

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, DECEMBER 22, 2016, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of December 8, 2016.

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

1. **CHARLOTTE’S GARDEN 52 UNIT TWO STORY MULTI-FAMILY SENIOR INDEPENDENT LIVING APARTMENT DEVELOPMENT.** Rezoning, Comprehensive Master Plan Amendment and Special Use applications by Robert Williams, TDI Associates, Inc., to rezone property located at 3709 West College Avenue (4.1204 acres) from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District and to amend the Future Land Use Map land use designation from Residential Use to Residential – Multi-Family Use to construct a 52 unit multi-family senior apartment complex consisting of 8 one bedroom units and 44 two bedroom units with a clubhouse/activity center, 94 underground parking spaces, 30 surface parking spaces, a gazebo, storm water pond and landscaping (the Special Use is in part required because the proposed density of the development exceeds the R-8 Multiple-Family Residence District Development Standards (Option 1), which allows a Gross Density of 6.10 and a Net Density of 8.00; proposed development includes 52 units which equates to a net Density of 19.40 and Gross Density of 12.62; Special Use regulations provide in part at §15-3.0701A. of the Unified Development Ordinance that district standards may be modified by the Common Council pursuant to the recommendations of the Plan Commission); Tax Key No. 713-9996-003. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE REZONING AND SPECIAL USE APPLICATIONS.** [SUBJECT MATTER CONTINUED FROM THE DECEMBER 8, 2016 MEETING. THESE PUBLIC HEARINGS WERE PREVIOUSLY NOTICED FOR, OPENED AND HELD AT THE PLAN COMMISSION MEETING ON DECEMBER 8, 2016, AND THEN POSTPONED AND CONTINUED TO THE DECEMBER 22, 2016 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]

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

1. **BRIDGESTONE CAPITAL LLC LAND DIVISION.** Certified Survey Map application by Ryan S. Konicek, Operator of Bridgestone Capital LLC, for division of an 8.987 acre property into three separate lots, the property containing a single-family home and accessory buildings (Lot 1: 2.923 acres, Lot 2: 2.923 acres, Lot 3: 3.141 acres, Lots 1 and 2 having access to South 35th Street, Lot 3 being accessible from West Puetz Road), for property zoned R-6 Suburban Single-Family Residence District and C-1 Conservancy District, located at 8647 South 35th Street; Tax Key No. 833-9999-000. [SUBJECT MATTER CONTINUED FROM THE DECEMBER 8, 2016 MEETING]

2. **TUCKAWAY PINES CONDOMINIUM DEVELOPMENT.** Fourth Addendum to the Tuckaway Pines Condominium Plat application and a Landscape Plan application by Wayne E. Foster, The Foster Group, Ltd. (Glandon Holdings LLC, owner), for construction of six two-unit buildings within the Tuckaway Pines Condominium development (Buildings 0, 1, 2, 5, 10 and 11). Special Use Amendment approval was granted on July 19, 2016 for building and site changes to Buildings 0, 1, 2, 5, 10 and 11 and the elimination of Building No. 12, upon property zoned R-8 Multiple-Family Residence District, addresses and Tax Key Nos. as follows: 7556, 7558, 7560 West Tuckaway Pines Circle (Building 0), 7550, 7552, 7554 West Tuckaway Pines Circle (Building 1), 7530, 7532, 7534 West Tuckaway Pines Circle (Building 2), 7501, 7503, 7505 West Tuckaway Pines Circle (Building 5), 7543, 7545, 7547 West Tuckaway Pines Circle (Building 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11); 804-0061-000, 804-0060-000, 804-0059-000, 804-0064-000, 804-0063-000, 804-0062-000, 804-0089-000, 804-0088-000, 804-0087-000, 804-0065-000, 804-0066-000, 804-0067-000, 804-0081-000, 804-0082-000, 804-0080-000 and 804-9999-005. [Applicant has submitted a Landscape Plan for Plan Commission review and approval, as required by Special Use Amendment Resolution No. 2016-7218.]

3. **WHITNALL YOUTH BASEBALL, INC. SPORTS GROUP INDOOR PHYSICAL FITNESS/PRACTICE FACILITY.** Temporary Use application by Michael Phillip Meyer, President of Whitnall Youth Baseball, Inc., for operation of a public youth baseball and softball indoor physical fitness/practice facility use for boys and girls ranging in age from 4 to 16, from communities all around southeastern Wisconsin, at approximately 6542 South Lovers Lane Road, in the Garden Plaza Shopping Center, between January 9, 2017 and April 9, 2017, from 5:00 p.m. to 9:00 p.m. Monday through Friday and from 9:00 a.m. to 6:00 p.m. on Saturdays and Sundays, on property zoned B-3 Community Business District; Tax Key No. 705-8997-004.

E. Adjournment

Franklin Plan Commission Agenda

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

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

REMINDERS:

Next Regular Plan Commission Meeting: January 5, 2017

City of Franklin
Plan Commission Meeting
December 8, 2016
Minutes

unapproved

Call to Order and Roll Call

- A. Mayor Steve Olson called the December 8, 2016 Regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderman Mark Dandrea and Commissioners Patricia Hogan, Kevin Haley (arrived at 7:01 p.m.), David Fowler and City Engineer Glen Morrow. Excused was Commissioner Patrick Leon. Also present were Principal Planner Nick Fuchs, Planning Manager Joel Dietl, City Attorney Jesse Wesolowski and Alderwoman Wilhelm.

Approval of Minutes

Regular Meeting of November 17, 2016.

- B. 1. Alderman Dandrea moved and Commissioner Fowler seconded approval of the November 17, 2016 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (4-0-0).

Public Hearing Business Matters

**CHARLOTTE'S GARDEN 56 UNIT
TWO STORY MULTI-FAMILY
SENIOR INDEPENDENT LIVING
APARTMENT DEVELOPMENT.**

Rezoning, Comprehensive Master Plan Amendment and Special Use applications by Robert Williams, TDI Associates, Inc., to rezone property located at 3709 West College Avenue (4.1204 acres) from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District and to amend the Future Land Use Map land use designation from Residential Use to Residential – Multi-Family Use to construct a 56 unit multi-family senior apartment complex consisting of 8 one bedroom units and 48 two bedroom units with a clubhouse/activity center, 103 underground parking spaces, 38 surface parking spaces, a gazebo, storm water pond and landscaping (the Special Use is in part required because the proposed density of the development exceeds the R-8 Multiple-Family Residence District Development Standards (Option 1), which allows a Gross Density of 6.10 and a Net Density

- C. 1. Planning Manager Dietl presented the request by Robert Williams, TDI Associates, Inc. for a 56 unit multi-family senior apartment complex development.

- A. Commissioner Hogan moved and Alderman Dandrea seconded a motion to postpone and continue the subject matter regarding the Comprehensive Master Plan Amendment to the December 22, 2016 Plan Commission meeting. On voice vote, all voted 'aye'. Motion carried (5-0-0).

The Official Notices of Public Hearing for Rezoning and Special Use were read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:08 p.m. and closed at 7:17 p.m.

- B. Commissioner Fowler moved and Alderman Dandrea seconded a motion to postpone and continue the subject matter regarding the Rezoning to the December 22, 2016 Plan Commission meeting. On voice vote, all voted 'aye'. Motion carried (5-0-0).
- C. Commissioner Hogan moved and Commissioner Fowler seconded a motion to postpone and continue

of 8.00; proposed development includes 56 units which equates to a net Density of 20.90 and Gross Density of 13.59; Special Use regulations provide in part at §15-3.0701A. of the Unified Development Ordinance that district standards may be modified by the Common Council pursuant to the recommendations of the Plan Commission); Tax Key No. 713-9996-003.

the subject matter regarding the Special Use to the December 22, 2016 Plan Commission meeting. On voice vote, all voted 'aye'. Motion carried (5-0-0).

