

**CITY OF FRANKLIN
PLAN COMMISSION MEETING AGENDA
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD-FRANKLIN, WISCONSIN
7:00 PM, Thursday, February 5, 2015**

I. Call to Order & Roll Call

II. Approval of Minutes

A. Regular Meeting Thursday, January 8, 2015

III. Public Hearings & Business Items (Action may be taken on any item)

A. Ogden Construction Group LLC (Light Commercial Construction Contractor Business within the Existing Building, With Emphasis on Carpentry and Painting)

Property: 11113 West Forest Home Avenue; Tax Key No. 704-9978-002

Zoning: M-1 Limited Industrial District and C-1 Conservancy District

Regarding: 1. **(Special Use) (Public Hearing)** A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A LIGHT COMMERCIAL CONSTRUCTION CONTRACTOR BUSINESS USE UPON PROPERTY LOCATED AT 11113 WEST FOREST HOME AVENUE

B. The LaSalle Group, Inc. (Proposed Autumn Leaves Approximately 37,835 Square Foot, Single Story, Multi-Family (46 Units (54 Beds)) State Licensed Community Based Residential Facilities Memory Care Residence Facility) (Special Use Option 2 under the Unified Development Ordinance R-8 Multiple-Family Residence District Development Standards requiring in part a minimum of 25% open space upon the property)

Property: Approximately 9201 West Drexel Avenue; Tax Key No. 794-9994-003

Zoning: R-8 Multiple-Family Residence District and C-1 Conservancy District

- Regarding:**
- 1. (Comprehensive Master Plan Amendment)** A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY 9201 WEST DREXEL AVENUE FROM MIXED USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO RESIDENTIAL-MULTI-FAMILY USE AND AREAS OF NATURAL RESOURCE FEATURES USE, PURSUANT TO WIS. STAT. § 66.1001(4)(b)
 - 2. (Special Use) (Public Hearing)** A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A 46 UNIT COMMUNITY BASED RESIDENTIAL FACILITIES MULTI-FAMILY MEMORY CARE RESIDENCE FACILITY USE UPON PROPERTY LOCATED AT APPROXIMATELY 9201 WEST DREXEL AVENUE
 - 3. (Special Exception) (Public Hearing)** APPLICATION FOR A SPECIAL EXCEPTION TO NATURAL RESOURCE FEATURE PROVISIONS PURSUANT TO §15-10.0208 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE PURPOSE OF ALLOWING FOR THE FILLING, PAVING AND GRADING WITHIN APPROXIMATELY 6,022 SQUARE FEET OF WETLAND IMPACTS, 50,870 SQUARE FEET OF WETLAND BUFFER IMPACTS AND 15,479 SQUARE FEET OF WETLAND SETBACK IMPACTS FOR THE PROPOSED STATE LICENSED COMMUNITY BASED RESIDENTIAL FACILITIES MULTI-FAMILY MEMORY CARE RESIDENCE FACILITY CONSTRUCTION

C. Plan Commission Agenda Format. Mayoral Request for Commission Review and Direction upon Commission Meeting Agenda Format.

IV. Adjournment

Plan Commission Agenda
February 5, 2015
Page 3

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

Notice is further given that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Franklin City Clerk's office at (414) 425-7500.

**City of Franklin
Plan Commission Meeting
January 8, 2015
Minutes**

unapproved

CALL TO ORDER

- I. Mayor Steve Olson called the January 8, 2015 Regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderwoman Susanne Mayer and Commissioners David Fowler, Kevin Haley, Patricia Hogan, Scott Thinnies and City Engineer Glen Morrow. Also present were City Attorney Jesse Wesolowski, Planning Manager Joel Dietl and Senior Planner Nick Fuchs. In attendance was Alderwoman Janet Evans.

MINUTES

Regular Meeting of December 18, 2014

II.

- A. Commissioner Fowler moved and Commissioner Hogan seconded approval of the December 18, 2014 minutes of the Regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried.

PUBLIC HEARINGS and BUSINESS ITEMS

Steven C. Valenti, d/b/a Color and Design Studio LLC (The Color and Design Studio by Valenti Providing Metal Repair, Modifications, Fabricating, Paint Restoration and Refinishing for Classic, Collector and Special Interest Vehicles, Within the Existing Building)

Property: 9760 South 60th Street;

Tax Key No. 899-9993-004

Zoning: M-1 Limited Industrial District

Regarding: 1. (Special Use) (Public Hearing) A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN AUTO BODY SHOP BUSINESS USE UPON PROPERTY LOCATED AT 9760 SOUTH 60TH STREET

III.

- A. Planning Manager Dietl presented the application by Color and Design Studio LLC for approval of the special use for a body shop business use providing metal repair, modifications, fabricating, paint restoration and refinishing for classic, collector and special interest vehicles within the existing building.

Senior Planner Fuchs read the Official Notice of Public Hearing for the Special Use in to the record. The Public Hearing was opened at 7:05 p.m. and closed at 7:05 p.m.

Commissioner Haley moved, and Commissioner Fowler seconded a motion to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use for an auto body shop business use upon property located at 9760 South 60th Street. On voice vote, all voted 'aye'. Motion carried.

Victory of the Lamb, Inc. (Parking and Overnight Occupation of up to 6 Recreational Vehicles by Workers of the Builders for Christ 501(3)(c) Organization for the Purpose of and During the Construction of the Victory of the Lamb, Inc. Church)

- B. Planning Manager Dietl presented the application for Temporary Use by Victory of Lamb, Inc. to allow for up to six recreational vehicles to be parked onsite from May 22, 2015 to September 8, 2015 to serve as lodging for Builders for Christ to participate in the construction of the Victory of the Lamb worship facility.

Item III.B.(continued)

Property: 11120 West Loomis Road;
Tax Key No. 889-9989-000
Zoning: I-1 Institutional District
**Regarding: 1. (Temporary Use) A
RESOLUTION IMPOSING
CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A
TEMPORARY USE FOR PARKING
AND OVERNIGHT OCCUPATION OF
RECREATIONAL VEHICLES BY
WORKERS OF THE BUILDERS FOR
CHRIST 501(3)(C) ORGANIZATION
FOR THE PURPOSE OF AND DURING
THE CONSTRUCTION OF THE
VICTORY OF THE LAMB, INC.
CHURCH UPON PROPERTY LOCATED
AT 11120 WEST LOOMIS ROAD**

Alderwoman Mayer made a motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for parking and overnight occupation of recreational vehicles by workers of the Builders for Christ 501(3)(c) organization for the purpose of and during the construction of the Victory of the Lamb, Inc. church upon property located at 11120 West Loomis Road with the added condition that the applicant shall comply with all Health Department and Building Inspection fees and conditions of approval. Commissioner Fowler seconded the motion. On voice vote, all voted 'aye'. Motion carried (6-0-0).

**Mike Lowery, President of Lowery
Plastics, Incorporated d/b/a Premier
Plastics (Relocation of a 31 Foot - 7 Inch
Silo for Storing Plastic Pellets from the
Current Milwaukee, Wisconsin Location
to the Premier Plastics City of Franklin
Facility)**

Property: 9670 South 60th Street;
Tax Key No. 899-9990-064
Zoning: M-1 Limited Industrial District
**Regarding: 1. (Building Move) A
RESOLUTION CONDITIONALLY
APPROVING A BUILDING MOVE (TO
9670 SOUTH 60TH STREET)**

- C. Planning Manager Dietl presented the application by Lowery Plastics, Inc. to allow for an approximately 32 foot tall and 12 foot in diameter silo to be moved from its present location in Milwaukee, Wisconsin to 9670 South 60th Street.

Commissioner Fowler made a motion to approve a resolution conditionally approving a building move to 9670 South 60th Street. Seconded by Commissioner Hogan. On voice vote, all voted 'aye'. Motion carried (6-0-0).

ADJOURNMENT

- IV. Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of January 8, 2015 at 7:56 p.m. All voted 'aye'; motion carried.



