

***REVISED

CITY OF FRANKLIN
COMMON COUNCIL MEETING**
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, FEBRUARY 19, 2013, 6:30 P.M.

- A. Call to Order and Roll Call
- B. Citizen Comment Period
- C. Approval of Minutes
 - 1. Approval of regular meeting of February 5, 2013.
- D. Hearings
- E. Organizational Business
- F. Letters and Petitions
- G. Reports and Recommendations
 - 1. Pleasant View/Victory Creek Trail Development Project (immediately south of and east of Pleasant View Elementary School which is located at 4601 W. Marquette Avenue): State of Wisconsin Department of Natural Resources Outdoor Recreation Aids Grant Agreement for the National Recreation Trails Grant Program in the amount of \$45,000.
 - 2. Concept review for a building addition and site modifications for Franklin High School (8222 S. 51st Street) (Mark Cloutier, applicant).
 - 3. Status Report and Presentation of a Proposed Minor Amendment to Planned Development District No. 37 (The Rock Sports Complex) pertaining to the Restaurant/Bar Structure for Consideration and Potential Scheduling of a Special Meeting.
 - 4. Resolution imposing conditions and restrictions for the approval of a Special Use for a 42 unit residential apartment use upon property located at approximately S. 60th Street and W. Ryan Road (Forest View-Franklin Limited Partnership, applicant).
 - 5. Resolution authorizing officials to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District (MMSD) for the private property infiltration and inflow (PPII) elimination on S. 36th Street between W. Missouri Avenue and W. Madison Boulevard and authorize staff to accept the extension of unit costs for the PPII on S. 36th Street.
 - 6. Resolution authorizing officials to execute an Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District (MMSD) for the private property infiltration and inflow (PPII) elimination on S. 37th Place between W. Rawson Avenue and W. Madison Boulevard and authorize staff to go out for bids to relay and/or reline 31 private laterals and to disconnect the foundation drains in 11 homes located on S. 37th Place between W. Rawson Avenue and W. Madison Boulevard.
 - 7. Resolution authorizing officials to execute an Engineering Services Agreement with Visu-Sewer for the private property closed circuit televising and dye water flooding of laterals in the Rawson Homes Subdivision (S. 36th Street south from W. Missouri Avenue to W. Madison Boulevard).

8. Authorize staff to advertise for bids for 2013 Local Street Improvement Program.
9. Resolution to amend the Civil Service System Personnel Administration Program which addresses to promotional career path exception for Engineering Technician I to Engineering Technician II.
10. Resolution to amend the Civil Service System Personnel Administration Program and the employee handbook to incorporate the position of "Intern", to clarify position categorizations as set forth in the definitions, and to clarify the allowable term for an "emergency appointment".
11. Resolution to amend the Civil Service System Personnel Administration Program and the employee handbook to incorporate benefit language relative to employees in the Teamsters bargaining unit following the expiration of their labor agreement on 1/1/13 and relative to sick leave accruals for non-represented employees.
12. Approve job description revisions for positions in the Library, Engineering Department, and Municipal Court and for the reclassification of the Court Clerk position.
13. Budget preparation timetable for the 2014 budget.
- *** 14. Pleasant View/Victory Creek Trail Development Project (immediately south of and east of Pleasant View Elementary School which is located at 4601 W. Marquette Avenue): State of Wisconsin Department of Natural Resources Outdoor Recreation Aids Grant contract for the Knowles-Nelson Stewardship Program-acquisition and development of Local Parks Grant Program in the amount of \$51,720.

H. Licenses and Permits

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

**Notice is given that a majority of the Plan Commission, Forward Franklin Economic Development Commission, Franklin Trails Committee and Personnel Committee, may attend this meeting to gather information about an agenda item over which the Plan Commission, Forward Franklin Economic Development Commission, Franklin Trails Committee and Personnel Committee has decision-making responsibility. This may constitute a meeting of the Plan Commission, Forward Franklin Economic Development Commission, Franklin Trails Committee and Personnel Committee, per State ex rel. Badke v. Greendale Village Board, even though the Plan Commission, Forward Franklin Economic Development Commission, Franklin Trails Committee and Personnel Committee, 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:

February 19	Primary Election	7:00 a.m.-8:00 p.m.
February 21	Plan Commission	7:00 p.m.
March 4	Committee of the Whole	6:30 p.m.
March 5	Common Council	6:30 p.m.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FEBRUARY 5, 2013
MINUTES

C.1.

- | | | |
|---|--------|---|
| ROLL CALL | A. | The regular meeting of the Common Council was held on February 5, 2013 and called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Steve Olson, Tim Solomon, Kristen Wilhelm, Steve Taylor, Doug Schmidt, and Ken Skowronski. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT | B.1. | Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m. |
| MARY P. THOMAS | B.2.a. | A moment of silence was held in memory of former Alderman Mary P. Thomas. |
| FIRE STATION KITCHEN
MAKEOVER CONTEST | B.2.b. | Mayor Taylor noted that the Franklin Fire Department is one of five finalists in IKEA and Family Handyman Magazine's "Fire Station Kitchen Makeover" contest. |
| PROCLAMATION-
2012 BUSINESS OF THE
YEAR FINALIST | B.2.c. | Mayor Taylor noted a proclamation to ECS Services as the South Suburban Chamber of Commerce Finalist for the 2012 Business of the Year Award. |
| PROCLAMATION-
2012 BUSINESS OF THE
YEAR FINALIST | B.2.d. | Mayor Taylor noted a Proclamation to Precision Color Graphics as the South Suburban Chamber of Commerce Finalist for the 2012 Business of the Year Award. |
| PROCLAMATION-
2012 PRIDE IN PREMISES
AWARD WINNER | B.2.e. | Mayor Taylor noted a Proclamation to Gus' Mexican Cantina as the South Suburban Chamber of Commerce Winner for the 2012 Pride in Premises Award. |
| PROCLAMATION-
PRIDE IN PREMISES
AWARD FINALIST | B.2.f. | Mayor Taylor noted a Proclamation to Staybridge Suites as the South Suburban Chamber of Commerce Finalist for the 2012 Pride in Premises Award. |
| PROCLAMATION-
PRIDE IN PREMISES
AWARD FINALIST | B.2.g. | Mayor Taylor noted a Proclamation to Dental Associates as the South Suburban Chamber of Commerce Finalist for the 2012 Pride in Premises Award. |
| APPROVAL OF
MINUTES-1/22/13 | C.1. | Alderman Schmidt moved to approve the minutes of the regular meeting of January 22, 2013, as corrected. Seconded by Alderman Taylor. All voted Aye; motion carried. |

APPOINTMENTS

E.1.a. Alderman Schmidt moved to approve the Mayoral appointment of David Fowler to the Complete Streets and Connectivity Committee. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

E.1.b. Alderman Skowronski moved to approve the Mayoral appointment of Aaron Smak to the Complete Streets and Connectivity Committee. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

F. PIPITO LETTER
RE: SCHOOL SECURITY

F.1. Mayor Taylor noted a letter from Retired Deputy Sheriff Frank Pipito with recommendation regarding school security. Alderman Solomon moved to place on file with a copy forwarded to the Franklin School District. Seconded by Alderman Olson. All voted Aye; motion carried.

RESIDENTIAL
DEVELOPMENT
9140 S. 51ST ST.

G.1. No action was taken on a concept review submitted by Joseph R. Haselow and Dawn M. Boland regarding the proposed single-family estate residential development at 9140 S. 51st Street.

MOLYBDENUM
RECOMMENDATIONS
FROM DNR

G.2. Alderman Skowronski moved to hold any direction regarding molybdenum until a report is received from the Health Department indicating any concerns. Motion died due to lack of a second. (Alderman Taylor vacated his seat at 7:35 p.m. and returned at 7:40 p.m.)
Alderman Solomon moved to receive and place on file the Franklin Health Department report to follow recommendations of Wisconsin Department of Natural Resources on molybdenum in groundwater, and that updates on test results be forwarded to the Council if available. Seconded by Alderman Olson. All voted Aye; motion carried.

AGREEMENT-
GATEWAY TECHNICAL
COLLEGE

G.3. Alderman Olson moved to approve the Clinical Affiliation Agreement with Gateway Technical College, in order to allow the Fire Department employees to receive paramedic training credit through Gateway Technical College. Seconded by Alderman Taylor. All voted Aye; motion carried.

AMENDMENT TO TIF
DIST. #3 PROJECT PLAN

G.4. Alderman Wilhelm moved to approve a contract with Ehlers and Associates to guide the City/Community Development Authority through the Tax Incremental Finance amendment process for TIF District #3 in the amount not to exceed \$6,000, with a report back to the Common Council after Phase I. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

TAX INCREMENTAL
DISTRICT

G.5. Alderman Taylor moved to receive and place on file the recommendation to delay planning for a Tax Incremental Finance District to cover Streetscape costs from W. Drexel Avenue to South County Line Road and any uncompleted sewer, water and road costs that are now part of TIF District #4. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2013-6863
COLLATERALIZED
BANK ACCOUNTS
POLICY

G.6. Alderman Schmidt moved to adopt Resolution No. 2013-6863, A RESOLUTION TO ESTABLISH A CITY OF FRANKLIN COLLATERALIZED BANK ACCOUNTS POLICY AND TO AUTHORIZE THE USE OF A STANDBY LETTER OF CREDIT ISSUED BY THE FEDERAL HOME LOAN BANK FOR BANK ACCOUNT COLLATERALIZATION WITH US BANK. Seconded by Alderman Solomon. All voted Aye; motion carried.

ORD. 2013-2100
2013 BUDGETS AND
TAX LEVY

G.7. Alderman Olson moved to adopt Ordinance No. 2013-2100. AN ORDINANCE TO AMEND ORDINANCE 2012-2096, AN ORDINANCE ADOPTING THE 2013 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN TO APPROVE BUDGET ENCUMBERANCES FROM THE 2012 BUDGET TO THE 2013 BUDGET. Seconded by Alderman Taylor. All voted Aye; motion carried.

COLD WEATHER
SALTING OF STREETS

G.8. City Engineer Bennett reported on the method utilized for ice control on City streets in cold weather.

RES. 2013-6864
BID AWARD-
S. 36TH ST. SANITARY
SEWER MAIN LINING

G.9. Alderman Wilhelm moved to adopt Resolution No. 2013-6864, A RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR S. 36TH STREET SANITARY SEWER MAIN LINING FROM W. MISSOURI AVENUE TO W. MADISON BOULEVARD. Seconded by Alderman Schmidt. All voted Aye; motion carried.

PLANNING
DEPARTMENT 2012
ANNUAL REPORT

G.10. No action was taken on the Planning Department 2012 Annual Report with review of permits and applications, special projects and community growth issues from 2008 through 2012 included.

NOXIOUS WEED
ENFORCEMENT

G.11. Alderman Taylor moved to proceed with Options 2, 5, and 6 in the Request for Council Action relating to the enforcement of the Noxious Weed Ordinance. Seconded by Alderman Olson. Alderman Olson withdrew his second. Alderman Taylor withdrew his motion.

Alderman Taylor then moved to proceed with Option 2 (increase the administrative fee to a minimum of \$25) and Option 5 (accelerate the current timeline).and strongly encourage (staff) to issue citations. Seconded by Alderman Olson. Upon unanimous Aye vote, motion carried.

MISCELLANEOUS
LICENSES

H.1. Alderman Solomon moved to grant the following licenses:

Operator License to Kimberly D. Leannais, W182 S8450 Racine Ave. A7, Muskego with warning letter from City Clerk; Jatinder K. Jaitly, 230 E. Stuart Dr., Oak Creek and Ronald E. Fuller, 2105 W. Lapham St. #6, Milwaukee;

Class A Combination Change of Agent for Walgreen Co., d/b/a Walgreens #15020, 7130 S. 76th St., new agent: Matthew M. Mouzakis;

Special Class B fermented malt beverage and temporary entertainment & amusement license to St. Martin of Tours Church, Vietnamese New Year Celebration, person in charge: Diane Winkowski at 7963 S. 116th St. on 2/10/13;

Further moved to hold Operator License for Tina M. Fabre, 1557 S. Fifth St., Milwaukee subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman Schmidt moved to approve net City vouchers in the range of Nos. 145908 through 146107 dated February 5, 2013 in the amount of \$2,622,293.86. Seconded by Alderman Olson . On roll call, all voted Aye. Motion carried.

Alderman Olson moved to approve net payroll dated January 25, 2013 in the amount of \$360,778.80. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

Alderman Solomon moved to approve Check #145854 in the amount of \$929.00. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:55 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">02/19/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">PLEASANT VIEW/VICTORY CREEK TRAIL DEVELOPMENT PROJECT (IMMEDIATELY SOUTH OF AND EAST OF PLEASANT VIEW ELEMENTARY SCHOOL WHICH IS LOCATED AT 4601 WEST MARQUETTE AVENUE): STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES OUTDOOR RECREATION AIDS GRANT AGREEMENT FOR THE NATIONAL RECREATION TRAILS GRANT PROGRAM IN THE AMOUNT OF \$45,000</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.I.</i></p>

On February 13, 2013, the City of Franklin received the attached State of Wisconsin Department of Natural Resources Outdoor Recreation Aids Grant Agreement for the National Recreational Trails grant program in the amount of \$45,000.

The agreement provides 50% matched funding for the development of the Pleasant View/Victory Creek Trail. The grant time period is from February 4, 2013 through June 30, 2015 and includes the engineering and design, site preparation, erosion controls, paved trail construction, wetland crossing, bridge rehab, landscape restoration, and miscellaneous items relating to the development of the trail.

Please note that the trail development will also be assisted with a Stewardship – Acquisition and Development of Local Parks matching grant in the amount of \$51,720.

In summary, the estimated project cost for design and construction of the trail is \$193,440. Funding in the amount of \$45,000 is from the National Recreation Trails grant program and \$51,720 from State of Wisconsin Stewardship – Acquisition and Development of Local Parks grant program. The total amount awarded is \$96,720. The grants require a 50% match by the City of Franklin, which would provide total funding in the amount of \$193,440.

COUNCIL ACTION REQUESTED

A motion to accept the State of Wisconsin Department of Natural Resources Outdoor Recreation Aids Grant Agreement in the amount of \$45,000.

State of Wisconsin
DEPARTMENT OF NATURAL
RESOURCES[DnrStreet]
Box 7921
Madison, WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



RECEIVED
CITY OF FRANKLIN

2013 FEB 13 PM 12:44

February 4, 2013

► REQUIRES IMMEDIATE ACTION ◀

Recreational Trails Act
Grant# RTA-584-13
Grant Amount: \$45,000.00

Thomas Taylor, Mayor
City of Franklin
9229 W Loomis Rd
Franklin, WI 53132-9728

Dear Mayor Taylor:

Congratulations! On behalf of the Governor, we are pleased to forward to you a grant agreement for financial assistance for the following project: *City of Franklin - Pleasant View/Victory Creek Trail Development*

Please review the agreement and return the original signed by the authorized official **within 30 days of this letter's date** to Jim Ritchie at the Southeast Region, 2300 N Dr. Martin Luther King Jr. Dr., Milwaukee, WI 53212. The second copy is for your file. Funds will be encumbered when the signed agreement is returned. Please read the items checked below. They apply to your project and grant award.

Grant Award Time Period: February 4, 2013 through June 30, 2015. All project activities must occur within this time period to be eligible costs for reimbursement.

Reimbursement Check: When you submit your claim for reimbursement the check will be mailed to City of Franklin, Thomas Taylor, 9229 W Loomis Rd, Franklin, WI 53132-9728. This is the check recipient that appears in our records.

Changes to the approved project scope may not be made without prior approval from the Department.

If not enclosed, reimbursement claim forms and/or financial administration information can be found by going to: <http://dnr.wi.gov/Aid/forms.html>. Please submit reimbursement claim forms for your project to Jim. Feel free to contact Jim at 414-263-8610, if you have any questions about your grant award or the reimbursement procedures. You may be contacted by the Office of the Governor or your state Legislator concerning the issuance of a press release to publicize the grant award. We are pleased to have the opportunity to participate with you on this project.

Thank you for your continuing efforts to enhance recreational opportunities for Wisconsin citizens in our Natural Resources.

Sincerely,


Mary Rose Teves, Director
Bureau of Community Financial Assistance

Enclosure(s)

C: Jim Ritchie – SER

State of Wisconsin
 Department of Natural Resources
 P. O. Box 7921
 Madison, WI 53707-7921

DNR COPY

OUTDOOR RECREATION AIDS GRANT AGREEMENT
 Form 8700-065 Rev. 01-10

Notice: Collection of this information is authorized under ss. 23.09(11), 23.09(26), 350.12(4), 23.33, and 30.92, Wis. Stats., and chs. NR 7, NR 50, NR 51, and NR 64, Wis. Admin. Code. Personally identifiable information collected will be used for program administration and may be made available to requesters as required under Wisconsin's Open Records Law [ss. 19.31 - 19.39, Wis. Stats].

Grantee/Project Sponsor City of Franklin	Project Number RTA-584-13
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Project Title City of Franklin - Pleasant View/Victory Creek Trail Development
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Period Covered by This Agreement February 4, 2013 Through June 30, 2015	Name of Program Recreational Trails Act
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Project Scope and Description of Project The City of Franklin will develop approx. 3400 lf paved trail connecting the Pleasant View School through Victory Park to Bridge View Drive with federal recreation trail grant assistance. The proposed trail segment connects to Milwaukee County's Oak Leaf Trail. Overall project items include engineering and design, site preparation, erosion controls, paved trail construction, wetland crossing, bridge rehab, landscape restoration, and miscellaneous. Note: the project will also be assisted with a Stewardship - Acquisition and Development of Local Parks matching grant.
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PROJECT FINANCIAL ASSISTANCE SUMMARY:	The following documents are hereby incorporated into and made part of this agreement:								
<table> <tr> <td>Total Project Cost</td> <td>\$90,000.00</td> </tr> <tr> <td>Cost-Share Percentage</td> <td>50%</td> </tr> <tr> <td>State Aid Amount</td> <td>\$45,000.00</td> </tr> <tr> <td>Project Sponsor Share</td> <td>\$45,000.00</td> </tr> </table>	Total Project Cost	\$90,000.00	Cost-Share Percentage	50%	State Aid Amount	\$45,000.00	Project Sponsor Share	\$45,000.00	<ol style="list-style-type: none"> Chapter NR 50, Wisconsin Administrative Code Application Dated
Total Project Cost	\$90,000.00								
Cost-Share Percentage	50%								
State Aid Amount	\$45,000.00								
Project Sponsor Share	\$45,000.00								

A. General Conditions:

1. The State of Wisconsin Department of Natural Resources (Department) and the Sponsor mutually agree to perform this agreement in accordance with the Recreational Trails Act and with the project proposal, application, terms, promises, conditions, plans, specifications, estimates, procedures, maps and also any assurances attached and made a part of this agreement.
2. This agreement, together with any referenced parts and attachments, shall constitute the entire agreement and previous communications or agreements pertaining to the subject matter of this agreement are superseded. Any revisions, including cost adjustments, must be made by an amendment to this agreement or other written documentation, signed by both parties, prior to the termination date of the agreement. Time extensions and scope changes to the agreement may be granted to the Sponsor by the Department in writing without the requirements of Sponsor signature.
3. Failure by the sponsor to comply with the terms of this agreement shall not cause the suspension of all obligations of the State if, in the judgment of the Secretary of the Department, such failure was due to no fault of the Sponsor. In such case, any amount required to settle at minimum costs any irrevocable obligations properly incurred shall be eligible for assistance under this agreement, at the Department's discretion.

The Project Sponsor:

4. Agrees to comply with all applicable Wisconsin Statutes and Wisconsin Administrative codes in fulfilling terms of this agreement. In particular, the Sponsor agrees to comply with the provisions of Chapter NR 50, Wis. Adm. Code, as well as comply with all applicable local and state contract and bidding requirements. The sponsor should consult its legal counsel with questions concerning contracts and bidding.
5. May decline the offer of financial assistance provided through this agreement, in writing, at any time prior to the starting of the project and before expending any funds. After the project has been started or funds expended, this agreement may be rescinded, modified, or amended only by mutual agreement in writing.
6. Agrees, to save, keep harmless, defend and indemnify the Department and all its officers, employees and agents, against any and all liability claims, costs of whatever kind and nature, for injury to or death of any person or persons, and for loss or damage to any property (state or other) occurring in connection with or in any way incident to or arising out of the occupancy, use, service, operation or performance of work in connection with this agreement or omissions of Sponsor's employees, agents or representatives.
7. Agrees to reimburse the Department of any and all funds the Department deems appropriate in the event the Sponsor fails to comply with the conditions of this agreement or project proposal as described, or fails to provide public benefits as indicated in the project application, proposal description or this agreement. In addition, should the Sponsor fail to comply with the conditions of this agreement, fail to progress due to non-appropriation of funds, or fail to progress with or complete the project to the satisfaction of the Department, all obligations of the Department under this agreement may be terminated, including further project cost payment.
8. Agrees, in connection with the performance of work under this agreement, not to discriminate against any employee or applicant for employment because of age, race, religion, color, disability, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Status, sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the Sponsor further agrees to take affirmative action to ensure equal employment opportunities, as required by law. The Sponsor agrees to post in conspicuous places available, for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The Department:

9. Promises, in consideration of the covenants and agreements made by the Sponsor, to obligate for the Sponsor the amount of \$45,000.00, and to tender to the Sponsor that portion of the obligation which is required to pay the Department's share of the costs based upon the state providing 50 percent of eligible project costs. The Sponsor promises, in consideration of the promises made by the Department, to execute the project described in accordance with this agreement.
10. Agrees that the Sponsor shall have sole control of the method, hours worked, and time and manner of any performance under this agreement other than as specifically provided in this document. The Department reserves the right only to inspect the job site or premises for the sole purpose of insuring that the performance is progressing or has been completed in compliance with the agreement. The Department takes no responsibility of supervision or direction of the performance of the agreement to be performed by the Sponsor or the Sponsor's employees or agents. The Sponsor is an Independent Contractor for all purposes, not an employee or agent of the Department. The Department further agrees that it will exercise no control over the selection and dismissal of the Sponsor's employees or agents.

B. Special Conditions:

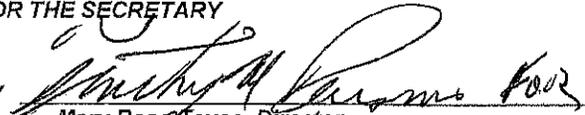
The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

- a. Property acquired or developed with assistance from this program shall not be converted to uses inconsistent with public outdoor recreation without the approval of this Department.

