

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, JANUARY 19, 2017, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of January 5, 2017.

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

1. **NEW RAM EXPRESS LLC OVER-THE-ROAD TRUCKING COMPANY BUSINESS.** Special Use application by Milica Rasic, owner, New Ram Express LLC, to operate an over-the-road trucking company business with overnight truck parking at the rear of the property zoned M-1 Limited Industrial District, located at 9563 South 60th Street; Tax Key No. 898-9997-018. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.** [SUBJECT MATTER CONTINUED FROM THE JANUARY 5, 2017 MEETING. THIS PUBLIC HEARING WAS PREVIOUSLY NOTICED FOR, OPENED AND HELD AT THE PLAN COMMISSION MEETING ON JANUARY 5, 2017, AND THEN POSTPONED AND CONTINUED TO THE JANUARY 19, 2017 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]

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

1. **MILLS HOTEL WYOMING, LLC LAND DIVISION.** Certified Survey Map application by Mills Hotel Wyoming, LLC, for division of an 8.06 acre portion of property into three separate lots, the property containing 2 single-family homes and a detached accessory building (Lot 1: 1.98 acres, Lot 2: 1.53 acres, Lot 3: 4.55 acres, subject property is currently part of the approximately 55 acre property on the south side of West Loomis Road), for property zoned R-2 Estate Single-Family Residence (south of West Loomis Road) District, R-8 Multiple-Family Residence District and C-1 Conservancy District (north of West Loomis Road), located at 11906-11908 West Loomis Road; Tax Key No. 891-9989-001.

E. **Adjournment**

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

Franklin Plan Commission Agenda

1/19/17

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

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

REMINDERS:

Next Regular Plan Commission Meeting: February 9, 2017

City of Franklin
Plan Commission Meeting
January 5, 2017
Minutes

Unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the January 5, 2017 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 Commissioners Patrick Leon, Patricia Hogan, David Fowler and Kevin Haley, City Engineer Glen Morrow and Alderman Mark Dandrea. Also present were Principal Planner Nick Fuchs and Planning Manager Joel Dietl.

B. Approval of Minutes

1. Regular Meeting of December 22, 2016.

Commissioner Leon moved and Commissioner Haley seconded approval of the December 22, 2016 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (6-0-0).

C. Public Hearing Business Matters

1. NEW RAM EXPRESS LLC OVER-THE-ROAD TRUCKING COMPANY BUSINESS. Special Use application by Milica Rasic, owner, New Ram Express LLC, to operate an over-the-road trucking company business with overnight truck parking at the rear of the property zoned M-1 Limited Industrial District, located at 9563 South 60th Street; Tax Key No. 898-9997-018.

Planning Manager Dietl presented the request by Milica Rasic, New Ram Express LLC for a special use to operate an over-the-road trucking company business with overnight truck parking. Mr. Dietl noted that the applicant has requested that the item be tabled to the next Plan Commission meeting.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:02 p.m. and closed at 7:02 p.m.

Mayor Olson stated that the public hearing will be postponed and the subject matter continued to the January 19, 2017 Plan Commission meeting.

2. GLENCASTLE IRISH DANCERS, INC.; “DANCE STUDIOS, SCHOOLS, AND HALLS” USE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT.

Unified Development Ordinance Text Amendment and Special Use applications by Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title

Planning Manager Dietl presented the request by Steve Anderson, owner RY Holdings Property 300 LLC/ACG Acquisitions #4 LLLC for a Unified Development Ordinance Text Amendment to allow Standard Industrial Classification Title No. 7911 “Dance Studios, Schools, and Halls” in the M-1 District as a Special Use and the Special Use request by Bridget Jaskulski, TCRG (Commission Certified Irish Dance Teacher), d/b/a Glencastle Irish Dancers, Inc. for the dance school business use at 11217 West Forest Home Avenue.

The Official Notices of Public Hearings were read in to the record by Principal Planner Fuchs and the Public Hearings were

No. 7911 “Dance Studios, Schools, and Halls” to allow for such Use as a Special Use, City-wide, in the M-1 Limited Industrial District, in conjunction with a Special Use application for the Bridget Jaskulski, TCRG (Commission Certified Irish Dance Teacher), d/b/a Glencastle Irish Dancers, Inc. business use at 11217 West Forest Home Avenue, Suite 4 and 5; Tax Key No. 748-9961-001.

opened at 7:07 p.m. and closed at 7:08 p.m.

Commissioner Fowler moved and Commissioner Hogan seconded a motion to recommend approval of an ordinance to amend the Unified Development Ordinance Text at Table 15-3.0603 Standard Industrial Classification title NO. 7911 “Dance Studios, Schools, and Halls” to allow for such use as a Special Use in the M-1 Limited Industrial District. On voice vote, all voted ‘aye’. Motion carried (6-0-0)

Commissioner Leon 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 a dance instruction use upon property located at 11217 West Forest Home Avenue, Suite 4 and 5. On voice vote, all voted ‘aye’. Motion carried (6-0-0)

D. Business Matters

1. **JEFFREY D. PEELLEN AND ROXANNE M. PEELLEN OUTLOT DESIGNATION REMOVAL.** Certified Survey Map application by Jeffrey D. Peelen and Roxanne M. Peelen to remove the outlot designation assigned to the property pursuant to Resolution No. 2008-6427 (Outlot 1 of CSM No. 8048) to allow the lot to be developed with a single-family dwelling, for property zoned R-3E Suburban/Estate Single-Family Residence District, C-1 Conservancy District and FW Floodway District, located at 7145 South Woelfel Road; Tax Key No. 754-9994-024.

Planning Manager Dietl presented a Certified Survey Map application by Jeffrey D. Peelen and Roxanne M. Peelen to remove the outlot designation and to allow the lot to be developed with a single-family dwelling.

Commissioner Fowler requested that the minutes reflect that the applicant has been made aware of the Floodway District zoning on the property and the risk of leaving the zoning intact.

City Engineer Morrow moved and Commissioner Fowler seconded a motion to recommend approval of a resolution conditionally approving a 1 lot certified survey map, Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest ¼ of the Northwest ¼ of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, subject to an amendment to condition No. 6 in the draft resolution as set forth before the Plan Commission to provide such terms as were proposed by the City Planning Manager as a compromise with the applicant such that the C-1 Conservancy District be only the subject of an application for rezoning upon any application for a permit to build an accessory structure upon or adjacent to the C-1 area and at such time that the Floodway District also be applied for as part of the rezoning. On voice vote, all voted ‘aye’. Motion carried (6-0-0).