REPORT TO THE PLAN COMMISSION

Meeting of February 5, 2015

Special Use

RECOMMENDATION: Department of City Development staff recommends approval of the Special Use Application for a light commercial construction contractor business use upon property located at 11113 W. Forest Home Avenue, subject to the conditions of approval in the attached draft resolution.

Project Name:	Ogden Construction Group Special Use
Project Address:	11113 West Forest Home Avenue
Applicant:	Ogden Construction Group, LLC
Property Owner:	11113 West Forest Home Avenue, LLC
Current Zoning:	M-1 Limited Industrial District and C-1 Conservancy District
2025 Comprehensive Plan	Industrial
Use of Surrounding Properties:	WI Electric Power Company property and Ewald automobile dealership to the north, gasoline service station to the south, Hale Park Lumber and Hiller Ford automobile dealership to the east and single-family residential to the west
Applicant Action Requested:	Approval of the Special Use Application and site modifications to allow for a light commercial construction contractor business use

Introduction

Please note:

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

On January 5, 2015, the applicant submitted a Special Use Application to operate a light commercial construction contractor business use at 11113 West Forest Home Avenue. The proposed use is classified under Standard Industrial Classification (SIC) Title No. 1542, General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses, which is allowed as a Special Use in the M-1 Limited Industrial District. The applicant is not proposing overnight truck parking of vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight, nor outdoor storage as part of this Special Use request.

Project Description/Analysis

The applicant is proposing to occupy the entire lower level of the existing building, which is approximately 8,814 square feet, with their offices and workshops. According to the applicant, the majority of Ogden Construction Group's work is performed in the field at job sites. The upper level of the existing building, which is approximately 7,440 square feet, will be leased space. The applicant does not currently have any tenants or specific uses in mind for the leased space. The applicant has indicated that the business will have 7-10 employees. The proposed hours of operation are between 7:00 a.m. and 5:30 p.m.

Site Plan:

The subject parcel has an area of approximately 1.95-acres. Existing site improvements consist of an approximately 8,814 square foot building, a parking area, gravel areas and greenspace. The building is currently vacant. The site contains areas of known contamination from the gasoline service station located to the south. The gas plume from the neighboring property is located along the south property line at about the middle of the property. The site also contains a 120-foot wide W.E.P.Co. easement. The applicant is not proposing any structures or other site improvements within the easement area, but may have employee parking within that area.

The applicant has depicted a 10' x 10' wood fence dumpster enclosure in the rear of the property, but outside of the 120-foot W.E.P.Co. easement. However, the applicant has not provided an architectural elevation of the proposed dumpster enclosure per Section 15-3.0803I. of the UDO. Therefore, Staff recommends an architectural elevation of the 10' x 10' wood fence dumpster enclosure shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

Parking:

Table 15-5.0203 of the UDO requires a Standard Parking Ratio (SPR) of one space per 1,000 square feet of Gross Floor Area (GFA) plus required parking spaces for offices, or similar uses where those uses exceed 10% of GFA. The SPR for general office is 3.33 spaces per 1,000 square feet of GFA. As previously stated, the applicant is occupying approximately 8,814 square feet in the lower level of the existing building. According to the applicant, 5,725 square feet will be contractor shop space and 2,821 square feet will be general office space. Therefore, Ogden Construction Group's use of the property requires sixteen (16) off-street parking spaces. The vacant first floor of the building is approximately 7,440 square feet of leasable space. The applicant has applied the general office SPR to the leasable space, which would require twenty-five (25) off-street parking spaces. Therefore, the minimum required off-street parking for the building is forty-one (41) spaces.

The applicant is proposing to restripe the existing pavement to the north of the building to provide twenty-two (22) paved and striped parking spaces. Staff also recommends that holes and broken asphalt within the parking lot shall be repaired, in compliance with all applicable codes and ordinances, prior to the issuance of an Occupancy Permit. Of the twenty-two off-street parking spaces proposed north of the building, two (2) are ADA accessible parking spaces, which complies with ADA standards and Table 15-5.0202(I)(1) of the UDO, which requires a minimum

of two (2) accessible parking spaces for parking lots with 26 to 50 parking spaces. In addition to the twenty-two stall parking lot, the applicant is proposing to repave an approximately 3,300 square foot concrete pad and stripe seven (7) off-street parking spaces behind the building. Finally, the applicant is proposing 15 gravel spaces within the W.E.P.Co. easement in the rear of the property. Therefore, the applicant is proposing forty-four off-street parking spaces.

All of the proposed parking spaces are 9'x 18' or 162 square feet. However, Section 15-5.0202B of the UDO requires that the size of each parking space be not less than one hundred eighty (180) square feet nor less than nine (9) feet in width. Staff is also concerned about the size and layout of the paved parking areas to the north and east of the building. It appears that proper drive aisle widths and safe circulation between the front and back of the property may not be provided.

Staff recommends the applicant submit a revised Site Plan with a parking layout meeting all of the requirements of Section 15-5.0202 of the Unified Development Ordinance, to the Department of City Development for review and approval by Staff, prior to the issuance of a Building Permit.

If the parking stalls in the lot located north of the building are brought up to code (made larger), then the lot will no longer support twenty-two (22) stalls as proposed. In addition, the seven (7) spaces on the concrete pad and the (15) gravel spaces are located behind the building, down a sloped driveway from the main parking lot and behind a proposed fence with a gate.

Furthermore, it appears there is no common space access from the lower level of the building to the upper level tenant spaces. For these reasons, Staff believes the off-street parking spaces located in the rear of the building are not suitable for tenants of the office space on the first floor of the building.

Taking all of the above factors into consideration, Staff suggests the applicant be granted a twenty-five (25) percent parking reduction as part of their Special Use approval. A twenty-five (25) percent reduction from the minimum UDO requirement of forty-one (41) spaces would yield a total thirty (30) spaces. Of these thirty (30) spaces, eighteen would be for the leasable office space and twelve (12) would serve Ogden Construction Group. Of the twelve spaces for Ogden Construction Group, seven (7) would be paved and five would be in the gravel area within the W.E.P.Co. easement.

Landscaping:

Table 15-5.0302 of the UDO requires one (1) canopy/shade tree, one (1) evergreen tree, one (1) decorative tree and one (1) shrub for every five (5) provided parking spaces as a commercial use. As the applicant is proposing twenty-nine (29) paved parking spaces on the property, six (6) plantings of each type are required. The applicant has not provided a Landscape Plan, but has a note on the site plan along the north property line that reads, "12'0" wide grass and shrub landscaping. The applicant is also proposing four (4) planters along the west elevation of the building for flowers. Staff recommends the applicant submit a Landscape Plan meeting the requirements of Section 15.5.0302 of the UDO to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

The site contains areas of contamination from a past fuel leak at the adjacent gas station property. Relative to plantings, staff suggests the applicant consider phytoremediation for the area of the

site contaminated by a gas plume from the neighboring property. Phytoremediation is a broad term used to describe the use of plants to reduce the volume, mobility, or toxicity of contaminants in soil, groundwater, or other contaminated media. Poplar and willow are examples of vegetation used to remediate petroleum hydrocarbons from contaminated soil. The most common poplar species in Wisconsin is Quaking Aspen (*Populus tremuloides*). The applicant will also have the option not to plant vegetation within contaminated areas, as long as the City's landscaping standards are still met.

At this time the applicant is not adding any additional impervious surfaced areas, thus the Landscape Surface Ratio (LSR) is not changing. However, the rear of the property mainly consists of a mix of weeds, dirt and gravel. To get closer to the required LSR for the site and to improve the overall aesthetics, staff suggests the applicant plant new grass or sod along the side and rear lot lines near the rear of the building.

Stormwater Management:

The property contains an underground pipe that conveys surface drainage from the north to an existing storm sewer with an outlet at the southeast corner of the property. Staff recommends the applicant have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, repair the pipe as may be necessary, and grant the City of Franklin an easement to protect and access the pipe, prior to the issuance of a Final Occupancy Permit. At this time, it does not appear the applicant will be adding a half-acre or more of impervious surface to the site.