- b. All facilities constructed with assistance from this program must be accessible to persons with disabilities. All facilities developed with these grant funds shall be connected by linkage trails to a main walkway and/or parking lot.
- c. The sponsor shall implement and maintain proper soil erosion and sediment control best management (BMPs) practices during construction of the project. Erosion and sediment control BMPs shall be accomplished using the guidelines in the Wisconsin Stormwater Technical Standards available via the internet at <http://dnr.wi.gov/runoff/stormwater/techstds.htm>. BMPs shall be properly installed, and maintained to function as intended until the project site is stabilized. All temporary erosion and sediment control practices (e.g. silt fence, etc.) shall be removed once the construction site has undergone final stabilization. Construction sites associated with land disturbing activities over one acre and grading sites of 10,000 sq. ft., or more on the bank of a navigable waterway require an erosion control and stormwater management plan prepared by the sponsor. Construction sites disturbing one or more acres of land require coverage under a construction site stormwater discharge permit prior to commencing any land disturbing construction activity.
- d. No development of this property can occur until the required State Historical Society assurances have been completed.
- e. All regulatory permits and approvals, including water and wetland regulatory permits and approvals, required by federal, state or local agencies must be obtained prior to project construction and complied with fully during project construction.
- f. In connection with the performance of work under this agreement, the sponsor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01(5), Wis. Stats., sexual orientation, arrest or conviction record or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the sponsor further agrees to take affirmative action to ensure equal employment opportunities.
- g. The Sponsor shall have a single, organization-wide finance and compliance audit performed in accordance with the State Single Audit Guidelines issued by the Wisconsin Department of Administration (DOA).
- h. This grant is funded through a grant from the US Department of Transportation, Federal Highway Administration under the Recreational Trails Program authorized under Section 1112 of the Transportation Efficiency Act for the 21st Century which amended 23 USC 206. This procurement will be subject to regulations set forth in (1) Title 23, U.S. Code, Highways, (2) the Regulations issued pursuant thereto and, (3) the policies and procedures promulgated by the Federal Highway Administrator relative to the above designated project. This procurement shall be subject to the regulations contained Section 20.219, Recreational Trails Program, of the Catalog of Federal Domestic Assistance, <http://www.cfda.gov>. The grantee shall maintain the financial information and dated records used in the preparation or support of the cost submission for the grant in effect on the date of execution for this grant until three years after the final voucher has been approved by the Federal Highway Administration. The department, US Department of Transportation, or their agents, or any of their duly authorized representatives, shall have access to such books, records, documents, and other evidence for the purpose of inspection, audit and copying. The grantee shall provide proper facilities for such access and inspection. In addition, they shall have access to all records which relate to any dispute, appeal, or litigation, or the settlement of claims arising out of such performance, or costs or items to which an audit exception has been taken.
- i. All engineer approved plans must be obtained by the Department of Natural Resources before construction begins.

The persons signing for the Sponsor represents both personally and as an agent of his or her principal that he or she is authorized to execute this agreement and bind his or her principal, either by a duly adopted resolution or otherwise.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
FOR THE SECRETARY

By 
Mary Rose Teves, Director
Bureau of Community Financial Assistance

By _____
(Signature)

(Title)

(Date)

6-4-2013

(Date)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711



January 4, 2013

RTA-584-13

Thomas Taylor, Mayor
City of Franklin
9229 W Loomis Road
Franklin, WI 53132-9728

Subject: City of Franklin – Pleasant View/Victory Creek Trail Development

Dear Mayor Taylor:

As you are aware, the acceptance of a federal grant such as the Recreation Trails Program grant entails a number of federal requirements that are broader or more targeted than state grant requirements. One of these requirements is the role of the project sponsor in achieving goals for the involvement of Disadvantaged Business Enterprises (DBE) in grant project activities.

We are approaching this requirement by relying on voluntary actions of project sponsors. In brief what we are asking is for project sponsors to demonstrate that they have taken affirmative steps to make DBE enterprises aware of project activities that are subject to public bidding or request for proposals (RFP) for professional services. The current DBE eligibility directory is found on the Wisconsin Department of Transportation's webpage at the following address:
<http://www.dot.state.wi.us/business/engrserv/dbe-firms.htm>

With regard to RFPs for professional services such as engineering or design, we would encourage you to consider making appropriate DBE enterprises aware of your professional service needs.

With regard to project activities that require public bidding, we are requesting that you undertake two actions: (1) when you put together the bid specifications that you encourage general contractors to use DBE enterprises as subcontractors where appropriate, and (2) when you are going to publicize bid specifications for any portion of your RTA grant, that you review the eligibility directory for appropriate DBE contractors and provide the bid announcement to them by direct mail. There will be no additional requirements regarding the normal review and selection of the lowest responsible bidder.

Depending on the nature of the project you can indicate your affirmative actions through the following items that would be appropriate:

- Copies of correspondence that indicate DBE enterprises that were involved in the RFP process for professional services
- Copy of the bid specifications that indicate your encouragement of general contractors utilizing DBE contractors as subcontractors.
- Copies of the direct mail letters to DBE contractors announcing the opportunity to provide a bid on the project construction activity

- Copies of DBE Contact Summary indicating DBE contractors solicited and contractor follow-up (a copy of the summary is enclosed)

If a DBE contractor is selected for rendering professional services or as the lowest responsible bidder, then it should be so noted as part of the project claim documentation. We will rely on the project billing submission as the appropriate point to report on DBE participation.

We are hopeful that through the voluntary steps you take that DBE enterprises may successfully compete in the public bidding process.

Thank you for your cooperation in this matter.

Sincerely,



Mary Rose Teves, Director *MR*
Bureau of Community Financial Assistance

Enclosures: DBE Contract Summary
Jim Ritchie - SER

DBE CONTACTS

CONTACT # _____

Name of Business	Address	Telephone
		Subcontract Amt.
If firm utilized: Type and Scope of Work Being Subcontracted		
		Type of Contact
If firm not utilized, explain:		<input type="checkbox"/> Letter <input type="checkbox"/> Telephone <input type="checkbox"/> Other

CONTACT # _____

Name of Business	Address	Telephone
		Subcontract Amt.
If firm utilized: Type and Scope of Work Being Subcontracted		
		Type of Contact
If firm not utilized, explain:		<input type="checkbox"/> Letter <input type="checkbox"/> Telephone <input type="checkbox"/> Other

CONTACT # _____

Name of Business	Address	Telephone
		Subcontract Amt.
If firm utilized: Type and Scope of Work Being Subcontracted		
		Type of Contact
If firm not utilized, explain:		<input type="checkbox"/> Letter <input type="checkbox"/> Telephone <input type="checkbox"/> Other

CONTACT # _____

Name of Business	Address	Telephone
		Subcontract Amt.
If firm utilized: Type and Scope of Work Being Subcontracted		
		Type of Contact
If firm not utilized, explain:		<input type="checkbox"/> Letter <input type="checkbox"/> Telephone <input type="checkbox"/> Other

Grant Payment Worksheet

Form 8700-002 (R 8/03)

INSTRUCTIONS FOR COMPLETING GRANT PAYMENT WORKSHEET

Use the worksheet to itemize all project expenses, including donated labor and donated expenses.

- Attach photocopies of proof of expenses and payments for each item listed.
- Use additional worksheets as necessary. Include Grant Number on each sheet.
- Submit Worksheet(s) and attachments with Grant Payment Request, Form 8700-001, or specific grant reimbursement form, to your DNR Grant Specialist.

Date Field and Column Definitions

Date Expense Incurred: Date of invoice, purchase, or service rendered.

- Costs incurred prior to the beginning date or after the ending date of the grant agreement are not eligible for reimbursement, except as noted below.
- Exceptions: Certain land acquisition, design costs, and navigational aids may be available retroactively. Check with your DNR Grant Specialist.

Invoice #: Number on vendor invoice or bill associated with the purchase or service.

- Combined Costs: If an invoice combines costs for multiple grants or expenses, identify and explain specific costs associated with each grant expense. Attach a copy of this invoice, as well as proof of payment identified below. Use as many lines as necessary.
- Donated Expenses: Include invoice number if donated expenses are included on an invoice or bill. Otherwise, leave this field blank and go to "Proof of Payment" column.

Proof of Payment #: Number on check or money order used to pay the expense. If no proof of payment number, leave blank. Attachments required:

- Expenditure Proof of Payment Examples: Canceled check, with front side of check containing the amount of the check digitally printed by the bank under the signature line; Non canceled check with bank statement showing check cleared account; County payroll vouchers; Credit card statements. For acquisition expenditures, acquisition closing statements.
- Combined Proofs of Payment: If a proof of payment covers multiple expenses or grants, identify payments related to the particular grant expense on a copy.
- Donated Expenses: Volunteer Labor Log Sheet, or other donated labor/services documentation. Include volunteer names, type of work, hours worked, pay rate and totals. Log sheets require signatures of volunteer(s) and supervisor(s).

Payee: Name of consultant, contractor, vendor, supplier, etc. to whom payment was made.

Eligible Project Cost Description (Check Grant Agreement): Describe expense briefly. Include only eligible expenses as specified in the particular project grant application and grant agreement.

- Acquisition Grant Possible Eligible Expense Examples: Land/Conservation Easement, Recording Fees, Appraisal, Title Insurance, etc.
- Development Grant Possible Eligible Expense Examples: Construction, Equipment Rental, Landscape seed, Mulch, Demolition, etc.
- Other Grant Type Possible Eligible Expense Examples: Materials, Supplies, Maintenance-Grooming, Maintenance-Signage, Maintenance-Other, etc.

Amount Paid: The amount of the project cost expense paid out-of-pocket. Enter only actual expenditures in this column.

Amount Donated: The amount of value for donated services, labor, equipment, etc. Enter donated amounts in this column.

Grant Begin Date /Grant End Date: Dates specified on the first page of your grant agreement or grant amendment.

Paid Subtotal: The sum of all paid expenditures listed in this column, on this page.

Donated Subtotal: The sum of the value of each donated item listed in this column, on this page.

Total Project Cost: (Paid Subtotals all pages) + (Donated Subtotals all pages) = Total Project Costs

- Enter this total on page one of the Grant Payment Worksheet.
- Transfer amount to line 4, "Total Eligible Project Costs This Period" of Form 8700-001, Grant Payment Request.

INSTRUCTIONS

Line 1: Amount of Grant (from original or amended Grant Agreement). Enter amount on the first page of your grant agreement, often called "State Aid Amount" or "Total Project Funds Awarded."

Line 2. A: Advance Payment Received, if any. Some grant programs allow project sponsors to request up-front grant funds (advances) at the beginning of the grant period, even before expenses are incurred. If you had no advanced payment, enter \$0 on line 2.A. If you received an advance, this amount is generally on the signature page of your grant agreement.

Line 2. B.: Total Payments Received after Advance Payment, if any. Some grant programs allow partial payments after the advance payment was received. If you have received partial payments, enter the total amount of all payments after the Advance Payment on line 2.B.

Line 2. C.: Total Payments Received to Date. Enter the total amount of lines 2. A. + 2. B.

Line 3. Funds Remaining. This amount is the balance of your grant award after subtracting all payments made before the date of this request.

Line 4. Total Eligible Project Costs this Period. Transfer amount from "Total Project Cost" field on Grant Payment Worksheet, Form 8700-002. This is the total of all eligible expenses claimed for this payment request.

Line 5. Your Share of Costs. This is the portion of eligible costs that are your responsibility. See your grant agreement. If your grant agreement shows "Fund Support" as a percentage instead of a \$ amount, complete steps 1 and 2 below:

Step 1:	100 %	-	"Fund Support" % from Grant Agreement	=	Your Share %
			<input type="text"/> %		<input type="text"/> %
Step 2:	"Total Project Costs" amount	x	"Your Share %" from Step 1	=	Step 2 Total
	\$ <input type="text"/>		<input type="text"/> %		\$ <input type="text"/>

Enter "Step 2 Total" in Line 5 on front. Questions? Contact your grant specialist.

Line 6. State Share of Costs. This is the portion of eligible costs that are the State's responsibility (Line 4 minus Line 5). This amount cannot exceed the grant balance remaining, as shown on Line 3, or the amount of money expended by the grant sponsor.

Line 7. Amount of Advance Payment Received. Some grant programs allow project sponsors to request up-front funds (advances) at the beginning of the grant period. The amount of your advanced payment needs to be supported with eligible expenses. Also list those expenses on your worksheet (Form 8700-002). If you did not receive an advance payment enter \$0 in this area. If your advanced payment has already been accounted for in a previous payment request, enter \$0 in this area. Do not list partial payments on Line 7.

Line 8. Amount Eligible This Claim. Enter the amount you are requesting for this payment request. Do not include eligible expenses reimbursed through prior partial payments on this claim. On line 8, show the amount you calculate to be your payment on this claim. DNR staff will audit reimbursement claims before payment is sent.

Line 9. Grant Balance Remaining. This is the amount of grant funds available to you for future partial payments. If your claim is a final reimbursement request, any balance appearing on Line 9 is not available for your use in the future.

Lake & River Grants Only. Account for State Lab of Hygiene (SLOH) sample analysis. The amount of money available under your grant will be reduced by the amount of payments to SLOH.

Certification: This payment request cannot be processed unless this form is signed by the authorized representative named in your resolution.

Questions? Contact your grant specialist at the DNR. That person is identified in the cover letter of your grant agreement.

REPORTING REQUIREMENTS

Under authorities cited, use of this form is authorized for the following grants.

- All-Terrain Vehicles: s. 23.33, Wis. Stats., and ch. NR 64, Wis. Adm. Code
- Clean Vessel: Sec. 5604 of the federal Clean Vessel Act of 1992
- County Conservation Aids: s. 23.09 (12), Wis. Stats., and ch. NR 50.14, Wis. Adm. Code
- Lake Planning: s. 281.68, Wis. Stats., and ch. NR 190, Wis. Adm. Code
- Lake Protection: ss. 281.69 and 281.71, Wis. Stats., and ch. NR 191, Wis. Adm. Code
- Land and Water Conservation Fund-Land Acquisition & Development: Act of 1965, Public Law 88-578, and ch. NR 50, Wis. Adm. Code
- Landowner Incentive Program: ch. 58, subch. III, Wis. Adm. Code
- Recreational Boating Facilities: s. 30.92, Wis. Stats., and ch. NR 7, Wis. Adm. Code
- Recreational Trails: federal 1998 Transportation Equity Act for the 21st Century
- River Planning: ss. 281.70 and 281.71, Wis. Stats., and ch. NR 195, Wis. Adm. Code
- River Protection: ss. 281.70 and 281.71, Wis. Stats., and ch. NR 195, Wis. Adm. Code
- Snowmobile Trail Aid: s. 23.09(26); ch. 350, Wis. Stats., and ch. NR 6, Wis. Adm. Code
- Sports Fish Restoration: Federal Aid in Sport Fish Restoration Act
- Stewardship (NCOs) - Land Acquisition & Development: ss. 23.096 and 23.098, Wis. Stats., and ch. NR 51, Wis. Adm. Code
- Stewardship (Local Units of Government) - Acquisition & Development: s. 23.09, Wis. Stats., and ch. NR 51, Wis. Adm. Code.

REQUIRED DOCUMENTATION

Include one copy of the following attachments (* if applicable) and other documentation required by your grant program.

ACQUISITION:

1. Grant Payment Worksheet, Form 8700-002.
2. Copy of deed.
3. Copy of title insurance policy.
4. Closing statement/canceled check(s).
5. Offer to purchase.
6. Just compensation.
7. Statement of relocation payments.
- 8.* WI Department of Commerce relocation statement.
- 9.* Statement of program revenue; i.e., sale of buildings, etc.

DEVELOPMENT:

1. Grant Payment Worksheet, Form 8700-002.
2. Copy of invoices, vouchers and canceled checks.
- 3.* Copy of bid specifications, certified bid tabulations, accepted bid proposal(s), contracts and change orders.
- 4.* Force account labor/equipment records.
- 5.* Donation labor/equipment records.
- 6.* Copy of affidavit of publication or bid notice.

MAINTENANCE:

1. Grant Payment Worksheet, Form 8700-002.
2. Copy of vendors invoices, vouchers and canceled checks.
- 3.* Copy of bid specifications, certified bid tabulations, accepted bid proposal(s), contracts and change orders.

Notice: Project Sponsors are required to provide information requested on this form when applying for payment of a grant funded by the Department. See Reporting Requirements on reverse. The Department will not process your payment request unless you provide all information requested. This information will be used to determine the amount of your payment and issue your check. Personally identifiable information collected will be used for program administration and may be made available to requesters as required under Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Submit one copy of this request form, your completed Grant Payment Worksheet (Form 8700-002), and required documentation, listed on reverse, to your DNR Grant Specialist. See the DNR web site for additional information: <http://www.dnr.state.wi.us/org/caer/cfa>

Project Sponsor Information

Project Sponsor / Management Unit Name	Grant Number
Project Name	County

The DNR will mail the check to the name identified on the application as "Check Recipient." Questions? Contact DNR Grant Specialist.

Type of Request:
 Partial Final Supplemental (Snowmobile Only)

Payment Information (see reverse for instructions)

A. Payment Record to Date	Amount	This Column for DNR Use Only
1. Amount of Grant (from original or amended Grant Agreement)		
2.a. Advance Payment Received, if any		
2.b. Total Payments Received after Advance Payment, if any		
2.c. Total Payments Received to Date (Lines 2.a. + 2.b.)		
3. Funds Remaining (Line 1 minus Line 2.c.)		

B. Cost Share Amount

4. Total Eligible Project Costs this Period. Transfer data from "Total Project Costs" field on Worksheet (Form 8700-002)	\$	
5. Your Share of Costs. See Line 5 instructions on reverse.	\$	
6. State Share of Costs (Line 4 minus Line 5) NOTE: This line cannot exceed the amount in Line 1.	\$	

C. This Payment Request and Grant Balance Remaining

7. Amount of Advance Payment Received (from Line 2a) (if no advance payment received or already accounted for, enter \$0)	\$	
8. Amount Eligible this Claim (Line 6 minus Line 7) NOTE: This line cannot exceed the amount in Line 3.	\$	Amount approved this claim
9. Grant Balance Remaining (Line 3 minus Line 8)	\$	

Lake & River Grants Only: Does project include State Lab of Hygiene Sample Analysis? Yes No

Certification

I certify that, to the best of my knowledge and belief, the eligible costs requested are in accordance with the terms of the grant agreement and that all expenditures are based on actual payments of record. This reimbursement represents the grant share due that has not been previously requested.

Name of Authorized Representative - type or print	(Area Code) Telephone Number
Signature of Authorized Representative	(Area Code) FAX Number
Date Signed	E-mail Address

Space Below this Line for DNR Use Only

Grant Specialist Signature	Reimbursement Approval Date
----------------------------	-----------------------------

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<p style="text-align: center;">APPROVAL <i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 02/19/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">CONCEPT REVIEW FOR A BUILDING ADDITION AND SITE MODIFICATIONS FOR FRANKLIN HIGH SCHOOL (8222 SOUTH 51ST STREET) (MARK CLOUTIER, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER <i>G.2.</i></p>

Introduction and Background:

On February 13, 2013, Mr. Mark Cloutier of Franklin High School filed a Concept Review Application with the Department of City Development on behalf of Franklin School District #5, owner of the subject property located at 8222 South 51st Street, for a building addition and site modifications to Franklin High School. At the request of the applicant, with concurrence from the Mayor, Staff has prepared this item for the February 19th Common Council meeting.

The property has an area of approximately 71.31 acres and is zoned I-1 Institutional District, FW Floodway District and C-1 Conservancy District. This area is identified as "Institutional" and "Areas of Natural Resource Features" in the City of Franklin 2025 Comprehensive Master Plan. Land uses and existing zoning surrounding the High School include the following:

- North: Two-family and single family dwellings zoned R-7 Two-Family Residence District and R-6 Suburban Single-Family Residence District, respectively.
- East: Single-family residences zoned R-6 Suburban Single-Family Residence District.
- South: Single-family residences zoned R-6 Suburban Single-Family Residence District.
- West: Single-family residences zoned R-6 Suburban Single-Family Residence District.

Below is a brief approval history for Franklin High School.

- 1961: Zoning Permit (does not state project details)
- 1963: Zoning Permit issued for an addition to the High School.
- 1965: Zoning Permit issued for an addition to the High School.
- 1995: Rezoning approved for the subject property to rezone it from R-6 Suburban Single-Family Residence District, FW Floodway District and C-1 Conservancy District to I-1 Institutional District, FW District and C-1 District.
- 1998: Site Plan Amendment approved for a 40,000 square foot addition to the school that involved an addition to the south end of the facility for cafeteria and a District kitchen and additional space surrounding the courtyard and other interior school space renovated for community center and office space at the location of the current cafeteria.
- 2003: Site Plan Amendment approved construction of a garage for storage of Tech Class materials.

A High School is a permitted use in the I-1 Institutional District under Standard Industrial Classification No. 8211 Elementary and Secondary Schools, thus a Site Plan Amendment Application, to be reviewed and approved by the Plan Commission, is required for the proposed site changes further described below.

Project Description:

Site Plan

The site currently consists of the High School and associated parking, a baseball diamond, football field and running track, and a pond adjacent to South 51st Street.

The applicant is proposing a 34,000 square foot 2-story classroom addition and a 52,000 square foot 1-story, 850-seat performing arts center/auditorium. The building additions are located on the front of the High School, facing South 51st Street.

Parking

There are 396 existing parking spaces. The proposed site modifications will add 404 spaces, for a total of 800 parking spaces.

According to Table 15-5.0203 of the UDO, a standard parking ratio of 0.3 per gym or auditorium seat, or 0.3 per student, whichever is greater, and 12 queuing spaces. In addition, 1 space per 4,000 square feet of outdoor playfield area, plus 1 space per acre of passive recreation area is required. Staff does not currently have sufficient information to calculate if the UDO parking requirements are being met.

Landscaping

Table 15-5.0302 of the UDO requires 1 canopy/shade tree, 1 evergreen tree, 1 decorative tree and 1 shrub per 5 provided parking spaces. There are 800 parking spaces total; therefore, 160 of each type of planting is required. Additionally, Sections 15-5.0301 and 15-5.0302.C. of the UDO requires a bufferyard and a 20 percent increase in the number of plantings provided.

The applicant has not yet provided a Landscape Plan; therefore staff is unable to determine if the UDO landscaping requirements are being met.

Natural Resource Protection Plan (NRPP)

The subject parcel consists of several protected natural resource features including but not limited to wetlands, wetland buffers, wetland setbacks, floodplain, woodlands and steep slopes. The wetlands were last delineated on July 3, 2007 with concurrence from the Wisconsin Department of Natural Resources on August 16, 2007. Because the delineations were completed over 5 years ago, the applicant must have the wetlands re-delineated as part of their NRPP. A Conservation Easement will also be required as part of the proposed development.

The applicant anticipates filling near the pond and relocating a portion of the sidewalk along South 51st Street. The sidewalk currently curves around a wetland and the applicant intends to straighten the sidewalk to extend through the wetland. A Natural Resource Special Exception will be required to impact any protected natural resource features.

Architecture

Building materials and features specified for the proposed building addition include architectural cast stone, open joint metal panel rainscreens, glass curtainwalls and masonry.

Storm water Management

The site contains an existing pond, which the applicant will utilize for storm water management. The Engineering Department will have to verify that the existing pond is adequate for the proposed site changes.