E. Adjournment

City Engineer Morrow moved and Commissioner Hogan seconded to adjourn the Plan Commission meeting of January 5, 2017 at 7:23 p.m. All voted ‘aye’; motion carried.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of January 19, 2017

Special Use

RECOMMENDATION: City Development Staff recommends approval of the proposed special use for an over-the-road trucking business use upon property located at 9563 South 60th Street, subject to the conditions of approval in the attached draft resolution.

Project Name:	New Ram Express, LLC Special Use
Project Address:	9563 South 60 th Street
Applicant:	New Ram Express, LLC
Owners (property):	Mallory Improvement Corp.
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Master Plan	Industrial
Use of Surrounding Properties:	Industrial (to the north, south and east) and Milwaukee County's Root River Parkway (to the west)
Applicant Action Requested:	Recommendation of approval for the proposed Special Use for New Ram Express, LLC to operate at 9563 South 60 th Street

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 resolution.

BACKGROUND AND INTRODUCTION:

On January 5, 2016, the Common Council adopted Ordinance No. 2016-2203, which amended the Unified Development Ordinance at Table 15-3.0603 Standard Industrial Classification No. 4213 "Trucking, Except Local" to allow for such use as a Special Use in the M-1 Limited Industrial District.

On November 22, 2016, Milica Rasic submitted a Special Use application on behalf of New Ram Express, LLC requesting approval to operate an over-the-road trucking business use within an existing building located at 9563 South 60th Street. The proposed use corresponds to Standard Industrial Classification (SIC) Title No. 4213, Trucking, Except Local, which is allowable in the M-1 Limited Industrial District as a Special Use.

On January 5, 2017, the Plan Commission moved to postpone and continue the subject matter regarding the New Ram Express, LLC Special Use to the January 19, 2017 Plan Commission meeting.

PROJECT DESCRIPTION AND ANALYSIS:

The applicant is requesting Special Use approval to operate an over-the-road trucking business use within approximately 1,000 square feet of office space at the existing building located at 9563 South 60th Street. The property is approximately 2.46 acres or 106,970 square feet. The building is approximately 22,500 square feet, which consists of approximately 3,750 square feet of office space facing South 60th Street, and 18,750 square feet of warehouse space in the rear. The applicant is not proposing any changes to the site or the building at this time.

According to the applicant, New Ram Express, LLC is an over-the-road trucking company whose trucks travel throughout the United States. The trucks are 53-foot long dry freight vans, which typically haul dry goods such as canned food, paper towels, scrap metal, etc. The company uses their leased portion of the existing building as a dispatch office and the gravel portion of the property for parking semi trucks and trailers. According to the applicant there are seven (7) employees working in the office. Hours of operation for the business are Monday through Friday from 7:00 a.m. to 5:00 p.m. and Saturday from 9:00 a.m. to 12:00 p.m.

Parking:

Table 15-5.0203 of the City of Franklin Unified Development Ordinance defines requirements for off-street parking. According to this section, Trucking (no loading or warehousing) is required to provide 1.5 spaces per 1,000 square feet of gross floor area (GFA). If one applies this standard, then the proposed 1,000 square foot over-the-road trucking business use would be required to provide a minimum of two (2) off-street parking spaces.

The east parking lot at 9563 South 60th Street has twenty (20) striped parking stalls, which is enough to accommodate the New Ram Express, LLC employees. From Staff's review of the 2015 aerial photograph of the City of Franklin, the parking stalls at 9563 South 60th Street appear to be partially located within the South 60th Street right-of-way. Further review of historical aerial photographs shows the parking stalls used to be along the front of the building. Staff estimates the parking stalls were restriped in their present location between 2005 and 2007. Staff suggests Mallory Improvement Corp remove the existing parking stalls at 9563 South 60th Street from the South 60th Street right-of-way, and restripe the parking stalls in accordance with Section 15-5.0202 of the Unified Development Ordinance.

According to the Project Narrative, there could be as many as ten (10) semi-trucks and trailers parked on the property at one time. The applicant has not depicted how ten (10) semi-tractors could fit on the property at one time on the proposed Site Plan. According to the applicant, some of the trucks are out on the road at any given time, which reduces the odds of all ten trucks being on the property at once. The applicant has indicated they use the driveway on the north side of the existing building for ingress and egress to South 60th Street. Staff recommends the installation of precast truck wheel stops for each of the ten (10) truck parking spaces in the existing gravel lot, to ensure trailers do not encroach onto Milwaukee County's property to the west.

Staff also recommends the installation of vinyl slats, of a type and color to be reviewed and approved by Staff, into the existing 6-foot tall chain link fence on the south and east sides of the building to screen the semi-truck and trailer parking area from the view of the public.

Landscaping:

Per Table 15-3.0309 of the Unified Development Ordinance, the M-1 Limited Industrial District requires a minimum Landscape Surface Ratio (LSR) of 0.4, or 40% of the lot. As previously stated, 9563 S. 60th Street is approximately 2.46 acres or 106,970 square feet. According to the M-1 Limited Industrial District Standard, this property should have a minimum of 0.984 acres or 42,863.04 square feet of landscaped surface.

Staff suggests Mallory Improvement Corp. submit a revised site plan, meeting the minimum Landscape Surface Ratio standard of the M-1 Limited Industrial District, to the Department of City Development Staff, for its review and approval for Code and purpose compliance.

Staff suggests Mallory Improvement Corp. install turf-grass lawn along the north, west, and south property lines of 9563 South 60th Street to move closer to compliance with the minimum Landscape Surface Ratio requirement of 0.984 acres.

Per Section 15-5.0302 of the Unified Development Ordinance (UDO), the minimum number of standard plant units for an industrial site is 1 per 10 provided parking spaces. Based on twenty (20) existing parking stalls, this property would be required to have at least two (2) shade trees, two (2) evergreens, two (2) decorative trees, and two (2) shrubs. However, Section 15-5.0302B3 of the UDO states, “The minimum number of plantings shall be 5 per property for each type.” Currently, this property has no approved landscaping. Eight (8) evergreens and three (3) shade trees were planted in the South 60th Street right-of-way between 2005 and 2007 (around the same time the parking lot was re-striped). While staff appreciates the effort to add landscaping to the site, the City does not allow landscaping in the public right-of-way. Staff suggests Mallory Improvement Corp. remove the eleven (11) trees from the South 60th Street right-of-way, and provide new plantings at 9563 S. 60th Street in accordance with the minimum number of standard plant units prescribed by Section 15-5.0302 of the Unified Development Ordinance. To the extent possible, existing trees should be saved and transplanted elsewhere on the site.