Lighting:

The applicant is not proposing any new lighting on the building or property. There are three existing exterior lights on the building. A Lighting Plan will be required, in conformance with Division 15-5.0400 of the UDO, if lighting is proposed in the future.

Architecture:

The applicant is proposing minor architectural changes to the exterior of the existing building. The existing cedar shake mansard roof will be replaced with a scored E.F.I.S. reveal, which will provide a flat surface for the applicant to display wall signage for their business and future tenants. The applicant is also proposing to update the building materials to cement board lap siding with a composite trim, accented by an Air Stone veneer and a small amount of E.F.I.S. Overall, the proposed new materials will be an improvement to the appearance of the building. However, the colors of the materials on the applicants material sample board are very nondescript and do not appear to match those depicted on the artist's rendering of the building. Furthermore, the applicant has not provided colored architectural elevations with the colors of building materials labeled, as requested by Staff. Therefore, Staff recommends the applicant submit colored architectural elevations and a revised material sample board, to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

Signage:

The applicant has been made aware that any signage will require separate review and approval by the Architectural Review Board and issuance of a Sign Permit from the Inspection Department.

Natural Resource Protection Plan and Conservation Easement:

The Department of City Development has a letter from Heather Patti of RA Smith National, Inc., dated November 2, 2011 on file indicating that the subject property contains no protected natural resource features, as protected by Part 4 of the UDO. The property does contain C-1 Conservancy District zoning along the rear or east property line. The applicant is not proposing any site modifications within the C-1 District. Staff will continue to prohibit site improvements within this area until a City consultant concurs that no protected natural resource features are present and the property owner rezones and eliminates the C-1 District from the property.

Comprehensive Master Plan Consistency:

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

Comprehensive Master Plan. The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property as Industrial. The surrounding future land uses are Industrial to the north, south and east and Residential to the west on the opposite side of West Forest Home Avenue.

Planning staff considers the proposed use to be consistent with the City of Franklin 2025 Comprehensive Master Plan.

Staff Recommendation

Department of City Development staff recommends approval of the Special Use Application for a light commercial construction contractor use upon property located at 11113 W. Forest Home Avenue, subject to the conditions in the attached draft resolution.

RESOLUTION NO. 2015-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR
THE APPROVAL OF A SPECIAL USE FOR A LIGHT COMMERCIAL
CONSTRUCTION CONTRACTOR BUSINESS USE UPON PROPERTY
LOCATED AT 11113 WEST FOREST HOME AVENUE
(OGDEN CONSTRUCTION GROUP LLC, APPLICANT)

WHEREAS, Ogden Construction Group LLC, having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District and C-1 Conservancy District under Standard Industrial Classification Title No. 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", to allow for a light commercial construction contractor business use (within the existing building, with emphasis on carpentry and painting) upon property located at 11113 West Forest Home Avenue, bearing Tax Key No. 704-9978-002, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 3988, recorded on March 11, 1981, Reel 1362, Images 185 to 187, as Document No. 5462366, being a part of the Northeast 1/4 of Section 6, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; 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 5th day of February, 2015, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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 Ogden Construction Group LLC, for the

OGDEN CONSTRUCTION GROUP LLC – SPECIAL USE

RESOLUTION NO. 2015-_____

Page 2

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 Ogden Construction Group LLC, successors and assigns, as a light commercial construction contractor business use, which shall be developed in substantial compliance with, and operated and maintained by Ogden Construction Group LLC, pursuant to those plans City file-stamped January 26, 2015 and annexed hereto and incorporated herein as Exhibit A.
2. Ogden Construction Group LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Ogden Construction Group LLC light commercial construction contractor business, 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 Ogden Construction Group LLC, and the light commercial construction contractor business use for the property located at 11113 West Forest Home Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. An architectural elevation of the 10' x 10' wood fence dumpster enclosure shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.
5. Holes and broken asphalt within the parking lot shall be repaired, in compliance with all applicable codes and ordinances, prior to the issuance of an Occupancy Permit.
6. A revised Site Plan with a parking layout meeting all of the requirements of Section 15-5.0202 of the Unified Development Ordinance shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.
7. A Landscape Plan meeting the requirements of Section 15-5.0302 of the Unified Development Ordinance shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

OGDEN CONSTRUCTION GROUP LLC – SPECIAL USE

RESOLUTION NO. 2015-_____

Page 3

8. Applicant shall have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, repair the pipe as may be necessary, and grant the City of Franklin an easement to protect and access the pipe.
9. Colored architectural elevations and a revised material sample board shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

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

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the 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 _____, 2015.

OGDEN CONSTRUCTION GROUP LLC – SPECIAL USE

RESOLUTION NO. 2015-_____

Page 4

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Mayor

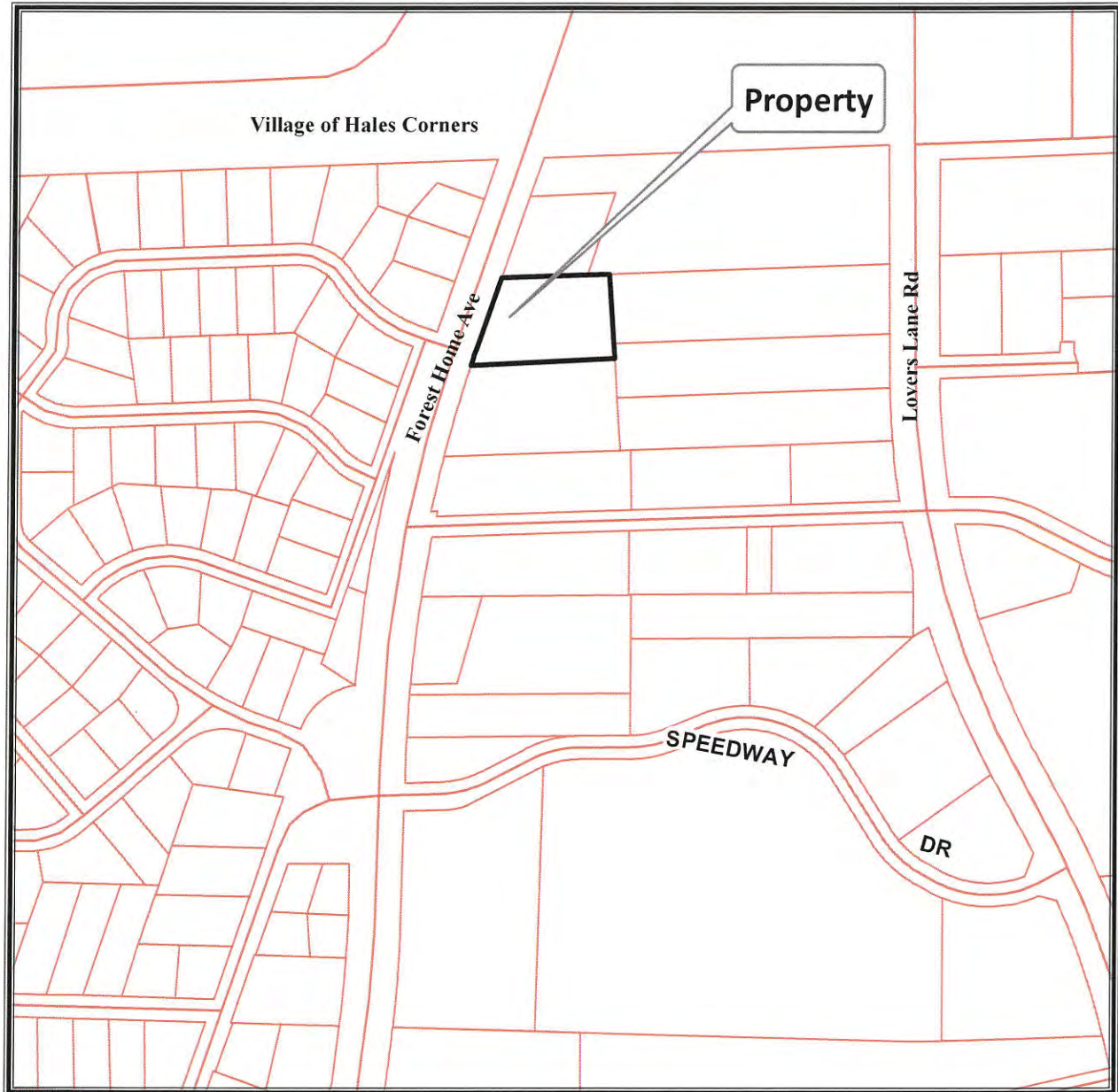
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



