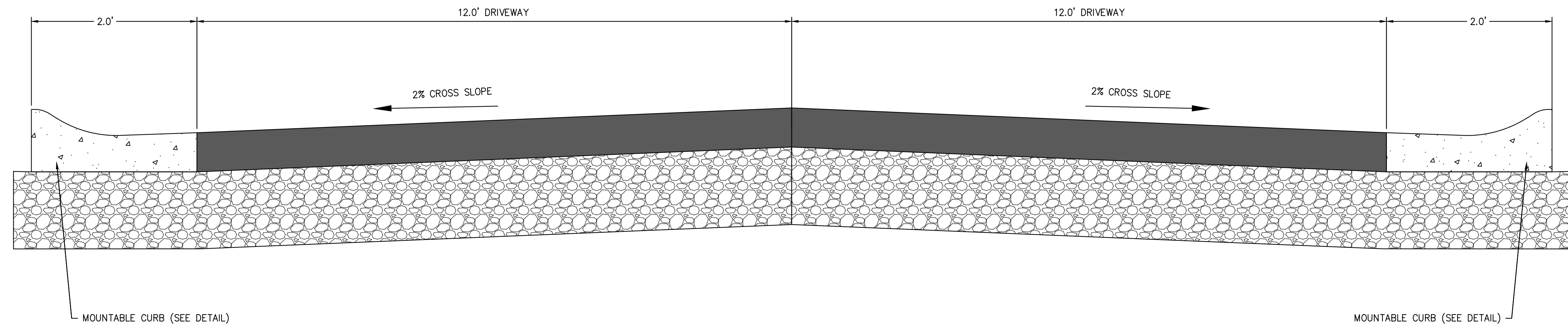
TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI

**LYNCH & ASSOCIATES**  
ENGINEERING CONSULTANTS, LLC

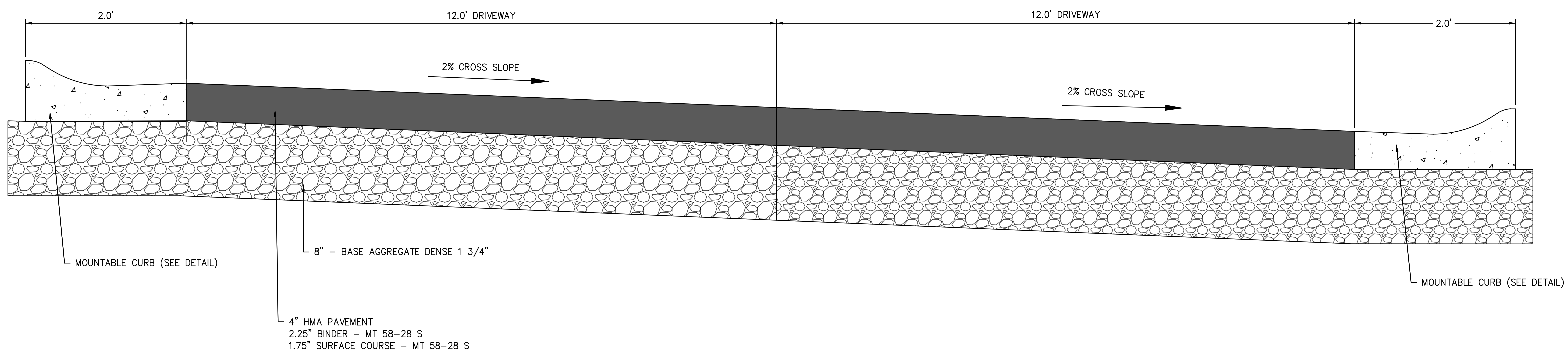
NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW
PLAN DATE 10.19.2022
DESIGNED BY MBS
0 NTS
SCALE
PROJECT NO. 22.0015
SHEET NO.