TODD WATSON SINGLE-FAMILY RESIDENTIAL USE. Rezoning application by Todd Watson to rezone property located at 8423 South 100th Street from B-3 Community Business District to R-3 Suburban/Estate Single-Family Residence District for the purpose of only residential use of the property; Tax Key No. 841-0025-001.

C

2. Planning Manager Dietl presented the request by Todd Watson to rezone property located at 8423 South 100th Street from B-3 Community Business District to R-3 Suburban/Estate Single-Family Residence District for the purpose of only residential use of the property.

The Official Notice of Public Hearing for rezoning was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:21 p.m. and closed at 7:21 p.m.

Commissioner Fowler moved and Alderman Dandrea seconded a motion to recommend approval of an ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from B-3 Community Business District to R-3 Suburban/Estate Single-Family Residence District (8423 South 100th Street) (approximately 1.87 acres). On voice vote, all voted 'aye'. Motion carried (5-0-0).

Business Matters

BRIDGESTONE CAPITAL LLC LAND DIVISION. Certified Survey Map application by Ryan S. Konicek, Operator of Bridgestone Capital LLC, for division of an 8.987 acre property into three separate lots, the property containing a single-family home and accessory buildings (Lot 1: 2.923 acres, Lot 2: 2.923 acres, Lot 3: 3.141 acres, Lots 1 and 2 having access to South 35th Street, Lot 3 being accessible from West Puetz Road), for property zoned

D.

- D. Planning Manager Dietl presented a Certified Survey Map application by Ryan S. Konicek, Operator of Bridgestone Capital LLC, for division of an 8.987 acre property into three separate lots.

Commissioner Fowler moved and Alderman Dandrea seconded a motion to table the subject matter to the December 22, 2016 Plan Commission meeting to allow the applicant to work with staff and to provide additional information related to the soils, floodplain and potential development of the proposed lots.

R-6 Suburban Single-Family Residence District and C-1 Conservancy District, located at 8647 South 35th Street; Tax Key No. 833-9999-000.

On voice vote, all voted 'aye'. Motion carried (5-0-0).

Adjournment

- E.** Commissioner Hogan moved and Commissioner Fowler seconded to adjourn the Plan Commission meeting of December 8, 2016 at 7:58p.m. All voted 'aye'. Motion carried. (5-0-0).

DRAFT



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of December 22, 2016

Rezoning, Comprehensive Master Plan Amendment and Special Use

RECOMMENDATION: Department of City Development staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment and Special Use, subject to the conditions set forth in the attached draft resolutions and ordinances.

Project Name:	Charlotte's Garden Senior Living Apartments
Project Location:	3709 West College Avenue
Property Owner:	Ensor, Charlotte D Living Trust
Applicant:	The LaSalle Group, Inc.
Agent:	Robert Williams, TDI Associates, Inc.
Current Zoning:	R-6 Suburban Single-Family Residence District
2025 Comprehensive Plan:	Residential
Use of Surrounding Properties:	Single-family residential (City of Greenfield) to the north, vacant Milwaukee County land (Grobschmidt Park & Mud Lake) to the south, multi-family residential to the east and single-family and multi-family residential to the west
Applicant's Action Requested:	Approval of applications related to the proposed senior living apartment development

Introduction and Background

Please note:

- Staff recommendations are *underlined, in italics* and are included in the draft ordinance.
- Staff suggestions are only underlined and are not included in the draft ordinance.

On November 2, 2016, Robert Williams of TDI Associates, Inc. filed a Rezoning, Comprehensive Master Plan (CMP) Amendment and Special Use Application for a multi-family senior living apartment development for property located at 3709 West College Avenue.

- Rezoning Application: The Rezoning Application requests to change the subject property's zoning from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District.
- Comprehensive Master Plan Amendment Application: The CMP Amendment Application requests to amend the Future Land Use designation for the subject property from "Residential" to "Residential – Multi-Family."

- Special Use: Per Table 15-3.0602 of the Unified Development Ordinance (UDO), Multiple-family dwellings and apartments are allowed in the R-8 Residence District as a Special Use.

The applicant is requesting to exceed the R-8 Residence District density standards under Options 1 and 2, which allows a Gross Density of 6.10 for Option 1 and 8.00 for Option 2 and Net Density of 8.00 for either Special Use Option. Per the applicant's Site Calculations this would allow a maximum of 21 dwelling units per Net Density (Option 1) and 25 dwelling units per Gross Density. The applicant is proposing 52 units, which equates to a Net Density of 19.40 and Gross Density of 12.62. Per Section 15-3.0701A.7. of the UDO (below), the Common Council, pursuant to the recommendations of the Plan Commission, may modify regulations of the zoning district.

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

At their December 8, 2016 meeting, the Plan Commission approved motions to postpone and continue the three subject applications to the December 22nd meeting, including continuing the public hearings for the Rezoning and Special Use Applications.

At the December 8th Plan Commission meeting, three people spoke during the public hearing including Alderwoman Kristen Wilhelm. Comments and concerns expressed were generally related to storm water runoff, traffic, density, etc.

In addition, staff has received comments from two citizens, Milwaukee County and the property owner of the adjacent Stonefield Village Apartments development. Those comments are attached for review. Generally, concerns have been expressed related to storm water, traffic, crime, impact on schools and emergency medical services, etc.

City staff, Kevin Haley of the Milwaukee County Parks Department and the developer's representatives met on December 16, 2016 to discuss Milwaukee County concerns. General concepts and ideas were discussed regarding the best way to manage storm water runoff. The condition found later in this report under Stormwater Management reflects the discussion from this meeting.

Project Description/Analysis

Rezoning

The subject property currently contains a single-family dwelling and accessory building, which is consistent with its existing zoning of R-6 Suburban Single-Family Residence District. The property located directly to the west is also zoned R-6 Residence District and currently contains a single-family dwelling.

The proposed Rezoning to R-8 Multiple-Family Residence District is, however, consistent with the majority of the zoning and development along West College Avenue. With the exception of the two properties noted above, all of the properties along W. College Avenue from approximately Skylark Lane (approx. S. 43rd Street) to the west and to about S. 31st Street to the east are zoned and developed as multi-family.

Comprehensive Master Plan Amendment

- *Consistent with, as defined by Wisconsin State Statute, means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”*

The property is currently designated as Residential on the City’s 2025 Future Land Use Map. The applicant is proposing to amend that designation to Residential – Multi-Family. The change to the Future Land Use Map designation is consistent with the Rezoning request. As noted above, the Rezoning and Comprehensive Master Plan Amendment are consistent with the zoning and uses of the surrounding properties.

Special Use

The applicant is requesting approval to construct a 52 unit multi-family senior apartment development. The applicant originally proposed 56 units; however, after further discussions with staff and Alderwoman Wilhelm the density has been lowered to 52 units. At 52 units, the applicant is proposing a Net Density of 19.40 (52 units divided by a net buildable site area of 2.68 acres) and a Gross Density of 12.62 (52 units divided by the base site area of 4.12 acres).