11113 W. Forest Home Avenue
TKN 704-9978-002



Planning Department
(414) 425-4024

0 270 540 1,080 Feet



2013 Aerial Photo

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



11113 W. Forest Home Avenue
TKN 704-9978-002



Planning Department
(414) 425-4024

0 45 90 180 Feet



2013 Aerial Photo

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

January 28, 2015

Orin Sumwalt
City of Franklin
Department of City Developments
9229 W. Loomis Road
Franklin, WI 53132

Franklin

JAN 26 2015

City Development

RE: Staff Comments for Special Use

The following is in response to staff comments dated January 19, 2015 regarding Ogden Construction Group special use at 11113 W. Forest Home Ave, Franklin, WI 53132

1. We understand that any signage will require a separate permit.
2.
 - There are currently 2 exterior lights. We are not planning on adding any additional exterior lighting.
 - We plan on adding a site proof dumpster enclosure (see site plan)
 - Estimated cost of improvements is \$30,000
 - Ogden Construction will occupy the entire lower level total of 8,814 sq.ft.
 - Upper level lease spaces total 7,440 sq.ft.
3. There is existing 10' wide grass area which allows ingress and egress to the property. We feel that any addition to this grass would impede traffic flow
4. We understand that any future additions would have to meet the M-1 zoning requirements.
5. There are no site modifications planned in the 120 foot wide WEPCO easement
6.
 - Ogden Construction Group plans to patch, seal and stripe the upper parking lot (see site plan)
 - see attached site plan for landscape improvements

7. Ogden Construction Group agrees to eliminate front parking area (see site plan) for striping drawings and parking calculations.
8. See attached elevations
9. See attached sample board
10. See elevation and sample board
11. See site plan

Fire Department Comments:

We will comply with all Fire Department comments

If you have any questions, please don't hesitate to call us.

Sincerely,

Ogden Construction Group, LLC



Mike Cook
Vice President
414-406-09242

December 28, 2014

Project Narrative – Proposed Special Use

STATEMENT OF JUSTIFICATION

The applicant, Ogden Construction Group, LLC, submits the following information as evidence that this requested Special Use Permit meets the Special Use Permit requirements. The use or development complies with all required regulations and standards.

Ogden Construction Group, LLC is a light commercial construction contractor. We have an emphasis on carpentry and painting. We will have a carpentry shop and a painting shop. We will have offices on the lower level with approximately seven to ten employees. At this time the building hours would be from 7 a.m. to 5:30 p.m. Monday through Friday. The building will be leased spaces on all of the upper level and occupied fully on the lower level by Ogden Construction Group, LLC. Most of the tasks performed at 11113 West Forest Home Avenue are office related and some shop work. The majority of our work is performed in the field at the job sites. We do not have any heavy equipment and will not have any equipment stored outdoors. We are planning renovations to the exterior elevations to give the building more curb appeal and make it an attractive Franklin property. We feel that we will be an asset to the City of Franklin and have no adverse effect on the surrounding area.

Thank you for your consideration.

Ogden Construction Group, LLC

DIVISION 15-3.0700

SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

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

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

Response: Yes we feel we are following all city ordinances

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

Response: It will have no adverse effect and will not affect the surrounding properties in any way.

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

Response: There will be no interference with any surrounding development or neighboring properties.

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

Response: It will be served adequately

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

Response: There will be no interference with traffic or surrounding neighborhoods at any time

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

Response: There will be no destruction or loss

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

Response: We will conform to the regulations & standards

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

Response: We will comply with all such special standards

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

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

Response: The community will have a local contractor

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

*Response: The building has been unoccupied for several years
now will be occupied and look good.*

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

Response: We are renovating the elevations for more curb appeal

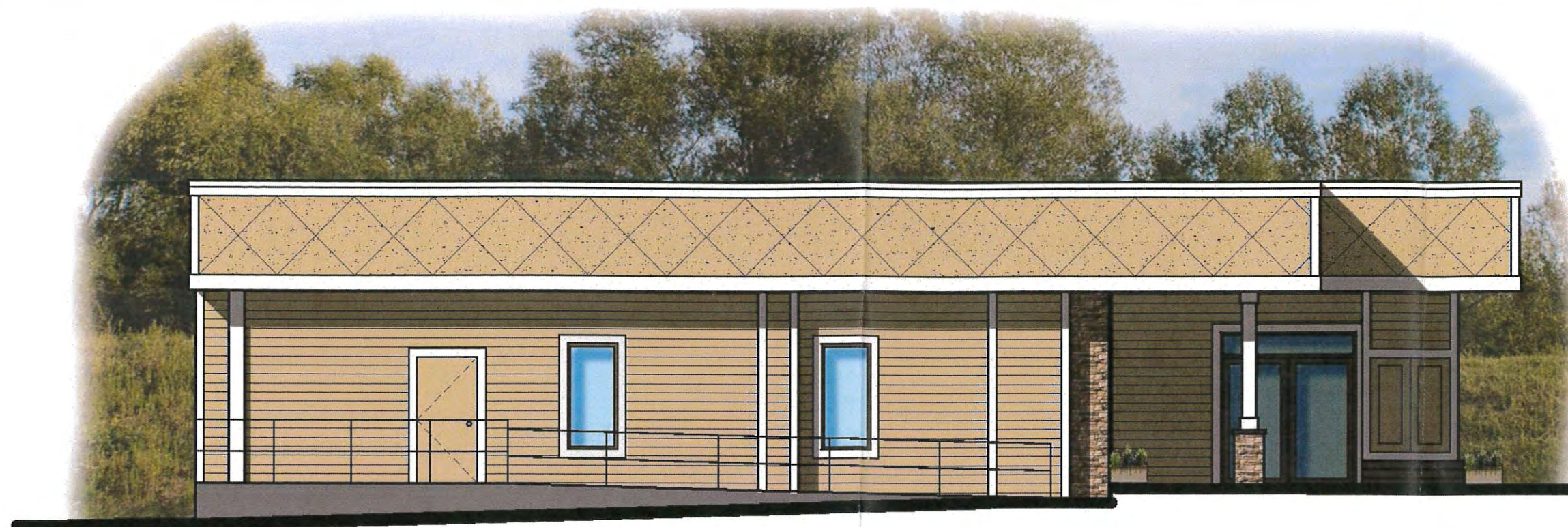
4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

Response: We don't believe it will encourage anything but a old building being renovated to improve the surrounding area.