C501
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DRIVEWAY SECTION  
CROWNED TYP



DRIVEWAY SECTION  
SUPERELEVATED TYP

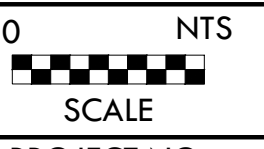
TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
ENGINEERING CONSULTANTS, LLC

CONSTRUCTION DETAILS

NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW

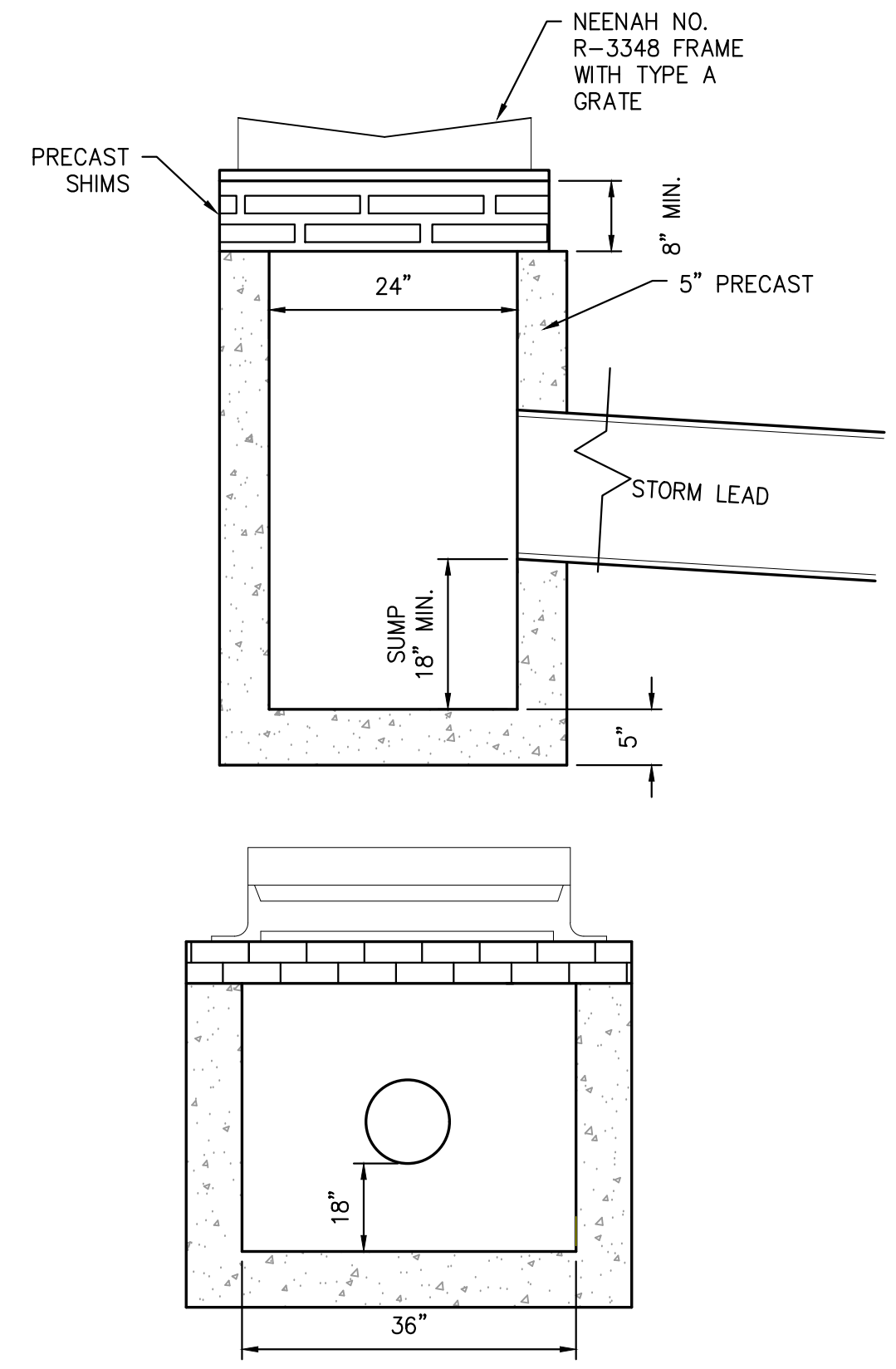
PLAN DATE 10.19.2022  
DESIGNED BY MBS



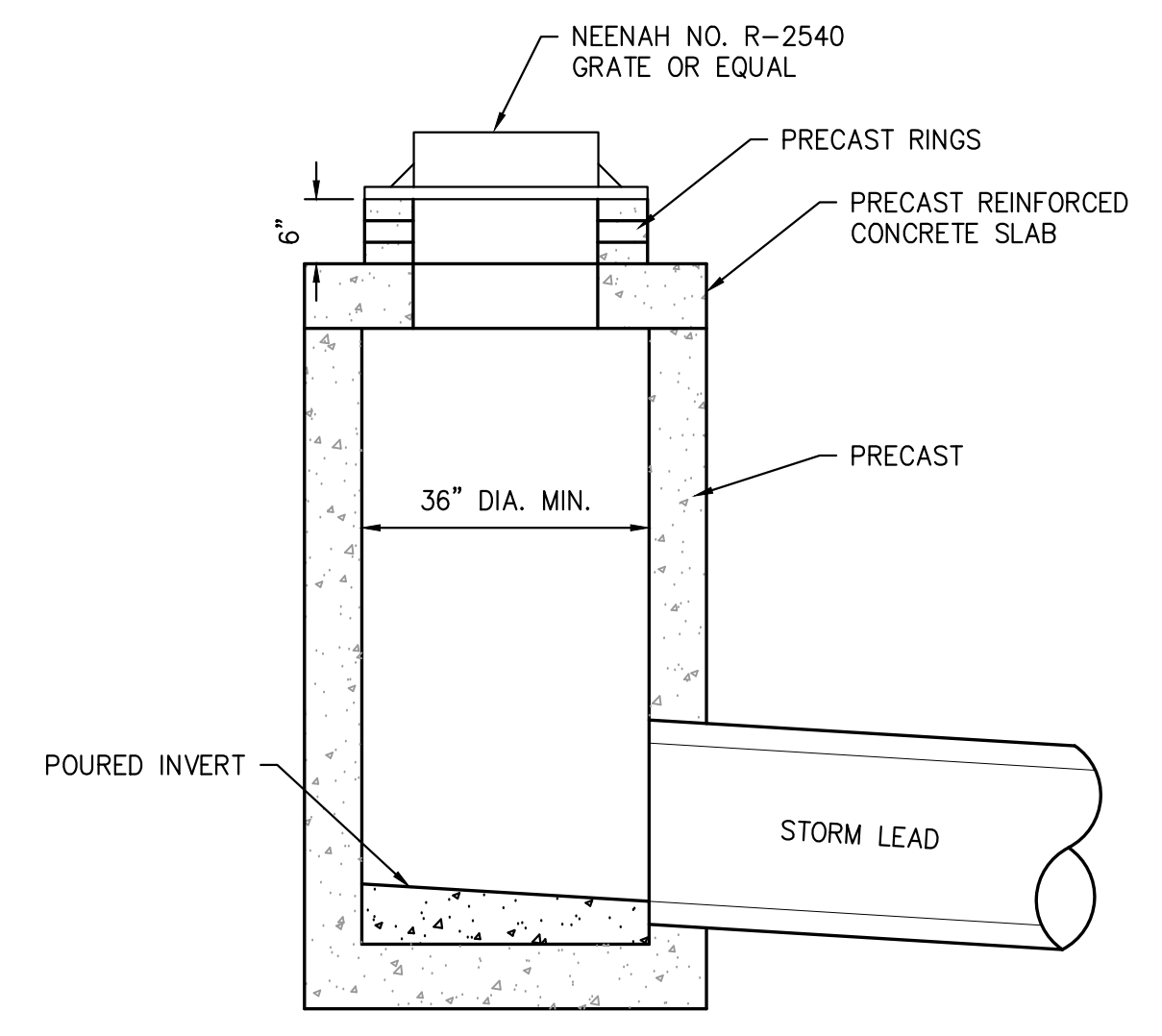
PROJECT NO.  
22.0015

SHEET NO.

