



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

PLAN COMMISSION MEETING AGENDA
Thursday, January 9, 2025 at 6:00 P.M.

A. Call to Order and Roll Call

B. Approval of Minutes

1. Approval of the regular meeting of December 5, 2024.
2. Approval of the regular meeting of December 19, 2024.

C. Public Hearing Business Matters

1. **Croatian Soccer, Natural Resource Special Exception (NRSE).** For proposed impacts to wetland setback for the installation of lighting poles upon property located at 9100 S 76th Street (Tax Key No. 884 9995 000 and 884 9996 000).

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

E. Business Matters

1. **M&J Krueger Trucking Services LLC, Site Plan Amendment.** After-the-fact application to resolve an open enforcement case (EN23-0241), specifically unpermitted filling for an outdoor storage area encroaching into the Floodfringe District (FF) and an unpermitted accessory building upon property located at 6705 W. Ryan Road (Tax Key No. 898 9999 000).
2. **Plan Commission Membership, UDO Text Amendment.** An ordinance to amend §15-10.0102 Membership, of the Unified Development Ordinance (UDO) to change the Plan Commission membership to remove the City Engineer member and in place thereof provide an alderperson to serve on the Plan Commission (City of Franklin, applicant). [The Plan Commission held a public hearing for this item on December 19, 2024]

F. Adjournment

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: The public hearing for the rewrite of the Unified Development Ordinance (UDO) is scheduled for next Regular Plan Commission Meeting: January 23, 2025.

**City of Franklin
Plan Commission Meeting
December 5, 2024
Minutes**

unapproved

A. Call to Order and Roll Call

Mayor John Nelson called the December 5, 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, Alderwoman Courtney Day, Commissioners Kevin Haley, Patrick Leon, Michael Shawgo and Rebecca Specht. Also present were City Attorney Jesse Wesolowski, Planning Manager Régulo Martínez-Montilva, Planning Intern David Serna-Herrera, Director of Administration Kelly Hersh and Alderwoman Michelle Eichmann.

B. Approval of Minutes – Regular Meeting of November 21, 2024

Commissioner Leon moved and Commissioner Shawgo seconded a motion to approve the November 21, 2024 meeting minutes. On voice vote, all voted ‘aye’; motion carried (5-0-0).

C. Public Hearing Business Matters

- 1. Kent, Area Exception.** Request for approval of an Area Exception to allow for a lot coverage increase for the installation of an inground swimming pool, upon property located 6575 W River Pointe Drive (TKN 851 0022 000).

Planning Manager Martínez presented the Area Exception request. Applicants Crystal Kent and Keith Kent were present.

The Official Notice of Public Hearing was read in to the record by Planning Manager Martínez and the Public Hearing opened at 6:06 pm and closed at 6:06 pm.

Commissioner Leon moved and Alderwoman Day seconded a motion to recommend approval of an application for an area exception to allow for a maximum lot coverage of 18% (4,029 square feet), exceeding the maximum lot coverage standard of 15% in the R-3 Suburban/Estate Single-Family Residence District to allow for the installation of an inground swimming pool, for property located at 6575 W River Pointe Drive (Crystal & Keith Kent, Applicants and Property Owners), with the conditions of approval suggested by the Engineering Department: 1) The applicant is responsible for submitting a letter of approval from the Home Owners Association, 2) Access from Puetz Road will need a right-of-way, they applicant may obtain such permit from the Engineering Department if needed. On voice vote, all voted ‘aye’; motion carried (5-0-0).

- D. Citizen comment period.** Citizens may comment upon the Business Matter items set forth on this meeting agenda.

The citizen comment period opened at 6:11 p.m. and closed at 6:11 p.m.

E. Business Matters

- 1. Carma, Site Plan Amendment.** Request for approval of a Site Plan Amendment to allow for changes to the approved Site Plan including addition of carport canopies, parking changes, and

landscape and lighting plan modifications on property located at 9410 S 76th St. (884 9997 000).

Planning Intern Serna presented the Site Plan Amendment request.

Commissioner Leon moved and Commissioner Haley seconded a motion to adopt a resolution approving a Site Plan Amendment to allow for changes to the approved Site Plan including an addition of carport canopies, parking changes and landscape and lighting plan changes upon property located at 9410 S. 76th St. (Carma Laboratories, Applicant and Property Owner). On voice vote, all voted 'aye'; motion carried (5-0-0).

- 2. Dunkin Donuts, Master Sign Program.** Request for approval of a Master Sign Program to allow for additional signage to exceed the maximum allowed established by our Unified Development Ordinance on property located at 5444 W. Rawson Ave (741 9003 000).

Planning Intern Serna presented the Site Plan Amendment request.

Commissioner Leon moved and Alderwoman Day seconded a motion to approve a resolution approving a Master Sign Program for the Dunkin Donuts/Baskin Robbins to allow for the business to exceed the maximum allowable signage on property located at 5444 W. Rawson Ave (Kardo Rasha, Applicant and Property Owner), with the condition that the applicant must submit a lighting plan attesting compliance with the lighting standards of the Unified Development Ordinance prior to the issuance of sign permits. On voice vote, all voted 'aye'; motion carried (5-0-0).

F. Adjournment

Commissioner Leon moved and Commissioner Specht seconded to adjourn the meeting at 6:21 pm. On voice vote, all voted 'aye'; motion carried (5-0-0).

City of Franklin
Plan Commission Meeting
December 19, 2024
Minutes

unapproved

A. Call to Order and Roll Call

Mayor John Nelson called the December 19, 2024 Plan Commission meeting to order at 6:01 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor John Nelson, Alderwoman Courtney Day, Commissioners Kevin Haley, Patrick Leon and Michael Shawgo. Excused was Commissioner Rebecca Specht. Also present were City Attorney Jesse Wesolowski and Planning Manager Régulo Martínez-Montilva, Alderwoman Michelle Eichmann and Alderman Yousef Hasan.

B. Approval of Minutes – Regular Meeting of December 5, 2024

Commissioner Haley moved and Commissioner Shawgo seconded a motion to approve the December 5, 2024 meeting minutes. On voice vote, all voted ‘aye’; motion carried (4-0-1).

C. Public Hearing Business Matters

- 1. Plan Commission Membership, UDO Text Amendment.** An ordinance to amend §15-10.0102 Membership, of the Unified Development Ordinance (UDO) to change the Plan Commission membership to remove the City Engineer member and in place thereof provide an alderperson to serve on the Plan Commission (City of Franklin, applicant).

Planning Manager Martínez presented the UDO Text Amendment request.

The Official Notice of Public Hearing was read in to the record by Planning Manager Martínez and the Public Hearing opened at 6:04 pm and closed at 6:04 pm.

The Plan Commission entered into a roll call vote for a motion to recommend approval of an Ordinance to amend §15-10.0102 Membership, of the Unified Development Ordinance (UDO) to change the Plan Commission membership to remove the City Engineer member and in place thereof provide an alderperson to serve on the Plan Commission (City of Franklin, applicant), the vote was four ‘ayes’, one ‘no’ and one absence (4-1-1), motion failed due to lack of a move and a second.

- 2. Developer’s Deposit Definition, UDO Text Amendment.** An ordinance to amend the Unified Development Ordinance (UDO) to define “Developer’s deposit” in Section 15-11.0103 Specific words and phrases (City of Franklin, applicant).

Planning Manager Martínez presented the UDO Text Amendment request.

The Official Notice of Public Hearing was read in to the record by Planning Manager Martínez and the Public Hearing opened at 6:25 pm and closed at 6:25 pm.

Commissioner Haley moved and Commissioner Shawgo seconded A motion to recommend approval of an ordinance to amend the Unified Development Ordinance (UDO) to define “Developer’s deposit” in Section 15-11.0103 Specific words and phrases (City of Franklin, applicant). On voice vote, all voted ‘aye’; motion carried (4-0-1).

D. Citizen comment period. Citizens may comment upon the Business Matter items set forth on this meeting agenda.

The citizen comment period opened at 6:27 p.m. and closed at 6:27 p.m.

E. Business Matters

- 1. Gilewski, Miscellaneous.** Request for approval to allow for the installation of a fence within the 30-foot Private Planting Screen upon Lot 16 in Block 8 of the Southwood East Subdivision, on property located at 3651 W Sherwood Drive (879 0275 000).

Planning Manager Martínez presented the Miscellaneous request.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend approval of a resolution authorizing the installation of a fence within the 30-foot Private Plant Screening Plat Restriction, upon Lot 16 in Block 8 in Southwood East Subdivision, on property located at 3651 West Sherwood Drive (Dale and Abbie Gilewski, Applicant and Property Owners). On voice vote, all voted ‘aye’; motion carried (4-0-1).

- 2. Anhalt, Miscellaneous.** Request for approval to allow for the installation of a shed within the 30-foot Private Planting Screen upon Lot 2 in Southwood East Addition No. 2 Subdivision, on property located at 4107 W Barnwood Court (880 0021 000).

Planning Manager Martínez presented the Miscellaneous request.

Alderwoman Day moved and Commissioner Leon seconded a motion to recommend approval of a resolution authorizing the installation of a shed within the 30-foot Private Planting Screen Plat Restriction, upon Lot 2 in Southwood East Addition No. 2 Subdivision, on property located at 4107 West Barnwood Court (Mark Anhalt, Applicant and Property Owner). On voice vote, all voted ‘aye’; motion carried (4-0-1).

Alderwoman Day moved and Commissioner Leon seconded a motion to reconsider the December 5, 2024 minutes for next meeting. On voice vote, all voted ‘aye’; motion carried (4-0-1).

F. Adjournment

Commissioner Leon moved and Commissioner Haley seconded to adjourn the meeting at 6:33 pm. On voice vote, all voted ‘aye’; motion carried (4-0-1).



REPORT TO THE PLAN COMMISSION

Meeting of January 9, 2025

Natural Resource Special Exception

RECOMMENDATION: Department of City Development Staff recommends approval of the request for a Special Exception to Natural Resource Feature Provisions. Staff recommendations are incorporated into the draft Environmental Commission Special Exception Review and Recommendation as recommended conditions of approval.

Table with 2 columns: Label (Project Name, Property Owner, Applicant, Property Address/TKN, Aldermanic District, Agent, Zoning District, Use of Surrounding Properties, Application Request, Staff Planner) and Value (Croatian Park Lighting NRSE, Federation of Croatian Societies Inc., Fredy Jany, Croatian Eagles SC, 9100-9140 S. 76th Street / 884 9995 000, District 1, Tim Lynch, Lynch and Associates, P-1 Park District & C-1 Conservancy District, Milwaukee County owned land to the north and east, vacant land zoned R-8 to the south and single-family residential to the west, Approval of a Natural Resource Special Exception, Marion Ecks, AICP)

On October 10, 2024 the applicant filed an application for a Natural Resource Special Exception requesting approvals for the installation of lighting poles within the wetland setback at the Croatian Eagles Park located at 9100 S. 76th Street. The applicants have also applied for a Minor Site Plan Amendment for the installation of the lighting poles.

The property is the southern of two parcels which make up the Croatian Eagles Soccer Club. This sports club consists of several soccer fields and practice areas, futsal courts, and a beer garden. The property is zoned P-1 Parkland. The new lighting is intended to allow for play after dark.

Pursuant to Section 15-10.0208 of the Unified Development Ordinance (UDO), all requests for a Natural Resource Special Exception shall be provided to the Environmental Commission for its review and recommendation.

NATURAL RESOURCE SPECIAL EXCEPTION REQUEST

The requested a Natural Resource Special Exception is for property bearing Tax Key No. 884 9995 000; the southern of the two parcels which make up the club. The property contains wetlands and mature woodlands.

The applicant completed wetland delineations on June 20 of 2020, and identified six (6) areas of wetland on the property, which is part of the Root River watershed.

The proposal is to improve the southern play fields by installing lighting to illuminate them after dark. A total of 19 lights are proposed; the applicant is requesting approval for 7 lights that they state must be located in wetland setbacks.



Natural Resource Mitigation

Mitigation is proposed within the park, by expanding existing wetland buffer areas. §15-4.0103B.4 and §15-4.0103B.5 require that wetland setback and buffer impacts be mitigated by creation of new, high-quality areas of setback and buffer in the amount of 1.5 times the area of impact. Mitigation areas must be protected by a conservation easement, along with existing natural resources. Draft easements documents have been provided for mitigation areas.

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

- The wetland delineation was prepared by an Assured Delineator.
- The Wisconsin Department of Natural Resources (DNR) does not regulate wetland buffers or setbacks.
- Conservation easements materials for existing natural resources to be preserved have been provided.
- The applicant is proposing mitigation to take place within the park, on the property to the north of these proposed impacts. This request must be approved by Plan Commission, who may require financial sureties for that mitigation.

Environmental Commission Recommendation

Also attached is a document titled, “City of Franklin Environmental Commission” that the Environmental Commission must complete and forward to the Common Council. The questions and statements on this document correspond with the Natural Resource Special Exception (NRSE) application questions and statements that the applicant has answered and addressed. Staff recommendations were incorporated into the draft Environmental Commission Special Exception Review and Recommendation as proposed conditions of approval. These recommendations are further contained in the decisions section of the attached draft Standards, Findings and Decision of the City of Franklin document.

The Environmental Commission reviewed this application at their January 8, 2025 meeting. As timing required that this report be completed prior to the Environmental Commission meeting, staff will convey the results to the Plan Commission during their review presentation.

CONCLUSION AND STAFF RECOMMENDATION

Staff finds that the application is reasonable and recommends approval of the proposed NRSE, subject to recommended conditions of approval.



City of Franklin Environmental Commission

TO: Common Council
DATE: January 8, 2025
RE: Special Exception application review and recommendation
APPLICATION: Croatian Eagles Soccer Club, Applicant, October 10, 2024
(9100 South 76th Street and 9220 South 76th Street)

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

1. Unified Development Ordinance Section(s) from which Special Exception is requested: *The special exception request is related to the placement of light poles within the wetland setback. (UDO-4-15-4.0100.0102I Wetland Setback.)*
2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions): *The special exception request is to place seven (7) light poles within the wetland setback. Each poles has an approximate diameter of 15.”*
3. Applicant’s reason for request: *Applicant states that “The Croatian Eagles Soccer Club is investing in facilities to enhance their ability to provide a quality experience. They currently serve approximately 800 kids under the age of 18 and have greatly expanded over the past few years. The club uses temporary lights to stretch practice times. This becomes especially important in the fall and spring seasons when the sun sets early.”*
4. Applicant’s reason why request appropriate for Special Exception: *Applicant states that “This request fits the definition of a Special Exception particularly well. The site use has not changed in nearly 70 years. The club supports youth sports and activities. The proposed lighting does not adversely affect neighboring properties and may instead benefit them. The light pole locations require the special exception to maintain the existing field locations.”*

Staff finds that the proposed site changes are permitted under the UDO, and support the park’s purpose. In general, the applicant and property owner have taken care to utilize the park spaces in a way that is mindful of the property’s natural resources, including conservation of a mature woodland as part of the

park design. The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.