Franklin

JAN 26 2015

City Development



EAST ELEVATION



NORTH ELEVATION

OGDEN CONSTRUCTION GROUP



PATERA LLC

Excellence in Architecture

2601 S. Sunny Slope Rd. • New Berlin, WI 53151



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OGDEN CONSTRUCTION REMODEL

11113 W. FOREST HOME AVE.

SHEET TITLE:

SHEET TITLE: PROPOSED GROUND FLOOR, EGRESS PLAN, & DETAILS

A-1

DATE: DEC. 1, 2014

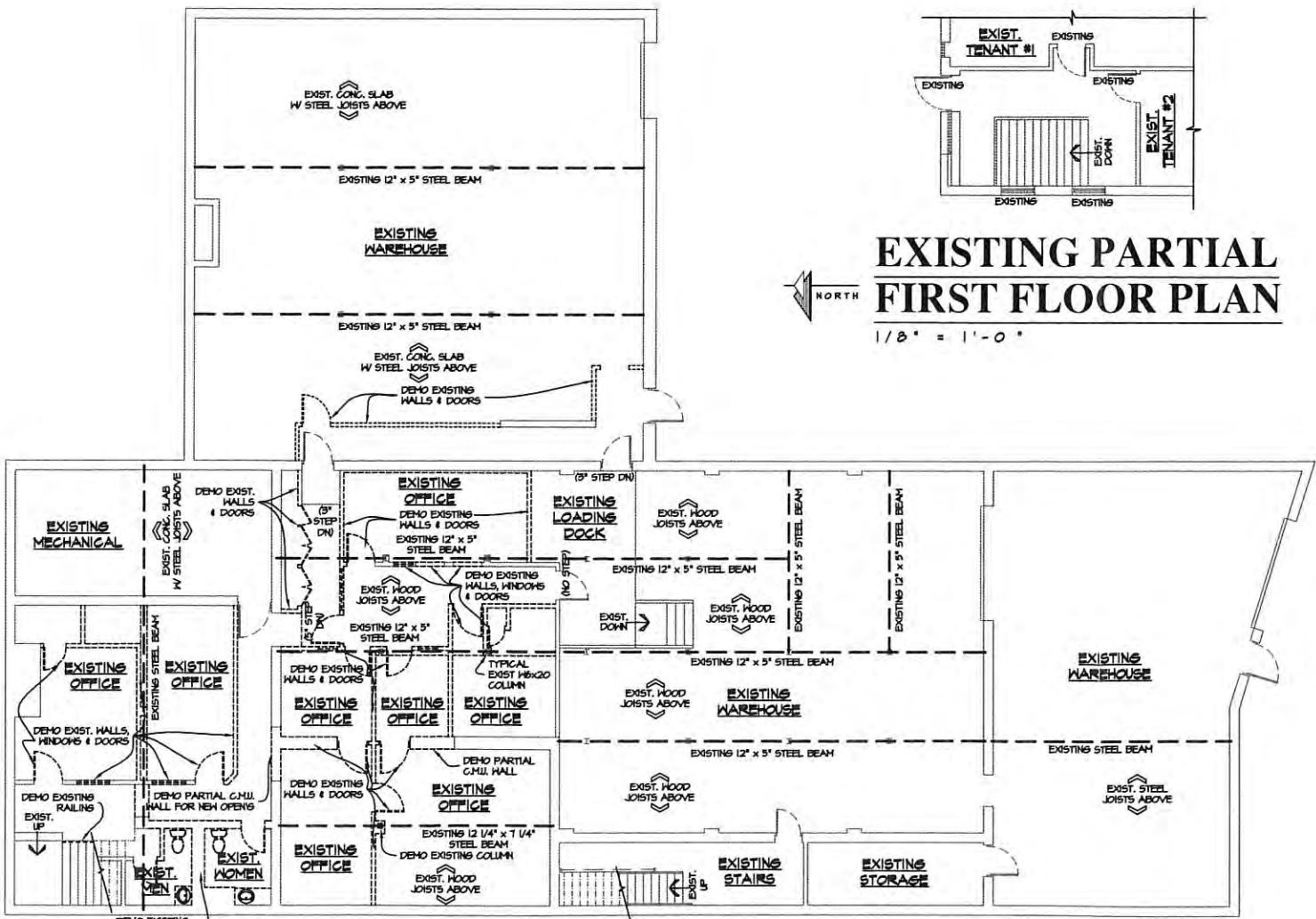
PROJECT NUMBER: 14-405



BUILDING INFO	
PROJECT:	OGDEN CONSTRUCTION GROUP
OWNER:	JOEL COOK
ADDRESS:	11113 W. FOREST HOME AVE. FRANKLIN, WI 53132
BUILDING HEIGHT:	16'-0"
SITE DATA:	
ZONING:	M-1, C-1
LOT AREA:	66,116 S.F.
EXISTING 1ST FLOOR -GENERAL OFFICE:	7,306 S.F.
PROPOSED LOWER LEVEL FLOOR -GENERAL OFFICE:	2,821 S.F.
-CONTRACTORS SHOP:	5,725 S.F.
REQUIRED PARKING:	GENERAL OFFICES ((10,129 S.F.) = 33.4 (3.3 PER 1000 S.F.) CONTRACTORS SHOP (5725 S.F.) = 5.7 PLUS (1 PER 1000 S.F. PLUS 1 PER COMPANY CAR)
PROPOSED PARKING:	44 PARKING STALLS (INCL. 2 ADA STALLS)



1 LOCATION PLAN



EXISTING / DEMO GROUND FLOOR PLAN

1/8" = 1'-0"

EXISTING PARTIAL FIRST FLOOR PLAN

1/8" = 1'-0"

PLAN NOTES:

- ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST REVIEW ALL DETAILS OF THEIR TRADES AND BE RESPONSIBLE FOR THE SAME.
- DO NOT SCALE DIMENSIONS FROM DRAWINGS. CONSULT GENERAL CONTRACTOR OR THE ARCHITECT WITH ANY QUESTIONS.
- ALL INTERIOR WALLS ARE 5" UNLESS OTHERWISE NOTED.
- PLACEMENT OF BUILDING COMPONENTS, MECHANICAL EQUIPMENT, AND ELECTRICAL COMPONENTS IS SUBJECT TO FIELD ADJUSTMENT. ACTUAL CONSTRUCTION MAY NOT CONFORM EXACTLY TO THE LOCATIONS INDICATED ON THESE DRAWINGS.

GENERAL NOTES:

- THE DESIGNER MAINTAINS NO RESPONSIBILITY FOR THE GENERAL CONTRACTOR, SUBCONTRACTORS, OR THOSE WORKING IN SUCH CAPACITIES, FOR THE METHODS USED, OR LACK THEREOF, IN THE EXECUTION OF THE WORK AND SAFETY PROCEDURES AND PRECAUTIONS TAKEN AT THE PROJECT SITE.
- CONTRACTORS SHALL ASSUME FULL RESPONSIBILITY - UNRELIEVED BY REVIEW OF SHOP DRAWINGS NOR BY SUPERVISION OR PERIODIC OBSERVATION OF CONSTRUCTION FOR CONFORMANCE WITH THE CONTRACT DOCUMENTS - FOR DIMENSIONS TO BE CONFIRMED AND CORRELATED ON THE JOB SITE AND BETWEEN INDIVIDUAL DRAWINGS OR SETS OF DRAWINGS, FOR FABRICATION PROCESSES AND CONSTRUCTION TECHNIQUES (INCLUDING EXCAVATION, SHORING AND SCAFFOLDING, BRACING, ERECTION, FORM WORK, ETC.), FOR COORDINATION OF THE VARIOUS TRADES, FOR SAFE CONDITIONS ON THE JOB SITE, AND FOR THE PROTECTION OF THE PEOPLE AND PROPERTY AT THE JOB SITE.
- THE INFORMATION CONTAINED ON THE DRAWINGS IS IN ITSELF INCOMPLETE, AND VOID UNLESS USED IN CONJUNCTION WITH ALL THE SPECIFICATIONS, TRADE PRACTICES, OR APPLICABLE STANDARDS, CODES, ETC., INCORPORATED THEREIN BY REFERENCE, OF WHICH THE CONTRACTOR CERTIFIES KNOWLEDGE BY SIGNING THE CONTRACT.
- UNLESS NOTED OTHERWISE, ALL DETAILS, SECTIONS, AND NOTES ON THE DRAWINGS ARE INTENDED TO BE TYPICAL FOR SIMILAR SITUATIONS ELSEWHERE.
- UNLESS OTHERWISE SHOWN OR NOTED, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE LOCATION AND THE PLACEMENT OF ANY INSERTS, HANGARS, PIPE SLEEVES, HOLES OR ANCHOR BOLTS THAT ARE REQUIRED BY THE MECHANICAL OR ELECTRICAL EQUIPMENT.
- THE CONTRACTOR SHALL COMPLY WITH THE LATEST OCCUPATIONAL SAFETY HEALTH ACT REQUIREMENTS.
- ALL STATE OF WISCONSIN, LOCAL AND O.S.H.A. SAFETY CODES SHALL BE A PART OF THESE PLANS, AND IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO SEE THAT ALL PARTIES THAT WORK AT OR VISIT THE JOB SITE COMPLY WITH SAME.