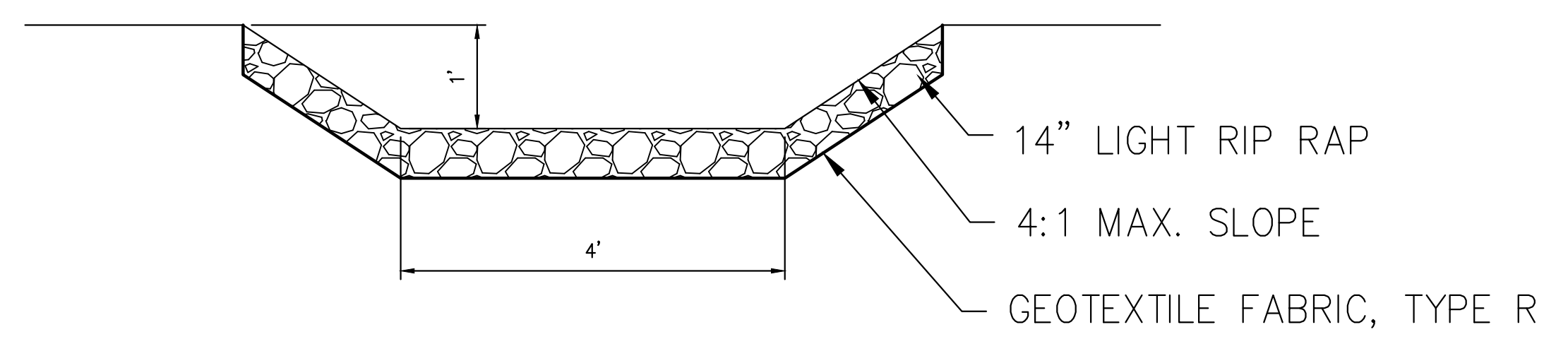
**C502**



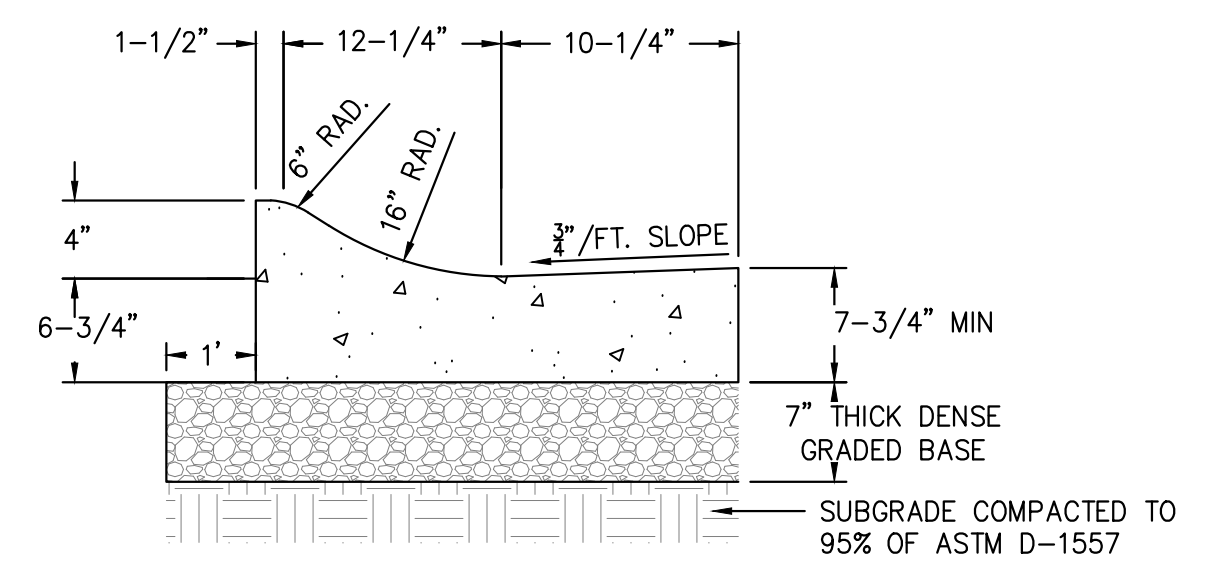
STORM INLET



STORM MANHOLE



LEVEL SPREADER



\*CURB HEIGHT MAY VARY. SEE SITE GRADING PLAN FOR EXACT CURB HEIGHTS. CONTACT ENGINEER WITH ANY QUESTIONS THAT ARISE.