Staff roughly estimates the adjacent property’s Gross Density as follows:

- Stonefield Village apartments (directly to the east): 128 units, 9.26 acres – 13.82 units/acre
- Homes on the Park (directly to the west): 38 units, 4.74 acres – 8.02 units/acre
- Park Meadow Condominiums (to the west): 196 units, 19.28 acres – 10.16 units/acre

Site Plan:

The site plan consists of a single two-story building with a one-story connection that will serve as the common area for residents. The site plan also includes a gazebo, pedestrian walkways and a 1,200 square foot garden area. *Staff recommends that the applicant revise the site plan to include a gravel connection from the southernmost paved walkway to the existing trail system at Grobschmidt Park, to be reviewed and approved by Department of City Development Staff and Milwaukee County, prior to issuance of a Building Permit.* Trash areas are shown underground and the facility will have private collection. The site plan also includes a retaining wall adjacent to the southern portion of the east property line.

The subject property has a base site area of approximately 4.12 acres. As currently proposed, the project would contain 1.56 acres of impervious surface (and 2.56 acres greenspace), resulting in an Open Space Ratio (OSR) of 0.62, which complies with the R-8 District Special Use Options 1 and 2 minimum of 0.35 and 0.25, respectively.

Staff has discussed the site layout with the applicant and has expressed concerns that the building layout is not conducive to the site. Below are comments from the Development Review Team and staff review of the project.

At the June 16, 2016 Development Review Team Meeting, staff commented:

- The proposed site plan and buildings do not appear to be conducive or designed for this particular site. Please consider the following Site Plan comments:
 - Staff recommends utilizing smaller buildings.
 - Staff recommends that improvement be dispersed more equally and well balanced throughout the site, opposed to having larger buildings oriented on only one side of the site. For example, reconfigure the site plan to include buildings around the circle drive.
 - Staff recommends 2-story buildings around the perimeter of the site. Staff would not object to a 3-story building on the south side of the property. Staff recommends that that building be oriented to view Grobschmidt Park and Mud Lake.
 - Staff recommends providing trails and/or sidewalks throughout the site, particularly to the south side of the property adjacent to Grobschmidt Park.

Staff reiterated the site plan concern in their November 16, 2016 staff comments to the applicant.

- As previously discussed, staff continues to feel the proposed site and building layout could be more conducive to the configuration of the site. Staff suggests that the north tower be redesigned to better fit the site, or possibly separated into two smaller buildings.

It is staff's understanding that adjacent property owners prefer to have the buildings setback as much as possible and angling the building as illustrated does help accomplish that; however, this is not staff's preference.

Staff suggests that the item be tabled to allow the applicant sufficient time to work with staff to revise the site plan to better fit this particular site.

Parking:

Table 15-5.0203 of the Unified Development Ordinance requires a Standard Parking Ratio of 1 space per one-bedroom unit, 2 parking spaces for each two-bedroom unit and 2.5 spaces for 3 bedroom or more units. The Charlotte's Garden development currently consists of 8 one-bedroom units and 44 two-bedroom units; therefore, 96 parking spaces are required. The proposed Site Plan includes 30 exterior surface parking spaces and 94 interior underground parking spaces, which is a total of 124 parking spaces, which exceeds the Standard Parking Ratio by approximately 29%. Per Section 15-5.0203 of the UDO, the Plan Commission may approve a parking increase based upon:

ii. Potential Parking Increase Considerations (above 10% or 5 spaces of the Standard Parking Ratio).

1. For on-site parking, the applicant submits reasonably sufficient proof that the maximum number of required parking spaces would be insufficient for the proposed use's projected parking demand. Evidence may include, but not limited to, parking standard comparisons and/or comparisons of parking demand for existing similar uses.
2. For on-site queuing, the applicant provides reasonably sufficient proof that additional vehicle stacking space is needed to prevent interference with roadways, parking lot circulation or pedestrian safety.
3. For on-site parking, the applicant submits reasonably sufficient proof that there are no reasonable opportunities to share parking within or adjacent to the site.
4. For on-site parking, the applicant submits reasonably sufficient proof of a greater need for handicapped accessible parking spaces, while still needed to provide sufficient standard parking spaces.

As the majority of the parking is underground, staff has no objections to the proposed quantity of parking even though it exceeds the Standard Parking Ratios.

Two ADA surface parking stalls are provided and five ADA spaces are located underground, in conformance with UDO standards.

Landscaping:

Table 15-5.0302 of the UDO requires 1.5 Canopy/Shade Tree per dwelling unit, 1 Evergreen and Decorative Tree per dwelling unit and 3 Shrubs per dwelling unit for Multi-Family development. With 124 parking spaces provided, a minimum of 78 Canopy/Shade Trees, 52 Evergreens and Decorative Trees and 156 Shrubs are required. The property is also adjacent to a single-family use, thus a 20% increase in the quantity of plantings is required per Section 15-5.0302C. of the UDO; therefore, 94 Canopy/Shade Trees, 63 Evergreens and Decorative Trees and 188 Shrubs are required.

The applicant's current Landscape Plan includes 58 Canopy/Shade trees, 73 Evergreens, 63 Decorative trees and 194 Shrubs. Therefore, the plan is deficient of 36 Canopy/Shade trees and contains 10 additional Evergreens and 6 extra Shrubs. Overall, the plan is short 20 plantings.

Staff recommends that the applicant submit a revised Landscape Plan, for Department of City Development review and approval, that complies with the minimum planting quantities of Table 15-5.0302 of the Unified Development Ordinance.

Staff also recommends submittal of a revised Landscape Plan, for Department of City Development review and approval prior to issuance of a Building Permit, to remove and replace the *Pyrus calleryana* 'Cleveland Select' Pear tree with a noninvasive ornamental tree type.

The applicant has provided hose bibs on the building for irrigation. A 2-year planting warranty has been noted on the Landscape Plan. Areas for snow storage are illustrated on the Landscape Plans as well.

Outdoor Lighting:

The lighting plan includes 5 pole lights along the entry drive. The lights will be mounted on 15-foot poles. According to the applicant, there will also be individually controlled light fixtures at each patio door as code requires and coach light type fixtures at the entry doors to the building on the east side of the building.

The photometric plan is in conformance with UDO lighting standards.

Natural Resource Protection Plan

The applicant has submitted a letter from Stantec Consulting Services, Inc., dated July 28, 2016, indicating that wetlands do not exist on the property. A letter dated November 2, 2016 from the Wisconsin Department of Natural Resources was also provided confirming that no wetlands exist on the property.

In staff review of aerial photography, staff believes a woodland exists in the southwest corner of the site. The applicant has agreed to place this corner of the site within a Conservation Easement as shown on the Site Development Plan.

Staff recommends submittal of a Conservation Easement for review and approval by the Common Council and recording with the Milwaukee County Register of Deeds, prior to issuance of an Occupancy Permit.

Architecture:

The building is primarily comprised of brick veneer and cementitious horizontal siding. Shake siding is also used within bump-outs on the second floor of the building. The building also includes balconies and the roof will consist of fiberglass shingles.

Staff believe ground mechanicals will be proposed and *recommend that the applicant submit a mechanical plan to the Department of City Development, for review and approval, prior to issuance of a Building Permit.*

Signage:

The applicant is showing a monument sign on the site plan at the entrance of the site adjacent to W. College Avenue on the east side of the main drive. The monument sign includes a brick base with brick columns on either side of the sign. The monument sign is proposed as part of this Special Use and is subject to a sign permit through the Inspection Department, if approved.