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

1. Diversity of flora including State and/or Federal designated threatened and/or endangered species: *Applicant states that the existing drainage ditch/stream and wetland area has limited wetland flora and no known endangered species.*
2. Storm and flood water storage: *None*
3. Hydrologic functions: *None*
4. Water quality protection including filtration and storage of sediments, nutrients or toxic substances: *None*
5. Shoreline protection against erosion: *None*
6. Habitat for aquatic organisms: *None*
7. Habitat for wildlife: *None*
8. Human use functional value: *The proposed site changes are permitted under the UDO, and support the park's purpose. In general, the applicant and property owner have taken care to utilize the park spaces in a way that is mindful of the property's natural resources, including conservation of a mature woodland as part of the park design. The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*
9. Groundwater recharge/discharge protection: *None*
10. Aesthetic appeal, recreation, education, and science value: *The proposed site changes are permitted under the UDO, and support the park's purpose. In general, the applicant and property owner have taken care to utilize the park spaces in a way that is mindful of the property's natural resources, including conservation of a mature woodland as part of the park design. The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*
11. State or Federal designated threatened or endangered species or species of special concern: *None*
12. Existence within a Shoreland: *Not Applicable*

13. Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time:
Not Applicable

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

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *Applicant states that “the field locations have been in use for many years. The club initially started using the current location in 1956. The UDO was adopted in 1998. The fields that are proposed to be enhanced with light poles cannot be moved without great expense or loss of valuable field playing area.”*

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

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

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

Applicant states: “Agreed. There is no reasonable alternative.”

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 Ordinance proscribing the requirement; *and*

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

Applicant states: “Agreed. The area is bounded by commercial lands (Carmex) to the south, athletic fields to the north and the County Jail to the east. There is no negative impact from the proposed lighting.”

Staff finds that the proposed site changes are permitted under the UDO, and support the park's purpose. In general, the applicant and property owner have taken care to utilize the park spaces in a way that is mindful of the property's natural resources, including conservation of a mature woodland as part of the park design. The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.

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

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *The proposed light poles were placed to limit the impact to the wetland setback area to the maximum extent possible.*
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: *Applicant states that "The soccer fields have been in use since 1956. The proposed light poles will enhance the ability to hold soccer practices during late fall and early spring when sun sets earlier."*
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*
4. Aesthetics: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*
5. Degree of noncompliance with the requirement allowed by the Special Exception: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*
6. Proximity to and character of surrounding property: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose. The lighting plan does not allow light encroachment over the property line.*
7. Zoning of the area in which property is located and neighboring area: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose. The lighting plan does not allow light encroachment over the property line.*
8. Any negative affect upon adjoining property: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose. The lighting plan does not allow light encroachment over the property line.*

9. Natural features of the property: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*

10. Environmental impacts: *The proposed locations try to minimize impacts and limit the to setbacks while still serving their purpose.*

V. Environmental Commission Recommendation:

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

1. The recommendations set forth in Sections III. and IV. Above are incorporated herein.
2. The Environmental Commission recommends [approval] [denial] of the Application upon the aforesaid recommendations for the reasons set forth therein.
3. The Environmental Commission recommends that should the Common Council approve the Application, that such approval be subject to the following conditions:
 - a. Provision of mitigation
 - b. Recording of Conservation Easements

The above review and recommendation was passed and adopted at a regular meeting of the Environmental Commission of the City of Franklin on the 8th day of January, 2025.

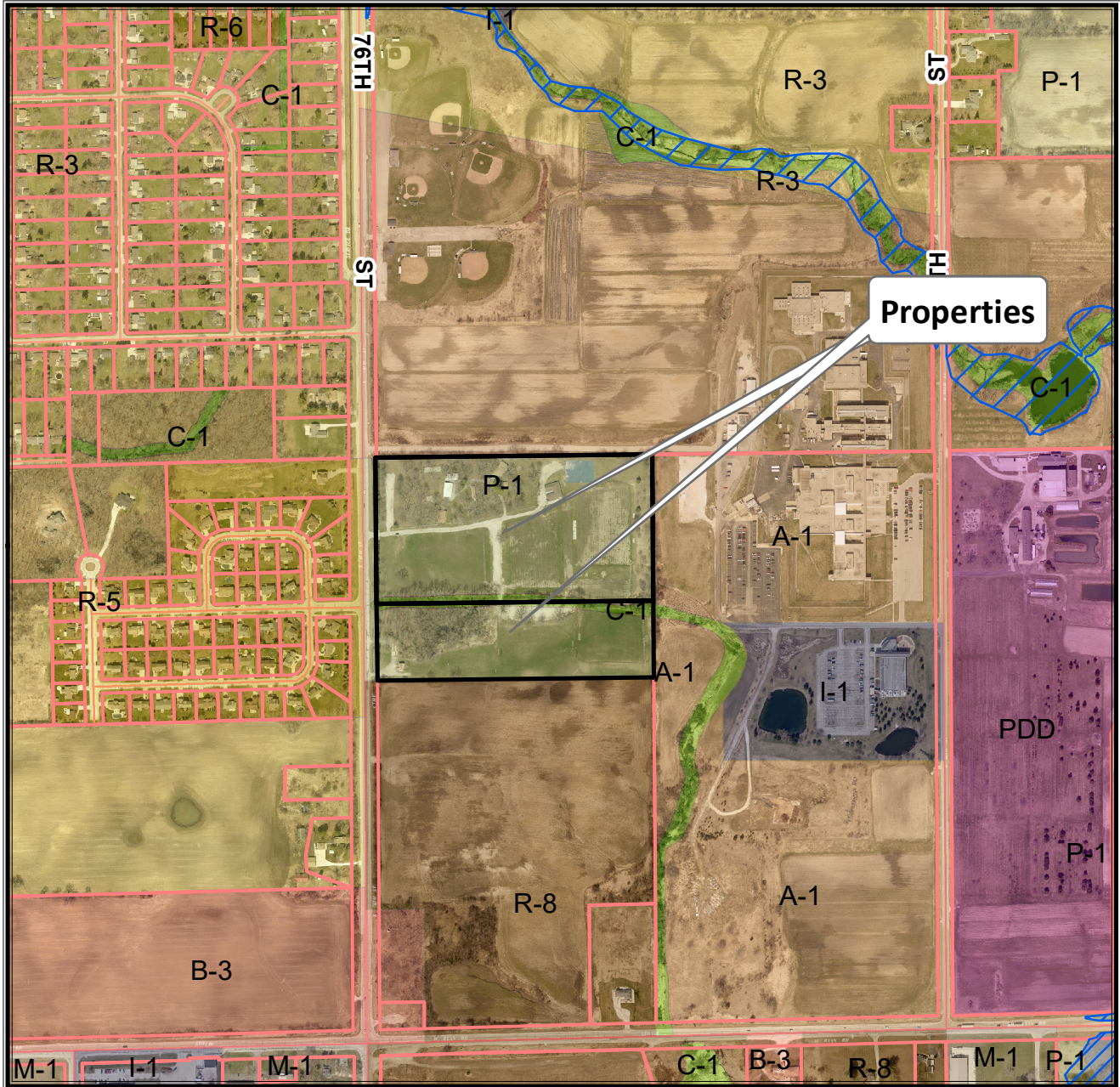
Dated this ____ day of _____, 2025.

Jesse Valdez, Chair

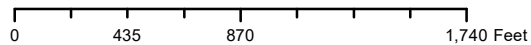
Attest:

Amy Serafin, Vice-Chairman

9100 S. 76th Street & 9220 S. 76th Street
TKNs 884 9995 000 & 884 9996 000

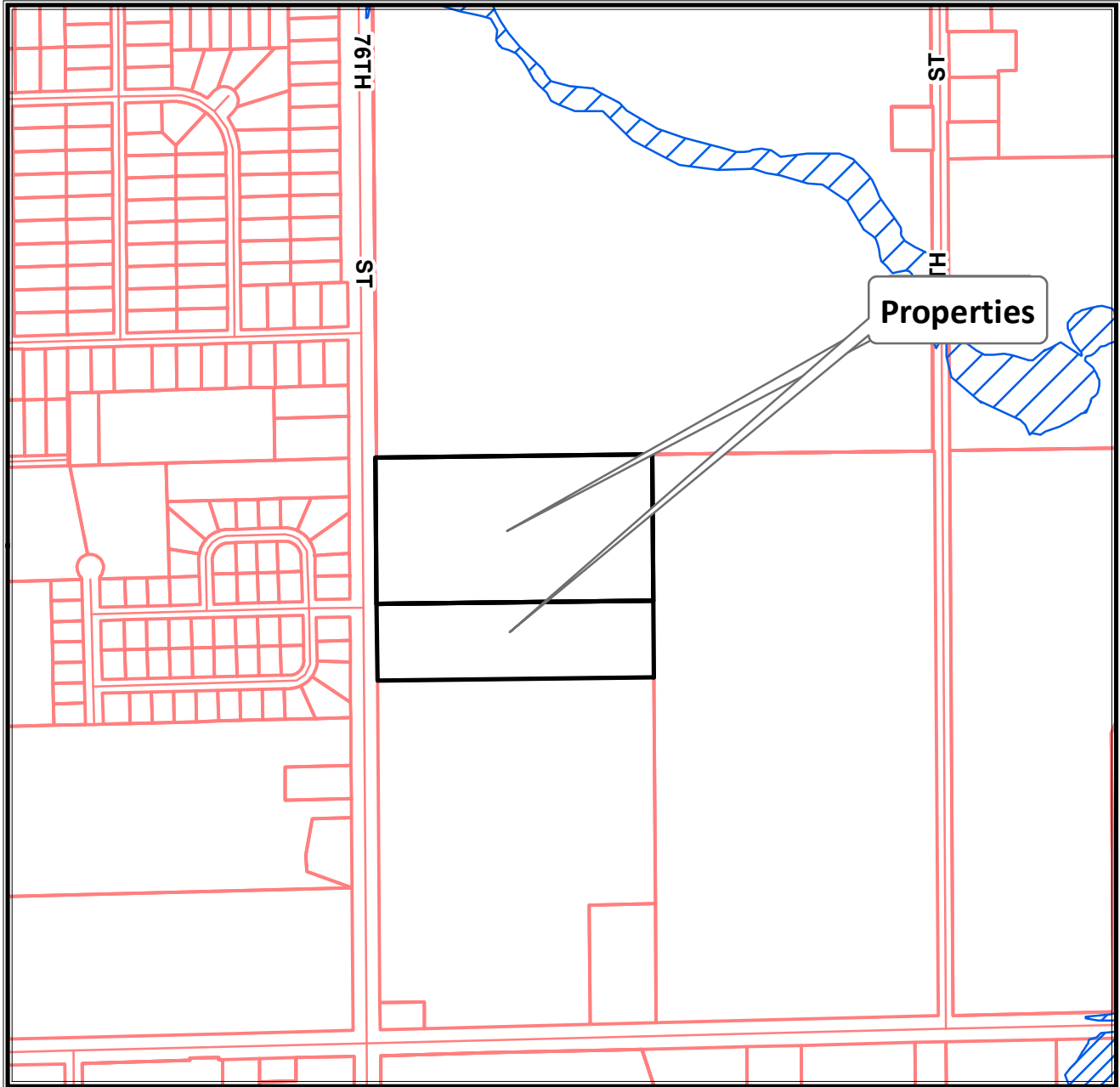


Planning Department
(414) 425-4024

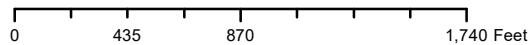


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

9100 S. 76th Street & 9220 S. 76th Street
TKNs 884 9995 000 & 884 9996 000



Planning Department
(414) 425-4024



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



Draft December 18, 2024

Standards, Findings and Decision
of the City of Franklin Common Council upon
the Application of Croatian Eagles Soccer Club, applicant,
for a Special Exception to Certain Natural Resource Provisions
of the City of Franklin Unified Development Ordinance

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

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

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

Whereas, the property which is the subject of the application for a Special Exception is located at ADDRESS, zoned ZONING, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

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

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated DATE, 2021, by CROATIAN EAGLES SOCCER CLUB, applicant, pursuant to the City of Franklin Unified Development

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

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

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

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

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

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

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

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

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

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

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

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

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

Decision

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

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

Common Council prior to any development within the areas for which the Special Exception is granted prior to 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 CROATIAN EAGLES SOCCER CLUB, applicant, and all other applicable provisions of the Unified Development Ordinance.

4) other conditions as necessary

The duration of this grant of Special Exception is permanent.

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

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

APPROVED:

John R. Nelson, Mayor

ATTEST:

Shirley J. Roberts, City Clerk

AYES _____ NOES _____ ABSENT _____



November 21, 2024

City of Franklin
Plan Commission
Franklin City Hall
9229 W. Loomis Rd

Re: NRSE for Lighting: Croatian Eagles Soccer Club

Dear Plan Commission:

We are requesting approval from the Plan Commission to approve the installation of 7 light poles within the wetland setback on the southern parcel of 9140 S 76th St. There is an existing conservation easement, included in the Federation Pavilion Project, which was designed to account for anticipated impacts for addition of up to 12 light poles within the wetland setback on the southern parcel. We are asking the plan commission to approve the installation of 7 light poles within the wetland setback.

Planned activities on the southern parcel will result in unavoidable impacts within the wetland setback. These impacts are minimal and within thresholds for NRSE compliance. The northern parcel includes a conservation easement previously established during the Federation Project. This easement was purposefully designed to provide long-term wetland protection and mitigation. During the original planning and approval phases of the Federation Project, the northern conservation easement incorporated allowances for impacts originating from the southern parcel.

We respectfully request that the Plan Commission approve the use of the existing conservation easement on the northern parcel to mitigate wetland impacts from the southern parcel. This approach aligns with the original intent of the Federation Project and ensures efficient, effective, and environmentally responsible planning.

LYNCH & ASSOCIATES –
ENGINEERING CONSULTANTS, LLC

A blue ink signature of Timothy C. Lynch, written in a cursive style.

Timothy C. Lynch, PE
Principal

A blue ink signature of Fredy Jany, written in a cursive style.

Fredy Jany
President, Croatian Eagles Soccer Club



MEMORANDUM

Date: November 21, 2024
To: Marion Ecks, AICP, Principal Planner
From: Freddy Jany, Croatian Eagles SC
Copy: Tim Lynch, PE
Subject: Staff Comments, Croatian Eagles NRSE for Lighting Comment Response

Please see the responses to comments below in **red**.

1. Please differentiate between the quantity of temporary impacts to natural resources related to installation of these poles, versus permanent impacts on the NRPP Table.
NRPP table has been updated to better illustrate temporary versus permanent impacts.
2. If there are wetland buffer impacts related to installation, please provide a mitigation / restoration proposal that meets the standards of §15-4.0103.B.5.
 - a. Will mitigation occur on the north lot or the south lot? If not on the same lot, this must be authorized by Plan Commission. Please request this authorization in resubmittal materials.
Letter to plan commission has been included in this submittal.
3. Note that §15-4.0103D allows for financial sureties to be required for restoration. Plan Commission may choose to impose this requirement on landscape and restoration plans. Staff recommends a maintenance period of a minimum 3 years to allow for plants to establish.
We will comply with what the plan commission decides.
4. Please revise the Q&A to stipulate the section of code the request is related to: §UDO-4-15-4.0100.0102I Wetland Setbacks.
Q&A has been updated to read per stipulated code.
5. Please submit conservation easements for areas of natural resources to be preserved.
Conservation easement legal discription has been included in submittal.