Dumpster Enclosure:

According to Section 15-3.0803I of the Unified Development Ordinance, “All garbage cans, trash dumpsters, trash containers, and other storage devices situated on any property shall be closed containers with lids and shall be concealed or suitably screened from public view. Sight-proof fencing (wood or masonry) and landscaping shall be used to totally obstruct vision into the storage areas. Where such facilities are provided outside of a building, they shall be screened from public rights-of-way and adjacent property by an enclosure constructed of materials compatible with the materials on the front building wall of the main building.” Currently, an unscreened dumpster is being stored outside on the north side of the building. Therefore, Staff recommends any refuse containers being stored outside of the building at 9563 South 60th Street shall be removed from the property. Staff suggests Mallory Improvement Corp. submit a revised site plan indicating the location of a dumpster enclosure, and a dumpster enclosure elevation drawing to the Department of City Development for review and approval by Staff.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. The applicant has provided a written response to these standards, which is included in your packet.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the proposed special use for an over-the-road trucking business use upon property located at 9563 South 60th Street, subject to the conditions of approval in the attached draft resolution.

RESOLUTION NO. 2017-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR AN OVER-THE-ROAD
TRUCKING COMPANY BUSINESS USE UPON PROPERTY LOCATED
AT 9563 SOUTH 60TH STREET
(MILICA RASIC, OWNER, NEW RAM EXPRESS LLC, APPLICANT)

WHEREAS, Milica Rasic, owner, New Ram Express LLC, having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 4213 “Trucking, Except Local”, to allow for an over-the-road trucking company business use, with a maximum of ten trucks and trailers parked overnight at the rear of the property located at 9563 South 60th Street, bearing Tax Key No. 898-9997-018, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 4929 being a Re-division of Parcel 2 of Certified Survey Map No. 4144, being a Re-division of Parcel 1 of Certified Survey Map No. 2247 of lands in the Northeast 1/4 of the Northeast 1/4 of Section 27, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, 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 January, 2017, 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 Milica Rasic, owner, New Ram Express LLC, for the approval of a Special Use for the property particularly described in the

MILICA RASIC, OWNER, NEW RAM EXPRESS LLC – SPECIAL USE
RESOLUTION NO. 2017-_____

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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 Milica Rasic, owner, New Ram Express LLC, successors and assigns, as an over-the-road trucking company business use, which shall be developed in substantial compliance with, and operated and maintained by Milica Rasic, owner, New Ram Express LLC, pursuant to those plans City file-stamped November 22, 2016 and annexed hereto and incorporated herein as Exhibit A.
2. Milica Rasic, owner, New Ram Express 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 New Ram Express LLC over-the-road trucking company 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 Milica Rasic, owner, New Ram Express LLC and the over-the-road trucking company business use for the property located at 9563 South 60th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. Precast truck wheel stops shall be installed for each of the ten (10) truck parking spaces in the existing gravel lot on the west side of the building, to ensure parked trailers do not encroach onto Milwaukee County's property to the west.
5. Vinyl slats of a type and color to be reviewed and approved by Staff shall be installed into the existing 6-foot tall chain-link fence on the south and east sides of the building to screen the semi-truck and trailer parking area from the view of the public.
6. Any dumpster being stored outside of the building shall either be removed from the property or moved into the building.

BE IT FURTHER RESOLVED, that in the event Milica Rasic, owner, New Ram Express 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.

MILICA RASIC, OWNER, NEW RAM EXPRESS LLC – SPECIAL USE
RESOLUTION NO. 2017-_____

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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 _____, 2017.

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

APPROVED:

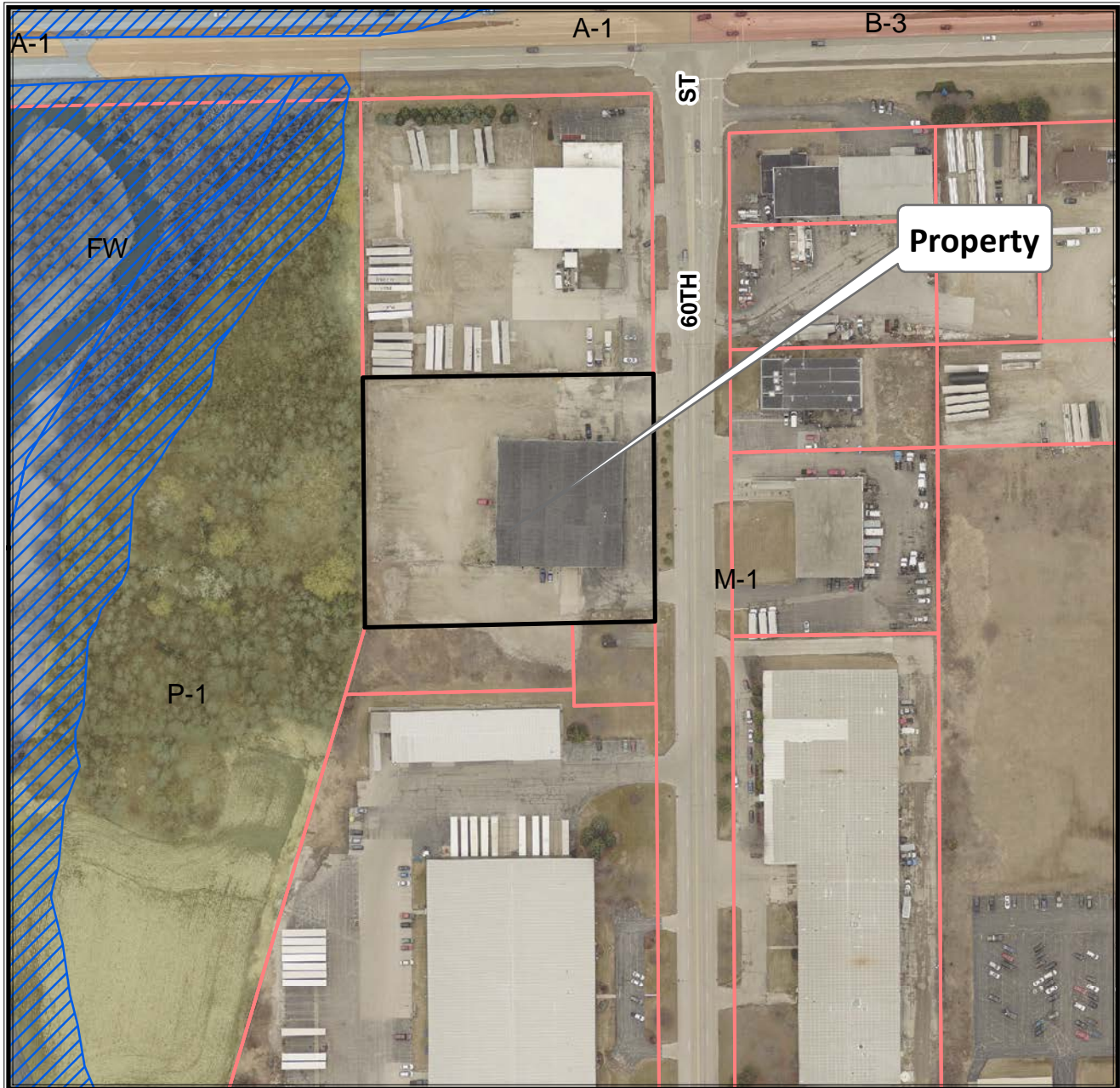
ATTEST:

Stephen R. Olson, Mayor

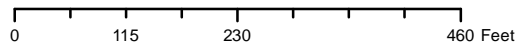
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

9563 S. 60th Street
TKN: 898 9997 018



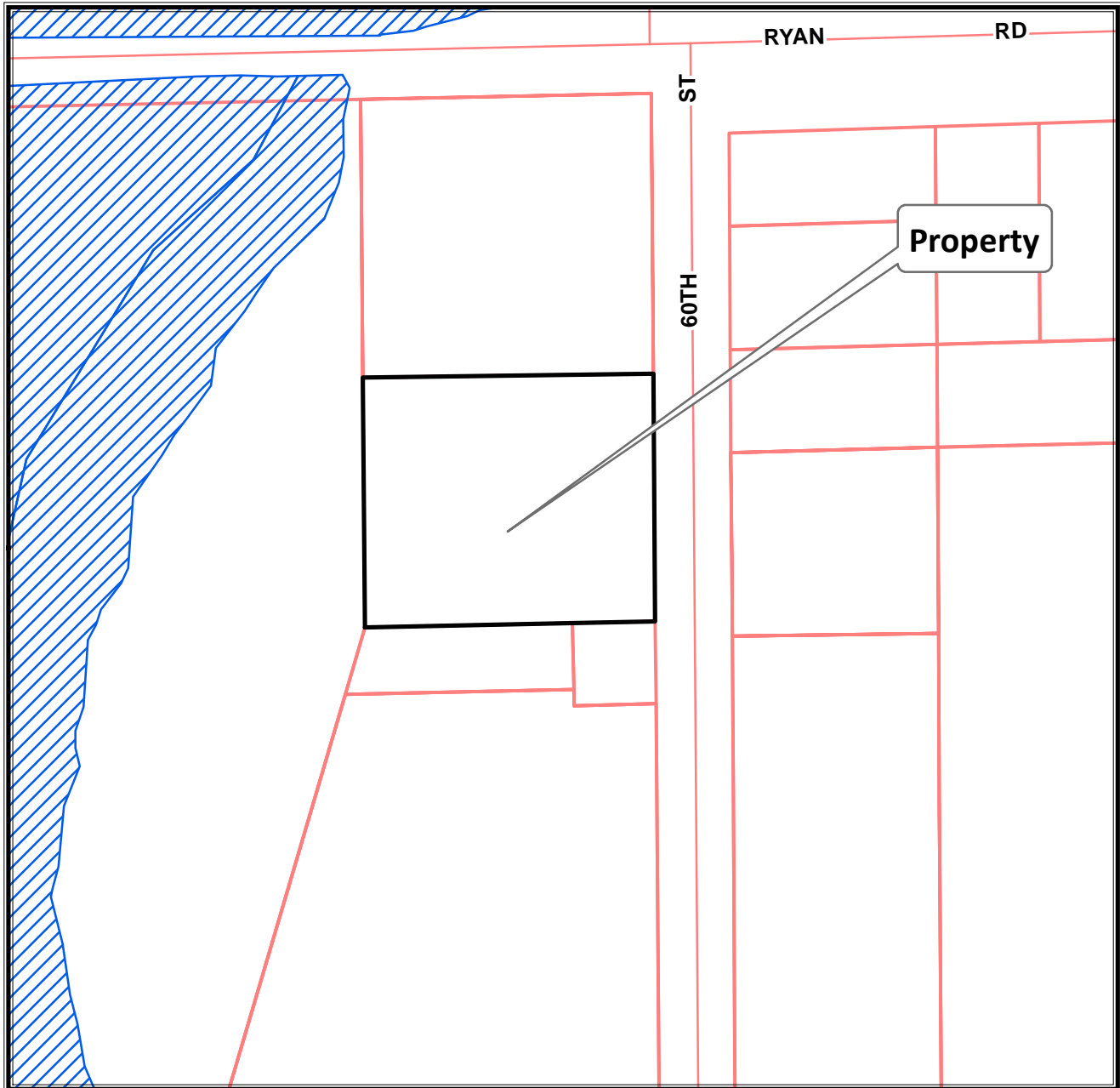
Planning Department
(414) 425-4024



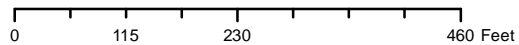
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



9563 S. 60th Street
TKN: 898 9997 018



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.



New RAM EXPRESS LLC

9563 s 60th Street
Franklin, WI 53132

Tel:414-529-3600

Fax:414-529-3626

Date	Services Performed By:	Services Performed For:
November 11, 2015	New RAM EXPRESS LLC 9563 s 60th Street Franklin, WI 53132	Planning Department City Of Franklin Special Use Amendment Application

This Statement is issued pursuant to the Special use amendment application.

New Ram Express LLC is trucking company who had been in business since 2004. We have about 40 owner operators and 10 trucks owned by the company. We also have 7 office personals including owners. June 1st we have moved to 9563 S 60th street. Our office is located on the lower level of the building. Main Entrance is located on the east side of the building. We are not using warehouse behind the offices nor upper office space.our company trucks are parked behind the building and they are entering property at the east gate and same gate is used for exit. Only some times they will use west gate.. On average, there are 5 to6 trucks parked on daily basis and on the weekends it can go up to 10. Stalls are not marked because land is not paved it is gravel and we do not have exact sizes as of right now .We are applying for this special permit so we can continue to park our trucks behind the building. We are not going to change the structure of the parking, we will use it as it is to park trucks. Also we will not use space around the building to store any products.