Staff Comments

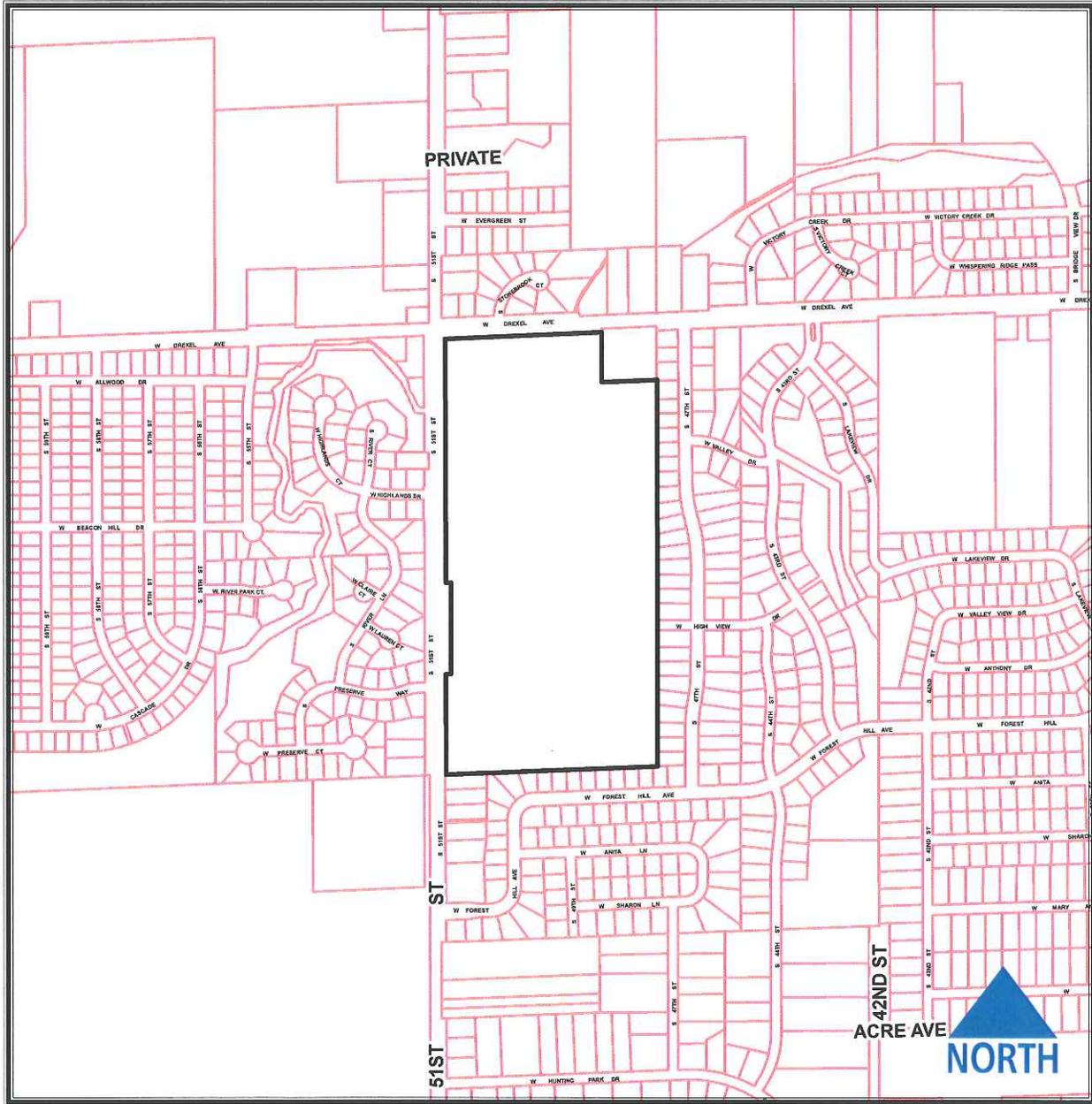
A Development Review Team meeting attended by representatives of the City Planning, Engineering, Fire, Inspection Departments and representatives of the School District and its consultants was held February 14, 2013. Preliminary comments on the project were provided by City Staff. It can be noted that staff commented on issues relating to landscaping and bufferyards, pedestrian connections, storm water management and fire code requirements.

COUNCIL ACTION REQUESTED

Provide comments to the applicant regarding the proposed modifications to the Franklin High School (8221 South 51st Street) (Mark Cloutier, Applicant).



8222 S. 51 Street Franklin High School



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.



CITY OF FRANKLIN - Planning Department

February 19, 2013

Concept Review Design Narrative

Franklin Public Schools: FRANKLIN HIGH SCHOOL - ADDITION AND RENOVATIONS

EUA Project No. 312440

Existing:

Context: The existing site is a large, 76.92 acre rectangular site orientated North/South. The site is bordered to the South and East by residential subdivisions, to the West by 51st Street, and to the North by a small creek, and beyond by Drexel Avenue and a Fire Station.

Access: All vehicle and service access occurs via (2) points along 51st Street. The Southern access point is the primary/main entrance consisting of a 2-lane, 1-way circulation. The Northern access is a 2-lane, 2-way circulation with perpendicular parking. There is paved pedestrian access to the South Residential Subdivision, and unpaved pedestrian access to the East Residential Subdivision.

Topography: The topography varies greatly and generally slopes from Southeast (high) to Northwest (low). The school is situated centrally with higher ground to the East and lower ground to the West. Its location affords views to the North and West.

Hydrology: Water features on the site include a man-made retention pond located along the Western boundary and a drainage culvert adjacent and running parallel to the eastern edge of the school, which terminates in a small man-made retention pond adjacent to the east side of the running track. There is a small creek crossing the site North of the running track / football field.

Site Utilization: South is mainly reserved for service access and a practice field. East is undeveloped, wooded / natural area currently utilized for (cross country). North is used for primary athletic fields (football, track + field, baseball, softball, soccer), and parking. West is more manicured "front lawn" and serves as the perceptual "front" to the public. All vehicular access and egress, and the majority of parking occur to the west.

Building: Franklin High School is a 284,855sf single building, consisting of grades (9-12). Southern half of school is 1-story on grade, no basement. Northern half is 2-stories on grade, due to site sloping down and exposing lower level. The building has been added on to (6) times since the initial building construction.

333 E. Chicago St.
Milwaukee, WI 53202

414 271 5350 : main
414 271 7794 : fax

222 W. Washington Ave.
Suite 650
Madison, WI 53703



Proposed Addition and Renovations:

District Design Goals:

- The project should create a sense of transformation to the high school (visually and functionally/ interior and exterior).
- The Performing Arts Center & central “Learning Street” will be its seminal features.
- The project should provide a unique design.
- The project should provide flexible learning environments with 21st century focus.
- The project should promote energy efficiency, sustainability.
- The project should utilize materials and methods which promote the longevity and durability of the building.

Site: Site renovations to West and South of the building include the following: reconfigured and enlarged parking (approx. 800 spaces), hardscaped areas adjacent to the building, on-site stormwater remediation, site lighting, landscaping, property fencing (east property line), and new utility connections. Site renovations East of the building include (2) football practice fields and irrigation well.

Building: New construction will include a 34,000sf., (2) story classroom addition and a 52,000sf., (1) story performing arts center. The classroom addition will include classroom space, administrative space, new main entrance, student commons, toilets, mechanical spaces and an elevator. The performing arts center will include an 850 seat auditorium with adjacent support spaces, prefunction space, rehearsal rooms for band, orchestra, and choir, a music lab with practice rooms, support/storage & mechanical spaces and new toilets.

Extensive renovation will occur in approximately 94,000sf. of the existing building and will include: a central commons space with a higher roof and clearstory lighting, art and technology spaces, science labs, smaller common/collaborative spaces and light renovation of some existing spaces

Materiality: The new additions are composed of masonry cavity wall, metal panel rainscreen, window and curtain wall. The composition, use of materials and technical design standards reflect the districts goals of transformation, sustainability, and durability.



eppstein uban - architects
 ARCHITECTS
 1170 LEXINGTON AVENUE
 SUITE 1000
 NEW YORK, NY 10028
 TEL: 212 692 9000
 FAX: 212 692 9001
 WWW.EUBA.COM

E

PROJECT INFORMATION
FRANKLIN HIGH
SCHOOL RENOVATIONS
AND ADDITION

8225 W. Forest Hill Ave.
 Franklin, WI 53132

D

ISSUANCE AND REVISIONS
SCHEMATIC DESIGN

NO.	DATE	DESCRIPTION
1		

C



KAPUR & ASSOCIATES, INC.
 CIVIL AND ARCHITECTURAL ENGINEERS

SHEET INFORMATION

PROGRESS DOCUMENTS

PROJECT NUMBER: 03440
 PROJECT NAME: FRANKLIN HIGH SCHOOL RENOVATIONS AND ADDITION
 PROJECT LOCATION: 8225 W. FOREST HILL AVE., FRANKLIN, WI 53132

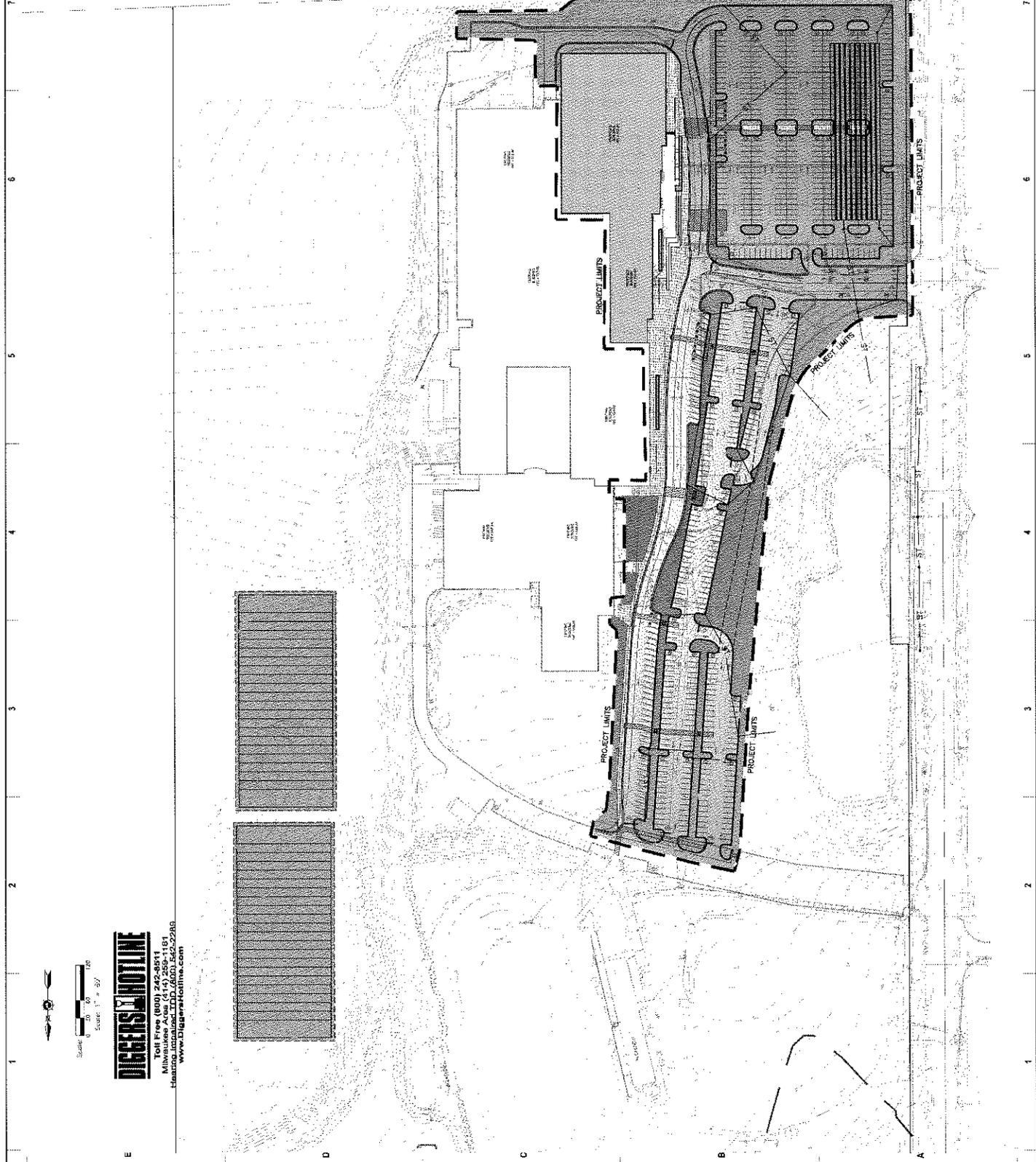
PROJECT NUMBER: MAY
 DATE: JANUARY 18, 2013

DATE: JANUARY 18, 2013

OVERALL SITE PLAN

C100

SCALE: 1/8" = 1'-0"



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eua architects
 8222 South 51 Street
 Franklin, WI 53132
 Phone: 414.437.1100
 Fax: 414.437.1101
 www.eua.com

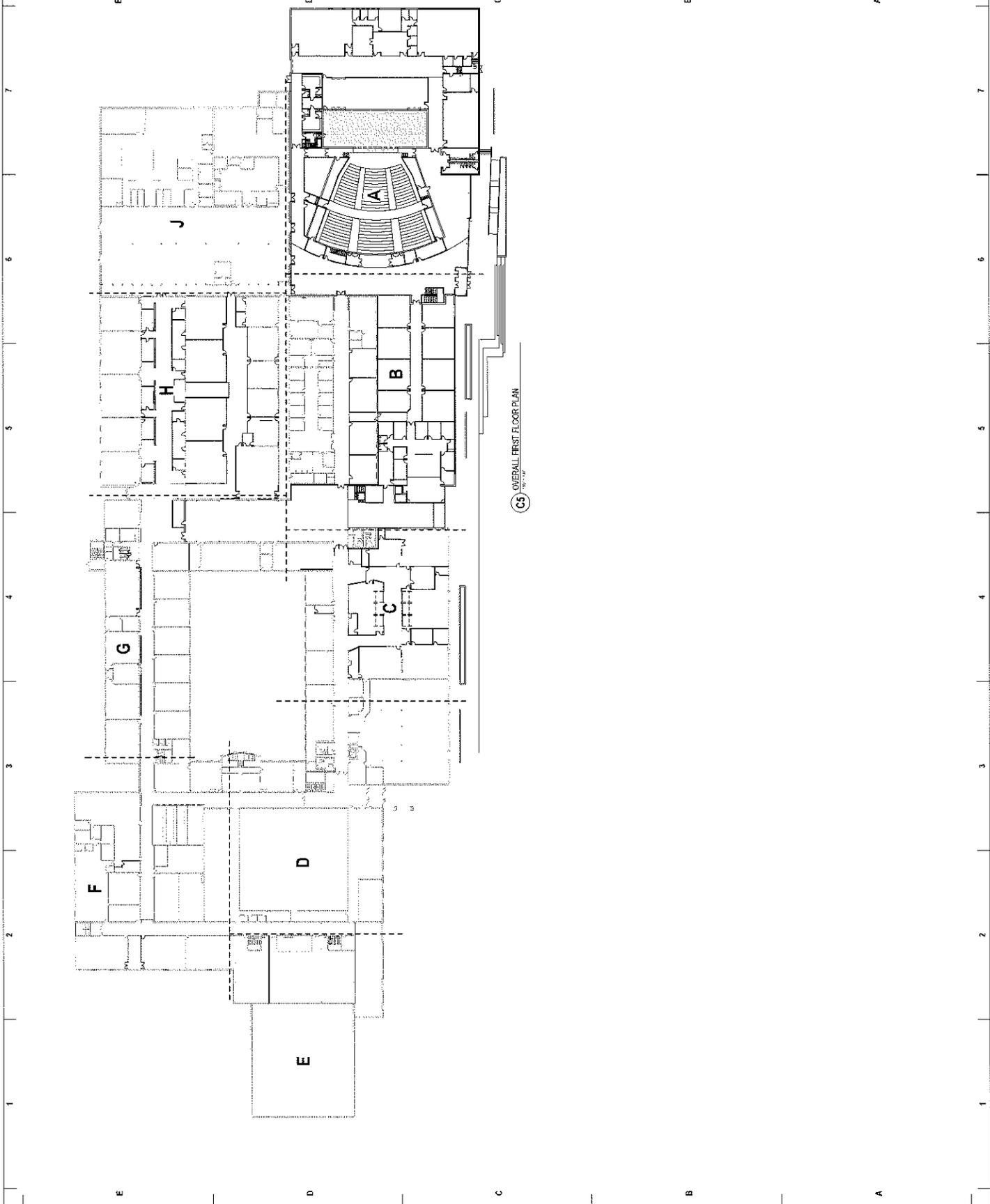
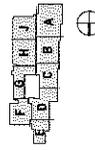
PROJECT INFORMATION
FRANKLIN HIGH
SCHOOL RENOVATIONS
AND ADDITION

8222 South 51 Street,
 Franklin, WI 53132

ISSUANCE AND REVISIONS
SCHEMATIC DESIGN

NO.	DATE	DESCRIPTION

SD PLAN



SHEET INFORMATION:

PROGRESS DOCUMENTS	
PROJECT NUMBER	31240
DATE	FEBRUARY 14, 2015

PROJECT NUMBER	REV
31240	

OVERALL FIRST FLOOR PLAN

A091



epstein urban architects
 ARCHITECTS
 111 EAST CENTER STREET
 MILWAUKEE, WI 53202
 TEL: 414.224.1100
 FAX: 414.224.1101
 WWW.EUA.COM

PROJECT INFORMATION
FRANKLIN HIGH SCHOOL RENOVATIONS AND ADDITION

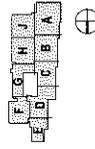
8222 South 51 Street,
 Franklin, WI 53132

ISSUANCE AND REVISIONS
SCHEMATIC DESIGN

REVISIONS

#	DATE	DESCRIPTION

KEY PLAN



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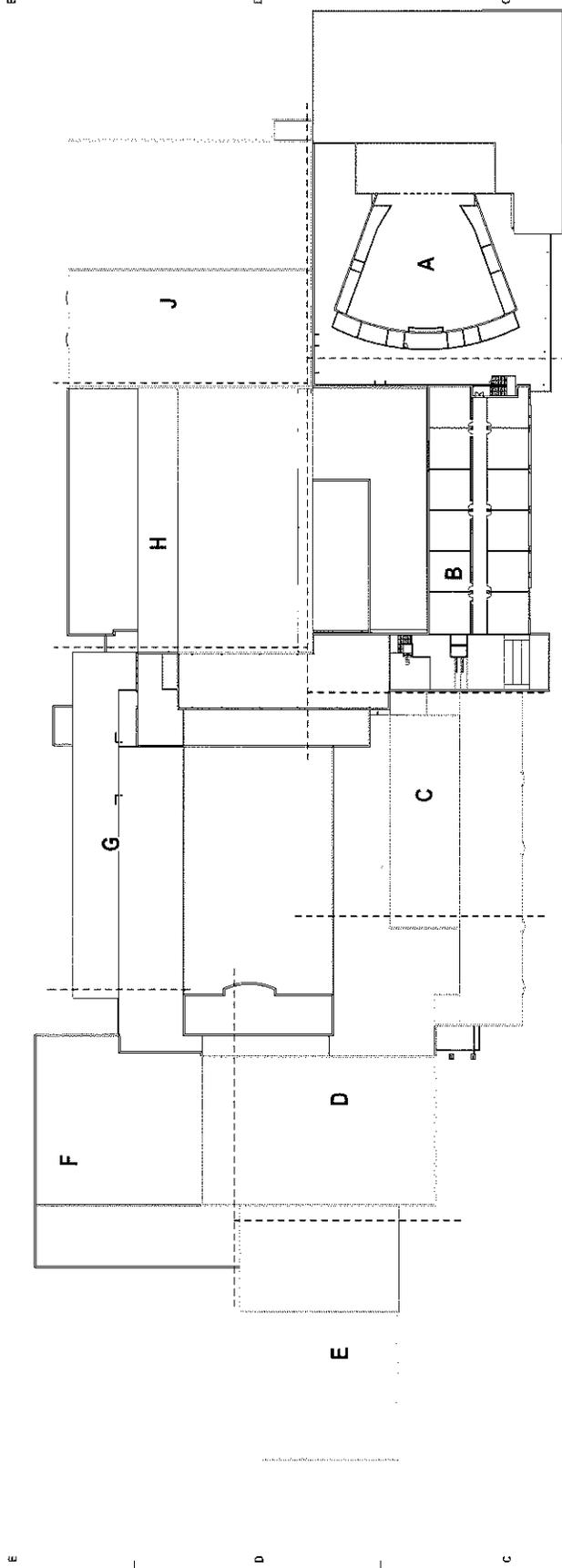
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CS OVERALL UPPER LEVEL PLAN

SHEET INFORMATION

PROGRESS DOCUMENTS
 This document is the property of Epstein Urban Architects. It is to be used only for the project and purpose specified. It is not to be distributed, copied, or otherwise used for any other project or purpose without the written consent of Epstein Urban Architects.

PROJECT NUMBER	REV
31640	

DATE: FEBRUARY 14, 2013

OVERALL UPPER LEVEL PLAN

A092

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eppstein uhlen - architects
 PROJECT: FRANKLIN HIGH SCHOOL RENOVATIONS AND ADDITION
 LOCATION: 8222 SOUTH 51 STREET, FRANKLIN, WI 53132
 DATE: FEBRUARY 14, 2019

PROJECT INFORMATION
FRANKLIN HIGH SCHOOL RENOVATIONS AND ADDITION

8222 South 51 Street,
 Franklin, WI 53132

REVISIONS AND REASONS
SCHEMATIC DESIGN

#	DATE	DESCRIPTION

KEY PLAN

SHEET INFORMATION

PROGRESS DOCUMENTS	

PROJECT NUMBER	312440
DATE	FEBRUARY 14, 2019

PERSPECTIVE

P001

AT NORTH - EAST SITE PERSPECTIVE

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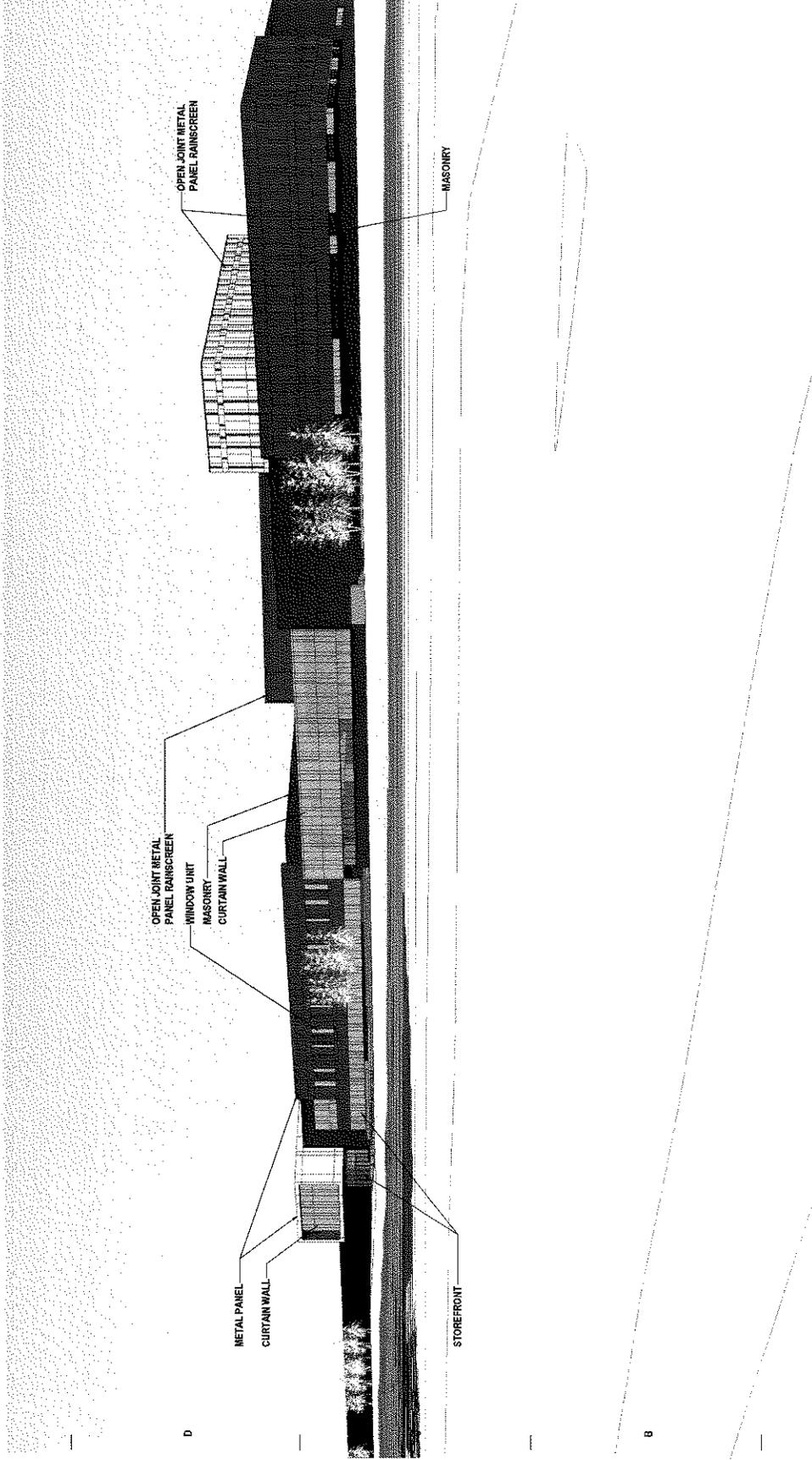
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A



epstein uter - architects
 ARCHITECTS
 1000 W. WISCONSIN AVENUE
 SUITE 200
 MILWAUKEE, WI 53233
 TEL: 414.224.4444
 FAX: 414.224.4444
 WWW.EUA.AA