Stormwater Management:

The applicant is proposing a storm water pond at the northeast corner of the site. The applicant is currently working with the Engineering Department and Milwaukee County on a detailed plan. *Staff recommends that the applicant submit a final storm water management plan to the Engineering Department and Milwaukee County, for review and approval, prior to issuance of a Building Permit. Furthermore, the applicant shall secure a drainage easement from Milwaukee*

County and receive approval from the County for any disturbance of trees within Grobschmidt Park. Note that wetland delineations within the park will be required as may be needed, depending upon the final storm water plan. If there any impacts to Unified Development Ordinance protected natural resource features, a Natural Resource Special Exception Application will be required.

Staff Recommendation

Department of City Development staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment and Special Use, subject to the conditions set forth in the attached draft resolutions and ordinances.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 11-21-16]

ORDINANCE NO. 2017-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL
OF LAND FROM R-6 SUBURBAN SINGLE-FAMILY RESIDENCE
DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT
(3709 WEST COLLEGE AVENUE)
(4.1204 ACRES)
(ROBERT WILLIAMS, TDI ASSOCIATES, INC., APPLICANT)

WHEREAS, Robert Williams, TDI Associates, Inc. having petitioned for the rezoning of a certain parcel of land from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District, such land being located at 3709 West College Avenue; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 8th day of December, 2016, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

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

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

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District:

Parcel 1 of Certified Survey Map No. 6537 being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 1, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin excepting therefrom the following: Beginning at the southeast corner of Parcel 2 as recorded in said Certified Survey Map No. 6537; thence South 88°32'26" West along the southerly line of said

Parcel 2, 132.00 feet to the southwest corner of said Parcel 2; thence South 00°35'36" West along the westerly line of said Parcel 1, 136.00 feet; thence North 88°32'28" East 132.00 feet; thence North 00°35'36" East 136.00 feet to the place of beginning. Containing a net area of 4.1204 acres or 179,487 square feet of land.

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 _____, 2017, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2016-____

A RESOLUTION RECOMMENDING THE ADOPTION OF AN
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT 3709 WEST
COLLEGE AVENUE FROM RESIDENTIAL USE TO RESIDENTIAL – MULTI-
FAMILY USE, PURSUANT TO WIS. STAT. § 66.1001(4)(b)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, Robert Williams, TDI Associates, Inc. has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 3709 West College Avenue, from Residential Use to Residential – Multi-Family Use, such property bearing Tax Key No. 713-9996-003, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 6537 being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 1, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin excepting therefrom the following: Beginning at the southeast corner of Parcel 2 as recorded in said Certified Survey Map No. 6537; thence South 88°32'26" West along the southerly line of said Parcel 2, 132.00 feet to the southwest corner of said Parcel 2; thence South 00°35'36" West along the westerly line of said Parcel 1, 136.00 feet; thence North 88°32'28" East 132.00 feet; thence North 00°35'36" East 136.00 feet to the place of beginning. Containing a net area of 4.1204 acres or 179,487 square feet of land; and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on December 8, 2016, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety

and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 3709 West College Avenue, from Residential Use to Residential – Multi-Family Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2016.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2016.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

ORDINANCE NO. 2017-_____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT 3709 WEST COLLEGE
AVENUE FROM RESIDENTIAL USE TO RESIDENTIAL – MULTI-FAMILY USE
(4.1204 ACRES)
(ROBERT WILLIAMS, TDI ASSOCIATES, INC., APPLICANT)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, Robert Williams, TDI Associates, Inc. has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 3709 West College Avenue from Residential Use to Residential-Multi-Family Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on December 20, 2016, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at 3709 West College Avenue from Residential Use to Residential-Multi-Family Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on December 20, 2016; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation for property located at 3709 West College Avenue from Residential Use to Residential-Multi-Family Use. Such property is more particularly described within Resolution No. 2016- _____ of even-date herewith.

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 _____, 2017, by Alderman _____.

Passed and adopted by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2017-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR A
TWO STORY, 56 UNIT MULTI-FAMILY SENIOR INDEPENDENT
LIVING APARTMENT COMPLEX DEVELOPMENT USE UPON
PROPERTY LOCATED AT 3709 WEST COLLEGE AVENUE
(CHARLOTTE'S GARDEN)
(ROBERT WILLIAMS, TDI ASSOCIATES, INC., APPLICANT)

WHEREAS, Robert Williams, TDI Associates, Inc. having petitioned the City of Franklin for the approval of a Special Use to allow for a two story, 56 unit multi-family senior independent living apartment complex development use, consisting of 8 one bedroom units and 48 two bedroom units with a clubhouse/activity center, 103 underground parking spaces, 38 surface parking spaces, a gazebo, storm water pond and landscaping upon property located at 3709 West College Avenue, bearing Tax Key No. 713-9996-003, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 6537 being part of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 1, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin excepting therefrom the following: Beginning at the southeast corner of Parcel 2 as recorded in said Certified Survey Map No. 6537; thence South 88°32'26" West along the southerly line of said Parcel 2, 132.00 feet to the southwest corner of said Parcel 2; thence South 00°35'36" West along the westerly line of said Parcel 1, 136.00 feet; thence North 88°32'28" East 132.00 feet; thence North 00°35'36" East 136.00 feet to the place of beginning. Containing a net area of 4.1204 acres or 179,487 square feet of land; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 8th day of December, 2016, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

ROBERT WILLIAMS, TDI ASSOCIATES, INC. – SPECIAL USE
RESOLUTION NO. 2017-_____

Page 2

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

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

1. That this Special Use is approved only for the use of the subject property by Robert Williams, TDI Associates, Inc., successors and assigns, for the two story, 56 unit multi-family senior independent living apartment complex development use, which shall be developed in substantial compliance with, and operated and maintained by Robert Williams, TDI Associates, Inc., pursuant to those plans City file-stamped December 14, 2016 and annexed hereto and incorporated herein as Exhibit A.
2. Robert Williams, TDI Associates, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Robert Williams, TDI Associates, Inc. two story, 56 unit multi-family senior independent living apartment complex development use (Charlotte's Garden), within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the Robert Williams, TDI Associates, Inc. two story, 56 unit multi-family senior independent living apartment complex development use (Charlotte's Garden), for the property located at 3709 West College Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. The applicant shall revise the site plan to include a gravel connection from the southernmost paved walkway to the existing trail system at Grobschmidt Park, to be reviewed and approved by Department of City Development Staff and Milwaukee County, prior to issuance of a Building Permit.
5. The applicant shall submit a revised Landscape Plan, for Department of City Development review and approval, that complies with the minimum planting

ROBERT WILLIAMS, TDI ASSOCIATES, INC. – SPECIAL USE
RESOLUTION NO. 2017-_____

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quantities of Table 15-5.0302 of the Unified Development Ordinance. In addition, the applicant shall remove and replace the *Pyrus calleryana* ‘Cleveland Select’ Pear tree with a noninvasive ornamental tree type.

6. The applicant shall submit of a Conservation Easement for review and approval by the Common Council and recording with the Milwaukee County Register of Deeds, prior to issuance of an Occupancy Permit.
7. The applicant shall submit a mechanical plan to the Department of City Development, for review and approval, prior to issuance of a Building Permit.
8. The applicant shall submit a final storm water management plan to the Engineering Department and Milwaukee County, for review and approval, prior to issuance of a Building Permit. Furthermore, the applicant shall secure a drainage easement from Milwaukee County and receive approval from the County for any disturbance of trees within Grobschmidt Park.
9. [other conditions, etc.]

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

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

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

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution,

ROBERT WILLIAMS, TDI ASSOCIATES, INC. – SPECIAL USE
RESOLUTION NO. 2017-_____

Page 4

unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

City of Franklin

Department of City Development

Date: November 16, 2016

To: Robert Williams, TDI Associates, Inc.