TYPICAL 24" MOUNTABLE CURB  
NOTE: DEPTH OF FACE MAY VARY

TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI

**LYNCH & ASSOCIATES**  
ENGINEERING CONSULTANTS, LLC

**CONSTRUCTION DETAILS**

NO.	REVISIONS	BY	DATE
1	CITY REVIEW COMMENTS	TCL	07.08.24

**ISSUED FOR REVIEW**

PLAN DATE 10.19.2022  
DESIGNED BY MBS

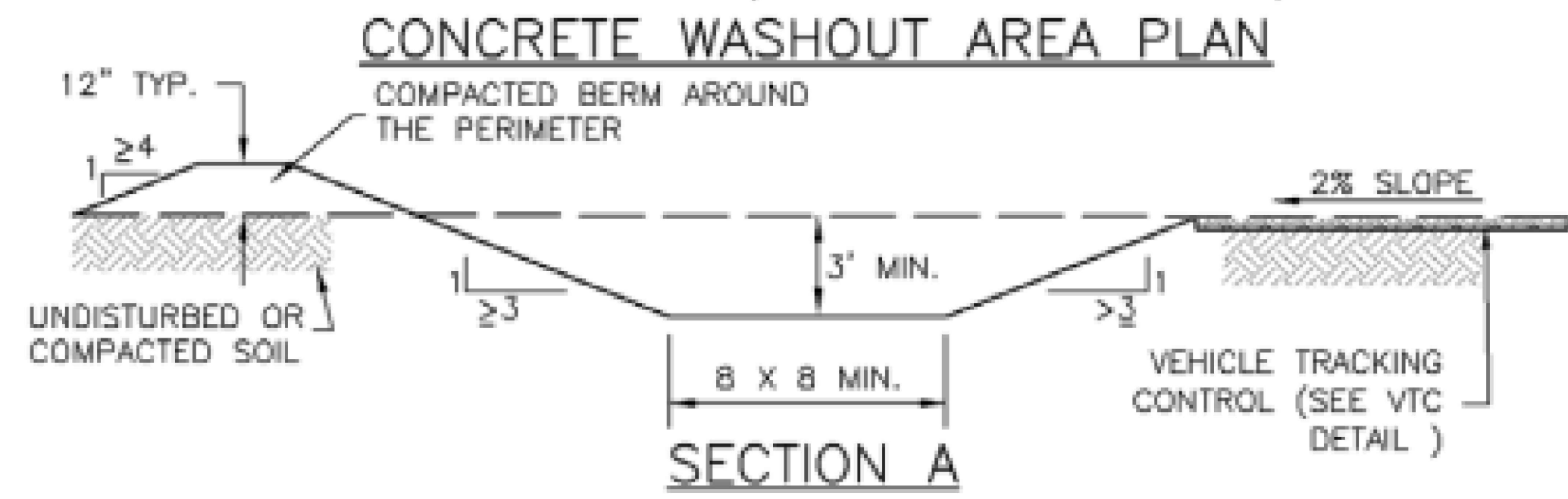
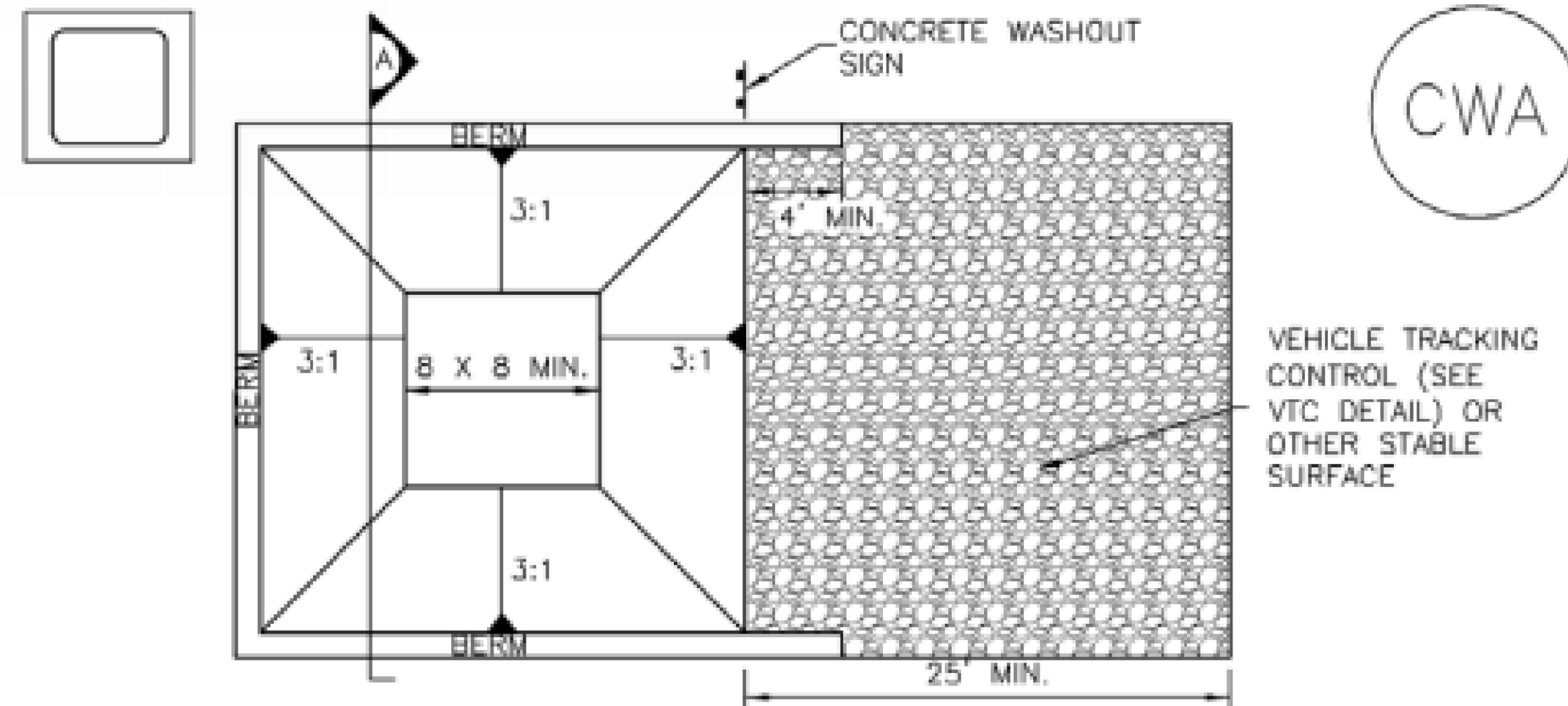
0 NTS  
SCALE

PROJECT NO.  
**22.0015**

SHEET NO.