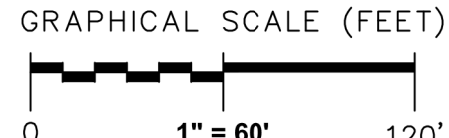
THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC



PROPERTY OWNER/APPLICANT:
 Federation of Croatian Societies, Inc.
 Attn: Tomislav Z. Kuzmanovic, President
 P.O. Box 1548
 West Milwaukee, WI 53234-1548
 ph: 414-225-4816

CIVIL ENGINEER:
 Anthony Zanon, PE
 Pinnacle Engineering Group
 20725 Watertown Road, Ste. 100
 Brookfield, WI 53186
 Milwaukee, WI 53205
 ph: 414-588-8888

NRPP PREPARER:
 Helianthus LLC
 Attn: Kristi Sherfinski
 1836 W. Fond Du Lac Ave., Ste. 100
 Milwaukee, WI 53205
 ph: 414-588-7339



LEGAL DESCRIPTION:

PARCEL 1:
 The North 662.25 feet of the West 1/2 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.
 Address: 9100 South 76th Street, Franklin, Wisconsin

PARCEL 2:
 The South 348.10 feet of the North 1010.35 feet of the West 1/2 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.
 Address: 9220 South 76th Street, Franklin, Wisconsin

LEGEND:

MATURE WOODLAND		MATURE WOODLAND DISTURBANCE	
WETLAND BUFFER		WETLAND BUFFER DISTURBANCE	
WETLAND SETBACK		WETLAND SETBACK DISTURBANCE	
WETLAND		BUFFER MITIGATION	

GENERAL NOTES

- Mitigation areas for Buffer shall consist of planting of native grasses, to be topsoiled with 4 inches of soil, seeded, and mulched, using a mix of the following native grasses:
 Bouteloua curtipendula 2 lbs/ac
 Elymus canadensis 6 lbs/ac
 Schizachyrium scoparium 4 lbs/ac
- To prepare the planting area, apply a Glyphosate-based herbicide per manufacturer's instructions at least two weeks prior to planting. Remove the existing dead sod and place 4 inches of topsoil over the area to be planted. Incorporate the new topsoil into the top two inches of the subsoil. Seed the areas and cover with a light straw mulch and water until the seedlings are established.

Table 1: Worksheet for the Calculation of Natural Resource Protection Land-North Parcel

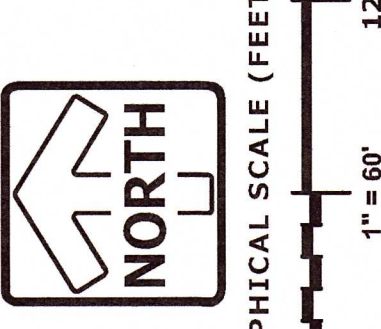
Natural Resource Features	Zoning District Type	Area of Resource (Acres)	Protection Requirement	Area of Proposed Disturbance	Acres of Land Required to be Mitigated	Acres of Land to be Mitigated
Steep Slopes						
10-19%	40%	0				
20-30%	70%	0				
>30%	80%	0				
Woodlands & Forests						
Mature	70%	4.51	3.16	0.67	0	0
Young	50%	0				
Lakes & Ponds						
Streams	100%	0				
Shore Buffers	100%	0				
Floodplains/ Floodways						
Wetlands & Shoreland Wetlands	100%	0.63	0.63	0	0	0
Wetland Buffers	100%	1.58	1.58			
Woodland/ Buffer Overlap	100%	0.58				
Wetland Setbacks	100%	1.06	1.06	0.11		
Woodland/ Setback Overlap	100%	0.36				

Table 2: Worksheet for the Calculation of Natural Resource Protection Land-South Parcel

Natural Resource Features	Zoning District Type	Area of Resource (Acres)	Protection Requirement	Area of Proposed Disturbance	Acres of Land Required to be Mitigated	Acres of Land to be Mitigated
Steep Slopes						
10-19%	40%	0				
20-30%	70%	0				
>30%	80%	0				
Woodlands & Forests						
Mature	70%	1.70	1.19	0	0	0
Young	50%	0				
Lakes & Ponds						
Streams	100%	0				
Shore Buffers	100%	0				
Floodplains/ Floodways						
Wetlands & Shoreland Wetlands	100%	1.75	1.75	0	0	0
Wetland Buffers	100%	1.44	1.44	0	0	0
Woodland/ Buffer Overlap	100%	0.43				
Wetland Setbacks	100%	1.07	1.07	0.012	0.008	0.008
Woodland/ Setback Overlap	100%	0.37				

Lightpoles in Wetland Setback	SF of Disturbance	Acres of Disturbance
7	522.7	0.012

- PROPOSED LIGHT POLE
- PROPOSED LIGHT POLE WITHIN WETLAND SETBACK



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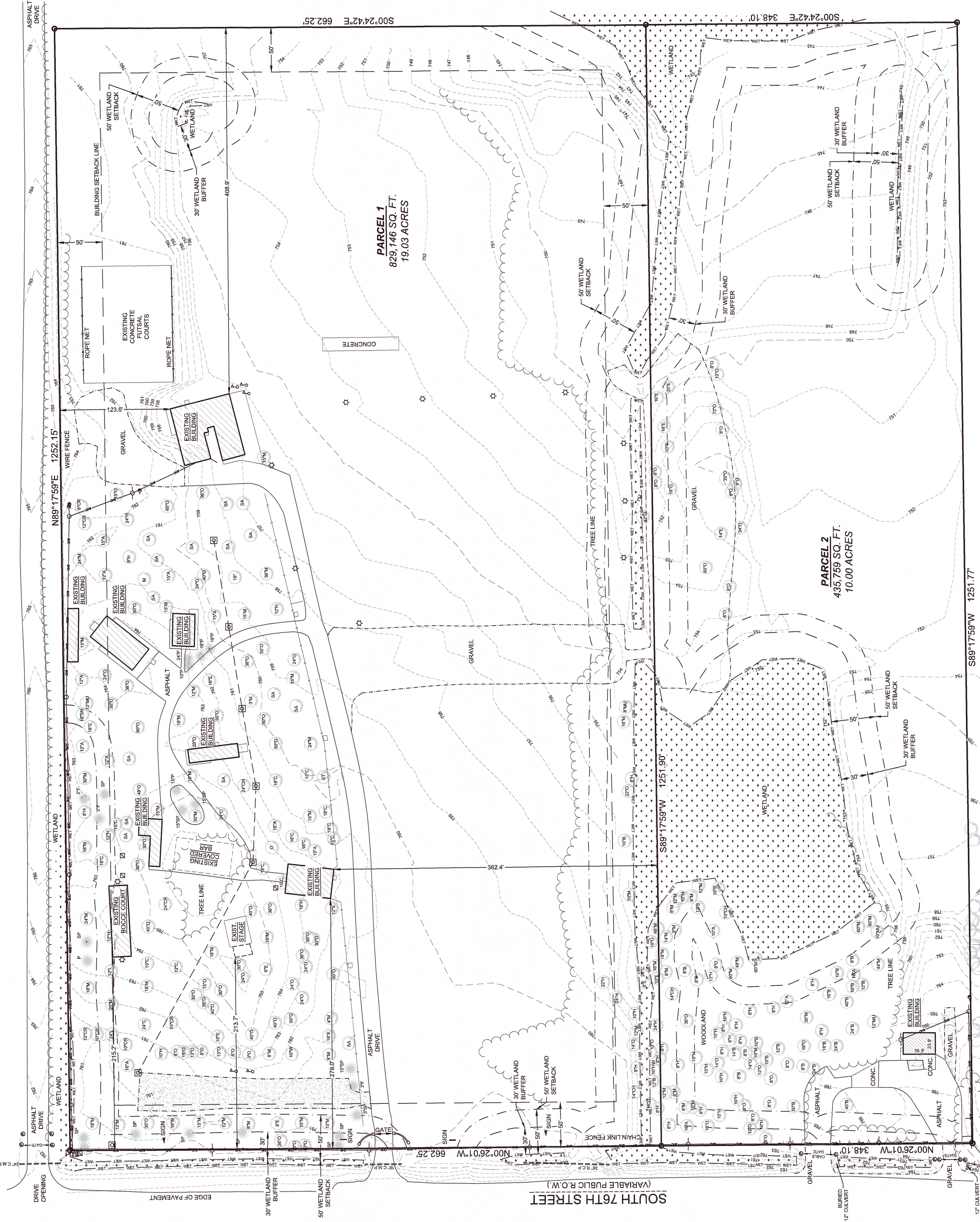
GENERAL NOTES

- Boundary and Survey per Plat of Survey by Metropolitan Survey Service, Inc. on September 10, 2015, Survey No. 105938. Existing conditions verified and updated by Pinnacle Engineering on June 18, 2020.
- Vertical Datum: National Geodetic Vertical Datum of 1929 (NGVD29). Contours are shown at 1' intervals. Reference Benchmark: Concrete monument with brass cap at the northwest corner of the Southwest 1/4 Section 22, Town 5 North, Range 21 East, Elevation = 763.09.
- Wetlands delineated by Wetland & Waterways Consulting, LLC on JUNE 10, 2020.
- Trees Inventory completed by Wetland & Waterways Consulting, LLC on JUNE 22, 2020.

- A= ASH
- B= BOX ELDER
- C= COTTONWOOD
- CH= CHERRY
- CR= CRAB
- E= ELM
- F= FIR
- H= HICKORY
- HW= Hawthorn
- L= LOCUST
- LO= LOGS
- M= MULBERRY
- O= OAK
- P= PINE
- SA= SAppling
- SN= SNAg
- SP= SPRUCE
- ST= STUMP
- W= WALNUT

LEGEND OF SYMBOLS & ABBREVIATIONS

○	SANITARY MANHOLE	⊙	FIBER OPTIC MARKER
□	STORM MANHOLE	⊙	FIBER OPTIC MANHOLEVAULT
⊙	STORM INLET	⊙	TELEPHONE PEDESTAL
⊙	CLEANOUT	⊙	TELEPHONE MANHOLEVAULT
⊙	CATCH BASIN	⊙	TELEPHONE MARKER
⊙	UNKNOWN PEDESTAL	⊙	TRANSFORMER
⊙	UNKNOWN MANHOLE	⊙	ELECTRIC METER/PEDESTAL
⊙	WELL	⊙	ELECTRIC MANHOLEVAULT
⊙	HYDRANT	⊙	CABLE TV FIBERBOX
⊙	WATER VALVE	⊙	CABLE TV MANHOLEVAULT
⊙	DOWN SPOUT	⊙	GAS VALVE
⊙	SPRINKLER VALVE	⊙	GAS MARKER
⊙	WATER SHUT OFF	⊙	AIR CONDITIONING UNIT
⊙	STAMPPIPE	⊙	VENT
⊙	WATER MANHOLE	⊙	DIRECTIONAL ARROW
⊙	FLOOD LIGHT	⊙	CONC.
⊙	LIGHT POLE	⊙	EL
⊙	TRAFFIC SIGNAL	⊙	EXT.
⊙	UTILITY POLE	⊙	EXISTING
⊙	GUY WIRE	⊙	INV.
⊙		⊙	MON.
⊙		⊙	-POINT OF BEGINNING
⊙		⊙	P.O.B.
⊙		⊙	-POINT OF COMMENCEMENT
⊙		⊙	P.O.C.
⊙		⊙	-RIGHT OF WAY
⊙		⊙	R.O.W.
⊙		⊙	-SECTION
⊙		⊙	OVERHEAD WIRES
⊙		⊙	CABLE TELEVISION
⊙		⊙	GAS MAIN
⊙		⊙	WETLANDS
⊙		⊙	W
⊙		⊙	-WITH
⊙		⊙	SO. FT.
⊙		⊙	-RECORDED AS
⊙		⊙	DEED/AS
⊙		⊙	(R)
⊙		⊙	(D)



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)*
- 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)*
- 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.
The special exception request is related to the placement of light poles within the wetland setback. This request would be for section UDO-4-15-4.0100.0102I Wetland Setback.

- 2. Statement regarding the Special Exception requested, giving distances and dimensions where appropriate.
The special exception request includes the installation of 7 light poles within the wetland setback. The poles have an approximate diameter of 15" each.

- 3. Statement of the reason(s) for the request.
The Croatian Eagles Soccer Club is investing in facilities to enhance their ability to provide a quality experience. They currently serve approximately 800 kids under the age of 18 and have greatly expanded over the past few years. The club uses temporary lights to stretch practice times. This becomes especially important in the fall and spring seasons when the sun sets early.

- 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:
This request fits the definition of a Special Exception particularly well. The site use has not changed in nearly 70 years. The club supports youth sports and activities. The proposed lighting does not adversely affect neighboring properties and may instead benefit them. The light pole locations require the special exception to maintain the existing field locations.

a. Background and Purpose of the Project.

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

The project includes permanent light poles for existing soccer fields. Currently the club uses temporary gas powered light bases to illuminate the fields in during evening practice. The lights are challenging to operate and maintain and costly to rent each season. The permanent lights will provide a much better and safer lighting solution.

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

The light poles are new construction to support the existing soccer fields that have been in use for many decades.

- 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 light poles are located to limit impact to the wetland area. The proposed locations limit the impact to wetlands, however the field area and player safety require the poles to be placed outside of and a distance away from the playing surface.

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 light poles permit was submitted in 2 stages. Seven of the nineteen light poles are located inside of the wetland setback area. The light poles in this application do not have an alternative location.

- 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.

There is no alternative to provide field lighting outside of the wetland setback area without greatly impacting the existing soccer fields.

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

The light poles in the wetland setback area were minimized to the maximum extent possible without impacting the lighting of the fields.

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

None. Did not consider relocating the soccer park.

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.

None. Did not consider relocating the soccer park.

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

The club will be forced to continue renting and operating gas powered temporary lights. The temporary lights are loud and provide significantly less light than permanent, LED lights would produce.

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.

N/A

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

None. Did not consider relocating the soccer park.

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

None. Did not consider relocating the soccer park.

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

None. Did not consider relocating the soccer park.

- 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.

We do not have a reasonable alternative that would provide lighting of the fields without light bases being placed in the wetland setback area

- 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 light poles bases are being proposed just outside of the existing soccer field locations. These areas are currently mowed and manicured grass field areas. There will be no/limited impact to the wetland setback area.

- 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.

The existing drainage ditch/stream and wetland area has limited wetland flora and no known endangered species.

- ii. Storm and flood water storage.

There will be no impact to the hydrology of the stream based on the light pole base installations.

- iii. Hydrologic functions.

The stream conveys stormwater during rain events, but is typically a dry bed stream. There will be no impact to the hydrological function.

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

No impact.

v. Shoreline protection against erosion.

No impact.

vi. Habitat for aquatic organisms.

No impact.

vii. Habitat for wildlife.

No impact.

viii. Human use functional value.

No impact.

ix. Groundwater recharge/discharge protection.

No impact.

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

No impact.

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

No impact.

xii. Existence within a Shoreland.

No impact.

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.

No impact. The wetland area on the property is not with a mapped environmental corridor.

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

No impact; the light poles bases will not affect the waters of the State of Wisconsin.

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

None.

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

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

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

The field locations have been in use for many years. The club initially started using the current location in 1956. The UDO was adopted in 1998. The fields that are proposed to be enhanced with light poles cannot be moved without great expense or loss of valuable field playing area.

- 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:

Agreed. There is no reasonable alternative.

_____ ; or

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

Agreed. There is not reasonable alternative.

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

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

Agreed. The area is bounded by commercial lands (Carmex) to the south, athletic fields to the north and the County Jail to the east. There is no negative impact from the proposed lighting.

_____ ; and

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

Agreed.

_____ ; and

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

Agreed.