From: City Development Staff

RE: Charlotte's Garden Senior Living Apartments Rezoning, Comprehensive Master Plan Amendment and Special Use – Staff Comments

Please be advised that City Staff has reviewed the above applications for the property located at 3709 West College Avenue. Department comments are as follows for the Rezoning, Comprehensive Master Plan Amendment and Special Use Applications submitted by Robert Williams of TDI Associates, Inc. and City file-stamped November 2, 2016.

Planning Department

Rezoning and Comprehensive Master Plan Amendment

1. Please provide a separate Rezoning and Comprehensive Master Plan Amendment exhibit, which shows the property boundary and notes the existing Zoning and Future Land Use Map designation and the proposed Zoning and Future Land Use designation. See Section 15-9.0203 of the Unified Development Ordinance (UDO).

Site Plan

1. Please include the following information on the Proposed Site Plan per Section 15-7.0103 of the Unified Development Ordinance (UDO):
 - a. **Owner's and/or Developer's Name and Address.** Owner's and/or developer's name and address noted on the Site Plan. - - Staff recommends also including the property owner information, Ensor, Charlotte D Living Trust, on Sheet T1.0.
 - b. **Building Height.** Height of all building(s), including both principal and accessory, expressed in both feet and stories. - - Please include building height on the Site Development Plan and building elevations, Sheet A2.1.
 - c. **Existing and Proposed Public Street Rights-of-Way or Reservations.** Existing and proposed public street rights-of-way or reservations and widths. - - Please indicate the full right-of-way width on the Site Development Plan.
 - d. **Setbacks, Shore Buffers, Wetland Buffers, Wetland Setbacks, and Building Lines.** All required setbacks, shore buffers, wetland buffers, wetland setbacks, and building lines shall be graphically indicated and dimensioned on the Site Plan. - - Please also include the required parking setbacks per Section 15-5.0202C. of the UDO.
 - e. **Proposed Sanitary Sewers, Storm Sewers, and Water Mains.** Existing and general location of proposed sanitary sewers, storm sewers (including

direction of flow), water mains, and fire hydrants. All locations for the proposed connections and the proposed elevations of said connections to such utilities shall be indicated on the Site Plan. - - Please provide a utility plan. Staff recommends discussing requirements with the Engineering and Fire Department as may be necessary.

- f. **Lighting Plan Required.** A "Lighting Plan" which meets the lighting regulations set forth in Division 15-5.0400 of this Ordinance. Said Lighting Plan shall indicate the location, type, and illumination level (in footcandles) of all outdoor lighting proposed to illuminate the site. An applicant may elect to only file a preliminary lighting plan generally depicting the lighting for the site at the time of Site Plan Review Application filing, with the later submission of a Lighting Plan to be a condition of any final Application approval, except where Department of City Development staff requires the filing of a Lighting Plan with the Application or the Plan Commission requires the Lighting Plan submission during its review of the Application, upon a determination that same is reasonably necessary in order to properly review the visual impacts of the proposed development. - - Staff recommends submittal of a Lighting Plan, including a photometric plan and cut sheets.
 - g. **Existing and Proposed Zoning Boundaries.** The existing and proposed zoning boundaries of the property.
 - h. **Project Summary.** A written project summary including fiscal impact upon the City of Franklin, operational information, building schedule, and estimate of project value and including all site improvement costs. - - The project narratives provided are inconsistent. For example, the acreage and number of units proposed do not match. Staff recommends providing a single project narrative that accurately provides details related to the proposed development.
2. As previously discussed, staff continues to feel the proposed site and building layout could be more conducive to the configuration of the site. Staff suggests that the north tower be redesigned to better fit the site, or possibly separated into two smaller buildings.
 3. Where will air conditioning units and ground mechanicals be located? What type of screening will be provided, if any?
 4. Attached are the City's retaining wall standards for your review. What types of materials are proposed for the retaining walls?
 5. Staff recommends contacting the Engineering Department to discuss the preliminary storm water management plan. See comments below. The Engineering Department has concerns that should be addressed prior to Plan Commission submittal.
 6. Staff does not generally oppose requesting density greater than R-8 District standards; however, the density proposed greatly exceeds the density of adjacent developments (see below). Staff recommends lowering the density slightly to be more compatible to the adjacent properties. Note this will also help with compliance of landscaping standards.
- Stonefield Village apartments (directly to the east): 128 units, 9.26 acres – 13.82 units/acre

- Homes on the Park (directly to the west): 38 units, 4.74 acres – 8.02 units/acres
- Park Meadow Condominiums (to the west): 196 units, 19.28 acres – 10.16 units/acre

Natural Resource Protection Plan

7. Staff finds that the southwest and southeast corners of the property may qualify as woodlands? Were these areas specifically reviewed per the City's woodland definitions? Staff recommends that a qualified professional field verify whether these areas meet the City's woodland or grove definitions. Another option is to consider these trees protected and place them within a Conservation Easement.
8. If a Conservation Easement is required, the location must be shown on the Site Development Plan and a written easement agreement submitted for Common Council review and approval. The City's template is attached.

Parking

9. The parking provided exceeds the Standard Parking Ratio by approximately 35%. In a revised project narrative, please include justification for the amount of parking provided. See Section 15-5.0203B.ii. of the UDO.

Landscaping

10. Staff recommends conforming to the landscaping quantity standards of Table 15-5.0302 of the UDO. Note that you may count existing landscaping that will remain towards these calculations.
11. Please provide a Snow Storage Plan in accordance with Section 15-5.0210 of the UDO. Staff recommends illustrating the areas for snow storage on the Landscape Plan.

Architecture

12. Staff recommends providing color renderings with Plan Commission submittal.

Sign Plan

13. Staff recommends submitting sign details as part of the Special Use Application.
14. Please be aware that a Sign Permit will be required for the proposed sign, prior to installation. Please contact the Building Inspection Department at 414-425-0084 regarding the approval process and any required application.

Engineering Department Comments

The Engineering Department has the following comments:

- For future approvals storm water management will need to be reviewed and approved:
 - Note that as currently shown the pond does not meet WDNR requirements for depth or short-circuiting.

- It appears the proposed pond discharge and emergency overflow spillway are directed onto the parking lot to the property to the east. Is that the proposal?

Fire Department Comments

Fire Department Comments:

1. Full NFPA sprinkler system required per state code (including attic spaces).
2. Standpipe system required throughout, due to limited fire department access to south and west elevations.
3. Additional fire hydrants will be required.

Additional Fire Department Concerns:

Fire Department administration has concerns over the impact of existing and planned senior housing on Emergency Medical Services (EMS) incident run volume. These developments tend to be higher than average users of EMS services, and the department has concerns over being able to handle increasing call volume with existing staffing levels.

Police Department Comments

The Franklin Police Department has reviewed the application for 3709 West College Avenue.

The Police Department has no issues with this request.

From: [Kristen Wilhelm](#)
To: [Joel Dietl](#)
Subject: Fwd: College Ave - Planning meeting tonight
Date: Friday, December 16, 2016 9:13:31 AM

FYI
kw

Begin forwarded message:

From: Max Brickman <max@brickmaninc.com>
Subject: College Ave - Planning meeting tonight
Date: December 8, 2016 at 4:49:57 PM CST
To: <kwilhelm@franklinwi.gov>
Resent-From: <kwilhelm@franklinwi.gov>

Hi Alderwoman Wilhelm,

I'm the owner of a property in your district located at 3641 College Avenue. It's a 128 unit apartment complex that we've been working to fix up over the past two years.