E

PROJECT INFORMATION
**FRANKLIN HIGH
 SCHOOL RENOVATIONS
 AND ADDITION**

8222 South 51 Street,
 Franklin, WI 53132

D

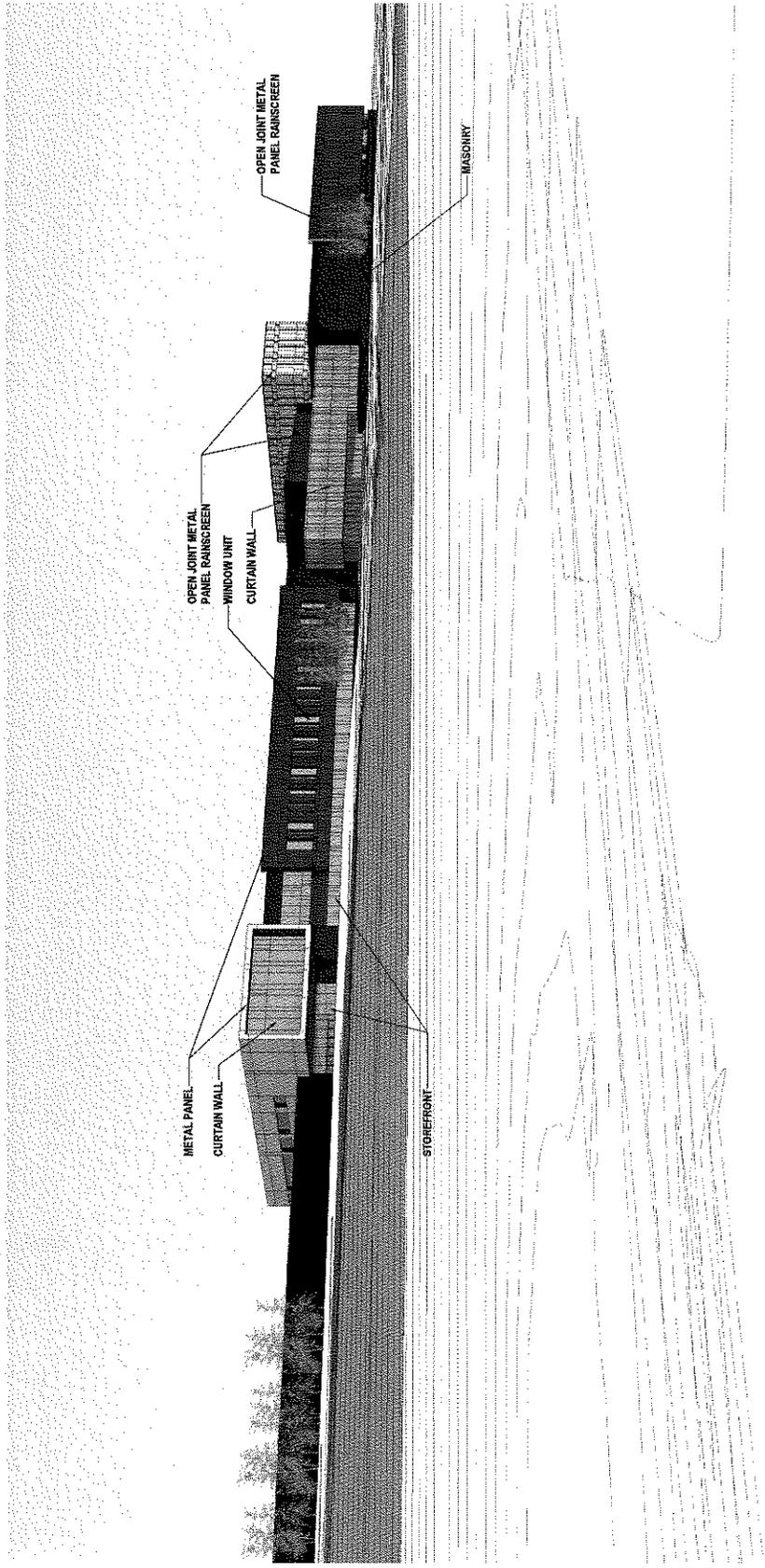
ISSUANCE AND REVISIONS
SCHEMATIC DESIGN

REVISIONS

NO.	DATE	DESCRIPTION

C

NEW PLAN



B

SHEET INFORMATION

PROGRESS DOCUMENTS
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PROJECT MANAGER: RAY
 PROJECT NUMBER: 115490
 DATE: FEBRUARY 14, 2013

A

PERSPECTIVE

P002

A1 SOUTH-EAST SITE PERSPECTIVE

7

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epstein urban architects
 1000 W. Wisconsin Ave., Suite 1000
 Milwaukee, WI 53233
 TEL: 414.224.1100
 FAX: 414.224.1101
 WWW: epsteinurban.com

E

PROJECT INFORMATION
**FRANKLIN HIGH
 SCHOOL RENOVATIONS
 AND ADDITION**

8222 South 51 Street,
 Franklin, WI 53132

D

ISSUANCE AND REVISIONS
SCHEMATIC DESIGN

REVISIONS

#	DATE	DESCRIPTION

C

KEY PLAN

A

SHEET INFORMATION

PROGRESS DOCUMENTS	

PROJECT NUMBER	31540
DATE	FEBRUARY 14, 2010

A

PERPECTIVE

P003

A1 SOUTH-EAST PERSPECTIVE

7

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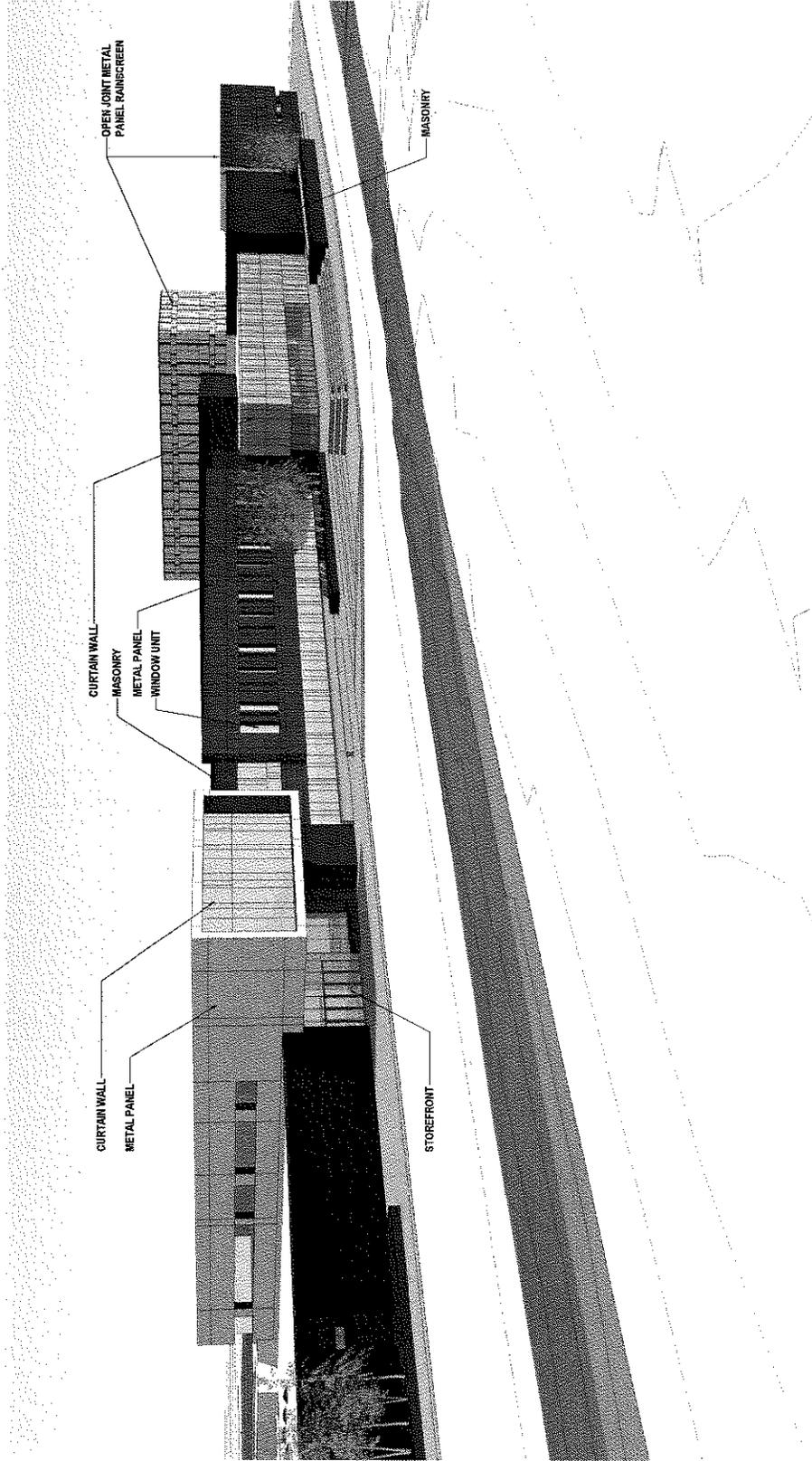
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D

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epstein | ahern | architects
 ARCHITECTS
 1000 W. WISCONSIN AVENUE, SUITE 200
 MILWAUKEE, WI 53233
 TEL: 414.224.4400
 FAX: 414.224.4401
 WWW.EUA.AA

PROJECT INFORMATION
FRANKLIN HIGH SCHOOL RENOVATIONS AND ADDITION

8222 South 51 Street,
 Franklin, WI 53132

ISSUANCE AND REVISIONS
SCHEMATIC DESIGN

#	DATE	DESCRIPTION

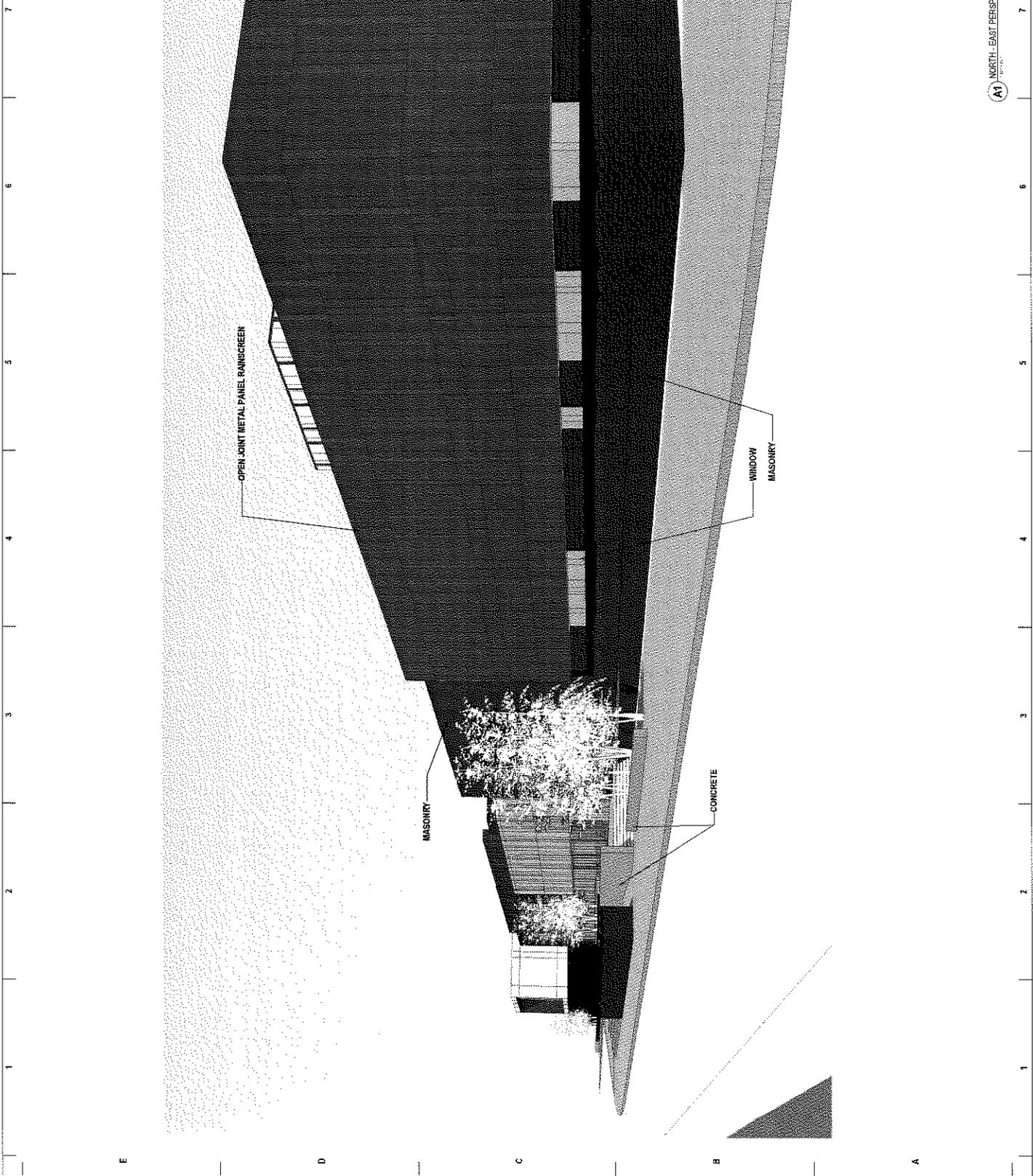
SECTION

SHEET INFORMATION

PROGRESS DOCUMENTS
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PROJECT MANAGER: RAV
 PROJECT NUMBER: 31540
 DATE: FEBRUARY 14, 2010

PERSPECTIVE
P004



OPEN JOINT METAL PANEL RAINSCREEN

MASONRY

CONCRETE

WINDOW MASONRY

(A) NORTH-EAST PERSPECTIVE



epstein | urban | architects
 1000 W. Wisconsin Ave., Suite 1000
 Milwaukee, WI 53233
 Tel: 414.224.2000
 Fax: 414.224.2001
 www.epstein-urban.com

E

PROJECT INFORMATION

FRANKLIN HIGH
 SCHOOL RENOVATIONS
 AND ADDITION

8222 South 51 Street,
 Franklin, WI 53132

D

ISSUANCE AND REVISIONS
 SCHEMATIC DESIGN

REVISIONS

#	DATE	DESCRIPTION

C

KEY PLAN

B

SHEET INFORMATION

PROGRESS DOCUMENTS
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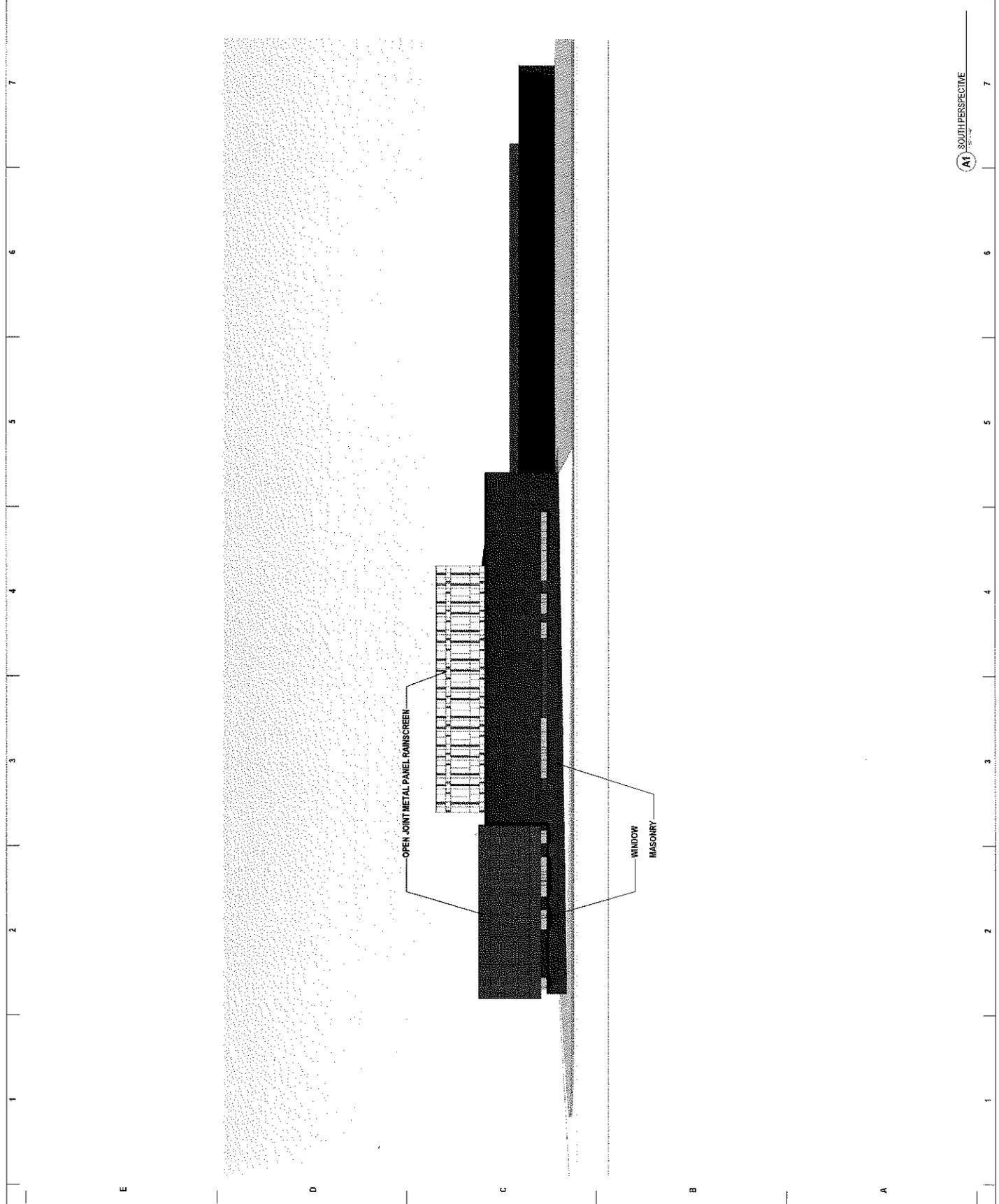
PROJECT NUMBER	R/W
31240	

A

PERSPECTIVE

P005

(A) SOUTH PERSPECTIVE

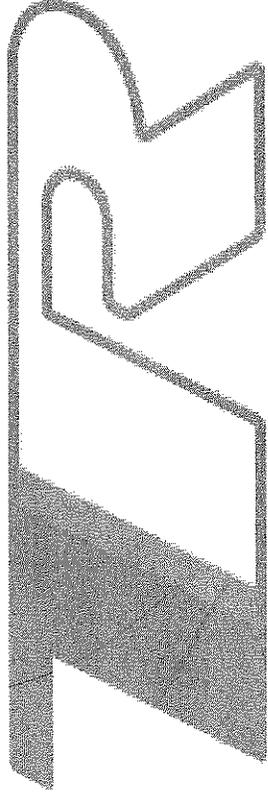


<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">February 19, 2013</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Status Report and Presentation of a Proposed Minor Amendment to Planned Development District No. 37 (The Rock Sports Complex) for Consideration and Potential Scheduling of a Special Meeting</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.3.</i></p>

A representative(s) of the Rock Sports Complex will be present at the meeting to provide a status report and also to advise the Common Council of issues that have arisen regarding the construction of the previously proposed restaurant/bar structure and a proposed alternate bar/restaurant structure to be constructed in the same location. Attached is a copy of the proposed alternate structure presentation materials.

COUNCIL ACTION REQUESTED

A motion to schedule a special meeting concurrent with the February 21, 2013 meeting of the Plan Commission to consider and act upon a proposed minor amendment to Planned Development District No. 37 (The Rock Sports Complex).