_____ ; 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 light poles were placed to limit the impact to the wetland setback area to the maximum extent possible.

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

The soccer fields have been in use since 1956. The proposed light poles will enhance the ability to hold soccer practices during late fall and early spring when sun sets earlier.

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

No Impact.

- iv. Aesthetics:

No Impact.

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

Limited impact. The request includes 7 light poles within the wetland setback area.

vi. Proximity to and character of surrounding property:
The surrounding uses will not have any adverse affects from the light poles.

vii. Zoning of the area in which property is located and neighboring area:
The parcel is zoned P-1. The zoning to the north and east is A-1 with I-1 further east (County Jail) and there is M-1 zoning (Carmex) to the south.

viii. Any negative affect upon adjoining property:
No Impact.

ix. Natural features of the property:
No Impact.

x. Environmental impacts:
No Impact.

CONSERVATION EASEMENT

CROATIAN PARK

This Conservation Easement is made by and between the City of Franklin, a municipal corporation of the State of Wisconsin, hereinafter referred to as “Grantee,” and FEDERATION OF CROATIAN SOCIETIES INC., a Wisconsin non-stock corporation, hereinafter referred to as “Grantor,” and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to § 700.40(2)(b) of the Wisconsin Statutes.

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, described in Exhibit A attached hereto and hereby made a part hereof;

WHEREAS, Grantor desires and intends to protect a portion of its property as set forth herein, and more particularly described and depicted on Exhibit B attached hereto and hereby made a part hereof (the “protected property”); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, mature woodlands, wetlands, wetland buffers and wetland setbacks mitigation areas as per the Natural Resource Protection Plan prepared by Helianthus LLC, last revised June 8, 2021, which Plan is on file in the office of the City of Franklin Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

WHEREAS, Grantee is a “holder”, as contemplated by § 700.40(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under § 62.23 and § 236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this conservation easement; and

WHEREAS, the Grantee is willing to accept this conservation easement subject to the reservations and to the covenants, terms, conditions and restrictions set out herein and imposed hereby.

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over and across the protected property.

Grantee’s rights hereunder shall consist solely of the following:

1. To view the protected property in its natural, scenic, and open condition;
2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee’s right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act; and
3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:

1. Construct or place buildings or any structure;

2. Construct or make any improvements, unless, notwithstanding Covenant 1. above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, walking paths, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like;
3. Excavate, dredge, grade, mine, drill or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees;
4. Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste or other landscape materials, ashes, garbage, or debris;
5. Plant any vegetation not native to the protected property or not typical wetland vegetation;
6. Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.

To have and to hold this conservation easement unto the Grantee forever. Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant. Grantor shall be responsible for the payment of all general property taxes levied, assessed or accruing against the protected property pursuant to law.

The covenants, terms, conditions and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity. This grant may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns. Notices to the parties shall be personally delivered or mailed by U.S. Mail registered mail, return receipt requested, as follows:

To Grantor:
 Federation Of Croatian Societies Inc.
 Attn: Tomislav Z. Kuzmanovic
 PO Box 1548
 West Milwaukee, WI 53234-1548

To Grantee:
 City of Franklin
 Office of the City Clerk
 9229 West Loomis Road
 Franklin, Wisconsin 53132

In witness whereof, the Grantor has set his handon this date of _____, 2024.

FEDERATION OF CROATIAN SOCIETIES, INC.

By: _____
 Tomislav Z. Kuzmanovic, President

STATE OF WISCONSIN)
) ss
 _____ COUNTY)

This instrument was acknowledged before me on the _____ day of _____, 2024, by Tomislav Z. Kuzmanovic , as President of the Federation of Croatian Societies, Inc. a Wisconsin non-stock corporation, to me known to be the person who executed the foregoing conservation easement and acknowledged the same as the voluntary act and deed of said corporation.

 Notary Public

My commission expires _____

Acceptance

The undersigned does hereby consent to and accepts the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement. In consideration of the making of such Grant Of Conservation Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by § 236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the ____ day of _____, 20__.

CITY OF FRANKLIN

By: _____
John Nelson, Mayor

By: _____
Shirley Roberts, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

Personally came before me this _____ day of _____, 20__, the above named John Nelson, Mayor and Shirley Roberts, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. _____, adopted by its Common Council on the _____ day of _____, 20__.

Notary Public

My commission expires _____

This instrument was drafted by the City of Franklin.

Approved as to contents:

Régulo Martínez-Montilva
Principal Planner
Department of City Development

Date

Approved as to form only:

Jesse A. Wesolowski
City Attorney

Date

Exhibit A

Legal Description of Grantor's Property

The North 662.25 feet of the West 1/2 of the Southwest Quarter (SW 1/4) of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

Address: 9100 South 76th Street
Parcel Number: 884-9995-000

Exhibit B

Legal Description and Depiction of the Protected Property

Legal Description of Conservation Easement Area #1:

All that part of the Northwest 1/4 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northwest corner of said Southwest 1/4; thence South 00°26'01" East along the west line of said Southwest 1/4, 662.25 feet; thence North 89°17'59" East 60.00 feet to the east right-of-way line of South 76th Street and the place of beginning of the land hereinafter to be described (POB #1); thence continuing North 89°17'59" East 539.01 feet; thence North 00°36'47" West 35.50 feet; thence South 89°55'05" West 329.56 feet; thence South 76°51'14" West 52.11 feet; thence North 73°50'10" West 32.52 feet; thence South 88°10'03" West 127.39 feet to the east right-of-way line of South 76th Street; thence South 00°26'01" East 34.75 feet to the place of beginning. Containing 19,588 square feet (0.4497 acres) of land.

Legal Description of Conservation Easement Area #2:

All that part of the Northwest 1/4 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northwest corner of said Southwest 1/4; thence South 00°26'01" East along the west line of said Southwest 1/4, 662.25 feet; thence North 89°17'59" East 635.38 feet to the place of beginning of the land hereinafter to be described (POB #2); thence continuing North 89°17'59" East 257.00 feet; thence North 24°50'07" East 32.04 feet; thence South 89°09'03" West 270.53 feet; thence South 35°14'07" West 9.20 feet; thence South 14°33'33" East 21.38 feet to the place of beginning. Containing 7,606 square feet (0.1746 acres) of land.

Legal Description of Conservation Easement Area #3:

All that part of the Northwest 1/4 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northwest corner of said Southwest 1/4; thence South 00°26'01" East along the west line of said Southwest 1/4, 662.25 feet; thence North 89°17'59" East 927.01 feet to the place of beginning of the land hereinafter to be described (POB #3); thence continuing North 89°17'59" East 91.78 feet; thence North 54°42'23" West 51.71 feet; thence North 86°07'36" West 44.54 feet; thence South 40°09'52" West 16.96 feet; thence South 09°11'37" West 11.99 feet; thence South 39°59'53" East 12.02 feet to the place of beginning. Containing 2,365 square feet (0.0543 acres) of land.

Legal Description of Conservation Easement Area #4:

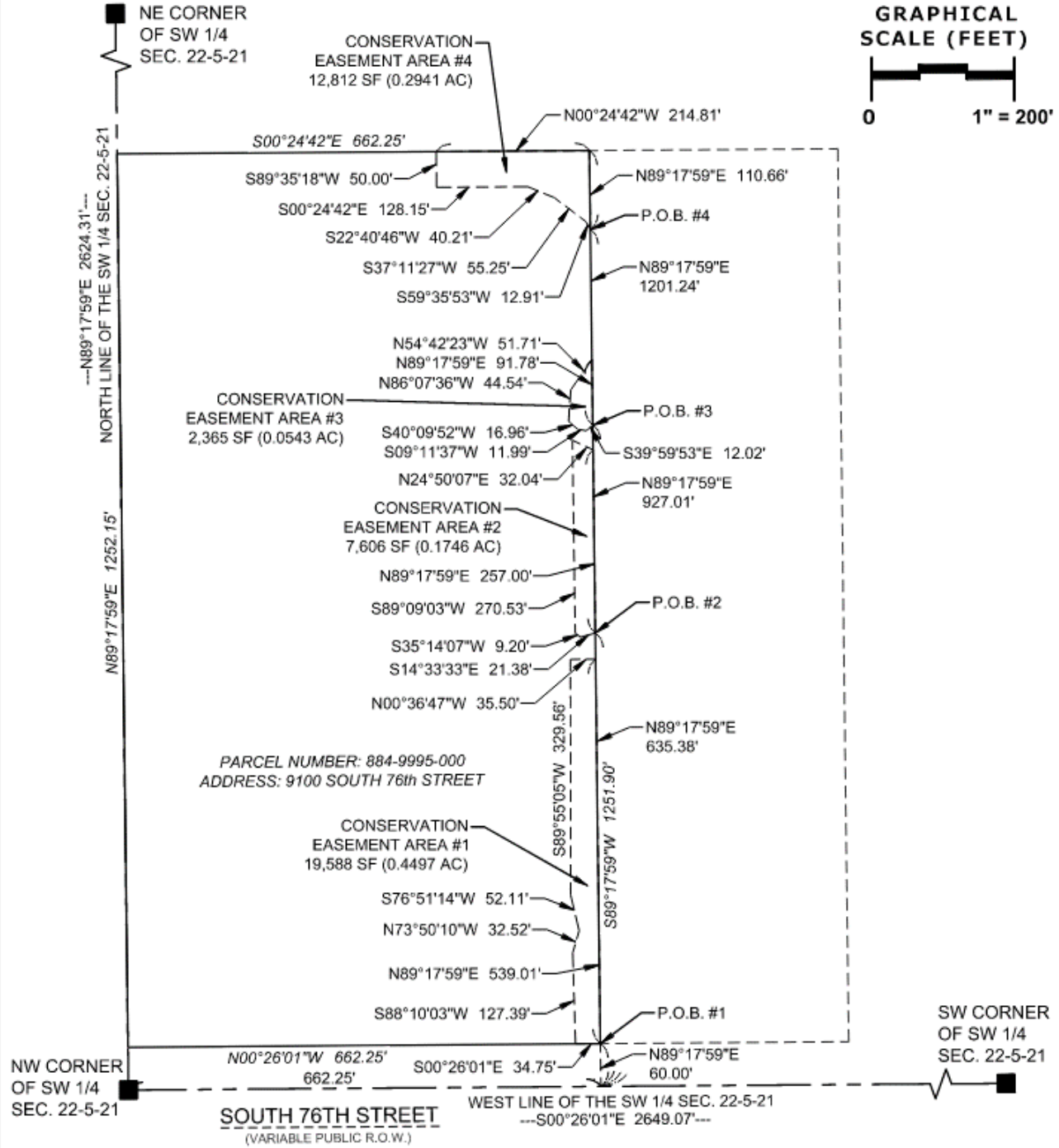
All that part of the Northwest 1/4 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northwest corner of said Southwest 1/4; thence South 00°26'01" East along the west line of said Southwest 1/4, 662.25 feet; thence North 89°17'59" East 1201.24 feet to the place of beginning of the land hereinafter to be described (POB #4); thence continuing North 89°17'59" East 110.66 feet; thence North 00°24'42" West 214.81 feet; thence South 89°35'18" West 50.00 feet; thence South 00°24'42" East 128.15 feet; thence South 22°40'46" West 40.21 feet; thence South 37°11'27" West 55.25 feet; thence South 59°35'53" West 12.91 feet to the place of beginning. Containing 12,812 square feet (0.2941 acres) of land.

(CONSERVATION EASEMENT AREAS)

HLR/ON

GRAPHICAL
SCALE (FEET)



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

DATE: 01/23/2024
 PEG JOB# 2063.00

Planning Department
 9229 West Loomis Road
 Franklin, Wisconsin 53132
generalplanning@franklinwi.gov
 (414) 425-4024
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: Fredy Jany	NAME: Tim Lynch
COMPANY: Croatian Eagles, SC	COMPANY: Lynch & Associates Engineering Consultants
MAILING ADDRESS: 9140 S. 76th Street	MAILING ADDRESS: 440 Milwaukee Avenue
CITY/STATE: Franklin, WI ZIP: 53132	CITY/STATE: Burlington, WI ZIP: 53105
PHONE:	PHONE: 262-402-5040
EMAIL ADDRESS: fmjany@gmail.com	EMAIL ADDRESS: tlynch@lynch-engineering.com

PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 9100 S 76th Street, Franklin, WI 53132	TAX KEY NUMBER: 8849995000
PROPERTY OWNER: Federation of Croatian Society	PHONE: 414-530-1133
MAILING ADDRESS: P.O. Box 341548	EMAIL ADDRESS: tomkuzmanovic@gmail.com
CITY/STATE: West Milwaukee, WI ZIP: 53235-1548	DATE OF COMPLETION: _____ office use only

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: Tomislav Kuzmanovic, President DATE: 5/1/2024	NAME & TITLE: Fredy Jany, President CESC DATE: 5/1/2024
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE:
NAME & TITLE: DATE:	NAME & TITLE: DATE:



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Item E.1.

Meeting of January 9, 2025

Site Plan Amendment

RECOMMENDATION: City Development staff recommends approval, subject to the conditions of approval set forth in this staff report and attached resolution.

Project name:	Outdoor storage and accessory building (after the fact)
Property Owner:	M&J Krueger Trucking Services LLC (former owner: Dalma Properties LLC)
Applicant:	M&J Krueger Trucking Services LLC
Property Address/TKN:	6705 W. Ryan Road / 898 9999 000
Aldermanic District:	District 1
Zoning District:	M-1 Limited Industrial District, FC Floodplain Conservancy District and FW Floodway District
Staff Planner:	Régulo Martínez-Montilva, AICP, CNUa, Planning Manager
Submittal date:	06-25-2024
Application number:	PPZ24-0122

Introduction:

This application was initially submitted by former owner, Dalma Properties LLC, and the current owner, M&J Krueger Trucking Services LLC, is continuing this application to resolve an open enforcement case (EN23-0241), specifically an unpermitted outdoor storage area encroaching into the Floodfringe District (FF) and an unpermitted accessory building. The applicant has relocated the unpermitted building to comply with required building setbacks and has submitted a hydraulic analysis to attest that the outdoor storage area did not impact regional flood heights.

Background and Analysis:

In July 2023, City Development staff sent a notice to the property owners outlining the following violations:

- Encroachments into building setbacks, outdoor storage area and metal building.
- Encroachment of outdoor storage area into the floodfringe.
- Encroachments into adjacent property owned by Milwaukee County - DRPC

Staff held a meeting with the former owner and informed them that a Site Plan Amendment application was required to resolve the violations above (attached email dated November 13, 2023).

The applicant resolved the violation regarding encroachments into property owned by Milwaukee County as indicated in attached close out letter dated July 8, 2024.



Aerial images with property boundaries in blue.

The applicant submitted this Site Plan Amendment application on June 25, 2024. Staff reviewed application materials and sent comments to the applicant on October 14, 2024 (memorandum attached). The applicant has addressed most of staff comments (#1-5 and #9); however, staff recommends the conditions of approval below for consideration of the Plan Commission (outstanding review comments #6-8):

6. Staff recommends that the applicant must install a physical barrier (boulders, posts, fence) to demarcate the outdoor storage area and avoid future encroachments into flood prone areas, within 12 months from the date of approval of this Site Plan Amendment.

Note: this recommendation is optional as the Unified Development Ordinance (UDO) doesn't specifically require the installation of physical barriers to demarcate boundaries of natural resource areas such as floodplains.