I just received a letter about a planning meeting scheduled for tonight regarding a parking lot next door (soon to be multi-family housing). They're suggesting building a parking lot that drains into our property, but unfortunately we've already had severe flooding problems since purchasing that property. We've spent a considerable amount addressing this, but the additional water from the neighbor could not be handled.

Unfortunately I'm not in town and will not be able to attend the meeting tonight, but wanted to make you aware of the potential issues that would be created if this went forward.

Please let me know if you have any questions or if you'd be available for a call to discuss sometime in the coming weeks.

Best,
Max

Max Brickman
Brickman inc.
414-331-0555
[LinkedIn](#)

From: [Toomsen, Sarah](#)
To: [Joel Dietl](#)
Cc: [Dargle, John](#); [Haley, Kevin](#); [Organ, Jill](#); [Russart, Brian](#)
Subject: Charlotte's Garden Senior Living Apartments
Date: Thursday, December 08, 2016 4:49:01 PM

Hello,

Milwaukee County Parks has recently been made aware of a proposed site redevelopment for residential purposes directly north of our Grobschmidt Park. We have looked at the site plan and have questions and concerns about potential impacts to Milwaukee County Parkland. The plans do not have enough detail to provide a complete review, and therefore we would appreciate the opportunity to review full plans, and possibly meet with the developer and/or the City. Some specific initial concerns from our preliminary review include:

- How will the site be graded and how will the water be managed?
- What impacts will this development have to parkland – natural resources, operations, erosion, etc?
- Milwaukee County is concerned about new social trails generated from the development. How can we prevent and/or mitigate this?
- Developing a strategy to prevent impacts to turtles/amphibians leaving Mud Lake during construction. If there is an accessible spoil pile, turtles will likely lay their eggs in it and those eggs/young will be destroyed when the spoil pile is removed.

Thank you for the opportunity to provide feedback on this project. We respectfully request that the City does not take action to approve this development until we have had a chance to resolve these concerns.

Sincerely,
Sarah Toomsen

Sarah Toomsen, PLA, LEED AP

Manager of Planning & Development

[414-257-7389](tel:414-257-7389) Direct

[414-380-2052](tel:414-380-2052) Mobile

[414-257-8190](tel:414-257-8190) Fax

sarah.toomsen@milwaukeecountywi.gov

Milwaukee County Department of Parks, Recreation, & Culture

[9480 Watertown Plank Road](#)

[Wauwatosa, WI 53226](#)

[414-257-PARK](tel:414-257-PARK)

www.countyparks.com

Please consider the environment before printing this email.

This message is intended for the sole use of the individual and entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended addressee, nor authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete the message.

12/6/16

OLGA RAJKOVIC
4295 W. COLLEGE AVE
MILWAUKEE WI 53221

OBJECT - BECAUSE ENOUGH CONDOS,
APT COMPLEXES, SENIOR HOUSING
ON COLLEGE AVE.

~~35TH APT COMPLEX~~

Olga Rajkovic

12-6-2016

BRING IN MORE TRAFFIC + MORE
CRIME.

From: [Kristen Wilhelm](#)
To: [Nick Fuchs](#); [Joel Dietl](#); [Steve Olson](#); [Alderman](#)
Cc: [Mark](#)
Subject: Fwd: Charlottes Garden
Date: Thursday, November 17, 2016 1:00:50 AM

FYI- I am sharing the below constituents email comments as requested.
The address of the proposed development being commented on is 3709 W College Ave.

This is a new proposal that includes a re-zoning request.
No replies due to meeting rules.

Aldw. Wilhelm

Begin forwarded message:

From: Mark <mark.mundl@yahoo.com>
Subject: Charlottes Garden
Date: November 16, 2016 at 7:15:26 PM CST
To: Kristin Wilhelm <kwilhelm@franklinwi.gov>
Resent-From: <kwilhelm@franklinwi.gov>

I've reviewed the request and have made several observations.

A.2. The statement claims that it "will not have substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or public health, safety..."

My question to all elected officials in the City of Franklin is, If you were to place a complex with 103 new cars in your neighborhood (1 block from your home) would that not substantially adversely impact your neighborhood? If you can honestly say yes, I encourage you to invite the developers to your neighborhood and see how your neighbors respond.

A.5. The response to this is somewhat evasive. While it may be correct that traffic will not impact adjoining residential streets. College Avenue west of 30th street is a residential street. It is two lanes and lined with housing. Adding cars of 103 residents and then the staff to operate the business and guests will certainly impact traffic on College Ave.

A.6. While there may not be an actual "wet land" as defined by law, the area behind the property and the adjacent property to the west frequently has standing water and is exceptionally moist after snow melts and rain events.

3 As mentioned in A.6. The area is already "moist" adding a building and paving over open areas will decrease the ability of the area to absorb water. I will defer to City engineers to evaluate my concerns.

4. This is a request to change zoning to allow additional multi-family

housing. It is in itself, a change in precedent. The property should remain zone single-family. Should the property be re-zoned, why would the adjacent property with similar characteristics not choose to sell to a developer and yet another large multi-family property re-zoning request be submitted.

Some technical observations in the documentation. In two places, the requested development is to occur in "the South East Sector of the City of Franklin". If they can't get the fact that 37th and College is in the North East Sector of the City, what other facts have they inaccurately provided. I suggest there may be more as their responses to the questions are general, vague and self-serving.

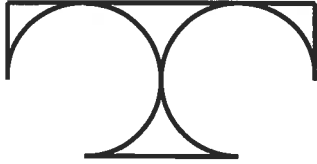
In one place of the application, the projected value of the property is \$6.25 M in another it is \$7.5 M. This represents a 20% difference in value. If the City Assessor made errors in valuation of this level what would be the impact on the budget and legal actions. Again, this goes to the competency and honesty of the companies and people involved with the application. I would think any person reviewing the application, or proof reading it, would have seen this discrepancy. If the application is this sloppy, it is not unreasonable to say that there are less obvious errors and omission of fact in the rest of the paperwork, will likely be problems in the construction and subsequent operation of the facility.

Another observation, the application does not adequately address the impact on public services. In A.4. The site adequacy of police and fire. Further the compliment our library, which is a gem in our community. Additionally, the obvious is pointed out that as a senior housing development it will not have school aged children and not impact our school system. This seems to imply no additional tax implications or demand on services.

While the application directly addresses the non-impact on schools, it is silent on the use of EMS. To me, this seems a convenient omission. EMS services are disproportionately used by senior citizens. With caps of increasing tax levy, I suggest it is unwise to pursue increasing the amount of multi-family senior housing here or elsewhere in Franklin. If this continues, it is likely we will experience another "back-door" increase in taxes at the City level like we just had rammed down our throats by the County Executive and County Board with the new wheel tax.

I encourage you to share my concerns with the Mayor and other Aldermen.

Sent from my iPad



TDI ASSOCIATES, INC.

ARCHITECTS ENGINEERS

PLANNERS

EMPLOYEE OWNED

N8 W22350 JOHNSON DR., SUITE B-4, WAUKESHA, WI 53186

PHONE 262/409-2530

FAX 262/409-2531

Nov. 1, 2016

Charlottes Garden Senior Housing

DIVISION 15-3.0700 SPECIAL USE STANDARDS AND REGULATIONS SECTION 15-3.0701 GENERAL STANDARDS FOR SPECIAL USES

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

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

This project fits in with the general character of the neighborhood and we have requested a modification to the Compressive Master Plan to accommodate this development.