Presentation of Umbrella Bar to be
installed at Rock Sports Complex, LLC

Franklin, WI

Umbrella Bars

Improved Bar/Restaurant Concept:

- A viable solution to a sensitive construction site
- An expedient installation
- Fully equipped for food/beverage sales
- Enhanced design and functionality

Umbrella Bars

Enhance the City of Franklin:

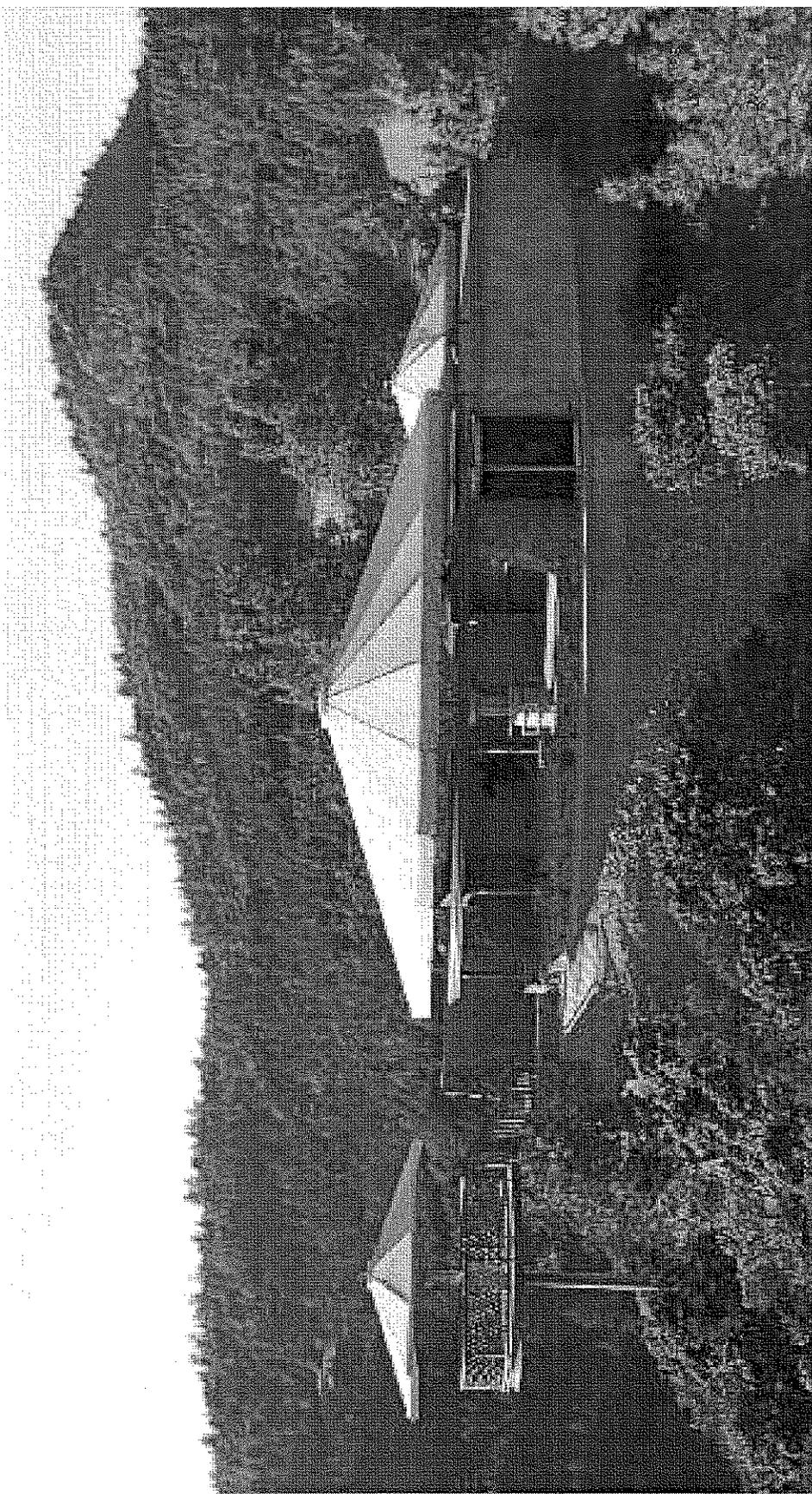
- A unique attraction
- A destination for the local and extended communities alike
- A utilization of the beauty of the property

Umbrella Bars

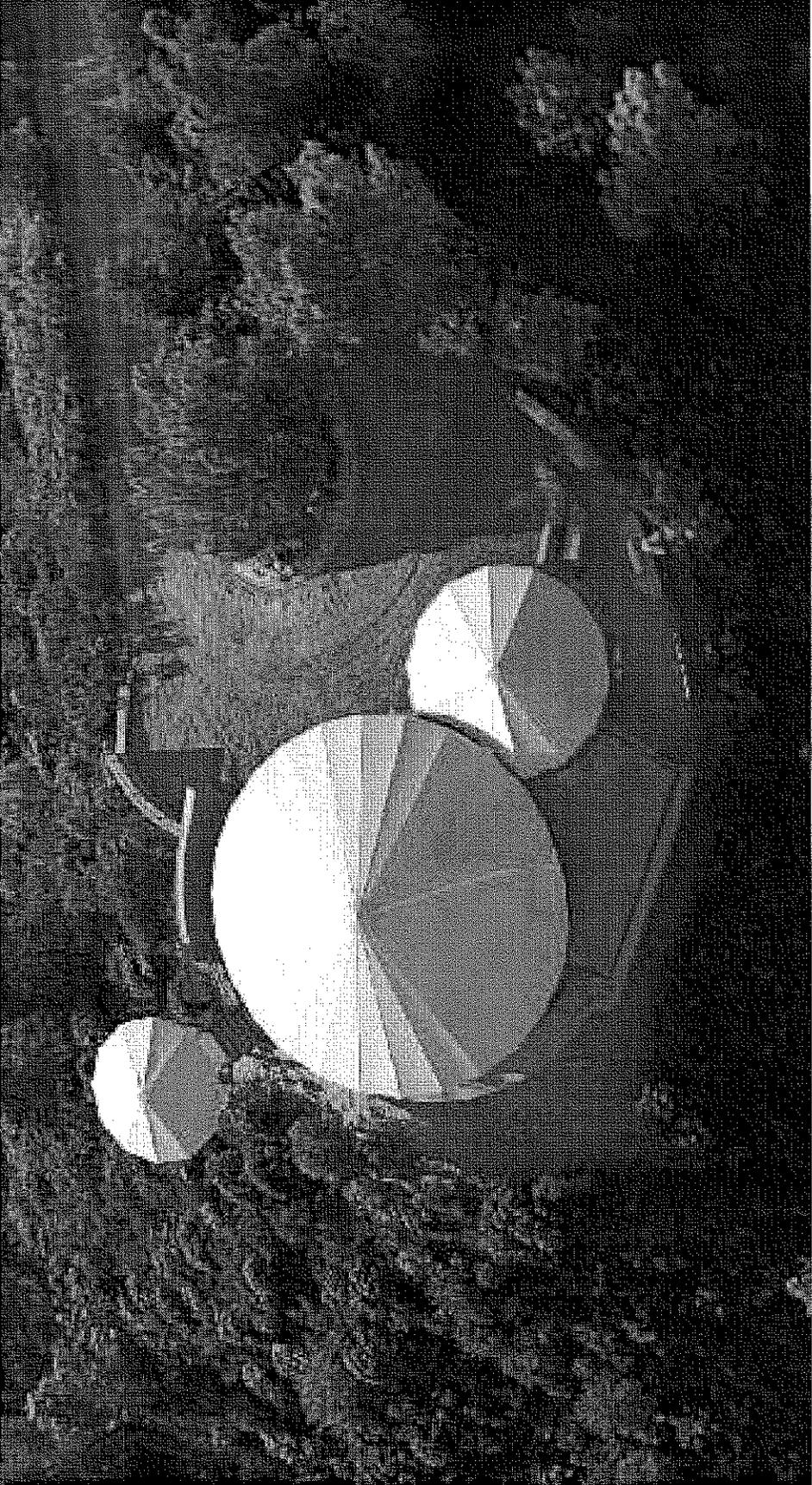
Enhance the Rock Sports Complex, LLC:

- By providing a park-like atmosphere
- By giving an improved, open-air viewing concept
- By delivering weather protection for patrons
- By providing a safe play area for children

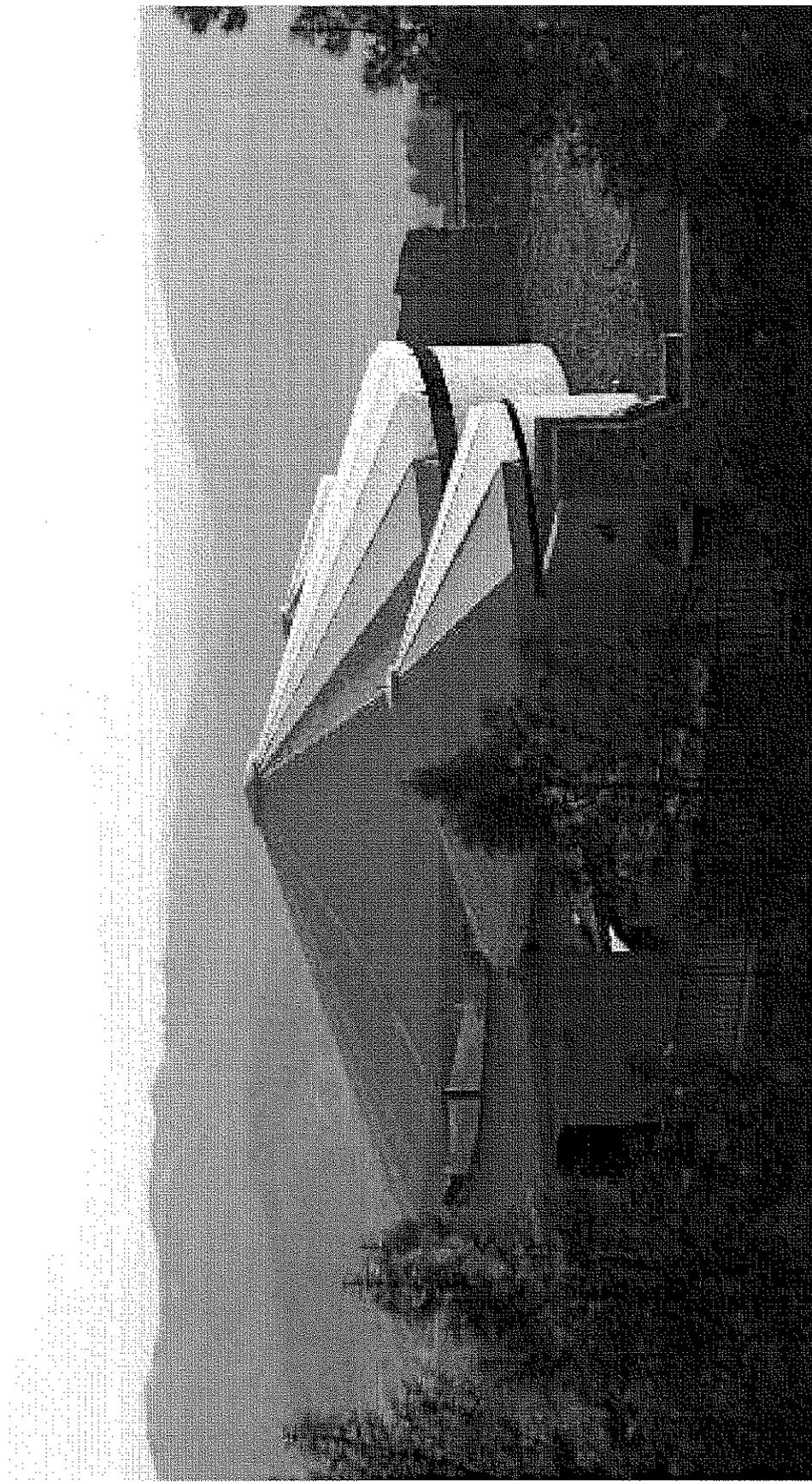
**PETER MICHAEL WINERY, NAPA VALLEY,
CALIFORNIA**



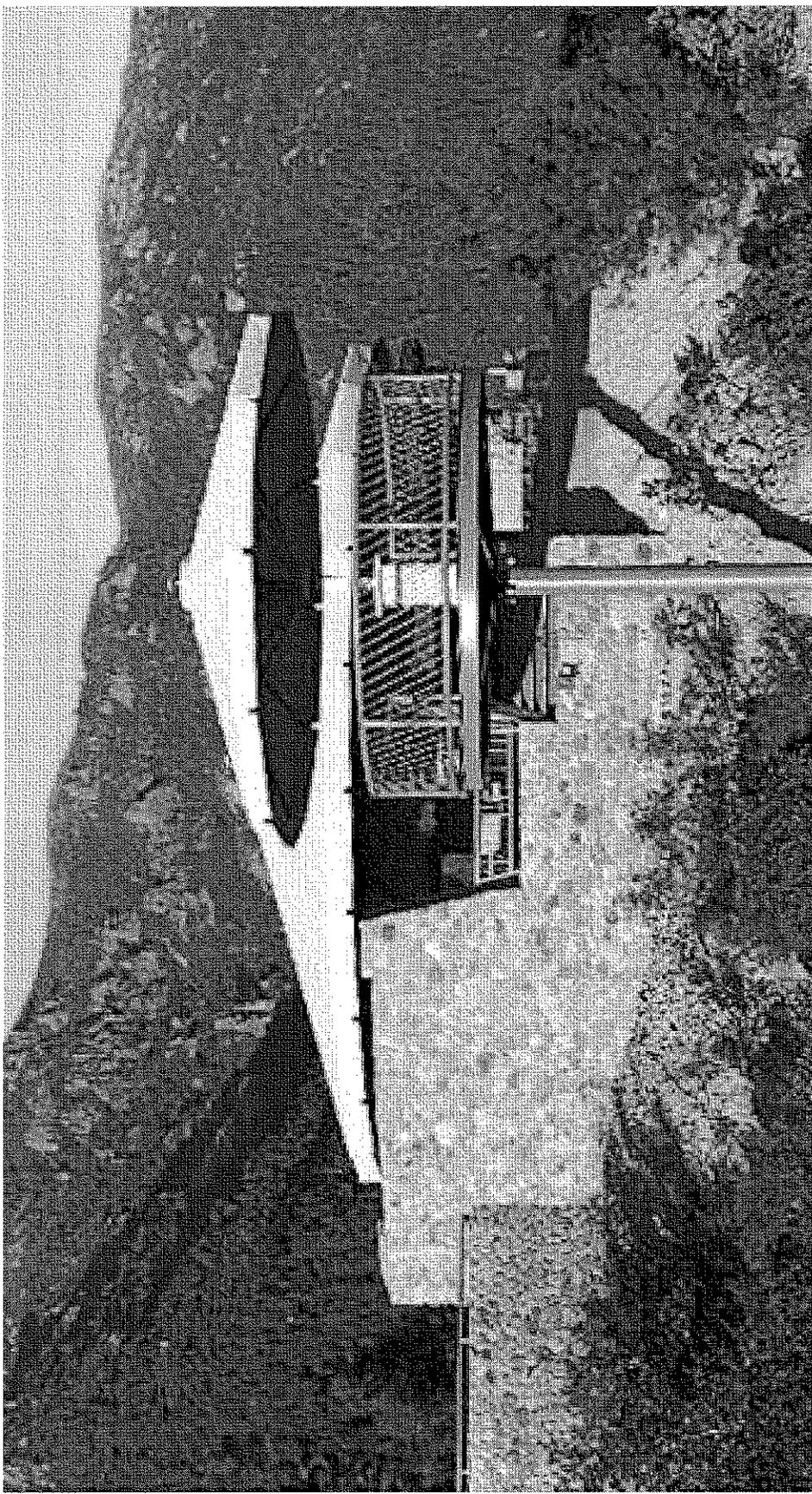
**PETER MICHAEL WINERY, NAPA VALLEY,
CALIFORNIA**



**PETER MICHAEL WINERY, NAPA VALLEY,
CALIFORNIA**



**PETER MICHAEL WINERY, NAPA VALLEY,
CALIFORNIA**



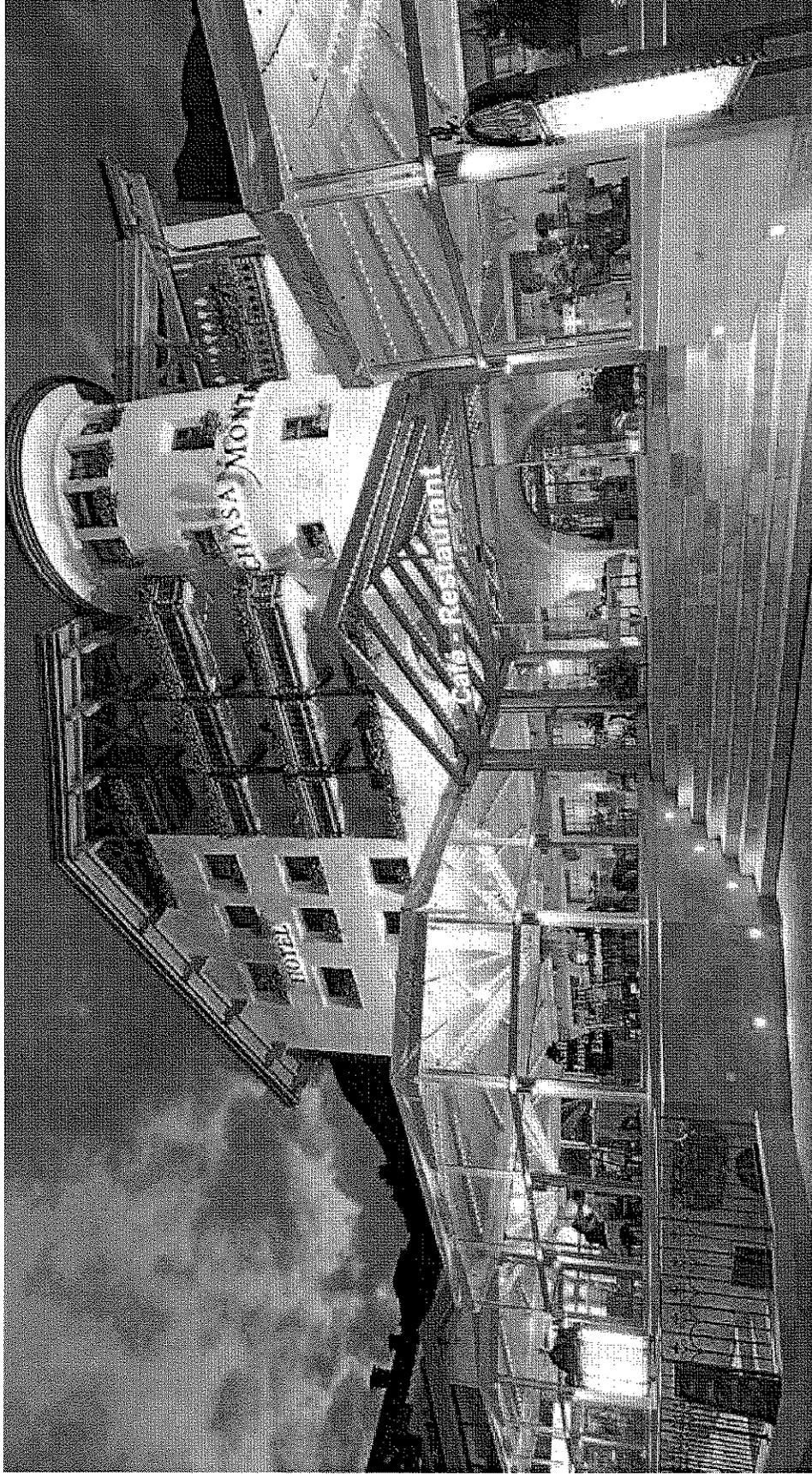
**PETER MICHAEL WINERY, NAPA VALLEY,
CALIFORNIA**

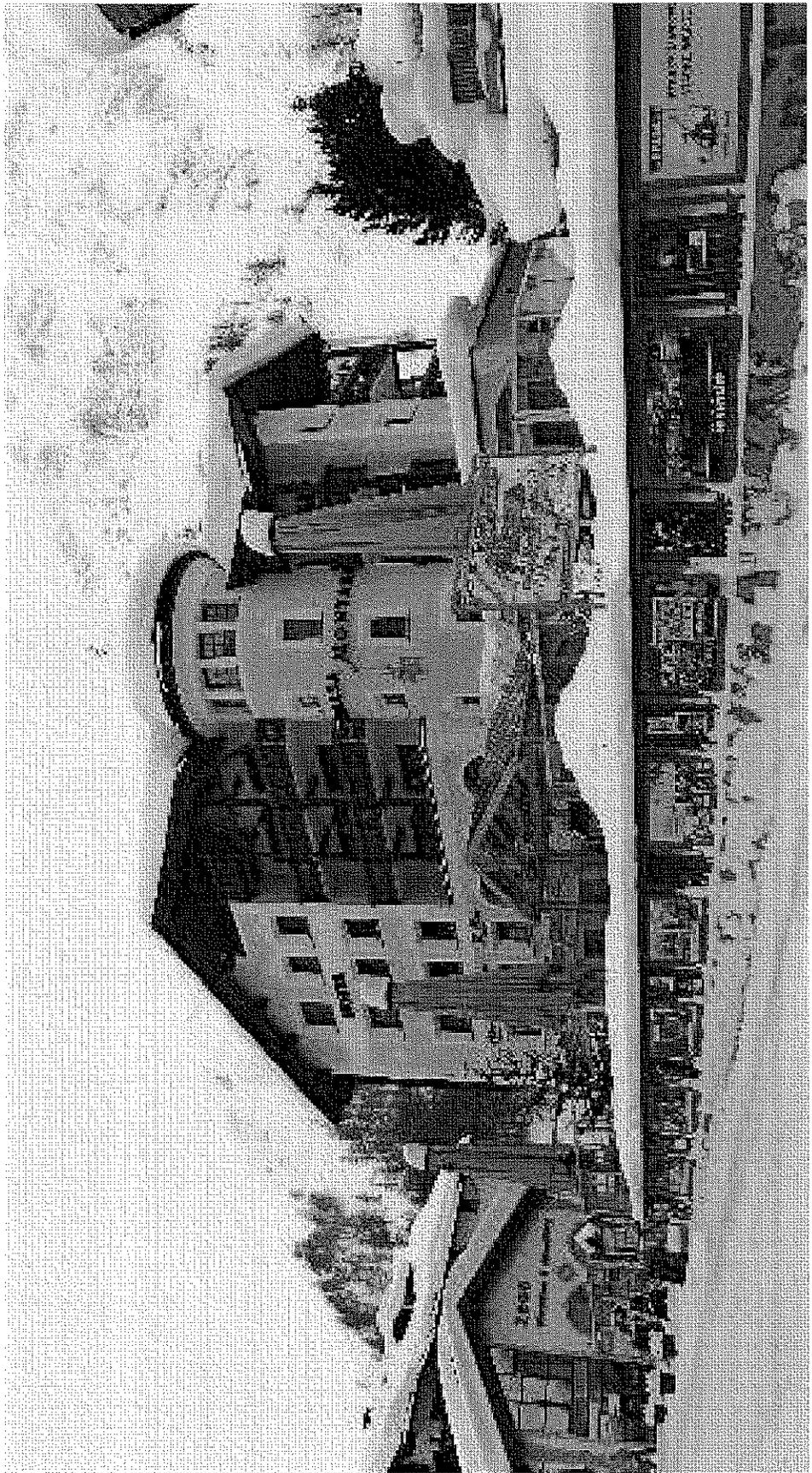


**PETER MICHAEL WINERY, NAPA VALLEY,
CALIFORNIA**



Hotel Chasa Montana, Turkey





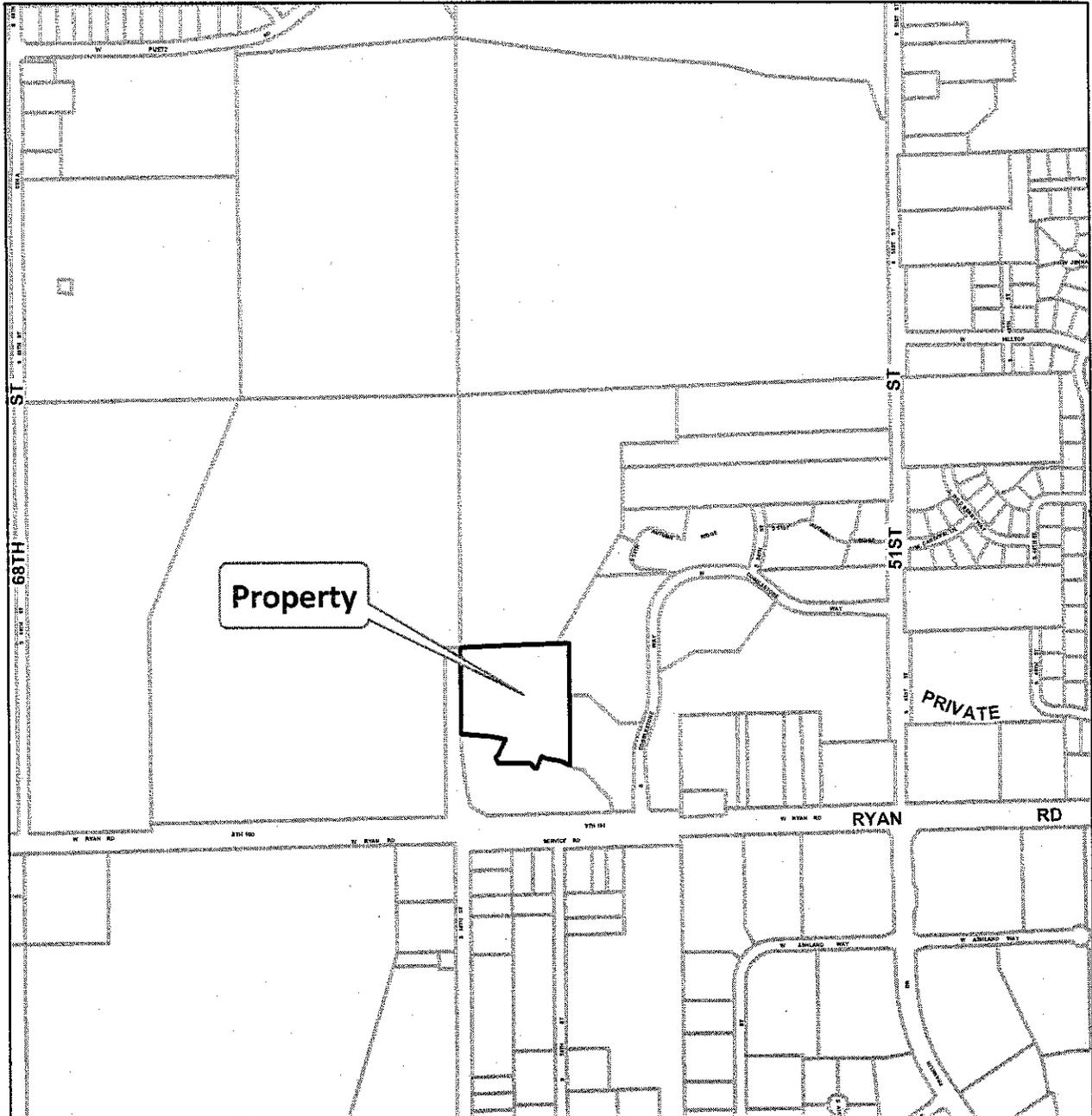
<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slee</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">02/19/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A 42 UNIT RESIDENTIAL APARTMENT USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH 60TH STREET AND WEST RYAN ROAD (FOREST VIEW- FRANKLIN LIMITED PARTNERSHIP, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.4.</i></p>

At its February 7, 2013, meeting the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a special use for a 42 unit residential apartment use upon property located at approximately South 60th Street and West Ryan Road, subject to revising Condition No. 8 deleting "that includes an additional 19 shade trees, or" and removing Condition No. 10 from the draft resolution (Forest View-Franklin Limited Partnership, Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2013-_____, a resolution imposing conditions and restrictions for the approval of a special use for a 42 unit residential apartment use upon property located at approximately South 60th Street and West Ryan Road (Forest View-Franklin Limited Partnership, Applicant).