**C503**

# Concrete Washout Area (CWA) MM-1



## CWA-1. CONCRETE WASHOUT AREA

### CWA INSTALLATION NOTES

1. SEE PLAN VIEW FOR:  
-CWA INSTALLATION LOCATION.
2. DO NOT LOCATE AN UNLINED CWA WITHIN 400' OF ANY NATURAL DRAINAGE PATHWAY OR WATERBODY. DO NOT LOCATE WITHIN 1,000' OF ANY WELLS OR DRINKING WATER SOURCES. IF SITE CONSTRAINTS MAKE THIS INFEASIBLE, OR IF HIGHLY PERMEABLE SOILS EXIST ON SITE, THE CWA MUST BE INSTALLED WITH AN IMPERMEABLE LINER (18 MIL MIN. THICKNESS) OR SURFACE STORAGE ALTERNATIVES USING PREFABRICATED CONCRETE WASHOUT DEVICES OR A LINED ABOVE GROUND STORAGE ARE SHOULD BE USED.
3. THE CWA SHALL BE INSTALLED PRIOR TO CONCRETE PLACEMENT ON SITE.
4. CWA SHALL INCLUDE A FLAT SUBSURFACE PIT THAT IS AT LEAST 8' BY 8' SLOPES LEADING OUT OF THE SUBSURFACE PIT SHALL BE 3:1 OR FLATTER. THE PIT SHALL BE AT LEAST 3' DEEP.
5. BERM SURROUNDING SIDES AND BACK OF THE CWA SHALL HAVE MINIMUM HEIGHT OF 1'.
6. VEHICLE TRACKING PAD SHALL BE SLOPED 2% TOWARDS THE CWA.
7. SIGNS SHALL BE PLACED AT THE CONSTRUCTION ENTRANCE, AT THE CWA, AND ELSEWHERE AS NECESSARY TO CLEARLY INDICATE THE LOCATION OF THE CWA TO OPERATORS OF CONCRETE TRUCKS AND PUMP RIGS.
8. USE EXCAVATED MATERIAL FOR PERIMETER BERM CONSTRUCTION.