Applicant's comment: "We are waiting for a site visit from Sigma to stake the area for us. We will then move the concrete barrier curves and place them along those demarcation lines" Dec 20, 2024.

7. Staff recommends that the applicant must submit a conservation easement to protect flood prone areas: flood fringe, FC and FW zoning, for Common Council review and approval. If such easement is approved by the Common Council, the applicant must record the easement document with the Milwaukee County Register of Deeds.

Note: Pursuant to Table 15-4.0100 of the UDO, floodplains have a protection standard of 100%, therefore staff recommends to protect all flood prone areas with a conservation easement.

Applicant's comment: "I would like to take a look at this further prior to completion." Dec 20, 2024.

8. Staff recommends that the applicant must install a solid wooden fence or masonry wall at least six feet in height, between the outdoor storage area and adjacent property to the west zoned R-8, within 12 months from the date of approval of this Site Plan Amendment.

Note: This recommendation is based on UDO Sec. 15-3.0803F:

“Abutting a Residential Zoning District. When an open storage area abuts a residential zoning district, the method of screening shall consist of solid wooden fences or masonry walls at least six feet in height along the boundary of the storage areas and the entire residential district”.

Applicant’s comment: “We will be purchasing the residential property abutting the property. We would prefer not to have it there. The purchase will be taking place prior to the year end” Dec 20, 2024.

The conditions above are not included in the attached resolution.

Staff Recommendation:

City Development staff recommends approval, subject to the conditions of approval set forth in this staff report and attached resolution.

Appendices list:

1. Notice of Violation dated July 2, 2023.
2. Email from staff to owner dated November 13, 2023.
3. Close Out of Encroachment onto Milwaukee County Parks property dated July 8, 2024.

RESOLUTION NO. 2025-_____

A RESOLUTION AMENDING THE SITE PLAN FOR PROPERTY LOCATED AT 6705
W RYAN ROAD TO ALLOW FOR AFTER-THE-FACT OUTDOOR STORAGE AREA
AND ACCESSORY BUILDING
(TAX KEY NO. 898 9999 000)
(M&J KRUEGER TRUCKING LLC, APPLICANT AND PROPERTY OWNER)

WHEREAS, M&J Krueger Trucking LLC, applicant and property owner, for an amendment to the site plan for the property located at 6705 W Ryan Road; and

WHEREAS, such proposed amendment is to resolve an open enforcement case (EN23-0241), specifically an unpermitted outdoor storage area encroaching into the Floodfringe District (FF) and an unpermitted accessory building. The applicant has relocated the unpermitted building to comply with required building setbacks and has submitted a hydraulic analysis to attest that the outdoor storage area did not impact regional flood heights, property located at 6705 W Ryan Road, 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 Mayor and Common Council of the City of Franklin, Wisconsin, that the Site Plan Amendment for M&J Krueger Trucking LLC, to allow for an outdoor storage area and accessory building, as submitted by M&J Krueger Trucking LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. M&J Krueger Trucking LLC, applicant and property owner, successors and assigns and any developer of this outdoor storage area and accessory building 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 this 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 M&J Krueger Trucking LLC, applicant and property owner, and the outdoor storage area and accessory building for the property located at 6705 W Ryan Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii)

M&J KRUEGER TRUCKING LLC – SITE PLAN AMENDMENT

RESOLUTION NO. 2025-_____

Page 2

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 outdoor storage area and accessory building project shall be developed in substantial compliance with the plans dated December 11, 2024 (Exhibit A).

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the outdoor storage area and accessory building project as depicted upon the plans dated December 11, 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 property located at 6705 W Ryan Road, as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2025.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2025.

APPROVED:

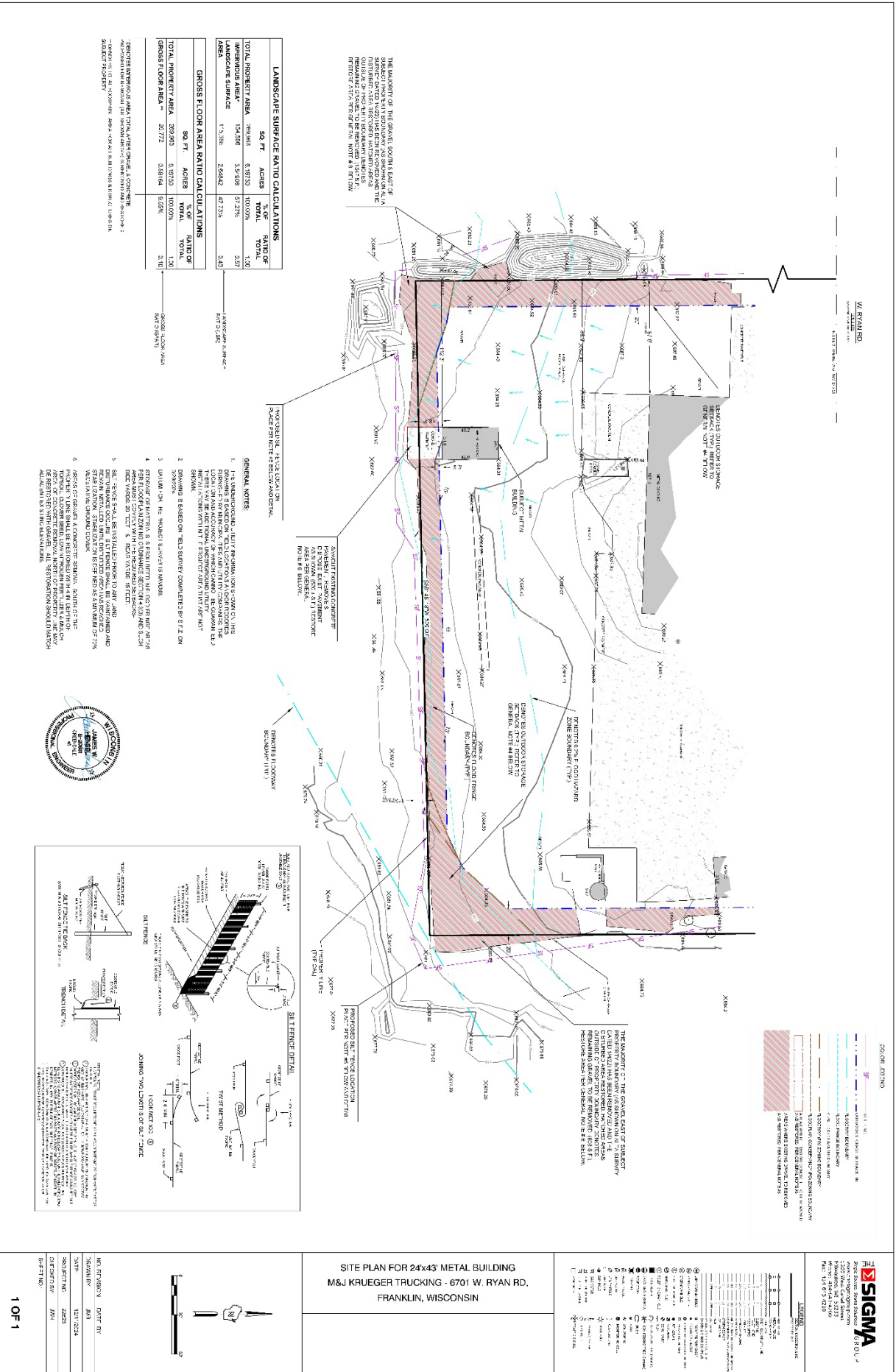
John R. Nelson, Chairman

ATTEST:

Shirley J. Roberts, City Clerk

AYES _____ NOES _____ ABSENT _____

Exhibit A



W. RYAN RD.
6701 W. RYAN RD., FRANKLIN, WI 53120

COLOR FINISH

101	ASPHALT
102	CONCRETE
103	LANDSCAPE SURFACE
104	GRAVEL
105	WOOD DECK
106	WOOD FLOOR
107	WOOD STAIR
108	WOOD ROOF
109	WOOD TRUSS
110	WOOD TRUSS ROOF
111	WOOD TRUSS ROOF
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148	WOOD TRUSS ROOF
149	WOOD TRUSS ROOF
150	WOOD TRUSS ROOF

LANDSCAPE SURFACE RATIO CALCULATIONS

SQ. FT.	ACRES	% OF TOTAL	RATIO
TOTAL PROPERTY AREA	79,948	6.8923	100.00%
LANDSCAPE SURFACE	134,500	15.4609	177.27%
LANDSCAPE SURFACE	173,382	20.4362	263.75%
TOTAL PROPERTY AREA	257,772	3.8184	95.09%
GROSS FLOOR AREA	257,772	3.8184	95.09%
TOTAL	257,772	3.8184	95.09%

GROSS FLOOR AREA RATIO CALCULATIONS

SQ. FT.	ACRES	% OF TOTAL	RATIO
TOTAL PROPERTY AREA	257,772	3.8184	95.09%
GROSS FLOOR AREA	257,772	3.8184	95.09%
TOTAL	257,772	3.8184	95.09%

GENERAL NOTES:

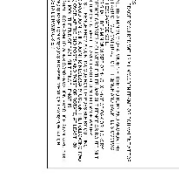
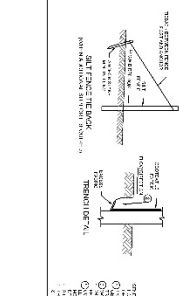
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
3. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
4. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
5. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
6. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.

GENERAL NOTES:

1. THE MAJORITY OF THE GRADE SOUTH & EAST OF SUBJECT PROPERTY IS TO BE MAINTAINED AS EXISTING LANDSCAPE SURFACE.
2. LANDSCAPE SURFACE RATIO CALCULATIONS: TOTAL PROPERTY AREA: 79,948 SQ. FT.; LANDSCAPE SURFACE: 134,500 SQ. FT.; LANDSCAPE SURFACE: 173,382 SQ. FT.; TOTAL PROPERTY AREA: 257,772 SQ. FT.; GROSS FLOOR AREA: 257,772 SQ. FT.; TOTAL: 257,772 SQ. FT.
3. GROSS FLOOR AREA RATIO CALCULATIONS: TOTAL PROPERTY AREA: 257,772 SQ. FT.; GROSS FLOOR AREA: 257,772 SQ. FT.; TOTAL: 257,772 SQ. FT.
4. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
5. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
6. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.

GENERAL NOTES:

1. THE MAJORITY OF THE GRADE SOUTH & EAST OF SUBJECT PROPERTY IS TO BE MAINTAINED AS EXISTING LANDSCAPE SURFACE.
2. LANDSCAPE SURFACE RATIO CALCULATIONS: TOTAL PROPERTY AREA: 79,948 SQ. FT.; LANDSCAPE SURFACE: 134,500 SQ. FT.; LANDSCAPE SURFACE: 173,382 SQ. FT.; TOTAL PROPERTY AREA: 257,772 SQ. FT.; GROSS FLOOR AREA: 257,772 SQ. FT.; TOTAL: 257,772 SQ. FT.
3. GROSS FLOOR AREA RATIO CALCULATIONS: TOTAL PROPERTY AREA: 257,772 SQ. FT.; GROSS FLOOR AREA: 257,772 SQ. FT.; TOTAL: 257,772 SQ. FT.
4. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
5. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.
6. EXISTING CONCRETE SIDEWALK TO BE MAINTAINED AND REPAIRED AS NECESSARY.



NO FIELDWORK DONE BY DATE: 11/10/2023
 PROJECT NO: 2223
 DATE: 11/10/2023
 DRAWN BY: JMK
 CHECKED BY: JMK
 DATE: 11/10/2023

SITE PLAN FOR 24'x43' METAL BUILDING
 M&J KRUEGER TRUCKING - 6701 W. RYAN RD.,
 FRANKLIN, WISCONSIN

NO FIELDWORK DONE BY DATE: 11/10/2023
 PROJECT NO: 2223
 DATE: 11/10/2023
 DRAWN BY: JMK
 CHECKED BY: JMK
 DATE: 11/10/2023

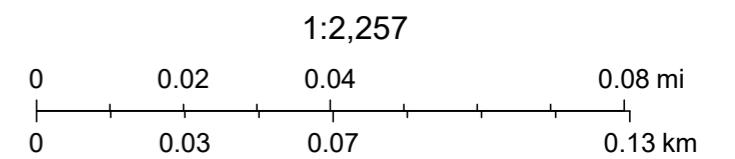
1 OF 1

City of Franklin Property Viewer



12/30/2024, 11:36:02 AM

 Parcel



SEWRPC, Maxar, Microsoft, City of Franklin, WI

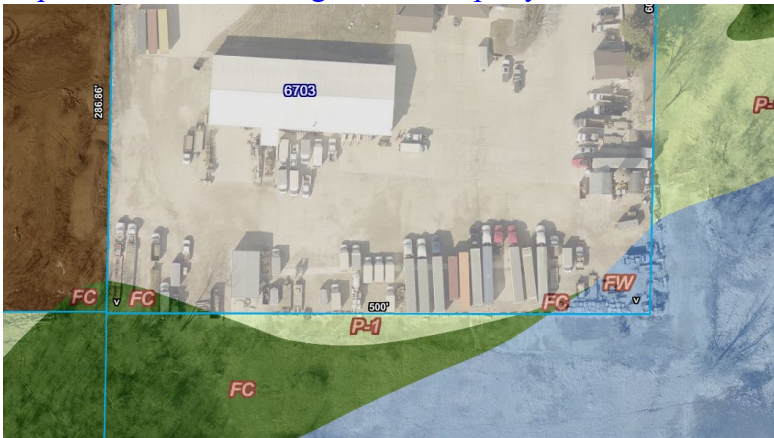
MEMORANDUM

Date: October 14, 2024
To: Boris Strbac, Dalma Properties, LLC
From: Department of City Development
Régulo Martínez-Montilva, AICP, CNUa, Principal Planner
RE: Staff comments for Site Plan amendment: metal building and outdoor storage (after the fact)
6705 W. Ryan Road / TKN 898 9999 000

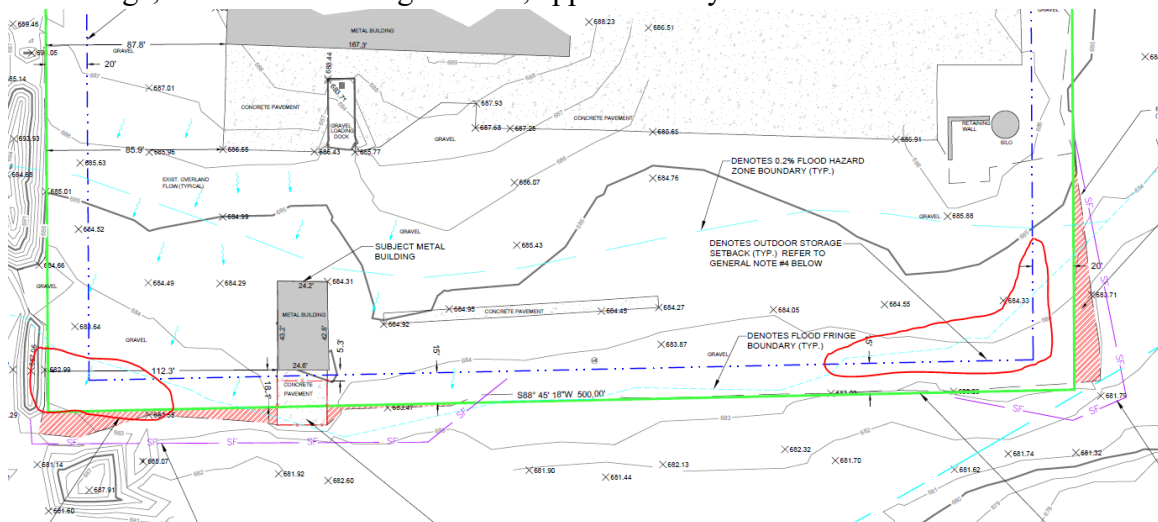
Staff comments are as follows for the above-referenced application received on June 25, 2024:

City Development Department comments

1. Please add the boundaries of the Floodway FW and Floodplain Conservancy FC zoning districts to the Site Plan (see below). The zoning boundaries are available on the city's website at <https://www.franklinwi.gov/GIS-Property-Viewer.htm>



2. Pursuant to Floodplain Zoning Ordinance Section 4.3(3) "Storage of materials is prohibited in floodfringe areas". Please revise the outdoor storage area to avoid any overlaps with the floodfringe, FW and FC zoning districts, approximately the areas circled in red below:



3. What is the height of the subject metal building? 25 feet is the maximum height for accessory structures in the M-1 zoning district. Please submit building elevation drawings of this metal building or pictures.
4. Please submit Landscape Surface Ratio calculations, existing and proposed. Definitions below:
 - “LANDSCAPE SURFACE AREA
Surface area of land not covered by any building or impervious surface; impervious surface, and that is maintained as a natural area and left undisturbed or to support plant life.
 - LANDSCAPE SURFACE RATIO (LSR)
The ratio derived by dividing the area of landscaped surface by the base site area”.
5. Please submit Gross and Net Floor Area Ratio calculations, including the subject metal building, Definitions below:
 - “FLOOR AREA RATIO, GROSS (GFAR)
An intensity measured as a ratio derived by dividing the total gross floor area of a building or structure by the base site area. Where the lot is part of a larger development and has no required bufferyard, that lot area may be used instead of the base site area to calculate the lot's development potential. Also see Division 15-3.0500.
 - FLOOR AREA RATIO, NET (NFAR)
An intensity measured as a ratio derived by dividing the total gross floor area of a building or structure by the net buildable site area. Also see Division 15-3.0500.
 - FLOOR AREA, GROSS
For the purpose of determining the floor area ratio, the gross floor area of a building or buildings shall be the sum of the gross horizontal areas of the several floors of such building or buildings - measured from the exterior faces of exterior walls or from the centerline of party walls separating two buildings. In particular, "gross floor area" shall include:
 - a. Basement space if at least 0.5 of the basement story height is above the established curb or ground level;
 - b. Elevator shafts and stairwells at each floor;
 - c. Floor space used for mechanical equipment where the structural headroom exceeds 7.5 feet; except equipment, open or enclosed, located on the roof; i.e., bulkheads, water tanks, and cooling towers;
 - d. Attic floor space where the structural headroom exceeds 7.5 feet;
 - e. Interior balconies and mezzanines;
 - f. Enclosed porches, but not terraces and breezeways;
 - g. Accessory buildings”.
6. Staff anticipates recommending for consideration of the Plan Commission, the installation of a physical barrier (boulders, posts, fence) to demarcate the outdoor storage area and avoid future encroachments into flood prone areas.
7. Staff anticipates recommending for consideration of the Plan Commission, a conservation easement to protect flood prone areas: flood fringe, FC and FW zoning. City’s template attached.

8. Staff anticipates recommending for consideration of the Plan Commission, screening of outdoor storage as required by the Unified Development Ordinance (UDO) along the west property line because it's abutting R-8 zoning (Sec. 15-3.0803F):

“Abutting a Residential Zoning District. When an open storage area abuts a residential zoning district, the method of screening shall consist of solid wooden fences or masonry walls at least six feet in height along the boundary of the storage areas and the entire residential district”.

9. With regards to compliance with the Floodplain Zoning Ordinance, staff has no objections to the hydrological analysis prepared by Aqualis. However, a Floodplain Land Use permit is still required. Please submit an application for Floodplain Land Use permit, application form attached. You don't need to submit separate application materials for this application as your Site Plan submittal already contains the required information. However, you need to submit the completed application form along with the \$500 filing fee.

Engineering Department comments

10. *No comment.*

- *Land disturbance is less than 1/4 of an acre.*
- *Per the hydraulic analysis by Aqualis, it did not impact the regional flood heights.*

Inspection Services Department comments

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

Fire Department comments

12. *No comments on this site plan amendment..*

Police Department comments

13. *The PD has no comment or concerns.*



July 6, 2023

Boris Strbac
Dalma Properties, LLC
W204 S8290 Pasadena Dr.
Muskego, WI 53150

Re: Notice of Zoning Violation
6701, 6703, 6705 W. Ryan Road (TKN 898-9999-000)

Dear Mr. Strbac:

Please be advised that it has come to the attention of the City of Franklin that the storage area at the subject property is encroaching into an adjacent property (TKN 898-9998-000) which constitutes a violation of the minimum required setbacks in the M-1 Limited Industrial district per Unified Development Ordinance Table 15-3.0309, specifically 20 feet from side property lines (east and west) and 15 feet from the rear property line (south).

Additionally, this storage area is also encroaching into the Floodfringe District (FF) which constitutes a violation of the City of Franklin Floodplain Zoning Ordinance Section 4.3(3) that states: "Storage of materials is prohibited in floodfringe areas". Attached is a copy of a map indicating the general location of the special flood hazard area, which are defined by the Federal Emergency Management Agency.

Therefore, you are in violation and have sixty (60) days from the date of this letter to submit a Site Plan application to attest compliance with the required setbacks as well as removal of all storage areas from the floodfringe. Failure to comply with this request will result in the issuance of a municipal citation.

The Site Plan application form is attached, do not hesitate to contact me if you have questions about the submittal requirements.

Other violations discovered in the future will be subject to enforcement pursuant to the City of Franklin Unified Development Ordinance and Municipal Code.

Sincerely,

A handwritten signature in black ink, appearing to read "Régulo Martínez-Montilva".

Régulo Martínez-Montilva, AICP, CNUa
Principal Planner

cc: Brian Sajdak, Assistant City Attorney
Eduardo Borda, Assistant City Attorney
Ald. Courtney Day
Erica Goblet, Milwaukee County Parks

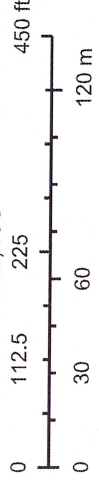
City of Franklin Property Viewer



6/29/2023, 10:59:05 AM

 Parcel

1:2,400



SEWRPC, Maxar, Microsoft, City of Franklin, WI

Regulo Martinez-Montilva

From: Regulo Martinez-Montilva
Sent: Monday, November 13, 2023 4:45 PM
To: 'Boris Strbac'
Cc: Tyler Beinlich; Jesse Wesolowski; Marion Ecks
Subject: Meeting follow-up / 6701 W Ryan Rd.
Attachments: Plan Commission Form_fillable rev 1-13-22.pdf; Site Plan UDO Sec 15-7.0103.pdf; Conservation Easement form 9-12-2019 - rev 10-03-2023.doc; FR1719-UD0a Floodplain Zoning Ordinance.pdf; Floodplain Land Use Permit application form.pdf

Good afternoon Boris,

I'm following up on our meeting regarding enforcement case EN23-2041 and zoning compliance permit application for MEADE Inc.

First, thank for your cooperation and moving the metal building. Per a field survey by Engineering Department staff, the building is approximately 15 feet from the rear lot line (south). This distance is in compliance with the minimum required setback in the M-1 zoning district. However, there is no record of approval for this building. Therefore, you need to apply for an after-the-fact Site Plan Amendment. Application form and submittal requirements attached, double fees apply because for after-the-fact requests. Please consider the following for your Site Plan amendment application:

- Site plan with location of metal building.
- Grading plan with existing and proposed contours.
- Partial removal of the concrete slab south of the subject metal building to meet the minimum 6-foot setback from the rear lot line (south).
- Boundaries of the outdoor storage areas. Note that "Storage of materials is prohibited in floodfringe areas" per Floodplain Zoning Ordinance Section 4.3(3); and such area must comply with required setbacks, specifically 20 feet from side property lines (east and west) and 15 feet from the rear property line (south).
- Optional. Installation of fence (or boulders) to demarcate outdoor storage area.
- City Development staff anticipates recommending a conservation easement to protect the floodfringe areas from future encroachments (city's template is attached for your reference).
- City Development staff anticipates recommending screening of outdoor storage as required by the Unified Development Ordinance (UDO) along the west property line because it's abutting R-8 zoning (Sec. 15-3.0803F).

Additionally, it appears that fill was placed in the floodfringe area located in the southeast corner of the site (approximately 2.5 feet in some areas), without first obtaining a fill permit and a floodplain land use permit. In order to resolve this possible violation, you need to submit a hydraulic analysis prepared by a Professional Engineer in accordance with the Floodplain Zoning Ordinance Section 2.1 (attached). No further action from your end is required if the hydrologic analysis confirms that the existing conditions: (a) do not obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development; (b) do not increase regional flood height due to floodplain storage area lost, which equals or exceeds 0.01 foot. Otherwise, you will need to submit a floodplain land use permit to remove the excess fill (application form attached), and submit a Natural Resource Protection Plan with your Site Plan application. The Site Plan Amendment noted above for the metal building and outdoor storage areas is required in both cases.

City Development staff will continue processing the zoning compliance permit application for MEADE Inc. (welding). Note that a zoning compliance permit is only for land use and such permit would not approve any site improvements or structures; and the enforcement case would remain open even if the zoning compliance permit is approved.

Note: a separate fill permit with the Engineering Department may be required, please contact Tyler Beinlich TBeinlich@franklinwi.gov for more information.

If you have questions, feel free to contact me.

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

(414) 425-4024 / 427-7564

RMartinez-Montilva@franklinwi.gov



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Mr. Brian Strbac, Registered Agent

Dalma Properties, LLC
Star Trucking, LLC
6701 W. Ryan Rd.
Franklin, WI 53132

Milwaukee County Parks

9480 Watertown Plank Rd.
Wauwatosa, WI 53226
(414) 257-PARK

By DocuSign

July 8, 2024

Subject: Close Out of Encroachment onto Milwaukee County Parks property at W. Ryan Rd.

Dear Mr. Strbac,

In July 2023, you were issued a Notice of Encroachment, detailing fill material and portion of a pole barn and concrete slab on County-owned land. Pursuant to Chapter 47, Subchapter II, of the Milwaukee County Code of General Ordinances, such use and/or encroachment of park property is prohibited.

In follow up meetings with Parks staff in 2023, you explained that you had bought the property in 2022, and that the encroachments had been established by the previous owner.

We had discussed a timeline for the resolution of encroachments. Based on those discussions, you agreed to do the following:

- Remove the fill material, to Parks satisfaction, by August 18, 2023. No later than August 10, 2023, please coordinate with Parks Natural Areas staff to inspect the removal of the fill.
- Remove the pole barn and slab.

On June 28, 2024, Parks staff inspected the encroachment area and conclude that you have substantially resolved the encroachment.

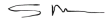
We are issuing this Close-Out Letter to document that you have met your obligations to resolve the encroachment, in an extremely timely manner.

pg. 2

Please contact me if you have any questions, at Saji.Villoth@milwaukeecountywi.gov or by phone at (414) 257-4529.

Thank you for your efforts in resolving this encroachment.

Sincerely,



Saji Villoth, Contracts Manager Assistant
Milwaukee County Parks

CC Brian Russart, Natural Areas
Regulo Martinez-Montilva, City of Franklin

Encl. July 27, 2023 First Notice of Violation



MilwaukeeCountyParks

countyparks.com



MILWAUKEE COUNTY
PARKS



Star Trucking, LLC Site

Project Narrative

The previous owner of the property Star Trucking located at 6701 W. Ryan Rd. in Franklin, WI expanded their parking facility by placing fill throughout the property, including within flood fringe and floodway area on the southeast portion of their property, as shown on the plat survey. The current property owner has removed the fill and gravel up to the property line, but maintained the fill and gravel placed on his property within the flood fringe area. Since fill remains within the flood fringe area (with the property boundary), the City of Franklin requires a floodplain analysis to determine if placing fill in the floodplain has an impact to base flood elevations. AQUALIS was contracted by the property owner to evaluate the impact of the placed fill and navigate required submissions to the City.

AQUALIS determined through a hydraulic analysis that fill placed in the floodplain at the Star Trucking, LLC site did not impact regional flood heights. The floodplain analysis report is included in this request and provides a detailed explanation of the floodplain analysis methodology and results.

Additionally, a metal building was placed on the Property and relocated to an ordinance compliant location. The concrete pad associated with the original building location has been removed at from the adjacent property. Please refer to the updated site plan submitted with this plan amendment request.

AQUALIS[®]

Formerly Stormwater Solutions Engineering

Star Trucking, LLC Site

Floodplain Analysis

6701 W. Ryan Rd.
City of Franklin
Milwaukee County, WI

June 18, 2024

Prepared for:
Star Trucking, LLC
6701 W. Ryan Rd.
Franklin, WI

Prepared by:
AQUALIS, Engineering Services
247 Freshwater Way, Suite 410
Milwaukee, WI 53204



Table of Contents

1 Introduction and Background3

 1.1 Introduction3

 1.2 Location.....3

 1.3 Regulatory Requirements3

 1.4 Available Data4

2 Methods4

 2.1 Hydrologic Analysis4

 2.2 Hydraulic Analysis5

3 Results7

4 Summary7

5 Attachments.....7

1 Introduction and Background

1.1 Introduction

The previous owner of the property located at 6701 W. Ryan Rd. in Franklin, WI expanded their parking facility by placing fill throughout the property, including within flood fringe and floodway area on the southeast portion of their property, as shown on the plat survey. The current property owner has removed the fill and gravel up to the property line, but maintained the fill and gravel placed on his property within the flood fringe area. The City of Franklin requires a floodplain analysis to determine if placing fill in the floodplain has an impact to base flood elevations. AQUALIS was contracted by the property owner to evaluate the impact of the placed fill and navigate required submissions to the City and WDNR.

1.2 Location

The Star Trucking Facility (6701 W. Ryan Rd. in Franklin, WI) is located along the Root River. The area of the Property containing placed fill is located in the FEMA Designated AE Flood Zone, between Flood Insurance Study (FIS) cross sections AE and AD (Figure 1).