SITE & BUILDING DATA:

USE AND OCCUPANCY CLASSIFICATION:	NON-SEPARATED MIXED USE, "S-1" IS MOST RESTRICTIVE
(Table 3)	B- EXISTING FIRST FLOOR
	B- REMODELED PARTIAL GROUND FLOOR
	S-1- EXISTING GROUND FLOOR
ALLOWABLE AREA AND HEIGHT:	"S-1" (B) ONE STORY - 9,000 sq. ft.
ACTUAL AREA:	TOTAL EXISTING GROUND FLOOR AREA: 8,643 sq. ft.
	TOTAL EXISTING FIRST FLOOR AREA: 7,308 sq. ft.
	REMODELED GROUND FLOOR AREA: 2,203 sq. ft.
SPRINKLERS:	NONE
CONSTRUCTION TYPE:	"V-B"
(Table 601)	
FIRE RATINGS (per table 601 & 602)	
STRUCTURAL FRAME:	0 - HR. RATING
BEARING WALLS EXTERIOR:	0 - HR. RATING
BEARING WALLS INTERIOR:	0 - HR. RATING
NON-BEARING WALLS EXTERIOR:	0 - HR. RATING
NON-BEARING WALLS INTERIOR:	0 - HR. RATING
FLOOR CONSTRUCTION:	0 - HR. RATING
ROOF CONSTRUCTION:	0 - HR. RATING
EXIT TRAVEL DISTANCE:	200 feet
(Table 1016.1)	
COMMON PATH OF TRAVEL:	75 feet IN "B" OCCUPANCIES
(per 1014.3)	100 feet IN "S-1" OCCUPANCIES
TOTAL OCCUPANCY LOADING:	35 TOTAL OCCUPANTS IN LOWER LEVEL
(per TABLE 1004.1.1)	LOWER LEVEL WAREHOUSE AREA: 12 OCCUPANTS
	(PER EGRESS PLAN)
	LOWER LEVEL BUSINESS AREA: 23 OCCUPANTS
	(PER EGRESS PLAN)
PLUMBING FIXTURE REQUIREMENTS:	
(per TABLE 2902.1)	
WATER CLOSETS TO BUSINESS:	(1 PER 25) = 1 REQUIRED 1 1/2 PROPOSED
MALE	(1 PER 25) = 1 REQUIRED 1 1/2 PROPOSED
FEMALE	(1 PER 40) = 1 REQUIRED 3 PROPOSED
LAVATORIES	

CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND THE EXACT LOCATION OF EXISTING PLUMBING, MECHANICAL, AND STRUCTURAL COMPONENTS AND ADJUST THE PLANS AS NECESSARY TO ACCOMMODATE.

WALL KEY:

- EXIST. WALL TO REMAIN
- EXIST. WALL TO BE REMOVED
- NEW STUD WALL

PLAN APPROVAL SET

SHEET INDEX

- EX-1 EXISTING/DEMO GROUND FLOOR & PARTIAL FIRST FLOOR PLANS, SHEET INDEX, & BUILDING DATA
- A-1 PROPOSED GROUND FLOOR PLAN & DETAILS