Thank You

Milica Rasic

Cell: 414-426-2309

Office: 414-529-3600

Franklin

JAN 09 2017

City Development

302.50

PARKING

NEW

DAM

Chain Link gate
142'

Chain Link fence

Gravel

ASPHALT

Loading dock



Gravel

ASPHALT

DUMP

9563 S 60th ST

Green Space

60th STREET

40'

44.86'

51'

Scale: 1"=20'

9604 S 60th St

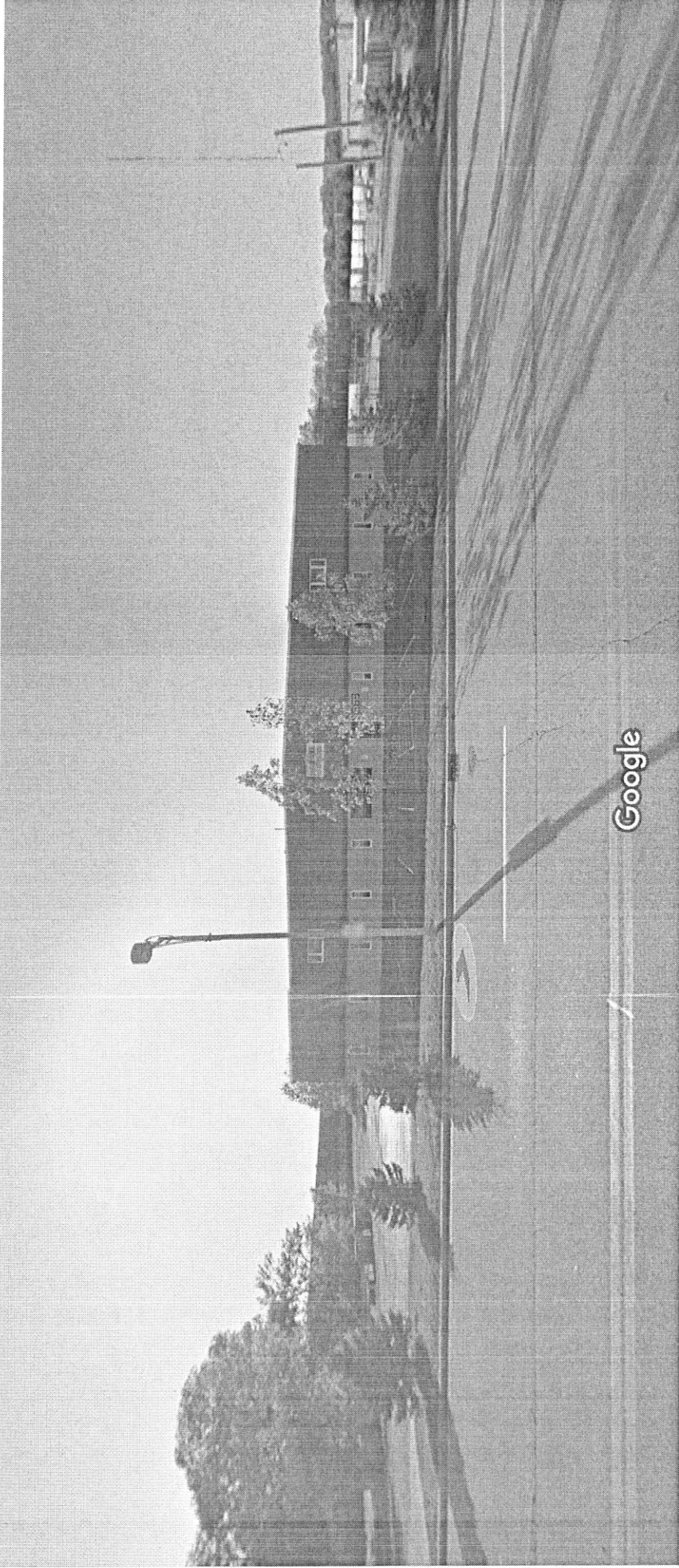
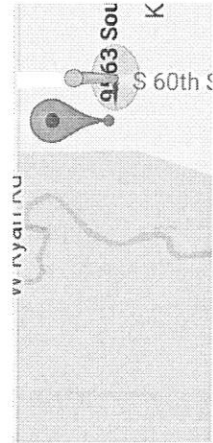


Image capture: Oct 2011 © 2017 Google

Franklin, Wisconsin

Street View - Oct 2011



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

Meeting of January 19, 2017

Certified Survey Map

RECOMMENDATION: City Development Staff recommends approval of the proposed Certified Survey Map, subject to the conditions in the draft resolutions.

Project Name:	Mills Hotel Wyoming LLC Certified Survey Map
Project Address:	11906 & 11908 West Loomis Road
Applicant:	Daniel Szczap, Bear Development LLC
Owners (property):	Mills Hotel Wyoming, LLC
Current Zoning:	R-8 Multiple-Family Residence District and C-1 Conservancy District
2025 Future Land Use:	Commercial, Areas of Natural Resource Features and Water
Use of Surrounding Properties:	Single-family residential to the north, vacant land to the south (zoned R-2), single-family residential (zoned R-8) to the east and vacant land (zoned R-8) to the west
Applicant Action Requested:	Recommendation of approval to the Common Council of the proposed Certified Survey Map

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 resolution.

On November 14, 2016, the applicant filed a Certified Survey Map (CSM) requesting to subdivide the property located at 11906 and 11908 W. Loomis Road, Tax Key No. 891-9989-001. The subject property is currently split by West Loomis Road with approximately 8.07 acres located on the north side of W. Loomis Road (as shown on the CSM) and about 54.52 acres located on the south side of W. Loomis Road. The applicant is proposing to subdivide the northern portion of land into three separate lots, leaving the larger area as a remnant piece of land.

PROJECT DESCRIPTION/ANALYSIS**Certified Survey Map (CSM):**

The proposed Certified Survey Map (CSM) will divide the portion of property north of W. Loomis Road (approximately 351,346 square feet or 8.0657 acres) into three separate lots. The existing property consists of two single-family residential dwellings, a pond and other protected natural resource features, which are discussed further below in this report.

Lot 1 has an area of 86,335 square feet and consists of one of the existing single-family homes. Lot 2 has an area of 66,858 square feet and also contains an existing single-family home. Lot 3 is 198,153 square feet and is currently vacant.

The existing homes and accessory buildings conform to R-8 District setbacks and accessory structure standards.