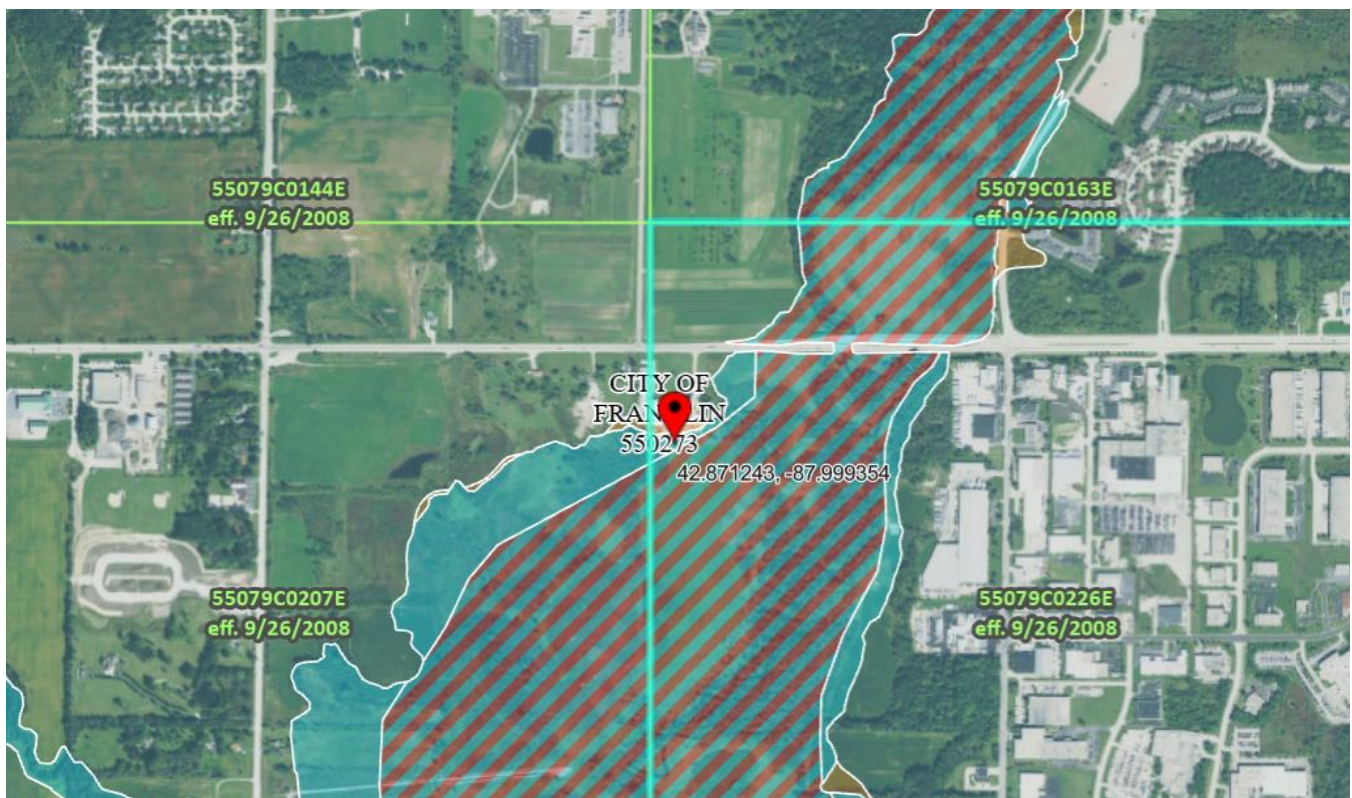


Figure 1. Project Location along Root River in mapped AE Flood Zone.

1.3 Regulatory Requirements

AQUALIS was contracted by Star Trucking, LLC to investigate meeting floodplain requirements of both the City of Franklin and WDNR. The purpose of the analysis was to determine if the placed fill complied with regulatory requirements. The WDNR and City requirements area as follows:

- NR 116.13(1)(c-d) and City of Franklin ordinance Section UDO-3-15-3.0600 state that development may only occur in the floodplain if the development
 - ✓ does not affect conveyance of floodwaters resulting in an increase in regional flood heights,
 - ✓ does not cause an increase in regional flood heights due to floodplain storage loss, and
 - ✓ does not impede drainage, cause ponding, obstruct the floodway, increase flood flow velocities, increase the flood stage, and retard the movement of floodwaters

as determined using an approved hydraulic model.

1.4 Available Data

The FIS was updated in 2008, however, the available models for the Root River through Wisconsin Department of Natural Resources (WDNR) are from the late 1970s and no longer representative of the existing conditions at or near the site. Southeastern Wisconsin Regional Planning Commission (SEWRPC) was able to provide AQUALIS with a HEC-2 model from 2000 for the Root River around Ryan Rd. Elevations and channel locations within this model matched well with the Milwaukee County 2018 contour data. However, the model did not include the Ryan Rd. bridge updates from 2016 or the FIS steady flow data. AQUALIS coordinated with WDNR to develop a process for using the HEC-2 model downstream of Ryan Rd (FEMA lettered cross section AF).

Additional data sources include:

- FEMA Flood Insurance Study 55079CV001A-005A (2008)
- Milwaukee County Contour Data (2018)
- Topographic Work Map, City of Franklin, prepared by Alster & Associates, Inc. Engineers
- Existing Conditions Site Survey completed by the Sigma Group (4/4/2024)

2 Methods

2.1 Hydrologic Analysis

The modelling used the effective FIS flows for the Root River at the upstream of the confluence of East Branch Root River (Table 1).

Table 1. FIS Flows for the Root River between Ryan Rd and the confluence of the Root River Canal

Flooding Source	Drainage Area (mi²)	10% Annual Chance	2% Annual Chance	1% Annual Chance	0.5% Annual Chance
Just upstream of the confluence of the East Branch of the Root River	41.1	2000	4050	5400	11400

2.2 Hydraulic Analysis

All Hydraulic modeling occurred using HEC-RAS v. 6.5

2.2.1 Corrected Effective Model

To create the complete effective HEC-RAS model, AQUALIS used the MMSD HEC-2 Model for downstream of the Ryan Road bridge. Two cross sections were added to better evaluate the placed fill. One cross section was added to represent the worst-case fill location (RS 27.6) and another cross section was added downstream of the fill location (RS 27.5). The cross sections were created using Milwaukee County contours and City of Franklin topographic maps. Mannings n, as well as expansion and contraction coefficients in the created cross sections matched those determined for the effective cross sections.

The steady state flow data used the FIS flows provided in Table 1. Steady state flow was assumed to maintain subcritical flow throughout the model. This is a realistic assumption given the 2016 Ryan Road bridge updates, which would provide enough freeboard to pass the 100-year event, eliminating the obstruction shown in the FIS profile. The downstream boundary condition for the model used the water surface elevation for each profile from the FIS at FEMA lettered cross section W, as shown in Table 2.

Table 2. Downstream boundary conditions for Root River model

Recurrence Interval	Downstream WSE Boundary Condition
10%	679.5
2%	681.4
1%	682.2
0.5%	684.3

2.2.2 Fill Model

To create the fill model, cross section 27.6 was altered to represent the elevation of the fill based on survey data from The Sigma Group, Inc.. Differences in elevations along the cross section are shown in Figure 2.

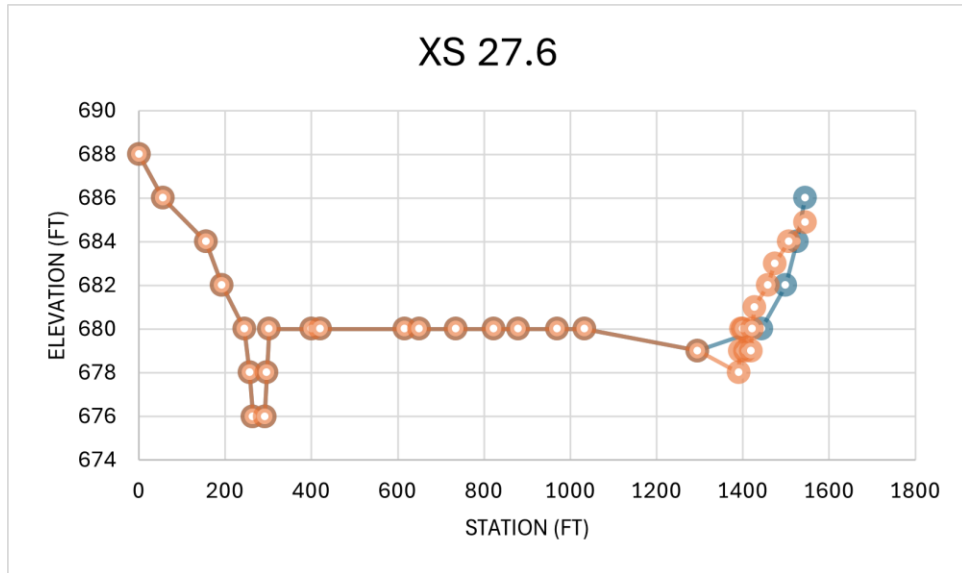


Figure 2. XS 27.6 station elevations in the effective model (blue) and the fill model (orange)

Each geometry was modeled using the same steady state conditions to evaluate the impact of the placed fill on water surface elevations for the 1% Annual Chance Event.

3 Results

The hydraulic models are provided as Attachment A. The corrected effective and fill models were run under the same steady state, subcritical flow and boundary conditions. The corrected effective model matched the FIS water surface elevations best when the ineffective flow areas were removed from floodplain areas (they were maintained around bridge crossings). The largest difference between the FIS elevations and the corrected effective model occurred at the downstream face of the Ryan Rd crossing. Notable differences in flow area and top width were observed between the FIS and the corrected effective model, which likely influence the differences in water surface elevation. The corrected effective model is significantly more up to date, and likely better represents actual conditions at this cross section.

Model results between the corrected effective and fill geometries show that the fill made no impact on regional flood heights (Table 3). A complete table for each model as required by WDNR is provided in Attachment C.

Table 3. Summary of water surface elevations (W.S. Elev) for pre- and post- fill models.

River Station	Description	WSE (ft)			Δ		
		FIS	Corrected Effective (CE)	Fill	FIS vs CE	CE vs Fill	FIS vs Fill
27.92	DS Ryan Rd Bridge	684.20	684.56	684.56	0.36	0.00	0.36
27.69	FEMA Lettered XS AE	683.40	683.31	683.31	-0.09	0.00	-0.09
27.6	Not included	--	683.33	683.32	--	-0.01	--
27.5	Not included	--	683.20	683.20	--	0.00	--
27.36	FEMA Lettered XS AD	682.90	682.90	682.90	0.00	0.00	0.00
26.99		682.70	682.72	682.72	0.02	0.00	0.02
26.69	FEMA Lettered XS AB	682.70	682.64	682.64	-0.06	0.00	-0.06
26.45	FEMA Lettered XS AA	682.50	682.53	682.53	0.03	0.00	0.03
26.2	US W Oakwood Rd	682.40	682.43	682.43	0.03	0.00	0.03
26.17	DS W Oakwood Rd, FEMA Lettered XS Y	682.40	682.41	682.41	0.01	0.00	0.01
25.86	FEMA Lettered XS X	682.30	682.27	682.27	-0.03	0.00	-0.03
25.54	FEMA Lettered XS W	682.20	682.20	682.20	0.00	0.00	0.00

4 Summary

AQUALIS updated the effective model created by MMSD and provided by SEWRPC and created a fill conditions model. The evaluation compared both models and determined that the fill placed in the floodplain at the Star Trucking, LLC site did not impact regional flood heights.

5 Attachments

Attachment A: HEC-RAS Hydraulic Model (electronic)

Attachment B: HEC-RAS Workmap

Attachment C: Summary tables for modelled geometry

W. RYAN RD.
(S.T.H. 100)
(VARIABLE WIDTH R.O.W.)

N. LINE OF THE NE. 1/4 OF SEC. 27-5-21

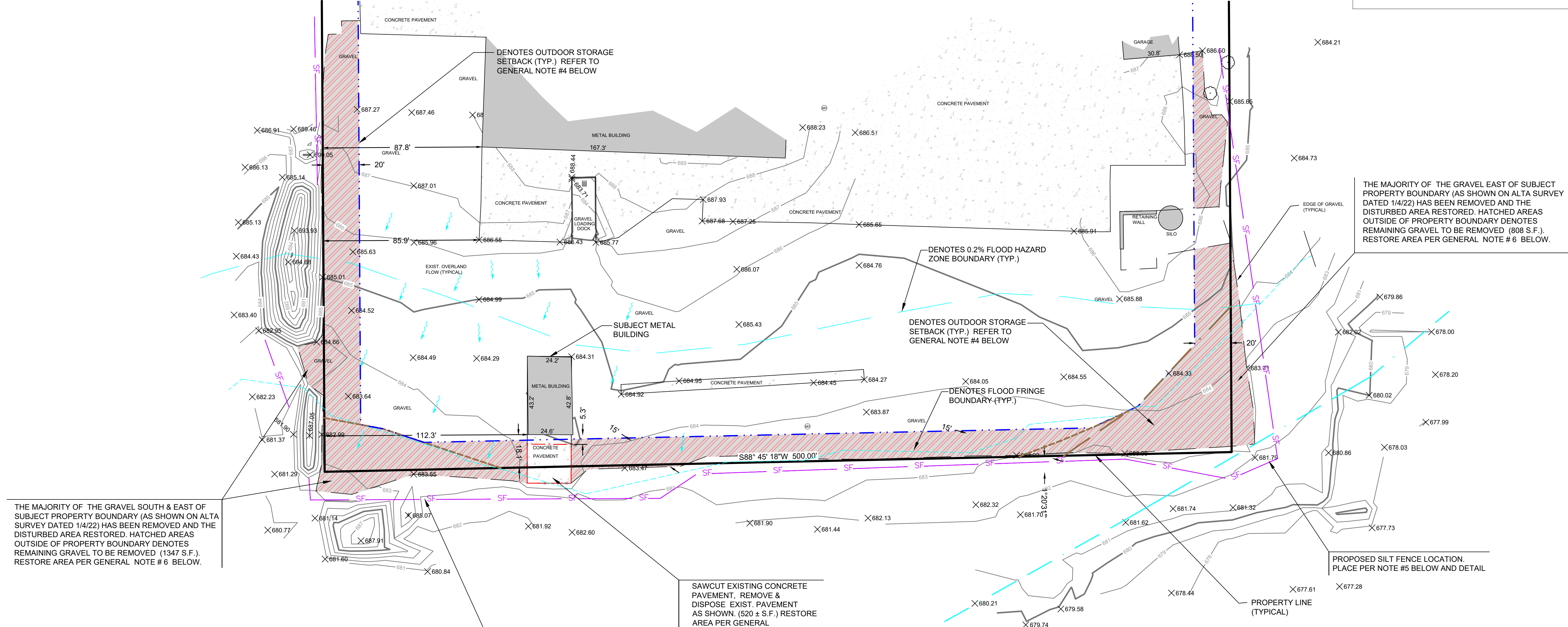
COLOR LEGEND

- SF SILT FENCE
- OUTDOOR STORAGE SETBACK LINE
- FLOODWAY BOUNDARY
- FLOOD FRINGE BOUNDARY
- 0.2% FLOOD HAZARD BOUNDARY
- FLOODWAY (FW) ZONING BOUNDARY
- FLOODPLAIN CONSERVANCY (FC) ZONING BOUNDARY
- AREAS WHERE EXISTING CONCRETE TO BE REMOVED AND RESTORED PER GENERAL NOTE #6
- AREAS WHERE EXISTING GRAVEL TO BE REMOVED AND RESTORED PER GENERAL NOTE #6

SIGMA GROUP
Single Source. Sound Solutions.
www.thisigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

LEGEND

- SECTION 1/4 SECTION LINE
- PROPERTY LINE
- GUARD RAIL
- METAL FENCE
- WOOD FENCE
- TREE LINE
- OVERHEAD UTILITY LINE
- ELECTRIC
- TELEPHONE
- FIBER OPTIC
- CABLE TV
- SANITARY SEWER
- FORCE MAIN
- MUNICIPAL INTERCEPTOR SEWER
- COMBINED SANITARY & STORM SEWER
- STORM SEWER
- WATER MAIN
- GAS
- WETLAND
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- IRON PIPE FOUNDSET
- REBAR FOUNDSET
- CHISELED CROSS FOUNDSET
- PR. NAIL FOUNDSET
- SPRING
- MONUMENT
- BENCHMARK
- SIGN
- DECIDUOUS TREE (Diameter)
- CONIFEROUS TREE (Diameter)
- BUSH
- POST
- SOIL BORING
- MONITORING WELL
- CULVERT END
- LIGHT POLE
- PARKING METER
- FLAG POLE
- TRAFFIC SIGNAL



THE MAJORITY OF THE GRAVEL SOUTH & EAST OF SUBJECT PROPERTY BOUNDARY (AS SHOWN ON ALTA SURVEY DATED 1/4/22) HAS BEEN REMOVED AND THE DISTURBED AREA RESTORED. HATCHED AREAS OUTSIDE OF PROPERTY BOUNDARY DENOTES REMAINING GRAVEL TO BE REMOVED (1347 S.F.). RESTORE AREA PER GENERAL NOTE # 6 BELOW.