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OGDEN CONSTRUCTION REMODEL

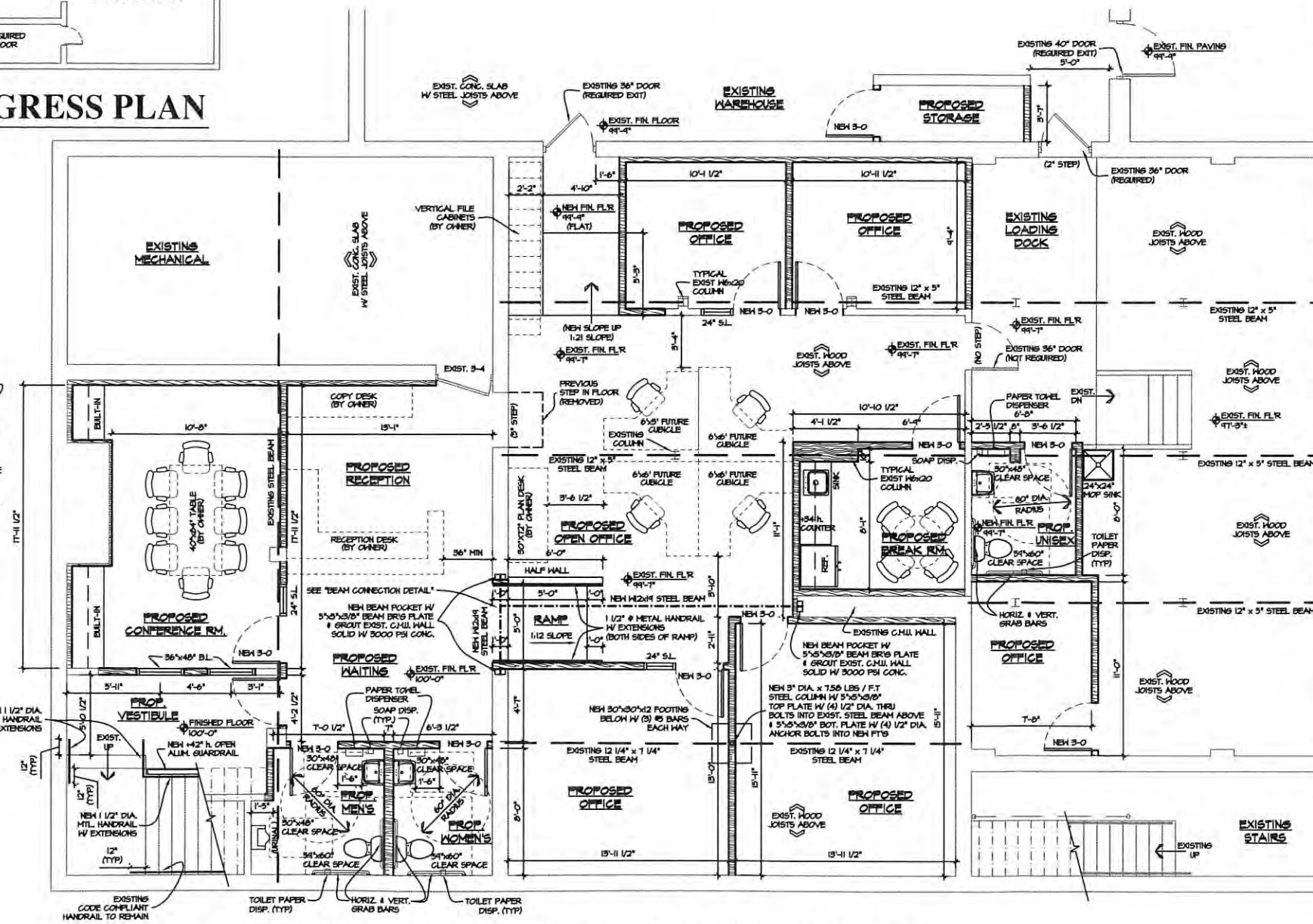
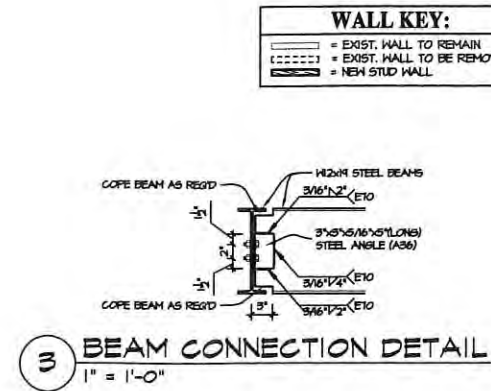
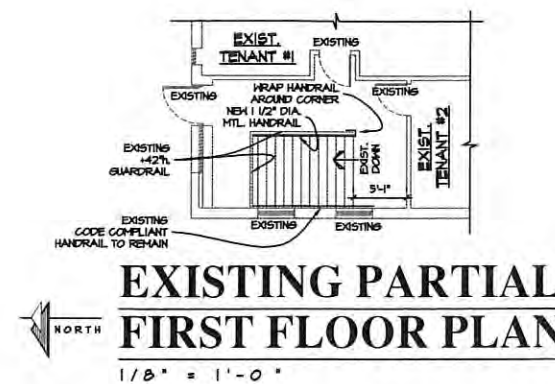
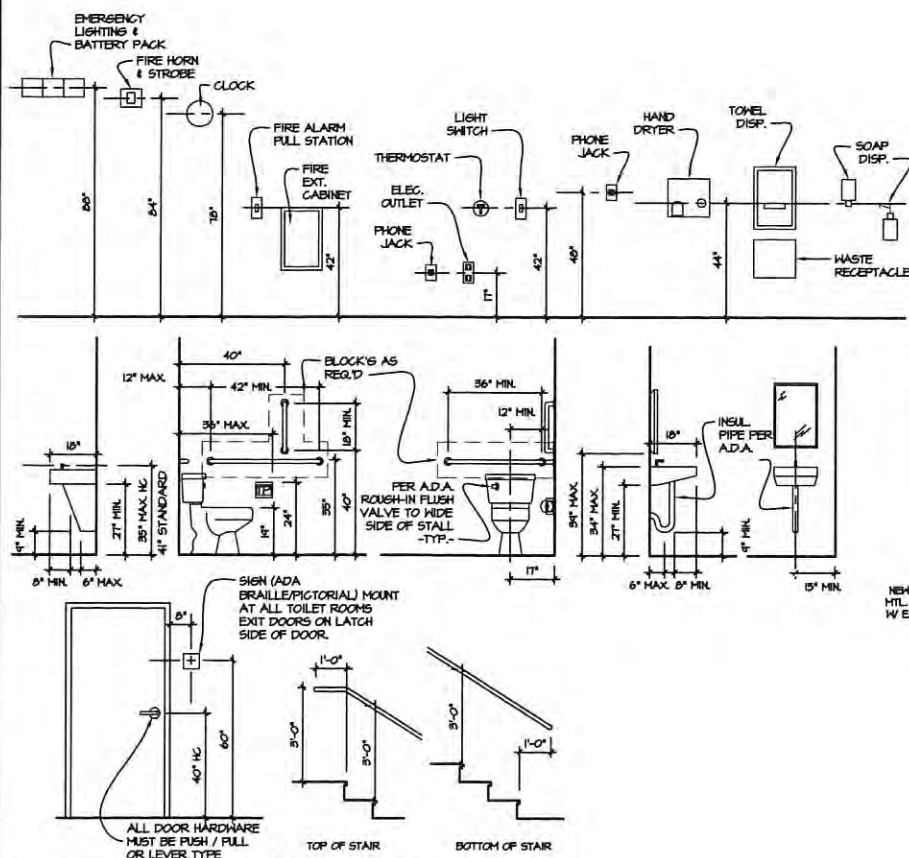
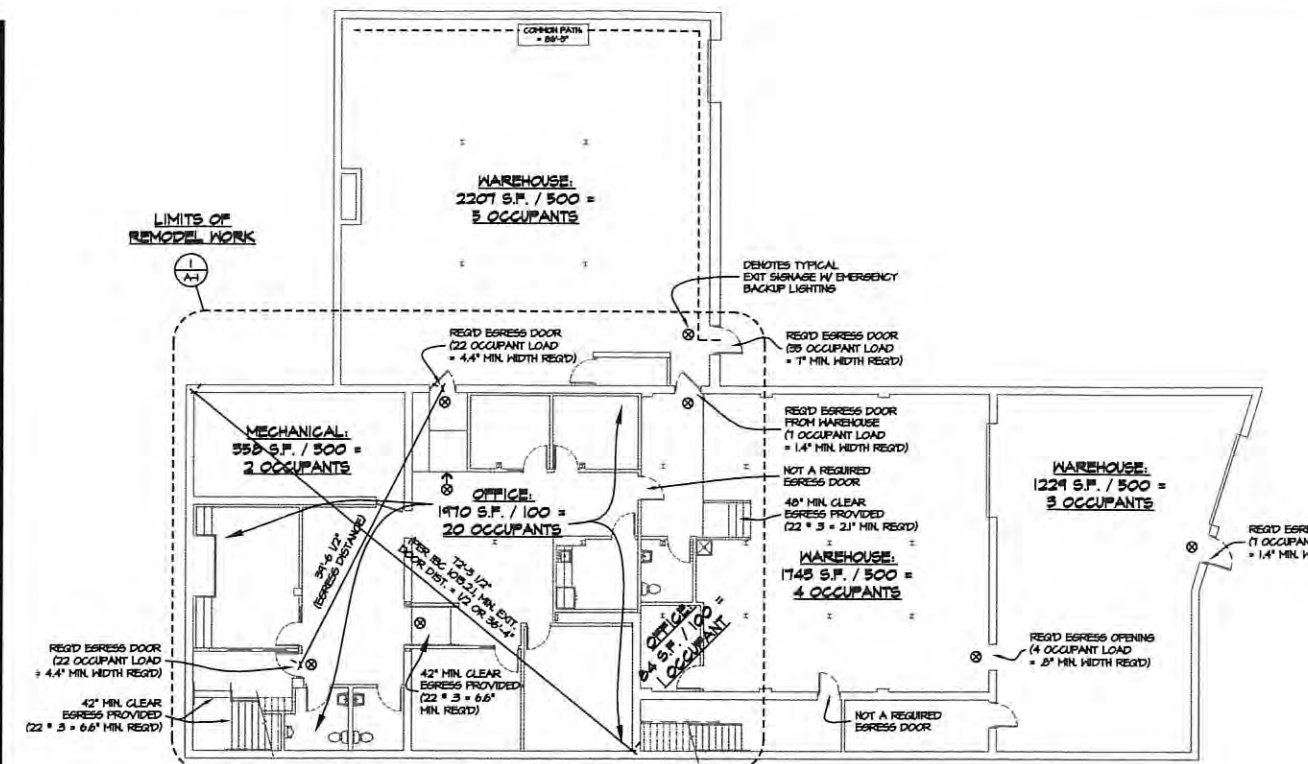
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FRANKLIN, WI

SHEET TITLE:

EXISTING / DEMO GROUND FLOOR PLAN & BUILDING DATA

EX-1

DATE: DEC. 1, 2014
PROJECT NUMBER: 14-405



CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND THE EXACT LOCATION OF EXISTING PLUMBING, MECHANICAL, AND STRUCTURAL COMPONENTS AND ADJUST THE PLANS AS NECESSARY TO ACCOMMODATE.

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LOGDEN CONSTRUCTION REMODEL

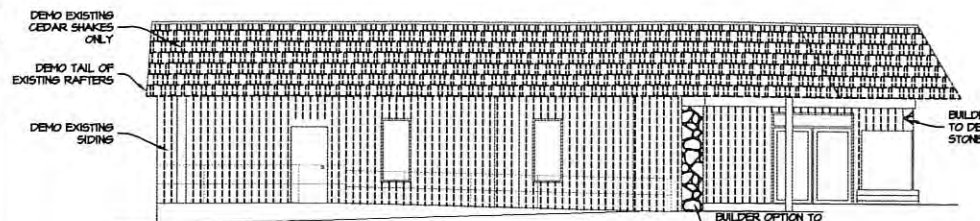
A-1

DATE: DEC. 1, 2014

PROJECT NUMBER: 14-4

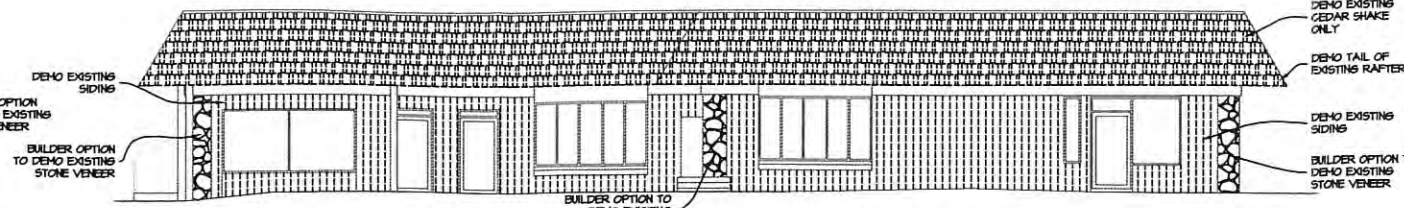
SHEET TITLE:
PROPOSED GROUND FLOOR, EGRESS PLAN, & DETAILS

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EXISTING / DEMO EAST ELEVATION