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

We met with the adjoining property owners and have general consensus of acceptance for this development. This development has common space that will be utilized by the occupants for regular activities to meet the needs of the seniors.

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

This development will provide for storm water management that will actually help the adjoining property owners.

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

This site is adequately served by utilities and the City has adequate police and fire protection for this development. The development abuts a county park and the City has a fine library. This is a senior development, so no school age children are expected to occupy the building.

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

This development will be accessed from College Avenue and will not generate traffic through adjoining residential streets.

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

Per the wetland study done there are no wetlands on the site and every effort will be taken to maintain a well landscaped property.

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

The development which is for needed senior housing will comply with all other regulations.

B. Special Standards for Specified Special Uses. When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

This development is prepared to comply with any special use regulations imposed by the City.

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

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

The public benefit to providing senior housing will contribute to the general welfare of the neighborhood community.

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

The proposed development is well located for this use with Multi-family residential on both sides of the development and a county park for the enjoyment of the seniors who will live here.

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

The development has taken steps to resolve the current storm water issues for the adjoining property owners.

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

This development will be compatible with the existing multi-family residential abutting the development, and therefore would not set a precedent.

Charlotte's Gardens 55+ Senior Apartment Homes

This Proposal is to build a lower intensity use for a Market Rate 55+ Active Senior living Apartment Home project with a clubhouse/activity center on an infill parcel located at 3709 West College Avenue, (Tax Parcel: 713-9996-003), in the City of Franklin, Wisconsin. The 4.120 acre site is currently zoned R-6 and presently supports one older house and garage. It is the intent of the developer to achieve successful rezoning of this parcel from R-6 to R-8 with special use.

TDI & Associates has provided the site plan, building design and style, TDI will continue as the Project Architect/Engineer. This site sits higher than the adjacent properties and gently slopes from SW to NE, no wetlands or underground tanks were found.

The proposed site development preserves the existing natural green space; Charlottes Gardens plans are to greatly enhance the site by use of adding natural features including lush landscaping, planting of additional trees, tree preservation, pond and on site walking sidewalk. The main entry drive provides direct access to the underground parking for its residents, internalizes the core uses and activities which are focused to the central courtyard.

Project Description:

The Charlotte's Gardens is located in an Established Multi-Family neighborhood, with an older Apartment Home development on the East with median market rents, and an older Multi-Family Condominium project on the West. Charlotte's Gardens overlooks Grobschmidt Park on the south end with its center piece affectionately referred to as Mud Lake. Grobschmidt Park offers a wonderful natural amenity including hiking trails.

Special Amenities and Services:

As directed by Franklin City Staff Charlottes Gardens Now consists of 52 Senior Apartment Homes featuring; 8 One-Bedroom (Some with Den) And 44 Two-Bedrooms with an Approximately average of 1100 square foot which all feature master bedrooms with en suite full bath, either patio, or balcony, washer and dryer including Underground Parking for its residents. The Community Building which is located at grade between the two main buildings will provide residents with a meeting/party room with a full kitchen facility, rest rooms, separate locations for visiting barber/ hairdresser, manicurist, esthetician etc. Trash bins are located within the Underground Building.

Market Characteristics:

Senior housing is a strong emerging residential segment that is underserved unlike other residential populations; senior housing is a comparatively quieter and lower intensity use which allows it to blend into existing residential areas. US Studies show that well planned Active Senior Housing like Charlotte's Gardens have long waiting lists.

Senior housing also provides an additional customer base for local businesses in the adjoining area and the region, Senior housing also places little demand on the city including regional facilities. (E.g. parks, library, schools etc.).

Charlotte's Gardens will have an Approximate Value of: \$6,760,000.00

SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

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

Table 15-3.0502

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

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	4.12 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; <i>or</i> In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	- 0 acres
STEP 5:	Equals "Base Site Area"	= 4.12 acres

SECTION 15-3.0503

**CALCULATION OF THE AREA OF NATURAL
RESOURCES TO BE PROTECTED**

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

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

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

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

SECTION 15-3.0504

CALCULATION OF SITE INTENSITY AND CAPACITY FOR RESIDENTIAL USES

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

Table 15-3.0504

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

<p>STEP 1:</p>	<p>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>4.12</u></p> <p>Multiple by Minimum <i>Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard): X <u>.35</u></p> <p>Equals MINIMUM REQUIRED ON-SITE OPEN SPACE = <u>1.44</u> acres</p>	
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA:</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>4.12</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater: <u>- 1.44</u></p> <p>Equals NET BUILDABLE SITE AREA = <u>2.68</u> acres</p>	
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>2.68</u></p> <p>Multiple by Maximum <i>Net Density (ND)</i> (see specific residential zoning district ND standard): X <u>8</u></p> <p>Equals MAXIMUM NET DENSITY YIELD OF SITE = <u>21</u> D.U.s</p>	
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>4.12</u></p> <p>Multiple by Maximum <i>Gross Density (GD)</i> (see specific residential zoning district GD standard): X <u>6.10</u></p> <p>Equals MAXIMUM GROSS DENSITY YIELD OF SITE = <u>25</u> D.U.s</p>	
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</p> <p>Take the <i>lowest</i> of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):</p>	<p><u>21</u> D.U.s</p>

W. COLLEGE AVENUE

767,766
SECTION 14, T4N, R10E, S13
MCKINNON

SECTION 14, T4N, R10E, S13
MCKINNON
SECTION 14, T4N, R10E, S13
MCKINNON

N88°32'16"E
329.75

S00°35'36"W
385.96

S88°32'28"W
132.00

S00°35'36"W
264.00

S88°32'25"W
198.14

N88°32'16"E
329.75

S00°35'36"W
385.96

S88°32'28"W
132.00

S00°35'36"W
264.00

S88°32'25"W
198.14

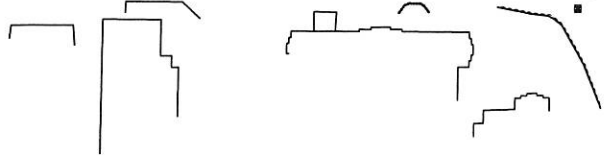
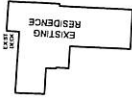
N88°32'16"E
329.75

CURRENT COMPREHENSIVE
LAND USE PLAN THIS SITE IS
RESIDENTIAL

CURRENT COMPREHENSIVE
LAND USE PLAN THIS SITE IS
MULTI-FAMILY RESIDENTIAL

CURRENT COMPREHENSIVE
LAND USE PLAN THIS SITE IS
RESIDENTIAL
PROPOSED AMENDED
COMPREHENSIVE LAND USE
PLAN FOR THIS SITE IS
MULTI-FAMILY RESIDENTIAL
R-8 WITH SPECIAL USE

CURRENT COMPREHENSIVE
LAND USE PLAN THIS SITE IS
MULTI-FAMILY RESIDENTIAL





Stantec Consulting Services Inc.
12075 Corporate Parkway, Suite 200
Mequon, WI 53092

July 28, 2016
File: #193704630

Mr. John Rosso
McKowen Family Partnership, LLLP
9375 East Shea Boulevard, Suite 100
Scottsdale, AZ 85260

Dear Mr. Rosso:

Reference: Wetland Determination for 3709 West College Avenue Property; City of Franklin, Milwaukee County, Wisconsin

Stantec Consulting Services Inc. (Stantec) performed a wetland determination at the McKowen Family Partnership, LLLP property, which is approximately 4.13 acres and located on the south side of College Avenue, City of Franklin, Milwaukee County, Wisconsin ("the Property") on July 18, 2016. Specifically, the Property is located in the Northwest ¼ of Section 1, Township 5 North, Range 21 East (Figure 1). No areas were identified that meet all three wetland criteria, thus no wetlands were found within the Property.