Forest View Apartment Development



0 600 1,200 2,400 Feet

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.

City Development 2012
(2010 Aerial Layer)



RESOLUTION NO. 2013-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A 42 UNIT
RESIDENTIAL APARTMENT USE UPON PROPERTY LOCATED AT
APPROXIMATELY SOUTH 60TH STREET AND WEST RYAN ROAD
(FOREST VIEW-FRANKLIN LIMITED PARTNERSHIP, APPLICANT)

WHEREAS, Forest View-Franklin Limited Partnership having petitioned the City of Franklin for the approval of a Special Use in a R-8 Multiple-Family Residence District, C-1 Conservancy District and FC Floodplain Conservancy District, to allow for the development of a 42 unit residential apartment use, (a previous Special Use for a 42 unit condominium development was approved in 2007 pursuant to Resolution No. 2007-6353, which has since expired), upon property located at approximately South 60th Street and West Ryan Road, bearing Tax Key No. 882-9989-005, more particularly described as follows:

All that part of the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of the Southwest 1/4 of Section 23; thence N 00°16'47" W along the West line of said section, 590.33 feet to the point of beginning of the lands to be described; thence S 84°54'19" E 176.51 feet to a point; thence S 80°45'35" E, 89.58 feet to a point; thence S 23°46'30" W, 78.62 feet to a point; thence S 27°02'05" W, 24.77 feet to a point; thence S 49°12'14" W, 24.00 feet to a point; thence S 06°35'37" W, 2.59 feet to a point; thence S 28°14'54" E, 38.76 feet to a point; thence S 90°00'00" E, 193.65 feet to a point; thence S 42°13'13" E, 35.56 feet to a point; thence S 73°24'26" E, 17.35 feet to a point; thence N 20°51'33" E, 78.05 feet to a point; thence S 72°16'13" E 19.30 feet to a point; thence S 65°34'32" E, 13.33 feet to a point; thence S 79°49'58" E, 83.22 feet to a point; thence S 64°24'50" E, 63.45 feet to a point; thence N 00°15'49" W, 724.29 feet to a point; thence S 87°51'13" W, 647.49 feet to a point; thence Southwesterly 17.76 feet along the arc of a curve whose center is to the Southeast, whose radius is 410.74 feet and whose chord bearing is S 15°47'17" W, 17.76 feet to a point; thence S 00°16'47" E, 469.64 feet to the point of beginning. Said lands containing 415,607 square feet (9.54 acres); 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 7th day of February, 2013, 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

FOREST VIEW-FRANKLIN LIMITED PARTNERSHIP – SPECIAL USE
RESOLUTION NO. 2013-_____

Page 2

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

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 Forest View-Franklin Limited Partnership, 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 Forest View-Franklin Limited Partnership, successors and assigns, as a residential apartment use under Option 1 in Table 15-3.0209A R-8 Multiple-Family Residence District Development Standards, Special Use: Multiple-Family Attached Dwelling Units with More Than Two D.U.s per Structure, which shall be developed in substantial compliance with, and operated and maintained by Forest View-Franklin Limited Partnership, pursuant to those plans City file-stamped January 25, 2013 and annexed hereto and incorporated herein as Exhibit A.
2. Forest View-Franklin Limited Partnership, 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 Forest View-Franklin Limited Partnership residential apartment development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Forest View-Franklin Limited Partnership, and the residential apartment use under Option 1 in Table 15-3.0209A R-8 Multiple-Family Residence District Development Standards, Special Use: Multiple-Family Attached Dwelling Units with More Than Two D.U.s per Structure, for the property located at approximately South 60th Street and West Ryan Road: (i) being in

FOREST VIEW-FRANKLIN LIMITED PARTNERSHIP – SPECIAL USE
RESOLUTION NO. 2013-_____

Page 3

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. Applicant shall submit a revised written Conservation Easement, reflecting the October 3, 2012 delineations by Stantec, for Common Council review and approval and recordation with the Milwaukee County Office of the Register of Deeds, prior to the issuance of a Building Permit.
5. Applicant shall receive Fire Department approval of the proposed Site Plan City file-stamped January 25, 2013, prior to the issuance of a Building Permit.
6. Applicant shall complete all improvements to South 60th Street, prior to the issuance of an Occupancy Permit.
7. Applicant shall pave the proposed Oak Leaf Trail located along the west side of South 60th Street to West Ryan Road, at the time the first building is constructed and prior to the issuance of its Occupancy Permit.
8. Applicant shall submit a revised Landscape Plan for Department of City Development Staff approval prior to the issuance of a Building Permit that provides for a 3-year planting guaranty, adds additional plantings within protected natural resource areas, increases the size of the plantings, or a combination thereof.
9. Applicant shall add light poles within the off-street parking areas adjacent to Building #6 on both sides of Forest View Court, subject to Department of City Development staff approval.
10. Applicant shall receive a Sign Permit from the Inspection Department and verification that the entry sign is located outside the vision triangle pursuant to Section 15-5.0201 of the Unified Development Ordinance, prior to installation.
11. Applicant shall submit a final storm water management plan to the Engineering Department for review and approval, prior to the issuance of a Building Permit.

BE IT FURTHER RESOLVED, that in the event Forest View-Franklin Limited Partnership, 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

FOREST VIEW-FRANKLIN LIMITED PARTNERSHIP – SPECIAL USE
RESOLUTION NO. 2013-_____

Page 4

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

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

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2013.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2013.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

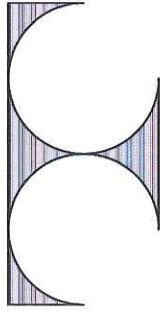
PROJECT :

Exhibit A

FOREST VIEW APARTMENTS

RYAN ROAD AND S. 60TH STREET
FRANKLIN, WISCONSIN

ARCHITECT & ENGINEER



T D I ASSOCIATES, I N C .
ARCHITECTS, ENGINEERS, PLANNERS
N8 W22350 JOHNSON DR., SUITE B-4
WAUKESHA, WI 53186
(262) 409-2530

DEVELOPER :

FOREST VIEW - FRANKLIN LIMITED PARTNERSHIP
4635 S. 108TH STREET
GREENFIELD, WI 53228

VICINITY MAP



SITE LOCATION:



DRAWING INDEX :

- | | |
|-------|-------------------------|
| C-1.0 | TITLE SHEET |
| C-2.0 | SITE DEVELOPMENT PLAN |
| C-2.1 | SITE LIGHTING PLAN |
| C-3.0 | GRADING/DRAINAGE PLAN |
| L-1.0 | LANDSCAPE PLAN |
| L-2.0 | BUILDING LANDSCAPE PLAN |
| A-1.1 | FIRST FLOOR PLAN |
| A-1.2 | SECOND FLOOR PLAN |
| A-2.1 | BUILDING ELEVATIONS |

- | | |
|-------|-------------------------|
| C-1.0 | TITLE SHEET |
| C-2.0 | SITE DEVELOPMENT PLAN |
| C-2.1 | SITE LIGHTING PLAN |
| C-3.0 | GRADING/DRAINAGE PLAN |
| L-1.0 | LANDSCAPE PLAN |
| L-2.0 | BUILDING LANDSCAPE PLAN |
| A-1.1 | FIRST FLOOR PLAN |
| A-1.2 | SECOND FLOOR PLAN |
| A-2.1 | BUILDING ELEVATIONS |



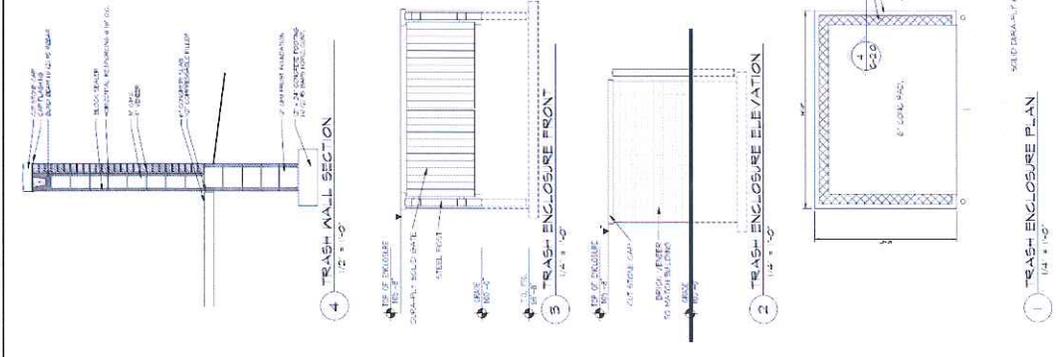
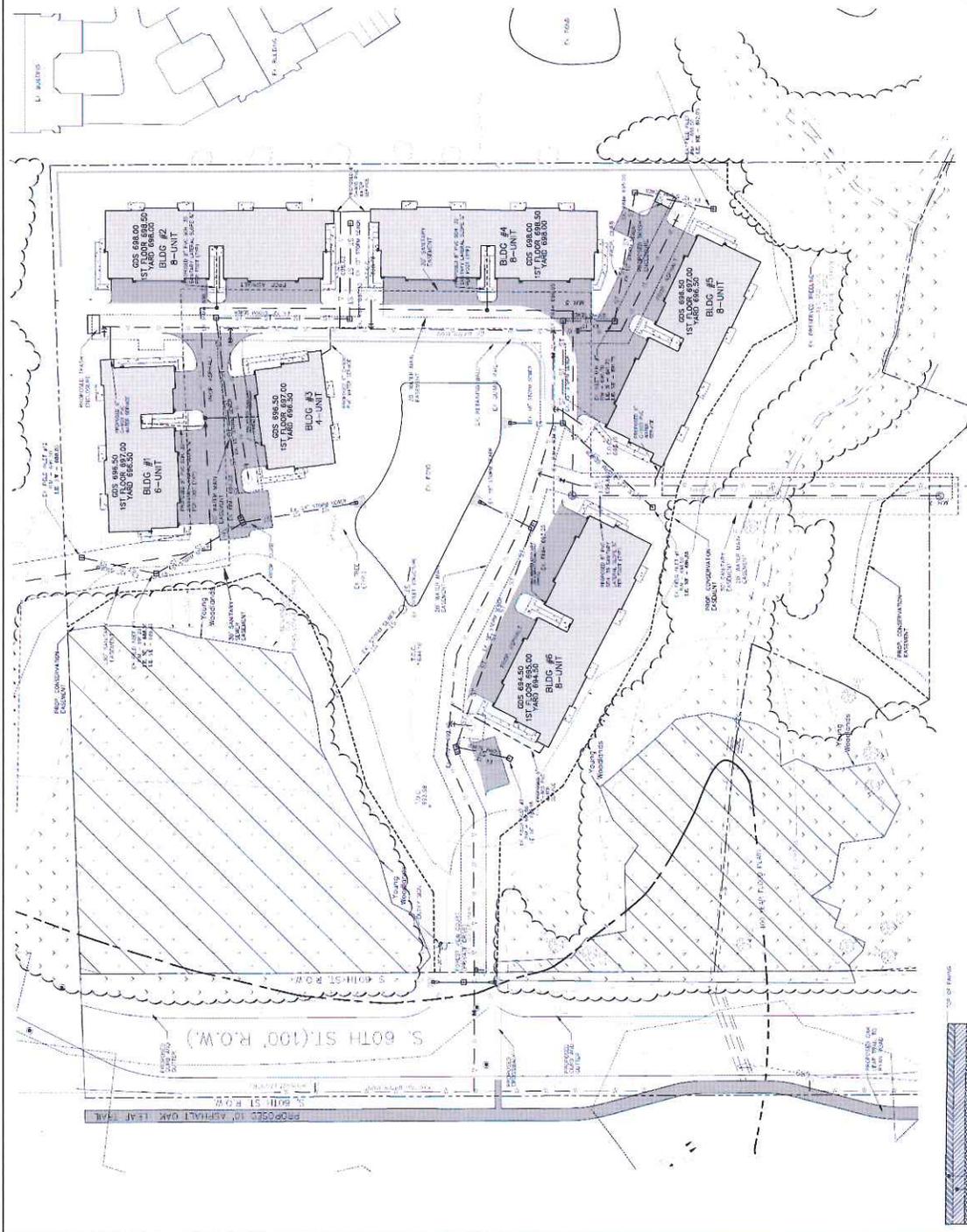
REVISIONS:	NOTE	DATE


 TDI ASSOCIATES, INC.
 ARCHITECTS, ENGINEERS, PLANNERS
 1800 W. WISCONSIN AVENUE, SUITE 100
 WAUKESHA, WI 53186
 (262) 409-2530

CITY OF FRANKLIN, WI
 FOREST VIEW APARTMENTS
TITLE SHEET

SCALE:	DATE: 07-24-03	DATE: 07-24-03
DESIGNED BY:	DESIGNED BY:	DESIGNED BY:
APPROVED BY:	APPROVED BY:	APPROVED BY:

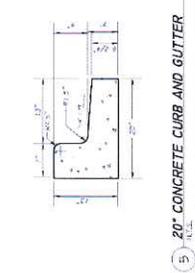
SHEET **C-1.0**



PROJECT NOTES:

- LOT SIZE = 415,588 SF or 9.54 ACRES
IMPERVIOUS = 109,746 SF GREEN SPACE = 305,842 SF (74%)
- 42 PROPOSED UNITS - 2 STORY - 24'-0" HEIGHT
- CURRENT ZONING - R-8
PROPOSED ZONING - R-8
- SETBACKS:
FRONT - 30'
REAR YARD - 30'
SIDE YARD - 20'
WETLAND BUFFER - 30'
WETLAND SETBACK - 50'

OWNER/DEVELOPER:
FOREST VIEW, LP
4635 S. 108TH ST.
GREENFIELD, WI 53228



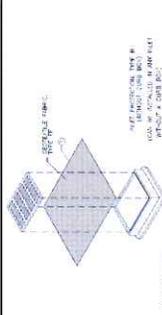
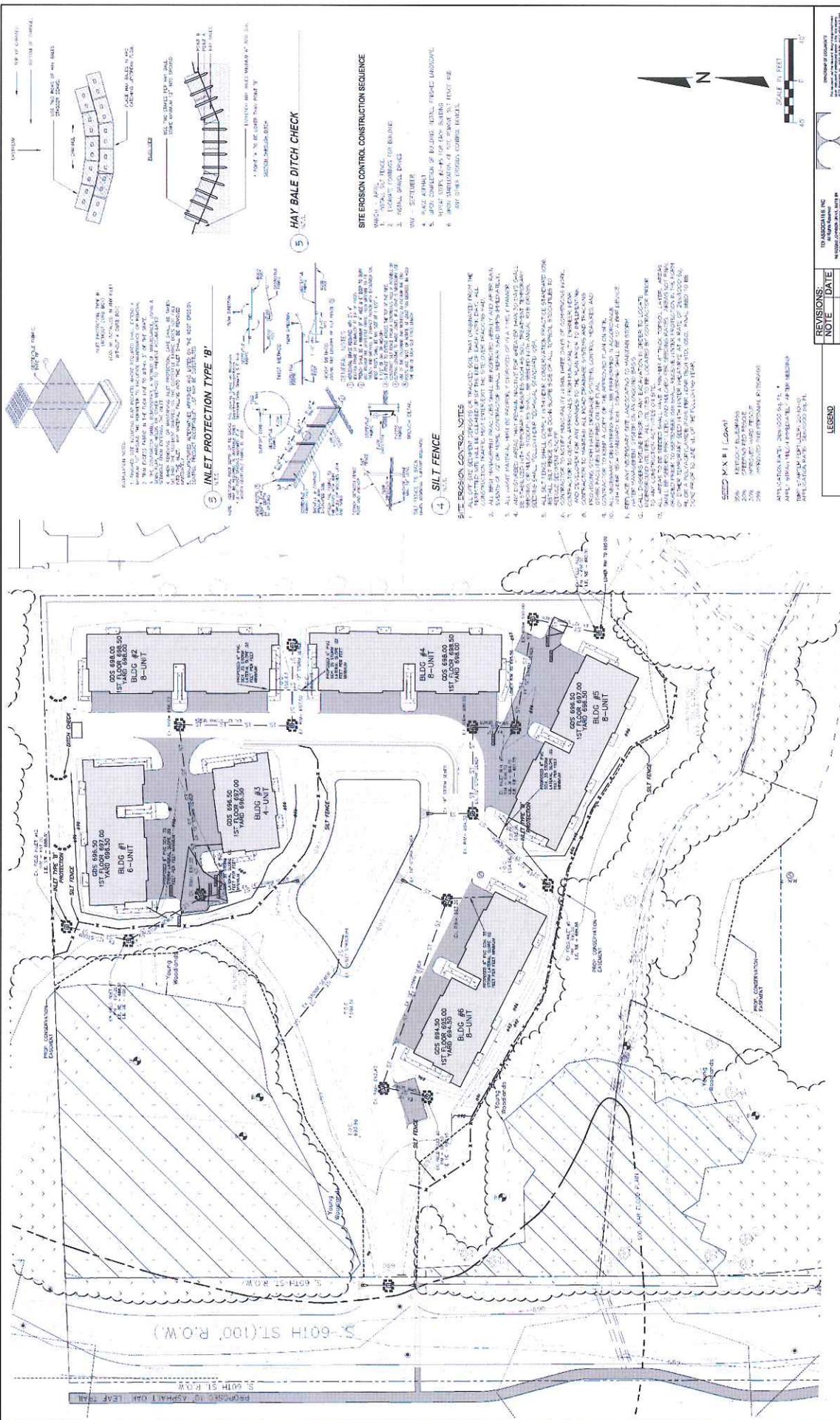
REVISIONS	DATE	NOTE

TRADITIONAL INC
 1400 WISCONSIN DR
 GREENFIELD, WI 53228
 TEL: 262.333.1111

TD ASSOCIATES, INC.
 1000 WISCONSIN DR
 GREENFIELD, WI 53228
 TEL: 262.333.1111

CITY OF FRANKLIN, WI
FOREST VIEW APARTMENTS
SITE DEVELOPMENT PLAN

SCALE: 1" = 40'-0"
 DESIGNED BY: RGS
 DRAWN BY: RGS
 APPROVED BY: [Signature]
 JOB NO.: 21400000
 DATE: 02-28-13
 CHECKED BY: [Signature]
 SHEET: C-20



3 INLET PROTECTION TYPE 'B'

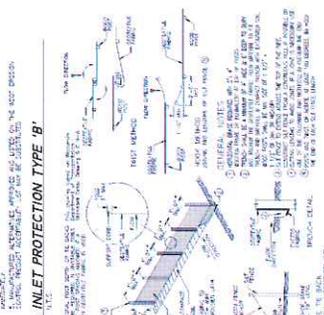
1. THIS PROTECTION TYPE 'B' IS TO BE INSTALLED AT ALL INLET POINTS TO THE SEWER SYSTEM.

2. THE PROTECTION SHALL BE CONSTRUCTED WITH A MINIMUM OF 18" OF 1/2" SAND ON TOP OF THE EXISTING GRADE.

3. THE PROTECTION SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE REPAIRED IMMEDIATELY IF DAMAGED.

4. THE PROTECTION SHALL BE INSTALLED WITHIN 10' OF THE INLET POINT.

5. THE PROTECTION SHALL BE INSTALLED WITHIN 10' OF THE INLET POINT.



5 HAY BALE DITCH CHECK

1. THIS CHECK IS TO BE INSTALLED AT ALL DITCH POINTS TO THE SEWER SYSTEM.

2. THE CHECK SHALL BE CONSTRUCTED WITH A MINIMUM OF 18" OF 1/2" SAND ON TOP OF THE EXISTING GRADE.

3. THE CHECK SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE REPAIRED IMMEDIATELY IF DAMAGED.

4. THE CHECK SHALL BE INSTALLED WITHIN 10' OF THE DITCH POINT.

5. THE CHECK SHALL BE INSTALLED WITHIN 10' OF THE DITCH POINT.

SITE EROSION CONTROL CONSTRUCTION SEQUENCE

1. INSTALL SILT FENCE
2. EXCAVATE FORMING FOR BASELINE
3. INSTALL SPANAL DITCH
4. MAY - SEPTEMBER
5. PLACE CHECKDAM OF BUNDLES (HAY BALE DITCHES)
6. BARRIERS (DITCHES) OF 10' SPACING SHALL BE PLACED AT 10' INTERVALS ALONG THE DITCH LINE.

SILT FENCE

1. ALL SILT FENCES SHALL BE CONSTRUCTED WITHIN 10' OF THE EXISTING GRADE.

2. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 18" OF 1/2" SAND ON TOP OF THE EXISTING GRADE.

3. THE SILT FENCE SHALL BE MAINTAINED AT ALL TIMES AND SHALL BE REPAIRED IMMEDIATELY IF DAMAGED.

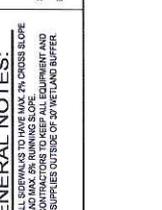
4. THE SILT FENCE SHALL BE INSTALLED WITHIN 10' OF THE EXISTING GRADE.

5. THE SILT FENCE SHALL BE INSTALLED WITHIN 10' OF THE EXISTING GRADE.

GENERAL NOTES:

- 1) ALL EROSION CONTROL MEASURES SHALL BE INSTALLED WITHIN 10' OF THE EXISTING GRADE.
- 2) CONTRACTORS TO KEEP ALL EQUIPMENT AND SUPPLIES OFF OF THE NEIGHBORHOOD BUFFER.