1/8" = 1'-0"



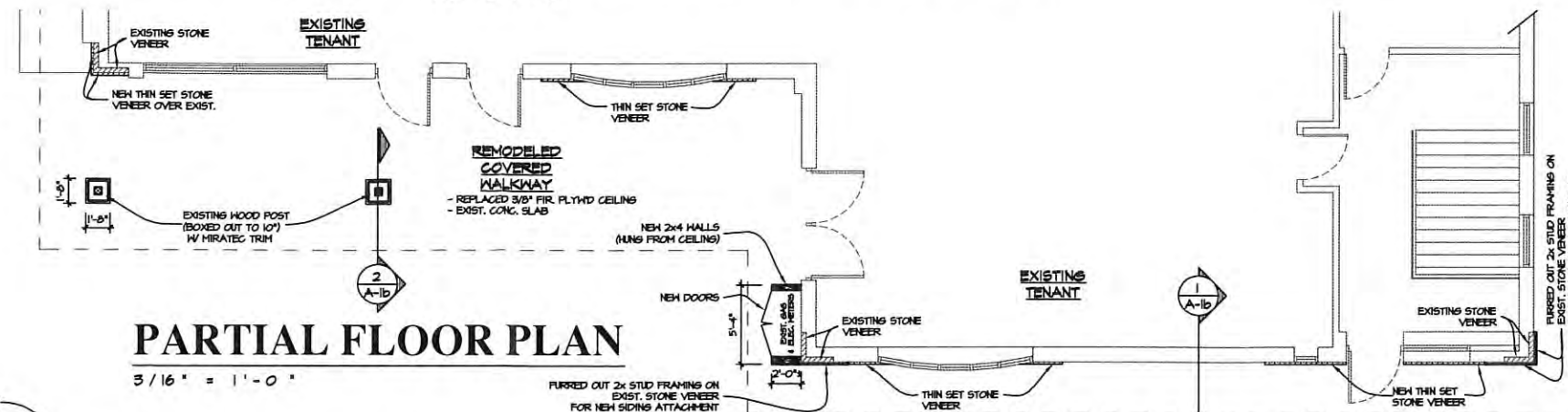
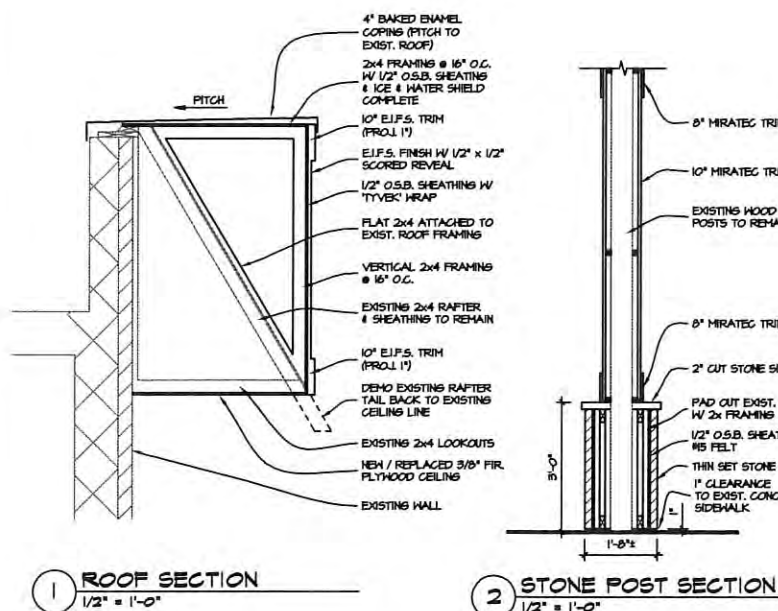
EXISTING / DEMO NORTH (FOREST HOME) ELEVATION

1/8" = 1'-0"

CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND THE EXACT LOCATION OF EXISTING PLUMBING, MECHANICAL, AND STRUCTURAL COMPONENTS AND ADJUST THE PLANS AS NECESSARY TO ACCOMMODATE.

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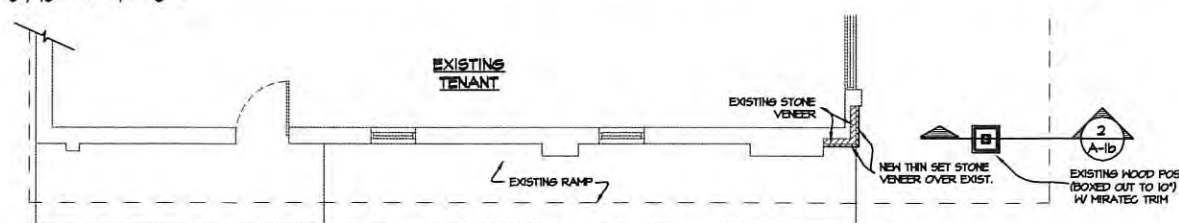
PARTIAL FLOOR PLAN

3/16" = 1'-0"



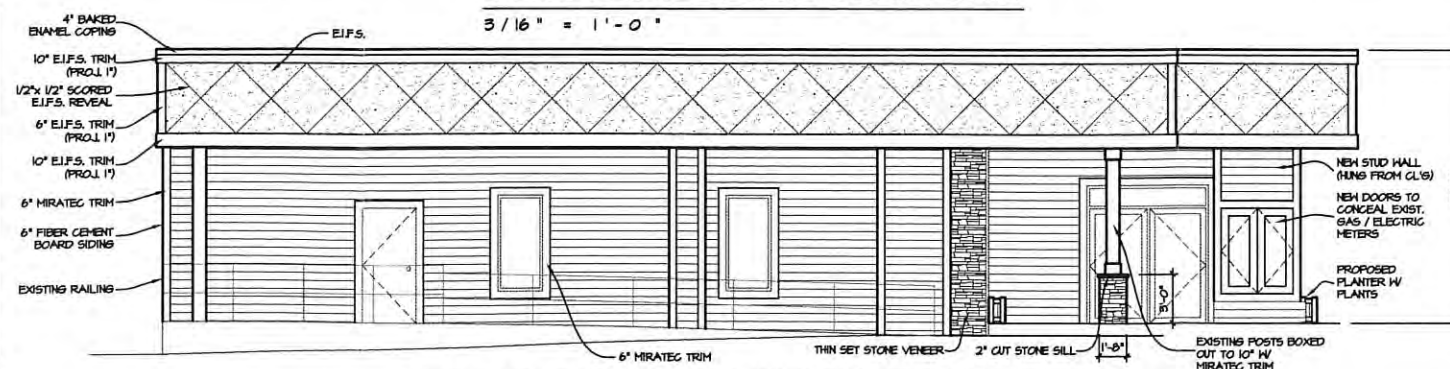
PROPOSED NORTH (FOREST HOME) ELEVATION

3/16" = 1'-0"



PARTIAL FLOOR PLAN

3/16" = 1'-0"



PROPOSED EAST ELEVATION

3/16" = 1'-0"



EXISTING EAST PHOTO



EXISTING NORTH (FOREST HOME) PHOTO

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OGDEN CONSTRUCTION REMODEL

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EXISTING & PROPOSED PLANS, ELEVATIONS & SECTIONS
SHEET TITLE:

A-1b

DATE: DEC. 1, 2014

PROJECT NUMBER: 14-405