There are no known previous on-site wetland determinations. A verified wetland determination or delineation is generally recognized by the regulatory agencies for a period of five years. This determination or delineation of wetlands may change sooner or after that timeframe if conditions significantly change on the site. Given the existing residence and the maturity of the trees on the Property, it appears there have not been recent significant changes.

Methods

The objective of the wetland determination was to identify if wetlands are present on the Property, and if they do, to map their extent and spatial arrangement. Wetland determinations were based on the criteria and methods outlined in the *U.S. Army Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1 (1987) and subsequent guidance documents, and applicable Regional Supplements to the *Corps of Engineers Wetland Delineation Manual*.

The wetland determination involved the use of available resources to assist in the assessment such as U.S. Geological Survey (USGS) topographic maps, U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) web soil survey, WDNR Wisconsin Wetland Inventory (WWI) mapping, and aerial photography.

As recent weather patterns influence the visibility and presence of some wetland hydrology indicators, the antecedent precipitation in the months leading up to the field investigation was reviewed. The current year's precipitation data was compared to long-term (30-year) precipitation averages and standard deviation to determine if precipitation was normal, wet, or dry for the area using a WETS analysis as developed by the NRCS. In addition, the Palmer Drought index was checked (NOAA, 2016).

On-site wetland determinations were made using the three (3) criteria (vegetation, soil, and hydrology) and technical approach defined in the USACE 1987 Manual and the 2010 Midwest Regional Supplement. According to procedures described in these manuals, areas that under normal circumstances reflect a predominance of hydrophytic vegetation, hydric soils, and wetland hydrology (e.g. inundated or saturated soils) are considered wetlands.



Results

Vegetation consists primarily of mature trees and mowed lawn species with the latter dominating most of the Property. Topography within the Property is somewhat flat ranging in elevation from approximately 778-774 feet above mean sea level (msl) with the highest elevation in the southwest portion and the lowest elevation in the east-central portion of the .

Soils mapped by NRCS within the Property and their hydric status are summarized in the Table below and mapped on Figure 2 (Appendix A). Areas investigated were located primarily within areas mapped as possessing hydric soils (Figure 3, Appendix A).

Summary of Soils Identified within the Property

Soil symbol: Soil Unit Name	Soil Unit Component	Soil Unit Component Percentage	Landform	Hydric status
BIA: Blount silt loam, 1 to 3 percent slopes	Blount	90	Moraines	No
	Ashkum	10	Depressions	Yes
MzdB2: Morley silt loam, 2 to 6 percent slopes, eroded	Morley	100	Ground moraines	No
OuB2: Ozaukee silt loam, 2 to 6 percent slopes, eroded	Ozaukee	100	Moraines	No

Of the Property's mapped soil types, Blount silt loam was the only type that is partially hydric or hydric. Because this mapping unit, which may have inclusions of hydric soils, is mapped in central portion of the Property by the NRCS Soil Survey, the lowest topographic area was specifically reviewed to determine wetlands. The Wisconsin Wetland Inventory (WWI) map does not depict wetlands on the Property (Figure 4).

Average precipitation for the investigation area was obtained from the Milwaukee Mitchell Airport, Milwaukee, WI National Weather Service (NWS) weather station (NWS station # USW00014839) and used for the WETS analysis. A total of 7.66 inches of precipitation occurred in the three full months (April, May, and June) in 2016 compared to the average of 10.40 inches. This is considered to be in the normal range. In addition, there were 0.34 inches of rain in the 18 days of July leading up to the completion of the field work, which was in the dry range for the month. Based on the WETS analysis, antecedent moisture conditions were in the normal range (see attached WETS).

Field work was completed on July 18th, 2016, by Eric C. Parker, PWS of Stantec. One sample point was completed within the Property: sample point P1 in the lowest area on the Property within the NRCS mapped hydric soils (Figure 5).

Sample Point 1 (P1)

Sample point 1 (P1) was chosen to represent the Property and appeared to be the lowest topographic point. Normal circumstances were determined to be present based on all three parameters being readily visible and without recent alterations. The herb stratum was comprised of mowed lawn and the dominant plant species was Kentucky bluegrass (*Poa pratensis*, FAC); with white ash (*Fraxinus americana*, FACU) dominating the tree stratum. Although the herbaceous "lawn" stratum at P1 was dominated by a plant species that is considered hydrophytic, there were upland tree species also dominating within and near the sample plots and the point did not meet the



July 28, 2016
Mr. John Rosso, McKowen Family Partnership, LLLP
Page 3 of 3

wetland vegetation criterion. No wetland hydrology indicators were met. Finally, there were likely historic fill material present as indicated by the stony-rocky composition in the soil profile, and a hydric soil indicator was not met at this sample point. The examined soil profile at P1 was loamy (silt loam to silty clay loam) and it appeared to be moderately well to well drained based on a lack of redox features, and therefore determined to be non-hydric. Sample point P1 was therefore determined to be non-wetland based on a lack of indicators for all three wetland parameters.

Conclusions

In summary, the determination was made that sample point P1 is upland, based on a lack of indicators for all three wetland parameters. Sample point P1 was located in the lowest portion of the site within mapped potentially hydric soils. No other portions of the Property appeared to have wetland characteristics. Therefore, it was determined that no wetland areas were present within the Property.

The information provided by Stantec regarding wetland boundaries and determinations presented are the best estimates of the conditions at the time the site was viewed. The ultimate decision on wetland boundaries and determinations rests with the USACE and, in some cases, the Wisconsin Department of Natural Resources, or a local unit of government. As a result, there may be adjustments to determinations based upon review by a regulatory agency. An agency determination can vary from time to time depending on various factors including, but not limited to, recent precipitation patterns and the season of the year. In addition, the physical characteristics of the site can change with time, depending on the weather, vegetation patterns, drainage, activities on adjacent parcels, or other events. Any of these factors can change the nature and extent of wetlands on the site. If the Client proceeds to change, modify or utilize the property in question without obtaining authorization from the regulating governmental agency, it will be done at the Client's own risk and Stantec will not be responsible or liable for any resulting damages.

If you have questions or require additional information, please feel free to contact me at (414) 380-0269.

Sincerely,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in black ink, appearing to read "Eric C. Parker".

Eric C. Parker, PWS
Senior Scientist

Attachments: Figure 1: Project Location and Topography (USGS Map)
Figure 2: NRCS Soil Survey Data Hydric Ratings
Figure 3: NRCS Soil Survey Data Wetland Indicator Soils
Figure 4: Wisconsin Wetland Inventory
Figure 5: Field Collected Data
Wetland Determination Data Form for P1
Site Photographs
WETS Analysis
Resume showing qualifications of Investigator



proposed day view [NTS]



proposed night view [NTS]

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Project

Charlotte's Garden

Franklin, WI

Scale: NTS

Original Page Size: 11" x 17"

Notes

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Revisions

REV	DESCRIPTION	BY	DATE
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Rep.: Ron Rogahn

Drawn By: Marshall Hogan Orig. Date: 12/05/16

Sign Loc. No. .

MON-01

D/F Monument

Sign. Type

76159

OPP - Project - Job No.

CO1

Design



TDI ASSOCIATES, INC.
ARCHITECTS, ENGINEERS, PLANNERS

CHARLOTTE'S GARDEN