REVISIONS	DATE	NOTE



LEGEND

INLET TYPE 'B' PROTECTION

SILT FENCE

DITCH CHECK

SCALE 1" = 40'

DATE 2/11/2020

PROJECT FOREST VIEW APARTMENTS

CITY OF FRANKLIN, WI

TO ASSOCIATES, INC.

SITE GRADING/DRAINAGE PLAN

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: 2/11/2020

PROJECT NO.: 2003

DATE: 2/11/2020

PROJECT NO.: 2003

SHEET C-3.0



TDI ASSOCIATES, INC.
ARCHITECTS, ENGINEERS, PLANNERS

NS 832318 JERIKSON DRIVE, SUITE 84
WALKISHA, WISCONSIN 53186
PHONE 262-469-2531 FAX 262-469-2531

FOREST VIEW APARTMENTS
EIGHT UNIT BUILDING
60TH STREET
FRANKLIN, WISCONSIN

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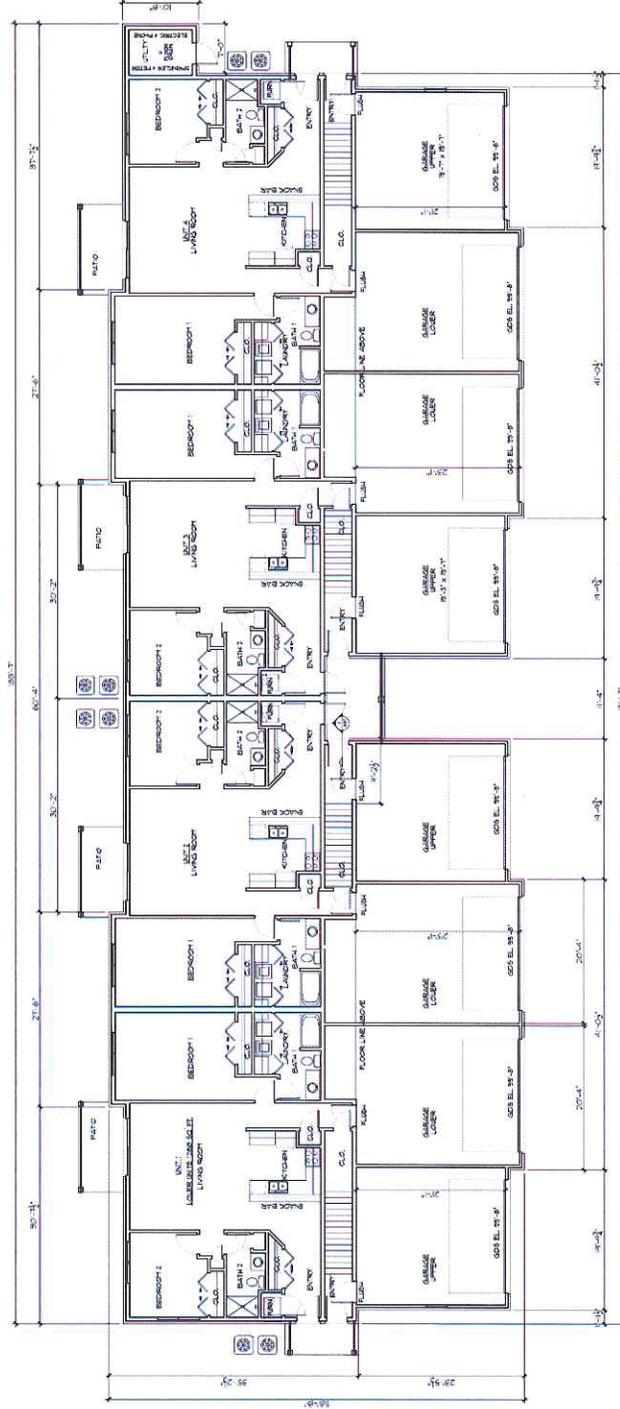
Sheet: T-16

FIRST FLOOR PLAN

Issued For: _____ Date: _____
Issued For: _____ Date: _____

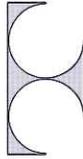
Date: 6-29-93
Job No.: 12/MR.002
Drawn By: REN
Sheet No.

A1.1



FIRST FLOOR PLAN
1/8" = 1'-0"

FIRST FLOOR UNITS #1-#4 ARE TYPE 'B' PER ICC/ANS A111



TDI ASSOCIATES, INC.
ARCHITECTS/ENGINEERS/PLANNERS

NO. 1252430 PUNSONS DRIVE, SUITE 104
WALKERSA, WISCONSIN, 53116K
PHONE: 262-409-2330 FAX: 262-409-2331

FOREST VIEW APARTMENTS
EIGHT UNIT BUILDING
60TH STREET
FRANKLIN, WISCONSIN

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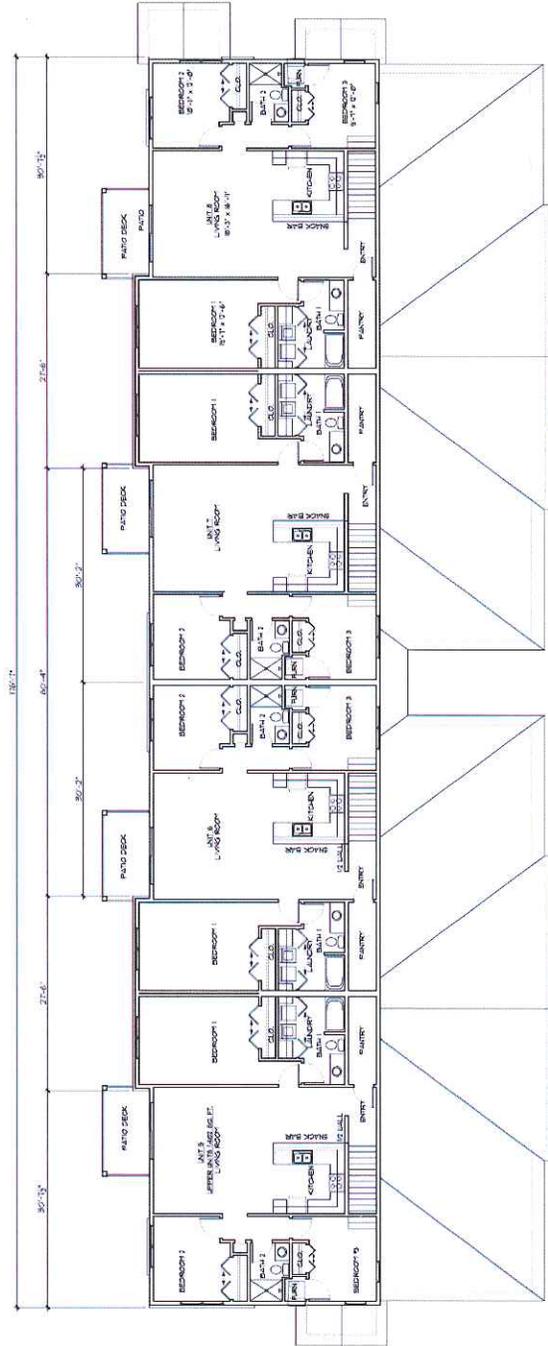
Sheet Title

SECOND
FLOOR
PLAN

Issued For: _____ Date: _____
Issued For: _____ Date: _____

Date: 0-2-83
Job NO.: 12149-002
Drawn By: RBA
Sheet No. _____

A1.2



SECOND FLOOR PLAN
1/8" = 1'-0"

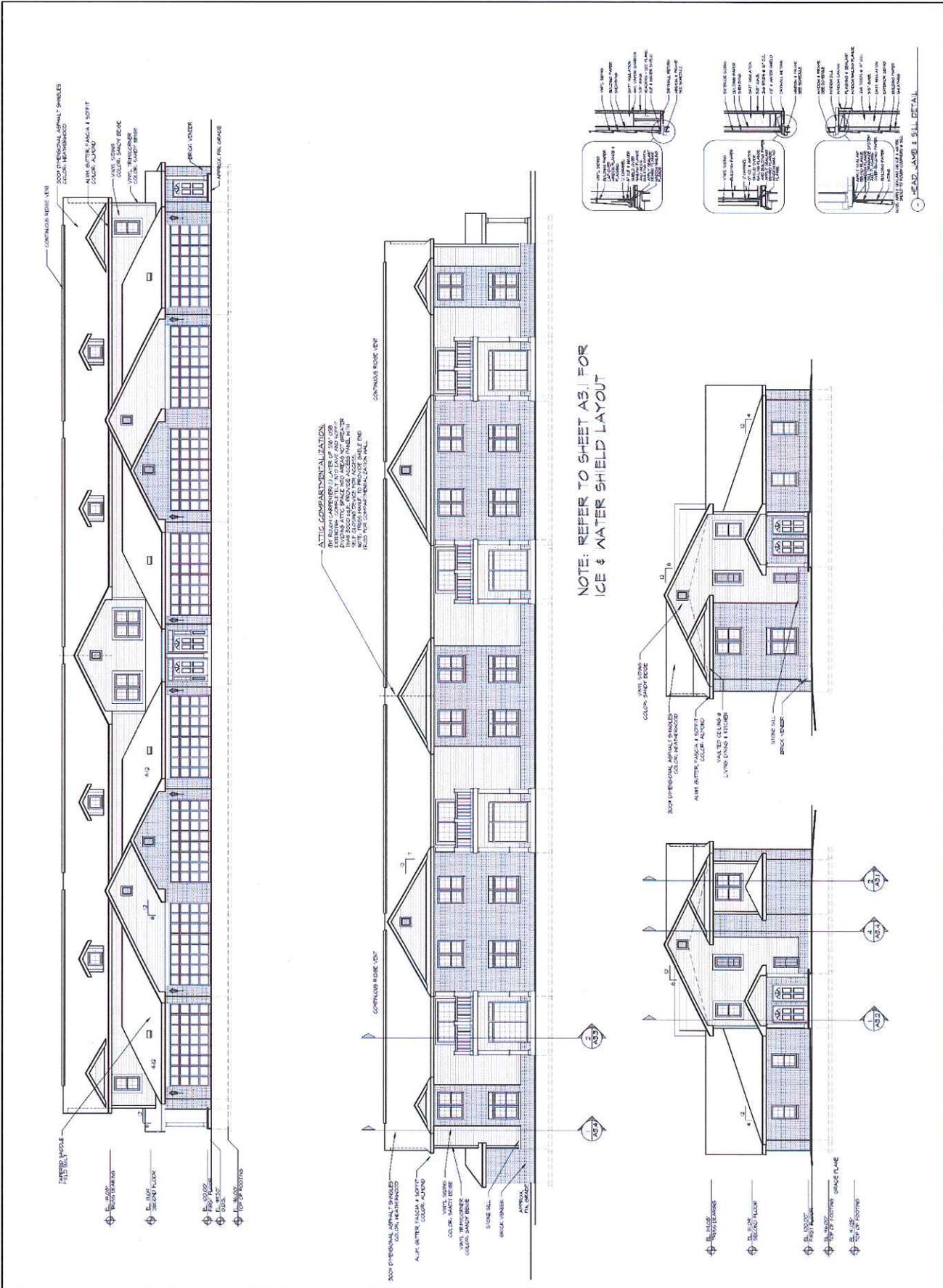
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Exterior Elevations

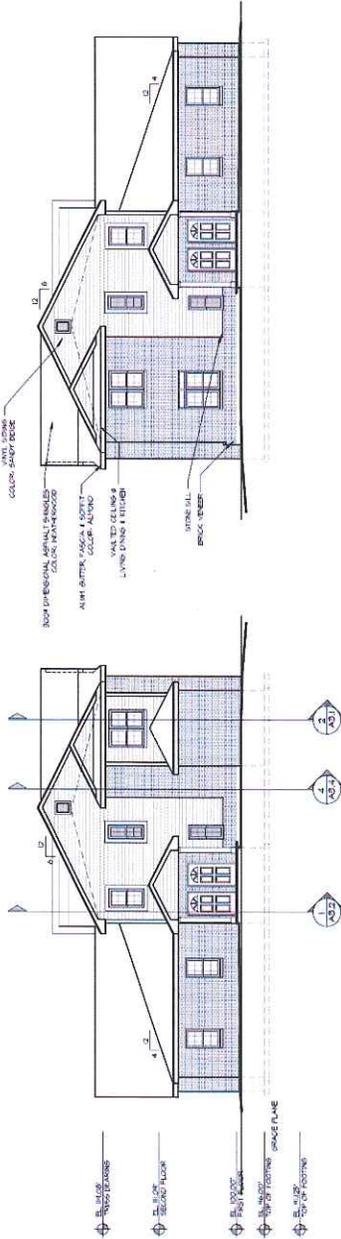
Revisions

Issued Date:	06-29-18
Date:	12/14/2002
Job No.:	REB
Drawn By:	REB
Sheet No.:	A2.1



ATTIC COMPARTMENTALIZATION
 BY ROOM CARRIER (3 LAYERS OF 2X8 OR 2X10) WITH 1/2" GYPSUM BOARD AND 1/2" GYPSUM BOARD ON INSULATION. ATTIC FLOORING TO BE 1/2" GYPSUM BOARD ON INSULATION. ATTIC FLOORING TO BE 1/2" GYPSUM BOARD ON INSULATION. ATTIC FLOORING TO BE 1/2" GYPSUM BOARD ON INSULATION.

NOTE: REFER TO SHEET A3.1 FOR ICE & WATER SHIELD LAYOUT

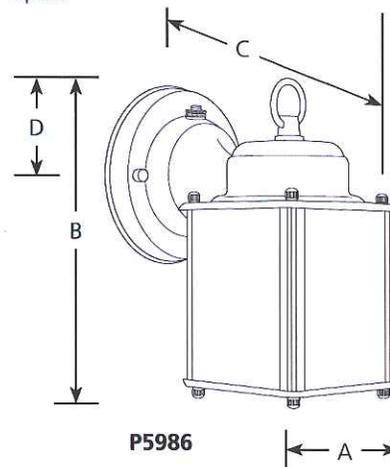
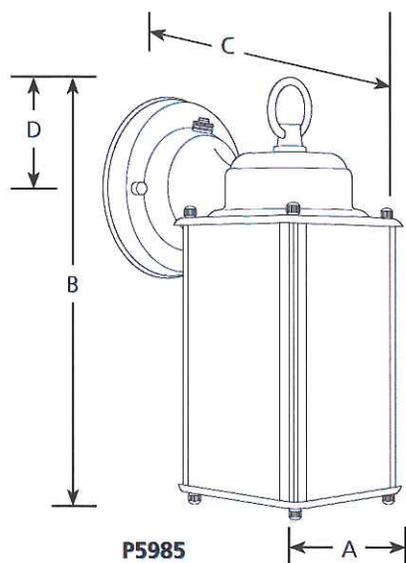


LEAD LANE 1 SILL DETAIL

	Type _____		
	-09STR	-19STR	-31STR
P5985	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
P5986	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Catalog No.	Finish			Lamping	Dimensions (Inches)			
	Brushed Nickel	Roman Bronze	Black		A	B	C	D
P5985	-09STR	-19STR	-31STR	1 26w GU24 CF*	4-5/8	10	6-1/8	2-3/4
P5986	-09STR	-19STR	-31STR	1 13w GU24 CF*	4-5/8	8-1/2	6-1/8	2-3/4

*Spiral



Specifications:

General

- Square style
- Solid brass construction
- Plated brushed nickel (-09) and roman bronze (-19); painted black (-31)
- Etched white glass panels
- Lamp replacement through bottom opening

Mounting

- Wall mounted outdoor.
- Covers standard recessed octagonal outlet box
- Mounting strap for outlet box and cap nuts included

Electrical

- GU24 base socket
- Integral photocell turns unit off during daytime
- Unit will start down to 0 degrees F
- Pre-wired

Labeling

- cCSAus "Wet Location" listed



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of February 7, 2013

Special Use

RECOMMENDATION: City Development Staff recommends approval of the Forest View apartment development Special Use, subject to the conditions outlined in the attached draft resolution.

Project Name:	Forest View Apartments
Project Address/Location:	Approximately South 60 th Street and West Ryan Road
Property Owner:	Forest View, LLC
Applicant:	Rob Williams, TDI Associates, Inc.
Current Zoning:	R-8 Multiple-Family Residence District, C-1 Conservancy District and FC Floodplain Conservancy District
2025 Comprehensive Plan:	Residential – Multi-Family and Areas of Natural Resource Features
Action Requested:	Recommendation of approval of the Special Use Application for the Forest View apartment development

Introduction and History:

Please note:

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

On December 20, 2012, the applicant submitted a Special Use Application for the development of 42 apartment units at approximately South 60th Street and West Ryan Road. The subject property is zoned R-8 Multiple Family Residence District and the applicant is requesting to develop under Special Use Option 1. The R-8 Special Use Option 1 is for multiple-family attached dwelling units and allows for a gross density of 6.10 dwelling units per acre and a net density of 8.00 dwelling units per acre, opposed to 5.00 dwelling units per acre for single-family and two-family attached R-8 developments. The proposed development complies with all R-8 Option 1 development standards.

The property owner previously received approvals for a 42-unit condominium development; however, due to current market conditions is now requesting to proceed with the project as apartments. The site and buildings contain modifications from the original approval, which are detailed further in the Project Description section of this report.

Below is information regarding previous approvals for the subject property.

- Certified Survey Map (CSM): A CSM was initially approved in 2006 via Resolution No. 2006-6021. This approved CSM was never recorded with Milwaukee County Register of Deeds. The property owner returned and received approval for a CSM in 2007 (Resolution No. 2007-6352). Again, the CSM was not recorded with Milwaukee County. A time extension was granted by Resolution 2008-6414 for the applicant to satisfy conditions of the 2007 approval; however, again the CSM was never recorded with Milwaukee County. In 2009, the property owner requested, and received approval (Resolution No. 2009-6531) for a CSM for the subject property. The 2009 CSM received a final time extension (Resolution No. 2009-6611) and was recorded with Milwaukee County on December 18, 2009.
- Rezoning: Ordinance 2006-1870 approved a Rezoning from R-8 Multiple-Family Residence District to B-3 Community Business District for the 6.30 acre portion of the subject site along State Highway 100. The area that was rezoned to B-3 Community Business District was approved to allow future unspecified commercial development to occur along West Ryan Road/ HWY 100. Ordinance Nos. 2007-1927 and 2007-1928 rezoned land from Planned Development District No. 25 to B-3 Community Business District. Approximately 0.9-acre of land was removed from PDD No. 25.
- Special Use: Resolution 2006-6022 approved a 42-unit condominium development. The property owner at that time was WAB DEVO Forest View LLC and the project did not move forward and the Special Use approval expired. The property was then sold to Forest View – Franklin Limited Partnership and Resolution 2007-6353 was approved to develop 42 condominium units on the subject property. Again the project did not move forward within the Special Use approval timeframes. Later, Resolution No. 2009-6532 extended the 2007 approvals for Condominium Plat and Special Use approvals for the Forest View Condominium development though the project still did not move forward and the time extension has since expired.
- Natural Resource Special Exception (NRSE): Resolution No. 2007-6364 approved a Natural Resource Special Exception for the proposed condominium development at that time. The NRSE approved impacts to 0.38 acres of wetland, 0.70 acres of wetland buffer and 0.18 acres of wetland setback. The NRSE approval states, “The duration of this grant of Special Exception is permanent.” The remaining natural resources were placed within a Conservation Easement as shown on CSM No. 8203. Staff was not able to find the corresponding written Conservation Easement agreement.
- Natural Resource Protection Plan (NRPP): The NRPP was completed in 2005 and the wetlands were delineated by Mr. Brian Karczewski of Natural Resources Consulting, Inc. on August 26, 2005. Section 15-4.0102G. of the Unified Development Ordinance (UDO) states, “No wetland delineation shall be valid for any purpose required under this Ordinance after the expiration of five years from the date the delineation was performed.” On October 3, 2012, Brian Lennie with Stantec, re-delineated the wetlands and received Department of Army Corps of Engineers concurrence on November 20, 2012. The delineations have changed since 2005, and therefore, staff recommends that the applicant shall submit a revised written Conservation Easement, reflecting the October 3, 2012 delineations by Stantec, for Common Council review and approval and recordation with

the Milwaukee County Office of the Register of Deeds, prior to issuance of a Building Permit. Please note project does not impact any additional protected natural resource areas, beyond the 2007 NRSE approval.

- Condominium Plat: A Condominium Plat was approved via Resolution No. 2006-6023. A new Condominium Plat was approved via Resolution No. 2007-6354 and received a time extension for satisfaction of conditions in 2008 (Resolution No. 2008-6415). The Condominium Plat was never recorded with Milwaukee County.

Since 2007, some site improvements did occur, such as utility installations, grading work, construction of a retaining wall, wetland fill, construction of the private drive to serve the development and installation of the storm water pond.

The current proposal was presented to the Committee of the Whole at their April 30, 2012 meeting. Comments were provided, but no action was taken. In general, Common Council comments were supportive of the change in use from condominiums to apartment units provided that the quality of the development was not significantly reduced.

Pursuant to Division 15-3.0700 of the Unified Development Ordinance (UDO), Special Use Standards and Regulations, special uses shall be granted in accordance with certain standards. The applicant's responses to these standards are attached for Plan Commission and Common Council review. Please note that Section 15-3.0702 of the UDO, Detailed Standards for Special Uses in Residential Districts, is for Open Space Subdivision Special Use options, not R-8 Special Uses.

Project Description:

The applicant is seeking approval of a Special Use to allow for the development of 42 apartment units. The project is similar to the 2007 42-unit condominium proposal, although contains several site and building changes. The current plan proposes slightly smaller buildings, a fire lane within the Conservation Easement has been removed, the buildings contain less brick and the quantity of landscaping has been reduced. The applicant has not yet received comments from the Fire Department regarding the removal of the fire lane; therefore, staff recommends that the applicant shall receive Fire Department approval of the proposed Site Plan City file-stamped January 25, 2013, prior to issuance of a Building Permit. If required, the fire lane was part of the 2007 NRSE approval, so it may be installed without any further approvals.

According to the applicant, each apartment will have a 2-car attached garage, 2 to 3 bedrooms, 2 bathrooms and range from 1,280 to 1,402 square feet. Rents are anticipated to range from \$1,250 to \$1,550 per month. The applicant has indicated that the design of the apartments is such to allow for future conversion to condominium units. The development will consist of 21 two-bedroom units and 21 three-bedroom units for a total of 105 bedrooms.

The applicant has indicated the buildings will be constructed in sequence starting with Building #2 in Spring 2013 and continuing with Buildings #1, #3, #4, #5 and #6. Future development of the buildings will depend upon market conditions. The applicant is anticipating the project being

fully developed in approximately three years. Per the applicant, the proposed development will have an estimated total value of \$4.8 million upon completion.

Site Plan

The total site has an area of 9.54 acres (415,588 square feet) and consists of one 4-unit, one 6-unit and four 8-unit buildings. The R-8 District site standards require 3.34 acres of open space (approximately 7.02 acres provided), a maximum net density of 44 dwelling units and a maximum gross density of 58 dwelling units (42 units proposed).

The site consists of 109,746 square feet of impervious surface with 305,842 square feet or 74% of the property remaining as greenspace. Access to the development is from South 60th Street to the private road, Forest View Court. Staff recommends that the applicant shall complete all improvements to South 60th Street, prior to issuance of an Occupancy Permit. Staff suggests the applicant install a sidewalk along the private drive. In addition, staff suggests that a sidewalk be installed from the private drive south, along the east side of South 60th Street, to the B-3 zoned property for future extension to West Ryan Road.