The CSM includes 20-foot wide shared access easements on Lot 1 and Lot 2 to accommodate the existing driveway configuration. Staff preferred separate driveways; however, Section 15-5.0202 of the UDO does allow for shared driveways and setbacks to be waived. Additionally, the applicant discussed relocating driveways with the Wisconsin Department of Transportation (WisDOT); however, WisDOT did not want to consider these driveway locations without also considering the development and access to the land on the south side of W. Loomis Road. The applicant's do not currently have plans for that portion of the property; therefore, they are not able to get permission to relocate the drives.

Shared Driveway Setbacks. Where a shared driveway between neighboring lots or parcels is provided to serve as access to a State or County Highway for the purposes of highway safety as approved by either the Wisconsin Department of Transportation or Milwaukee County Highway Department, any minimum driveway setback as required by the Zoning Ordinance shall be waived, given that such waiver of setback is for the shared driveway that is constructed over or abutting property lines of lots or parcels that benefit from the shared driveway. All other driveways on such lots or parcels shall conform to required setbacks.

Staff recommends that the applicant submit the ingress/egress easement for recording at the time of recording of the CSM. The applicant shall provide the City with a copy of the recorded ingress/egress easement.

Staff anticipates that the applicant will file another CSM in the future to further subdivide Lot 3. The number of lots proposed will depend upon the results of a detailed Natural Resource Protection Plan (NRPP). Staff would anticipate anywhere between two to four lots. As a detailed NRPP has not yet been completed, staff suggests that this portion of the CSM be shown as an Outlot, as opposed to a buildable lot.

Zoning and Land Use

The property is currently zoned R-8 Multiple-Family Residence District and is designated as Commercial, Water and Areas of Natural Resource Features on the City's 2025 Future Land Use Map.

The applicant is proposing to keep the R-8 Multiple-Family Residence District zoning and is not proposing an amendment to the Comprehensive Master Plan. The applicant has indicated that a potential concept for the lots may be to add a second principal dwelling to Lots 1 and 2. The applicant has noted that this will likely depend on the desires of a potential buyer. Per Table 15-3.0602 of the UDO, one-family detached dwellings are allowed in the R-8 Residence District as a Special Use. Per the Assessor's records, one of the homes was constructed in 1900 and the other in 1940. The existing homes do not currently have Special Uses; therefore, they are legal nonconforming uses.

As the property is currently utilized for single-family uses and that use being likely to remain in the future, the Plan Commission may consider requiring the applicant to rezone the property to a single-family residential zoning district, likely R-3 Suburban/Estate Single-Family Residence District as there is R-3 District zoning adjacent to the subject parcel. Staff does not object to multi-family zoning and land use in this area; but as single-family uses are likely to remain, staff would suggest that the subject property be rezoned to R-3 prior to recording the CSM.

If rezoned, staff recommends that the C-1 Conservancy District also be rezoned to the appropriate residential zoning district and all protected natural resource features be placed within a conservation easement.

The future development of Lot 3 into multiple single-family residential lots will require special use approval for each home, or the property will have to be rezoned to the R-3 District and a CSM or subdivision plat approved. Staff anticipates that upon submittal of an application to further develop or construct any homes on Lot 3, that Lot 3 be rezoned to R-3, including the C-1 District as noted above.

Furthermore, upon any application to rezone Lots 1, 2 or 3, staff would require submittal of a Comprehensive Master Plan Amendment Application to amend the Future Land Use for all three lots from Commercial and Areas of Natural Resource Features to Residential or Residential – Multi-Family and Areas of Natural Resource Features.

As there is no new development or rezoning proposed at this time, staff is not objecting to addressing the zoning and future land use at the time Lot 3 is subdivided or developed. The applicant has included a note on Sheet 2 of the CSM stating, “The C-1 Conservation District zoning to be rezoned to an appropriate zoning district with all protected natural resources being protected by Conservation Easement upon the development of Lot 3.”

Finally, staff notes that the vast majority of C-1 District zoning is located on Lot 3, although a portion does extend onto the rear yards of Lots 1 and 2. As such, staff recommends that the note be revised to include Lots 1 and 2 as well as Lot 3. The note will then at least notify that the future owners of Lots 1 and 2 that the City, at some point, may rezone the C-1 District.

Sewer and Water

Currently Lot 1 and Lot 2 are not served by public sewer or water facilities. Staff recommends that the applicant add a note to the CSM, prior to recording with the Milwaukee County Register of Deeds, indicating that Lot 1 and Lot 2 are not served by public sewer and water facilities and Common Council approval of development without public facilities is required upon any future development.

Lot 3, as noted on the CSM, is served by public sanitary sewer; public water is not available in this area and will connect when becomes available.”

Staff also recommends that the applicant add language to the sewer and water note on the CSM prior to recording with the Milwaukee County Register of Deeds, stating that the property owner

of Lot 3 will be assessed and required to connect to public sewer and water facilities once they become available.

In addition, staff recommends that the applicant show the septic and mound system locations on the CSM, prior to recording with the Milwaukee County Register of Deeds.

Natural Resource Protection Plan:

The applicant has provided a Wetland Delineation Report, dated March 19, 2015, from R.A. Smith National, Inc. The report was sent to the WDNR and Army Corps of Engineers; however, staff has not yet received the concurrence letter. Staff recommends that the applicant submit a letter from the Wisconsin Department of Natural Resources indicating concurrence of the wetland delineations prior to recording of this CSM with the Milwaukee County Register of Deeds. Staff also recommends that the Certified Survey Map be revised to show the detail of the wetlands with bearings and distances (Wetland Table) on a separate sheet.

All three proposed lots consist of a portion of the pond, wetland, wetland buffer and setback and the 75-foot shore buffer. Lot 1 also has steep slopes, which are located around the building located furthest west on the property. The majority of the steep slopes are 10-19%, which carry a protection standard of 60%. A small portion, approximately 669 square feet, is 20-30% slopes, which carry a protection standard of 75%.

Per the UDO, these protection standards must be met unless the slope has an area of 5,000 square feet or less or is man-made. The applicant does not wish to include the steep slopes within the conservation easement and believes the steep slopes are man-made; however, staff does not find that sufficient evidence has been presented to meet the exclusion of man-made. Therefore, staff recommends that the required portion (or greater) of the steep slopes located on Lot 1 be included in and protected as part of the conservation easement. The CSM shall be revised accordingly, prior to recording with the Milwaukee County Register of Deeds.

A detailed NRPP was not completed for Lot 3. As noted on the CSM, a detailed NRPP is required. Staff recommends adding "upon further development" to the end of that note.

The applicant shall submit a written Conservation Easement document for Common Council review and approval and recording with the Milwaukee County Register of Deeds.

STAFF RECOMMENDATION

City Development Staff recommends approval of the proposed Certified Survey Map, subject to the conditions in the draft resolutions.