TURF FIELD PROJECT FOR  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC

CONSTRUCTION DETAILS	
NO.	REVISIONS
1	CITY REVIEW COMMENTS
	BY DATE
	TCL 07.08.24

ISSUED FOR REVIEW

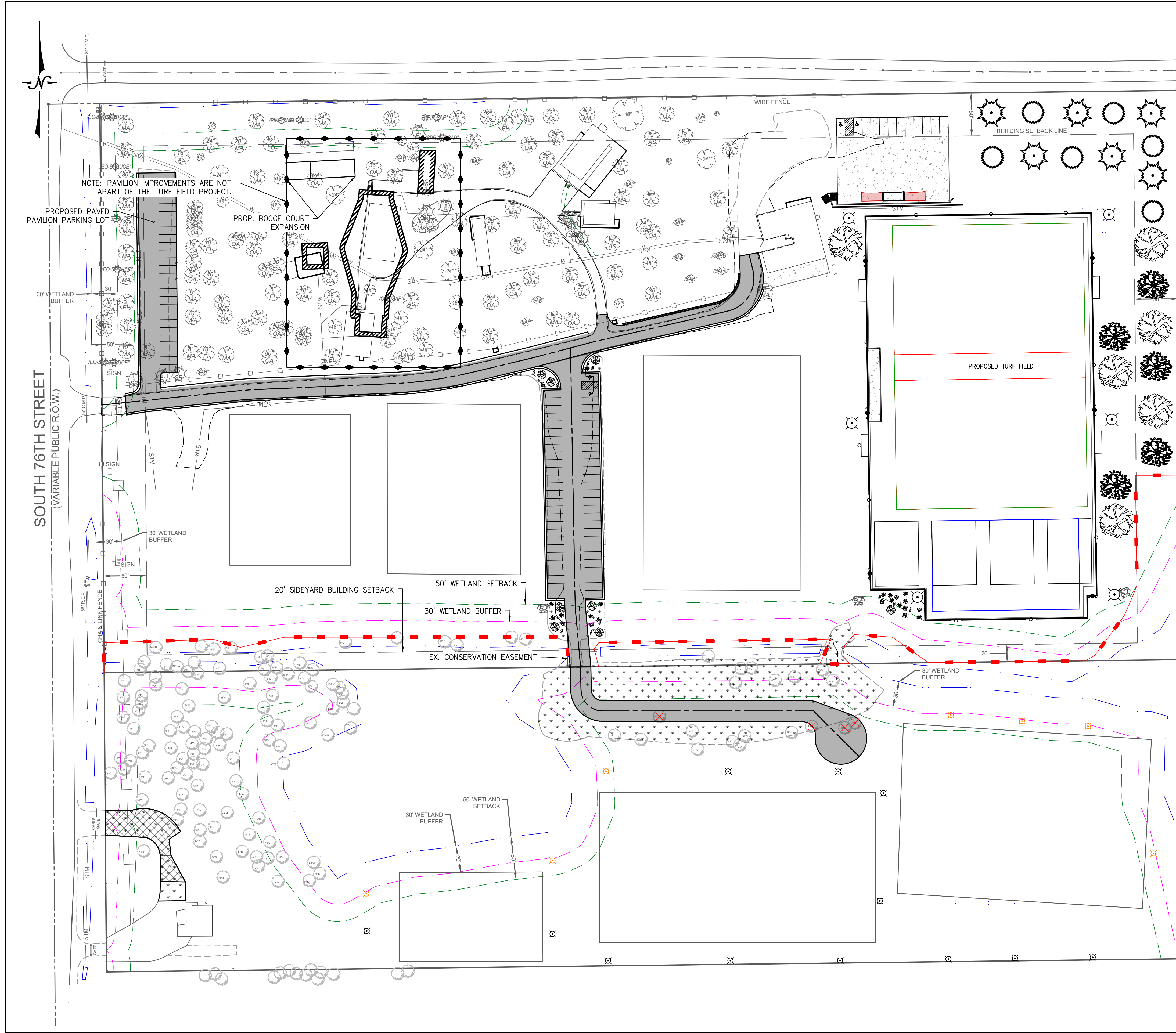
PLAN DATE 10.19.2022  
 DESIGNED BY MBS

0 NTS  
 SCALE

PROJECT NO.  
 22.0015

SHEET NO.

**C504**



		SIZE	QUANTITY
A	Black Hills Spruce <i>Picea glauca</i> var. <i>Densata</i>	7'	4
B	Eastern White Pine <i>Pinus Strobus</i>	7'	8
C	Smooth Serviceberry <i>Amelancier laevis</i>	6'	7
D	Hardy Geranium <i>Geranium Sanguineum</i> 'Purple Flame'	4.5" pot	6
E	Karl Foerster Feather Reed Grass <i>Calamagrostis acutiflora</i> 'Karl Foerster'	1 gallon	5
F	Japanese Barberry <i>Berberis Thunbergii</i> 'Atropurpurea'	24"-30"	6
G	Stella d'Oro Daylily <i>Hemerocallis</i> 'Stella d'Oro'	4.5" pot	5
H	Prairie Dropseed Grass <i>Sporobolus heteroepis</i>	1 gallon	5
I	Coreopsis Citrine <i>Coreopsis</i> 'Citrine'	3 gallon	9
J	Common Hackberry <i>Celtis Occidentalis</i>	2 1/2" Caliper	6
K	Norway Maple <i>Acer Platanoides</i> 'Superform'	2 1/2" Caliper	6

--- EX CONSERVATION EASEMENT  
--- 30' WETLAND BUFFER  
--- 50' WETLAND SETBACK

**TURF FIELD PROJECT FOR**  
**CROATIAN EAGLES SOCCER CLUB**  
FRANKLIN, WI  
**LYNCH & ASSOCIATES**  
**ENGINEERING CONSULTANTS, LLC**

LANDSCAPE PLAN	
NO.	REVISIONS
1	TCL 07.08.24
2	TCL 07.17.24
	CITY REVIEW COMMENTS
	CITY REVIEW COMMENTS

**ISSUED FOR REVIEW**  
 PLAN DATE 06.09.22  
 DESIGNED BY TCL

0 60'  
 SCALE  
 PROJECT NO.  
**22.0015**  
 SHEET NO.  
**C109**