The applicant has illustrated the proposed Oak Leaf Trail along the west side of South 60th Street. Staff recommends that the applicant shall pave the proposed Oak Leaf Trail located along the west side of South 60th Street to West Ryan Road, at the time the first building is constructed and prior to the issuance of its Occupancy Permit. It can be noted that this was a requirement of the September 2006 Subdivision Development Agreement for the Forest View Certified Survey Map (CSM), per the agreement between the developer at that time and Milwaukee County.

The site contains two dumpster enclosures, which are constructed of brick veneer to match the building, with wood gates. One enclosure is located between Buildings #1 and #2 and a second enclosure is located between Buildings #4 and #5. The applicant indicated that each apartment unit will have trash and recycle containers within their garage for individual private pickup and the dumpsters will be utilized in case of overflow.

The development does not contain pedestrian amenities, such as benches and bike racks. The applicant has indicated that they do not believe these types of amenities are needed at this time. The applicant has illustrated a crosswalk across South 60th Street to provide safe passage from the private drive to the proposed Oak Leaf Trail.

Further site plan analysis of the parking, landscaping and other project details are discussed below.

Parking

All buildings include two-car attached garages for each unit. In total there are 42-units and 84 enclosed parking spaces. Also included are 19 exterior spaces, including one ADA accessible parking space. 10 of these parking spaces are located along the private drive opposite Building #6, four spaces directly west of Building #6, 2 spaces between Buildings #5 and #6 and 3 parking spaces adjacent to Buildings #1 and #3.

According to Table 15-5.0203 of the UDO, a standard parking ratio of 1 space per dwelling unit is required for efficiency and one bedroom apartments, 2 spaces per dwelling unit for two bedroom units and 2.5 parking spaces for each three or more bedroom apartment.

There are 21 two-bedroom units, which requires 42 parking spaces and 21 three-bedroom units, which requires 53 parking spaces for a total of 95 parking spaces required. The applicant is proposing 103 parking spaces for the 105 bedrooms within the development, meeting UDO parking standards.

Per Table 15-5.0202(I)(1) of the UDO, the applicant has provided one ADA accessible parking space for the 19 exterior spaces.

Landscaping

Table 15-5.0302 of the UDO requires 1.5 canopy/shade tree per dwelling unit, 1 evergreen per dwelling unit, 1 decorative tree per dwelling unit and 3 shrubs per dwelling unit. 42-units are proposed, and therefore, 63 canopy/shade trees, 42 evergreens, 42 decorative trees and 126 shrubs are required.

The applicant is providing 44 canopy/shade trees, 56 evergreens, 46 decorative trees and 145 shrubs. Consequently, the site is deficient 19 canopy/shade trees, and has 14 additional evergreens, 4 additional decorative trees and 19 additional shrubs.

The applicant is requesting "credit" for one existing canopy/shade tree which is labeled on the Landscape Plan located near the existing storm water pond in addition to substituting the additional trees noted above in place of the required shade trees. The UDO does not specifically allow the substitution of evergreen or decorative trees for required shade trees. The developer requests that this be allowed "due to the large number of deciduous shade trees that surround the development making evergreens and ornamental trees more logical to provide a better overall mix of tree types on the development."

Section 15-5.0302B. of the UDO allows replacement of other types of trees with shade trees but not vice versa (see below).

In the event decorative trees and/or shrubs are not appropriate for a development, then those types may be replaced by the following schedule:

- a. One (1) shade tree for every one (1) required decorative tree.
- b. One (1) shade tree or evergreen for every two (2) required shrubs.

Section 15-5.0302D. of the UDO allows credit for preserved existing plant materials, however, the majority of trees located on the property are within protected natural resource areas, such as wetlands and wetland buffers. Staff practice is that these trees cannot be used for credit as they are already protected by Part 4 of the UDO.

CREDIT FOR PRESERVED EXISTING PLANT MATERIALS. Every attempt shall be made to preserve existing plant materials, in which case the following applies.

1. In a non-bufferyard, existing shade trees, evergreens, and decorative trees over six (6) feet in height shall replace one (1) equivalent type of required planting.
2. In a bufferyard, existing shade trees, evergreens and decorative trees over six (6) feet in height shall replace one-half (1/2) equivalent type of required planting.
3. In both a non-buffer and bufferyard; existing shrubs over five (5) feet in height shall replace one (1) required shrub planting.
4. Plantings to be preserved shall be shown on the submitted landscape plan, including exact location, size and type.

Staff recommends that the applicant shall submit a revised Landscape Plan for Department of City Development Staff approval prior to issuance of a Building Permit that includes an additional 19 shade trees, or provides for a 3-year planting guaranty, adds additional plantings within protected natural resource areas, increases the size of the plantings or a combination thereof.

Please note the number of plantings is less than previously approved for the condominium development. The condominium proposal significantly exceeded UDO standards with 68 shade trees, 92 evergreens, 96 decorative trees and 321 shrubs. The currently proposed Landscape Plan does increase the number of plantings along the east property line to better screen this development from the existing multi-family development to the east.

The applicant has noted that hose bibs will be located on the buildings per Section 15-5.0303D. of the UDO for watering plant material and lawn areas.

Outdoor Lighting

The outdoor lighting plan identifies building lighting only. The applicant has included detailed information on the proposed coach type lights for the buildings and locations are shown on the Lighting Plan and Building Elevations. The proposed light levels are low and do not exceed UDO lighting standards.

Staff recommends that the applicant shall add light poles within the off-street parking areas adjacent to Building #6 on both sides of Forest View Court, subject to Department of City Development staff approval.

Natural Resource Protection Plan (NRPP)

A detailed Natural Resource Protection Plan was completed in 2007. The site contains several protected natural resource features, including wetlands, wetland buffers, wetland setbacks, young woodlands, shoreland buffer, a stream and floodplain. As previously mentioned, the applicant obtained approval of a Natural Resource Special Exception in 2007. Staff did not require a full NRPP at this time; however, the wetlands were re-delineated. The current proposed site plan does not encroach into the existing Conservation Easement or disturb any additional natural

resource features onsite. Again, staff is recommending the following condition related to natural resources:

- Staff recommends that the applicant shall submit a revised written Conservation Easement, reflecting the October 3, 2012 delineations by Stantec, for Common Council review and approval and recordation with the Milwaukee County Office of the Register of Deeds, prior to issuance of a Building Permit.

Architecture

The primary building materials and features specified for the proposed buildings include brick veneer and beige vinyl siding. Elevations are provided for the 8-unit buildings. The 4-unit building and 6-unit building will be identical to the 8-unit building, except for the size. Each unit is proposed with a patio or balcony.

Staff recommends that the applicant shall submit revised Building Elevations to Department of City Development staff replacing the vinyl siding with a cement board siding product.

The R-8 District allows principal structures to have a maximum height of 3.0 stories or 45 feet. The proposed buildings have a peak height of 24 feet.

Signage

The applicant is proposing an entryway sign to be reviewed and approved as part of this Special Use Application. The sign is detailed on Sheet L-1.0. The sign is not illuminated and will consist of brick to match the buildings, a stone face with 6" letters and a height of 4'-4" measured at the curb of the private drive.

Staff recommends that the applicant shall receive a Sign Permit from the Inspection Department and verification that the entry sign is located outside the vision triangle pursuant to Section 15-5.0201 of the Unified Development Ordinance, prior to installation.

Storm water Management

The site contains an existing storm water pond that was installed in anticipation of the previous condominium development proposed in 2007. Staff recommends that the applicant shall submit a final storm water management plan to the Engineering Department for review and approval, prior to issuance of a Building Permit.

Comprehensive Master Plan Consistency

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies "Residential – Multi-Family" and "Areas of Natural Resource Features" on the subject parcel. The subject proposal is consistent with the City's 2025 Comprehensive Master Plan.

Staff Recommendation:

City Development Staff recommends approval of the Forest View apartment development Special Use, subject to the conditions outlined in the attached draft resolution.

APPROVAL <i>Slee</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 2/19/13
Reports & Recommendations	SUBJECT: A resolution authorizing officials to execute an Intergovernmental Agreement with the Milwaukee Metropolitan Sewerage District (MMSD) for the private property infiltration and inflow (PPII) elimination on S. 36 th Street between W. Missouri Avenue and W. Madison Boulevard and authorize staff to accept the extension of unit costs for the PPII on S. 36 th Street	ITEM NO. <i>6.5.</i>

BACKGROUND

Pursuant to the private property infiltration and inflow (PPII) program developed and funded by the Milwaukee Metropolitan Sewerage District (MMSD), the Rawson Homes Subdivision (the oldest sanitary sewers in the City) has been identified by flow testing to have major problems with private property infiltration and inflow. The private laterals on S. 37th Place between W. Rawson Avenue and W. Madison Boulevard have been tested and 31 of the 33 qualify for either lining or relay. Staff is proceeding with specifications for the construction phase of S. 37th Place. Now staff recommends that the City proceed with the PPII on S. 36th Street.

ANALYSIS

The MMSD has developed an Intergovernmental Agreement for testing to be conducted on S. 36th Street between W. Missouri Avenue and W. Madison Boulevard to determine which laterals require mitigation. Staff has been able to extend the unit price costs from the S. 37th Place testing to S. 36th Street and has reviewed and recommend approval of an Intergovernmental Agreement with the MMSD to fund the work at a cost of \$41,496.00.

OPTIONS

Approve

or

Table

FISCAL NOTE

All costs, except for administration, will be funded by MMSD. At this time, the City of Franklin has a balance of funding from the MMSD of \$639,935.51.

RECOMMENDATION

Motion to adopt Resolution 2013-_____, a resolution authorizing officials to execute an Intergovernmental Agreement with the Milwaukee Metropolitan Sewerage District (MMSD) for the private property infiltration and inflow (PPII) elimination on S. 36th Street between W. Missouri Avenue and W. Madison Boulevard and authorize staff to accept the extension of unit costs for the PPII on S. 36th Street.

JMB/sg
Encl.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2013 - _____

A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT (MMSD) FOR THE PRIVATE PROPERTY INFILTRATION AND INFLOW (PPII) ELIMINATION ON S. 36TH STREET BETWEEN W. MISSOURI AVENUE AND W. MADISON BOULEVARD AND AUTHORIZE STAFF TO ACCEPT THE EXTENSION OF UNIT COSTS FOR THE PPII ON S. 36TH STREET

WHEREAS, the Milwaukee Metropolitan Sewerage District (MMSD) has developed and funded a private property infiltration and inflow (PPII) program; and

WHEREAS, the City has through flow testing identified that the Rawson Homes Subdivision has major inflow and infiltration problems; and

WHEREAS, the City has through closed circuit television identified that major infiltration is entering the sanitary sewer system through private laterals; and

WHEREAS, the MMSD has developed an agreement where they will fund to cost to mitigate the infiltration and inflow on S. 36th Street; and

WHEREAS, the agreement provides for further testing of the private laterals to determine that lateral needs mitigation; and

WHEREAS, funds are available from the MMSD PPII Program to fund this program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, which the Mayor and City Clerk are, authorized to execute an agreement whereby the MMSD will fund the testing for PPII on S. 36th Street between W. Missouri Avenue and W. Madison Boulevard as so stated in the agreement in the amount of \$41,496.00.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2013 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2013.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

JMB/sg

Funding Agreement – FR03

Private Property Infiltration and Inflow Reduction Agreement

This Agreement is made between the Milwaukee Metropolitan Sewerage District (District) with its principal place of business at 260 West Seeboth Street, Milwaukee, Wisconsin 53204-1446 and the City of Franklin (Municipality), with its municipal offices at 9229 West Loomis Road, Franklin, Wisconsin 53132.

WHEREAS, Wisconsin law, through Section 66.0301 Stats., authorizes any municipality to enter into an intergovernmental cooperation agreement with another municipality for the furnishing of services; and

WHEREAS, the District is responsible for collecting and treating wastewater from the Municipality's locally owned collection system; and

WHEREAS, the Municipality's sewers collect wastewater from lateral sewers located on private property and owned by private property owners; and

WHEREAS, during wet weather events stormwater enters lateral sewers through defective pipes and leaky joints and connections ("infiltration) and stormwater also enters lateral sewers from foundation drains, improper connections and other sources ("inflow"); and

WHEREAS, infiltration and inflow increases the amount of wastewater that the District must collect and treat; and

WHEREAS, during wet weather events infiltration and inflow ("I/I") into privately owned sewers contributes to the risk of sewer overflows; and

WHEREAS, the District wishes to fund measures to reduce I/I from private property.

Now, therefore, for the consideration of the mutual promises made by the parties to this Agreement, the parties agree as follows:

1. Date of Agreement

This Agreement becomes effective immediately upon signature by both parties and shall end when the Municipality receives final payment from the District; or when this Agreement is otherwise terminated as set forth herein.

2. District Funding

The District shall reimburse the Municipality for \$41,500 in costs for the private property I/I control work described in Attachment A ("the Work"). The District funding shall be provided as a reimbursement upon submission of quarterly invoices. Beyond the financial support for the Work, the District shall have no involvement in ownership, construction, maintenance or operation of the Work. The Municipality shall identify the District as a funder in informational literature and signage.

3. Procedure for Payment

The Municipality shall submit an invoice to the District for the amount to be reimbursed. Invoices may be submitted no more often than quarterly. The invoice should include documentation of all costs to be reimbursed. Invoices from consultants shall provide the hourly billing rates, if applicable, the hours worked by individuals, and a summary of the tasks accomplished.

Reports and invoices shall be submitted to:

Jerome Flogel, P.E.
Senior Project Manager
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, WI 53204 – 1446

Final reimbursement will not be provided until the project is complete and the Deliverables have been received.

4. Changes in Work and Modifications to the Agreement

Any changes to the Work must be approved by the District, in writing, in advance. The District may not reimburse for work that is not included in Attachment A unless prior written approval from the District is obtained.

This Agreement may be modified only by a writing signed by both parties.

5. Ongoing Reporting Obligation

For a period of five years following the completion of the Work, the Municipality agrees to report to the District any problems which may arise with the completed Work. This information may be used by the District in planning future I/I reduction efforts.

6. Permits, Certificates and Licenses

The Municipality is solely responsible for ensuring compliance with all federal, state and local laws requiring permits, certificates and licenses required to implement the Work.

7. Public Bidding

The selection of professional service providers must be performed in accordance with the Municipality's ordinances and policies. All non-professional service work (i.e. construction, sewer inspection, post-construction restoration) must be procured in accordance with State of Wisconsin statutes and regulations and in accordance with the Municipality's ordinances and policies. Whenever work valued over \$25,000 is procured without the use of a public sealed bidding process, the District may request and the Municipality must provide an opinion from a licensed attorney representing the Municipality stating that the procurement is in compliance with State of Wisconsin law and Municipal ordinances.

8. Responsibility for Work, Insurance and Indemnification

The Municipality is solely responsible for planning, design, construction and maintenance of the Work, including the selection and payment of consultants, contractors, and materials. The Municipality is solely responsible for ensuring compliance with Wisconsin prevailing wage law.

The District shall not provide any insurance coverage of any kind for the Work or the Municipality.

The Municipality shall defend, indemnify and hold harmless the District and its Commissioners, employees, and agents against any and all damages, costs, liability and expense whatsoever (including attorneys fees and related disbursements) arising from or connected with the planning, design, construction, operation or maintenance of the Work.

9. Terminating the Agreement

The District may terminate this Agreement at any time prior to commencement of the Work. After the Work has commenced, the District may terminate the Agreement only for good cause, such as, but not limited to, breach of agreement by the Municipality. The Municipality may terminate the Agreement at any time, but will not receive any payment from the District if the Work is not completed.

10. Exclusive Agreement

This is the entire Agreement between the Municipality and the District regarding reimbursement for Work.

11. Severability

If any part of this Agreement is held unenforceable, the rest of the Agreement will continue in effect.

12. Applicable Law

This Agreement is governed by the laws of the State of Wisconsin.

13. Resolving Disputes

If a dispute arises under this Agreement, the parties agree to first try to resolve the dispute with the help of a mutually agreed-upon mediator in Milwaukee County. Any costs and fees other than attorney fees associated with the mediation shall be shared equally by the parties. If the dispute is not resolved within 30 days after it is referred to the mediator, either party may take the matter to court.

14. Notices

All notices and other communications in connection with this Agreement shall be in writing and shall be considered given as follows:

- when delivered personally to the recipient's address as stated on this Agreement; or
- three days after being deposited in the United States mail, with postage prepaid to the recipient's address as stated on this Agreement.

15. No Partnership

This Agreement does not create a partnership relationship nor give the Municipality the apparent authority to make promises binding upon the District. The Municipality does not have authority to enter into contracts on the District's behalf.

16. Assignment

The Municipality may not assign any rights or obligations under this Agreement without the District's prior written approval.

17. Public Records

The Municipality agrees to cooperate and assist the District in the production of any records in the possession of the Municipality that are subject to disclosure by the District pursuant to the State of Wisconsin's Open Records Law, §§19.31-19.39, Wis. Stats. The Municipality agrees to indemnify the District against any and all claims, demands, and causes of action resulting from the Municipality's failure to comply with this requirement.

**MILWAUKEE METROPOLITAN SEWERAGE
DISTRICT**

CITY OF FRANKLIN

By: _____
Kevin L. Shafer, P.E.
Executive Director

By: _____
Thomas M. Taylor
Mayor

Date: _____

Date: _____

Approved as to form:

City Clerk:

Attorney for the District

Sandi Weslowski, Clerk

Attachment A

In the summer of 2012, the City performed a pilot study of the sanitary sewer laterals and homes on 37th Place between Rawson Avenue and Madison Boulevard as part of its first phase Private Property Infiltration/Inflow Program (PPI/I). This was made possible by funding from the MMSD.

The study area was chosen because the area (Rawson Homes Subdivision) was developed in the 1950's and contains some of the oldest sanitary sewers in the City. Preliminary flow monitoring showed, as expected, that the sewer system was leakiest in the City.

The investigative work concluded that 31 of the 33 laterals were leaking and needed to be rehabilitated. In addition, 10 out of 11 homes that had basements also had foundation drains connected to the sanitary laterals at the floor drain via a "Palmer Valve" instead of connecting to a sump pump. This was a surprise to the staff because the houses were generally constructed after the Plumbing Code was changed in 1954 which prohibited such connections.

Because of the findings on 37th Place, staff recommends that 36th Street homes and laterals be inspected because they were constructed in the same era by the same developer.

Description of Work:

The 36th Street block between Madison Boulevard and Missouri Avenue will be investigated. The study will consist of the same type of work that was performed on 37th Place: dye and TV testing of laterals, external lot surface drainage inspections and internal house basement inspections.

The project will be completed to ascertain if it is cost effective to rehabilitate the laterals, if the rehabilitation is accepted by the majority of property owners, and if the District's funding is sufficient for the total City. A brief description of the proposed project is as follows:

- A. A public relations program would need to be developed as it will be necessary to obtain the permission of the 32 property owners to enter their property to conduct tests and rehabilitation of their laterals.
- B. That with the property owner's permission, the plumbing inspector inspects the basements to check for foundation drain connections or illegal sump pump connections.
- C. That, with the property owner's permission, a private sewer contractor would be hired to root cut and clean laterals that were clogged with roots during an initial CCTV inspection.
- D. That, with the property owner's permission, dye would be injected on top of the

lateral (at three locations - one at the bottom of the ditch, one near the foundation of the home and one in the middle between the first two - if staff was not able to determine the condition via CCTV).

- E. That with the aid of closed circuit television in the main line sanitary sewer, the flow of the dye water that enters a lateral would be observed for 32 laterals.
- F. The result of the dye study and basement plumbing inspection will be reviewed by the consultant, and a recommendation made as to the action to be taken, if any, on each lateral.

Public Education/Outreach:

The City will take the lead in the I&E Program. It will be assisted by the Ruekert/Mielke Project Manager. A neighborhood meeting was held on 10/25/12 to advertise the program and to sign people up for the inspections. A total of 25 of the 32 owners have signed up to date. A letter will be sent to each homeowner seeking their cooperation and access to inspect their property and sewer lateral. The City also anticipates using some of the I&E material already prepared by the MMSD.

Budget:

Franklin Staff has negotiated a proposal with Ruekert/Mielke and have compared costs with the costs provided to the District and have found them very comparable. It has also negotiated a contract with Visu-Sewer to perform the lateral closed circuit televising and dye testing.

The costs submitted are unit costs which results in the following estimate:

A.	<u>Ruekert/Mielke</u>		
	• Lateral inspection and external house inspection		
	32 @ \$125/each =		\$ 4,000
	• Summary of inspection report		
	32 @ \$25/each =		800
	• Prepare MMSD work plan, administration and one staff meeting =		3,500
	• Review lateral inspection and recommend rehabilitation method 32 @ \$25/house =		<u>800</u>
	Subtotal for Pilot Study:		<u>\$ 9,100</u>
B.	<u>TV Contractor</u>		
	• Camera set-up in four manholes @ \$350/each =		\$ 1,400

• Set-up camera to launch in lateral 32 @ \$190/each =	6,080
• Camera inspection of lateral @ 0.75/ft. 32 laterals @ 60 Ft. =	1,440
• Lateral dye injection, 3 per lateral 32 laterals @ \$250/each =	8,000
• Sonde location of laterals 32 @ \$125/each =	<u>4,000</u>
TOTAL for Pilot Study:	<u>\$20,920</u>

TOTAL COST for Ruekert/Mielke and Sewer Inspection Services \$30,020

In addition to the above cost, it is estimated that in order to run a camera through each lateral, some laterals may require root cutting-estimate about 10 @ \$350/lateral or \$3,500. Also, some consulting time may be necessary for public information to create brochures and exhibits - estimate \$5,000. The building inspection's plumbing inspector will make the inside inspections of the 32 basements. It is estimated that the 32 inspections would take two hours each for 66 hours at \$46.30 per hour including benefits or a billable cost to the District of \$2,976.

The total project cost is estimated as follows:

A. Dye Testing and TV	\$20,920
B. Consultant Fees	9,100
C. Public Relations	5,000
D. Lateral Cleaning	3,500
E. Internal House Inspection	<u>2,976</u>
Total	<u>\$41,496</u>

Schedule:

- Internal House Inspections
May - June 2013
- Sewer Lateral Dye Testing and CCTV
May - June 2013
- External House Inspections
May - June 2013
- Final Report with Recommendation and Estimate of Costs
July 2013
- Public Relations
July 2013

Procurement:

- Investigative Work - Initially, the City interviewed six firms for the engineering and inspection work and selected the Ruekert & Mielke and Visu-Sewer team using the QBS process.
- Sewer Cleaning - Quotes will be obtained from local plumbing contractors.

Data Collection:

- Sewer CCTV - Recorded in a log book and on digital video media.
- External House Inspection - Recorded in digital file using eFields™.
- Internal House Inspection - Recorded on paper forms.

Deliverables:

1. Notification of and opportunity for participation in project related meetings including public meetings, contractor meetings, and Council meetings.
2. Samples of public outreach materials including notification letters, consent agreements, and general information materials.
3. The City will provide a summary report to the District consisting of:
 - a. Spreadsheet list of properties included in the project with tax id, address, and columns indicating which work tasks were applied to each property. (house inspection, lateral inspected, and defects found.)
 - b. Digital data or subset of data (including photos) as desired by the District,
 - c. Property rehabilitation recommendations and cost estimates.
 - d. Summary of public outreach and education program including strategies for success and response rate.
 - e. Flow monitoring results and interpretation.
 - f. Lessons learned including field work activities, planning/design process, and public outreach and education efforts.