THE MAJORITY OF THE GRAVEL EAST OF SUBJECT PROPERTY BOUNDARY (AS SHOWN ON ALTA SURVEY DATED 1/4/22) HAS BEEN REMOVED AND THE DISTURBED AREA RESTORED. HATCHED AREAS OUTSIDE OF PROPERTY BOUNDARY DENOTES REMAINING GRAVEL TO BE REMOVED (808 S.F.). RESTORE AREA PER GENERAL NOTE # 6 BELOW.

SAWCUT EXISTING CONCRETE PAVEMENT, REMOVE & DISPOSE EXIST. PAVEMENT AS SHOWN. (520 ± S.F.) RESTORE AREA PER GENERAL NOTE # 6 BELOW..

LANDSCAPE SURFACE RATIO CALCULATIONS

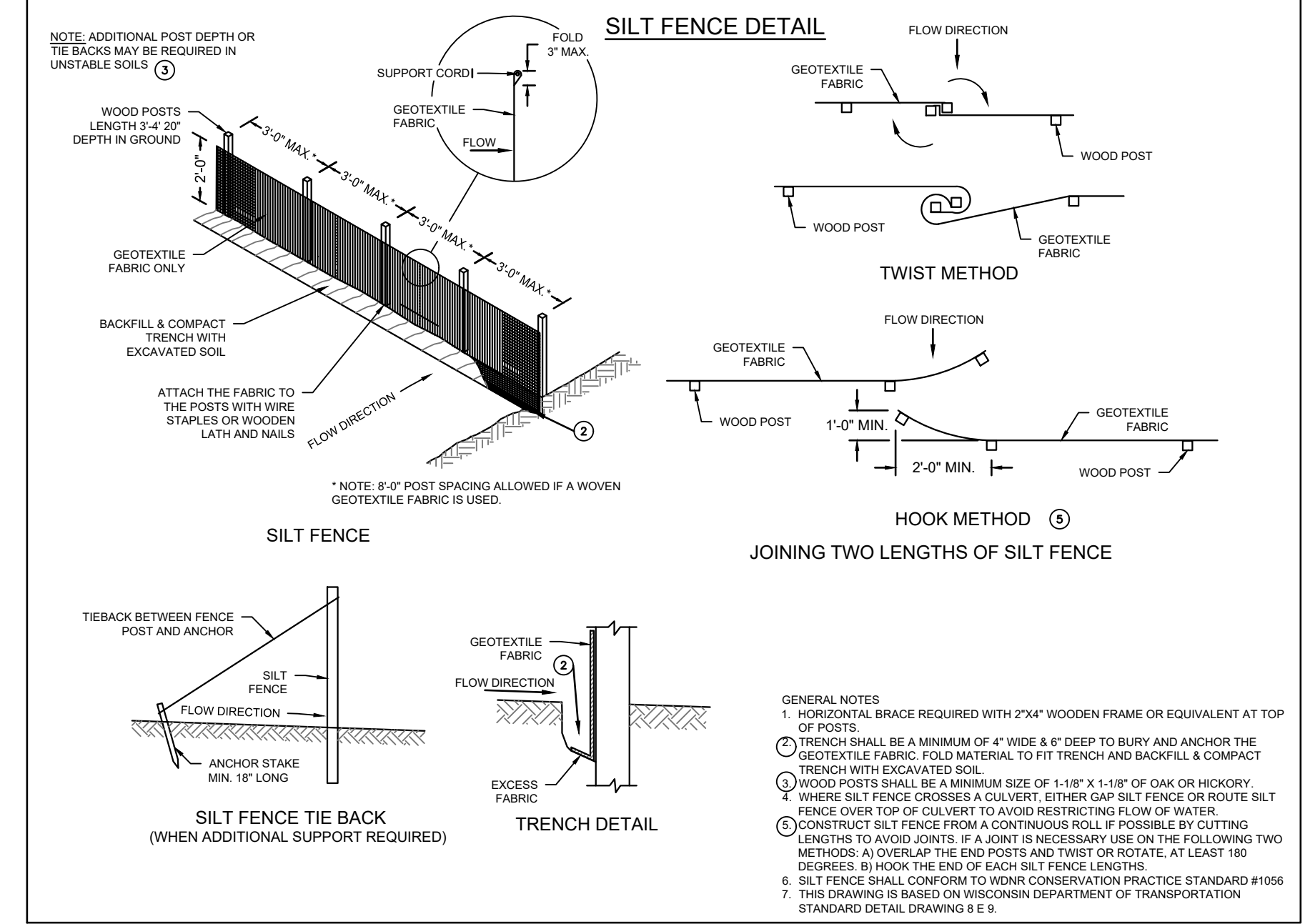
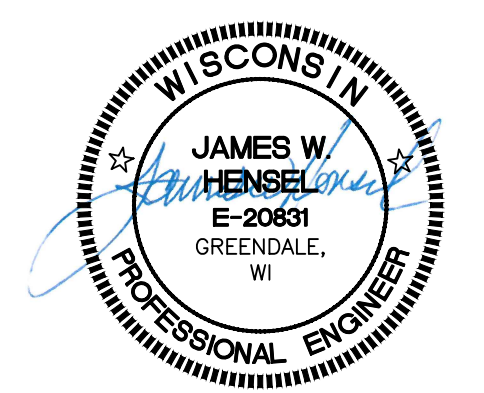
	SQ. FT.	ACRES	% OF TOTAL	RATIO OF TOTAL
TOTAL PROPERTY AREA	269,963	6.19750	100.00%	1.00
IMPERVIOUS AREA*	154,598	3.54908	57.27%	0.57
LANDSCAPE SURFACE AREA	115,365	2.64842	42.73%	0.43

GROSS FLOOR AREA RATIO CALCULATIONS

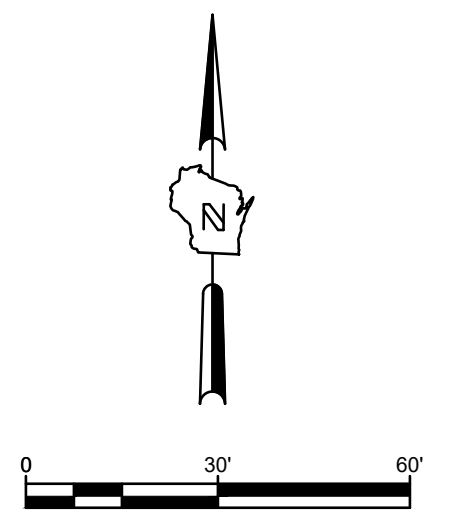
	SQ. FT.	ACRES	% OF TOTAL	RATIO OF TOTAL
TOTAL PROPERTY AREA	269,963	6.19750	100.00%	1.00
GROSS FLOOR AREA **	25,772	0.59164	9.55%	0.10

* DENOTES IMPERVIOUS AREA TOTAL AFTER GRAVEL & CONCRETE PROPOSED FOR REMOVAL (AS SHOWN ABOVE) IS REMOVED AND RESTORED
** DENOTES TOTAL FOOTPRINT AREA FOR ALL BUILDINGS & STRUCTURES ON SUBJECT PROPERTY

- GENERAL NOTES:**
- THE UNDERGROUND UTILITY INFORMATION SHOWN ON THIS DRAWING IS BASED ON FIELD LOCATIONS AND/OR RECORDS FURNISHED BY MUNICIPALITIES AND UTILITY COMPANIES. THE LOCATION AND ACCURACY OF WHICH CANNOT BE GUARANTEED. THERE MAY BE ADDITIONAL UNDERGROUND UTILITY INSTALLATIONS WITHIN THE PROJECT AREA THAT ARE NOT SHOWN.
 - DRAWING IS BASED ON FIELD SURVEY COMPLETED BY S.F.Z. ON 3/29/2024.
 - DATUM FOR THE PROJECT SURVEY IS NAVD88.
 - STORAGE OF MATERIALS IS PROHIBITED IN FLOOD FRINGE AREAS PER FLOODPLAIN ZONING ORDINANCE SECTION 4.3(3) AND SUCH AREA MUST COMPLY WITH THE REQUIRED SETBACKS- SIDE YARDS: 20 FEET & REAR YARDS: 15 FEET.
 - SILT FENCE SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBANCE OCCURS. SILT FENCE SHALL BE MAINTAINED AND REMAIN INSTALLED UNTIL DISTURBED AREA HAS REACHED STABILIZATION. STABILIZATION IS DEFINED AS A MINIMUM OF 70% VEGETATIVE GROUND COVER.
 - AREAS OF GRAVEL & CONCRETE REMOVAL SOUTH OF THE PROPERTY LINE SHALL BE RESTORED WITH 4 IN. DEPTH OF TOPSOIL, CLOVER SEED, LOW NITROGEN FERTILIZER & MULCH. AREA OF CONCRETE REMOVAL NORTH OF PROPERTY LINE MAY BE RESTORED WITH GRAVEL. ALL RESTORATION SHOULD MATCH ADJACENT EXISTING ELEVATIONS.



SITE PLAN FOR 24'x43' METAL BUILDING
M&J KRUEGER TRUCKING - 6701 W. RYAN RD.
FRANKLIN, WISCONSIN



NO. REVISION	DATE BY
DRAWN BY:	JMB
DATE:	12/11/2024
PROJECT NO:	22623
CHECKED BY:	JWH
SHEET NO.:	



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Item E.2

Meeting of January 9, 2025

Unified Development Ordinance (UDO) Text Amendment

RECOMMENDATION: City Development Staff recommends approval of the attached ordinance to amend Section 15-10.0102 Membership of the Unified Development Ordinance

Project Name: Plan Commission Membership, remove the City Engineer member and in place thereof provide an alderperson to serve on the Plan Commission

Project Address: City-wide

Prepared by: City Development staff

Action Requested: A motion to recommend approval of the attached ordinance, and authorize staff to amend the Plan Commission Administrative Procedures and Regulations if this ordinance is adopted

Staff: Régulo Martínez-Montilva, Planning Manager

On November 6, the Common Council carried a motion to approve the filing of an application for a Unified Development Ordinance text amendment for An Ordinance to amend §15-10.0102 Membership, of the Unified Development Ordinance to Change the Plan Commission Membership to Remove the City Engineer Member and in Place Thereof Provide an Alderperson to Serve on the Plan Commission, which is the ordinance being presented before the Plan Commission tonight.

The Plan Commission held a public hearing for this item on December 19, 2024, and entered into a roll call vote for a motion to recommend approval of this ordinance. The vote was four ‘ayes’, one ‘no’ and one absence (4-1-1), even though four votes are sufficient to carry a motion, such motion failed due to lack of a move and a second. Therefore, this ordinance is being presented again to the Plan Commission for reconsideration.

With regards to the Plan Commission membership, the Unified Development Ordinance states:

§15-10.0102 Membership

The City Plan Commission shall consist of the Mayor who shall be its presiding officer, an alderman appointed by the Mayor and confirmed by the Common Council who shall serve for one year unless the office becomes vacant, the City Engineer and four citizens, three appointed for three-year terms and one citizen appointed for a one-year term. In the absence of the City Engineer ("absence" meaning and including, but not limited to the office of City Engineer being vacant), the Assistant City Engineer shall serve in the membership position of the City Engineer on the City Plan Commission.

In consideration of the offices of the City Engineer and the Assistant City Engineer currently being vacant, and that akin to the other City Departments and Officers working upon development matters, i.e., the Planning Department, the Economic Development Director, etc., the Engineering Department

staff will be present at Plan Commission meetings involving a subject matter upon which the Engineering Department has provided services to provide information thereon, an amendment to the Plan Commission membership to be considered is as follows:

§15-10.0102 Membership

The City Plan Commission shall consist of the Mayor who shall be its presiding officer, ~~two~~ ~~an~~ ~~Alder~~ ~~persons~~ ~~man~~ appointed by the Mayor and confirmed by the Common Council who shall serve for one year unless the office becomes vacant, ~~the City Engineer~~ and four citizens, three appointed for three-year terms and one citizen appointed for a one-year term. ~~In the absence of the City Engineer ("absence" meaning and including, but not limited to the office of City Engineer being vacant), the Assistant City Engineer shall serve in the membership position of the City Engineer on the City Plan Commission.~~

Staff Recommendation:

City Development Staff recommends approval of the attached ordinance to amend Section 15-10.0102 Membership of the Unified Development Ordinance.

ORDINANCE NO. 2025-_____

AN ORDINANCE TO AMEND §15-10.0102 MEMBERSHIP, OF THE UNIFIED DEVELOPMENT ORDINANCE TO CHANGE THE PLAN COMMISSION MEMBERSHIP TO REMOVE THE CITY ENGINEER MEMBER AND IN PLACE THEREOF PROVIDE AN ALDERPERSON TO SERVE ON THE PLAN COMMISSION

WHEREAS, §15-10.0102 of the Unified Development Ordinance provides that the City Plan Commission shall consist of the Mayor who shall be its presiding officer, an alderman appointed by the Mayor and confirmed by the Common Council who shall serve for one year unless the office becomes vacant, the City Engineer (in the absence of the City Engineer, the Assistant City Engineer) and four citizens; and

WHEREAS, in consideration of the offices of the City Engineer and the Assistant City Engineer currently being vacant, and that akin to the other City Departments and Officers working upon development matters, i.e., the Planning Department, the Economic Development Director, etc., the Engineering Department staff will be present at Plan Commission meetings involving a subject matter upon which the Engineering Department has provided services to provide information thereon, an amendment to the Plan Commission membership to provide an Alderperson member in lieu of the City Engineer member has been arrived at to move the overall Plan Commission process forward to provide a broader range of review; and

WHEREAS, the Plan Commission having reviewed the subject amendment, and having held a public hearing on the proposal on the ____ day of _____, 2024 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment will serve to further orderly growth and development and 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: §15-10.0102 Membership, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, pertaining to the Plan Commission Membership, the introductory paragraph only, is hereby amended to read as follows *[note: deletions appear in strike-through text; additions appear in double-underlined text; unchanged text is not highlighted]*:

The City Plan Commission shall consist of the Mayor who shall be its presiding officer, two ~~an~~ Alderpersons ~~man~~ appointed by the Mayor and confirmed by the Common Council who shall serve for one year unless the office becomes vacant, ~~the City Engineer~~ and four citizens, three appointed

for three-year terms and one citizen appointed for a one-year term. ~~In the absence of the City Engineer ("absence" meaning and including, but not limited to the office of City Engineer being vacant), the Assistant City Engineer shall serve in the membership position of the City Engineer on the City Plan Commission.~~

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2025, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2025.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Shirley J. Roberts, City Clerk

AYES _____ NOES _____ ABSENT _____