RESOLUTION NO. 2017-_____

A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED
SURVEY MAP, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 30, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN,
MILWAUKEE COUNTY, WISCONSIN
(MILLS HOTEL WYOMING, LLC, APPLICANT)
(11906-11908 WEST LOOMIS ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 11906-11908 West Loomis Road, bearing Tax Key No. 891-9989-001, Mills Hotel Wyoming, LLC, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Mills Hotel Wyoming, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form

MILLS HOTEL WYOMING, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2017-_____

Page 2

and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Mills Hotel Wyoming, LLC, successors and assigns, and any developer of the Mills Hotel Wyoming, LLC 3 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Mills Hotel Wyoming, LLC and the 3 lot certified survey map project for the property located at 11906-11908 West Loomis Road: (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.
6. The note on Sheet 2 regarding the future rezoning of the C-1 District for Lot 3 shall be revised or an additional note added to also include the rezoning of the C-1 District for Lot 1 and Lot 2, prior to recording with the Milwaukee County Register of Deeds.
7. A note shall be added to the Certified Survey Map, prior to recording with the Milwaukee County Register of Deeds, indicating that Lot 1 and Lot 2 are not served by public sewer and water facilities and Common Council approval of development without public facilities is required upon any future development.
8. Language shall be added to the sewer and water note on the Certified Survey Map, prior to recording with the Milwaukee County Register of Deeds, stating that the property owner of Lot 3 will be assessed and required to connect to public sewer and water facilities once they become available.
9. The Certified Survey Map shall be revised to show the septic and mound system locations, prior to recording with the Milwaukee County Register of Deeds.
10. The applicant shall submit a letter from the Wisconsin Department of Natural Resources indicating concurrence of the wetland delineations prior to recording the Certified Survey Map with the Milwaukee County Register of Deeds.

MILLS HOTEL WYOMING, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2017-_____

Page 3

11. The Certified Survey Map shall be revised to show the detail of the wetlands with bearings and distances (Wetland Table) on a separate sheet, prior to recording with the Milwaukee County Register of Deeds.
12. The Unified Development Ordinance required percentage (or greater) of the steep slopes located on Lot 1 shall be included in and protected as part of the conservation easement. The CSM and Conservation Easement shall be revised accordingly, prior to recording with the Milwaukee County Register of Deeds.
13. Prior to recording the CSM with the Milwaukee County Register of Deeds, the note on Sheet 2 requiring a detailed Natural Resource Protection Plan for Lot 3 shall be revised to state, “A detailed Natural Resource Protection Plan for Lot 3 is required upon further development.”
14. The applicant shall submit a written Conservation Easement document for Common Council review and approval and recording with the Milwaukee County Register of Deeds.
15. The applicant shall submit the ingress/egress easement for recording at the time of recording of the Certified Survey Map with the Milwaukee County Register of Deeds. The applicant shall provide the City with a copy of the recorded ingress/egress easement.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, Mills Hotel Wyoming, LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, Mills Hotel Wyoming, LLC, with the Office of the Register of Deeds for Milwaukee County.

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

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

MILLS HOTEL WYOMING, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2017-_____

Page 4

APPROVED:

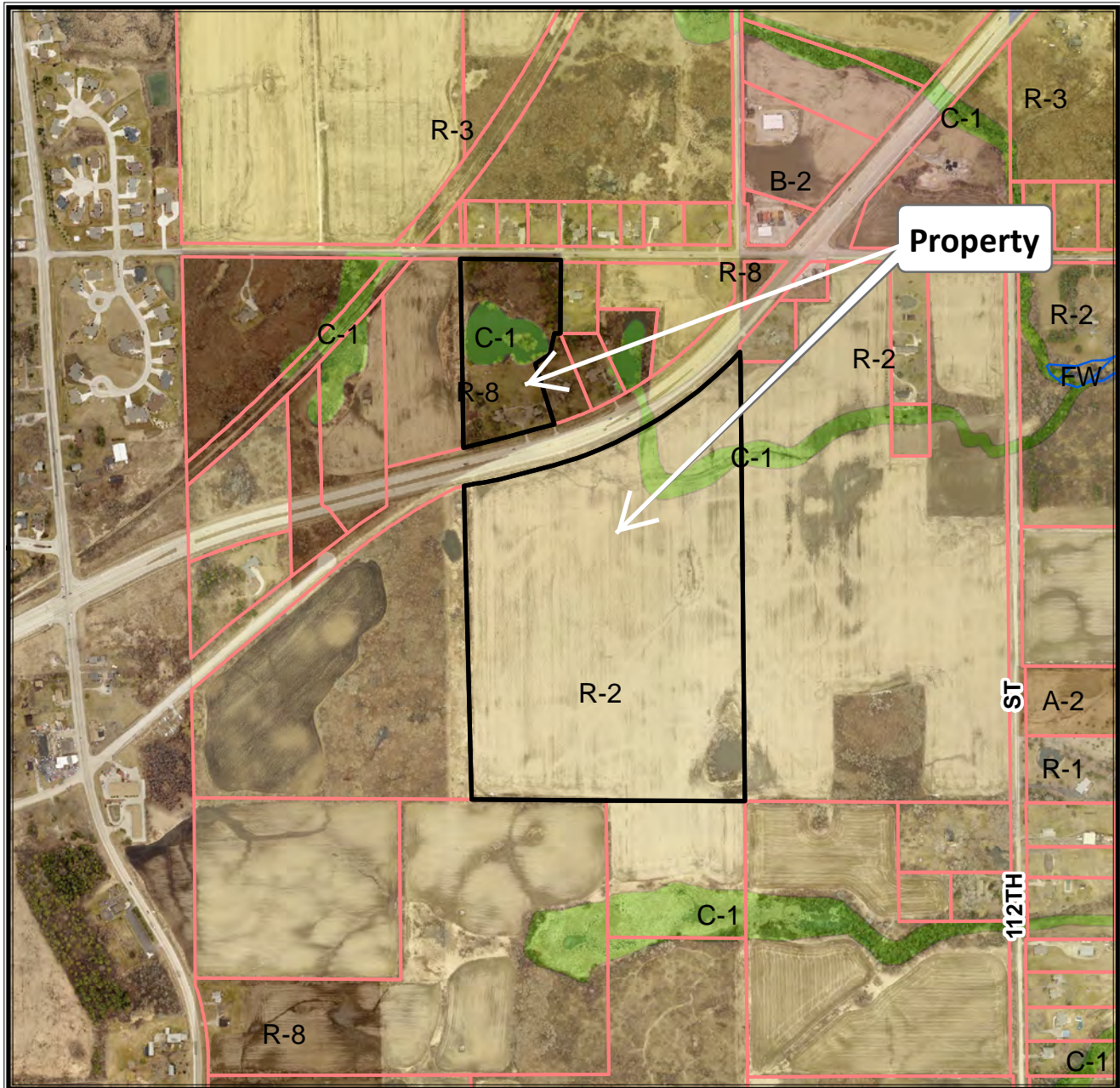
Stephen R. Olson, Mayor

ATTEST:

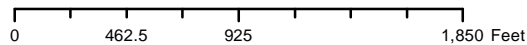
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

11906-11908 W. Loomis Road
TKN: 891 9989 001

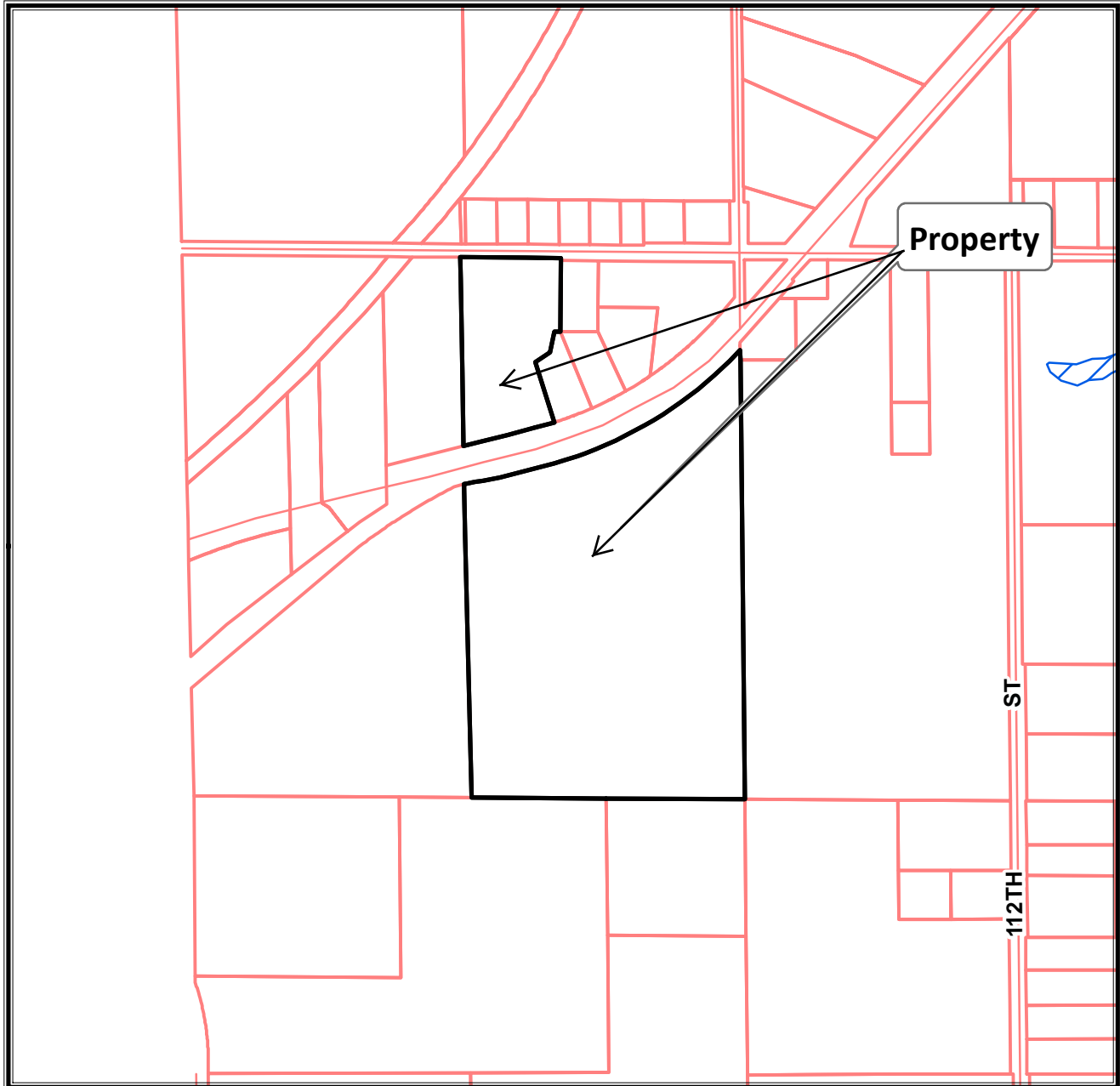


Planning Department
(414) 425-4024

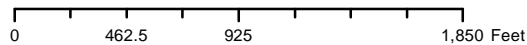


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

11906-11908 W. Loomis Road
TKN: 891 9989 001



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.





DEVELOPMENT

4011 80th Street, Kenosha, WI 53142

Phone: (262) 842-0556 Fax: (262) 842-0557

January 5, 2016

Mr. Nick Fuchs
Principal Planner
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Fuchs:

Bear Development is pleased to submit this letter and the enclosed submittal materials as formal application for Certified Survey Map review and approval. Bear Development is acting on behalf of the owner of record, Mills Wyoming Hotel, LLC.

Project Summary

Mills Wyoming Hotel, LLC is the owner of record of approximately 164 acres of land in the City of Franklin. The vast majority of the property is south of Ryan Road and west of Loomis Road and is not subject to this petition.

The property in question, consists of approximately eight (8) acres and is located between West Ryan Road and Loomis Road. The property includes two (2) existing single family homes. The property presently, is part of Tax Key Number: 891-9989-001.

We respectfully request approval of a Certified Survey Map to create three (3) individual lots as shown on the attached maps, with the intention of selling Lots 1 and 2 to individual buyers. Bear Development will retain Lot 3 and evaluate potential land use and division at a later date.

The proposed lots are each over 1.50 acres each and meet the minimum bulk requirements of the underlying R-8 Multi-Family Residential District. We are not requesting amendment to the Comprehensive Plan, zoning reclassification or any change in the current land use.

In accordance with City of Franklin requirements, we have completed a Natural Resource Protection Plan for the property in question. A copy has been included in this submittal. In specific regard with Lots 1 and 2, we found limited natural resource

Franklin

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City Development

features, as the site is currently improved as single family home sites. A more detailed NRPP for Lot 3 will be provided in the near future.

We feel the requested land division will create separate parcels with land use that is consistent and compatible with the properties in the general area.

Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

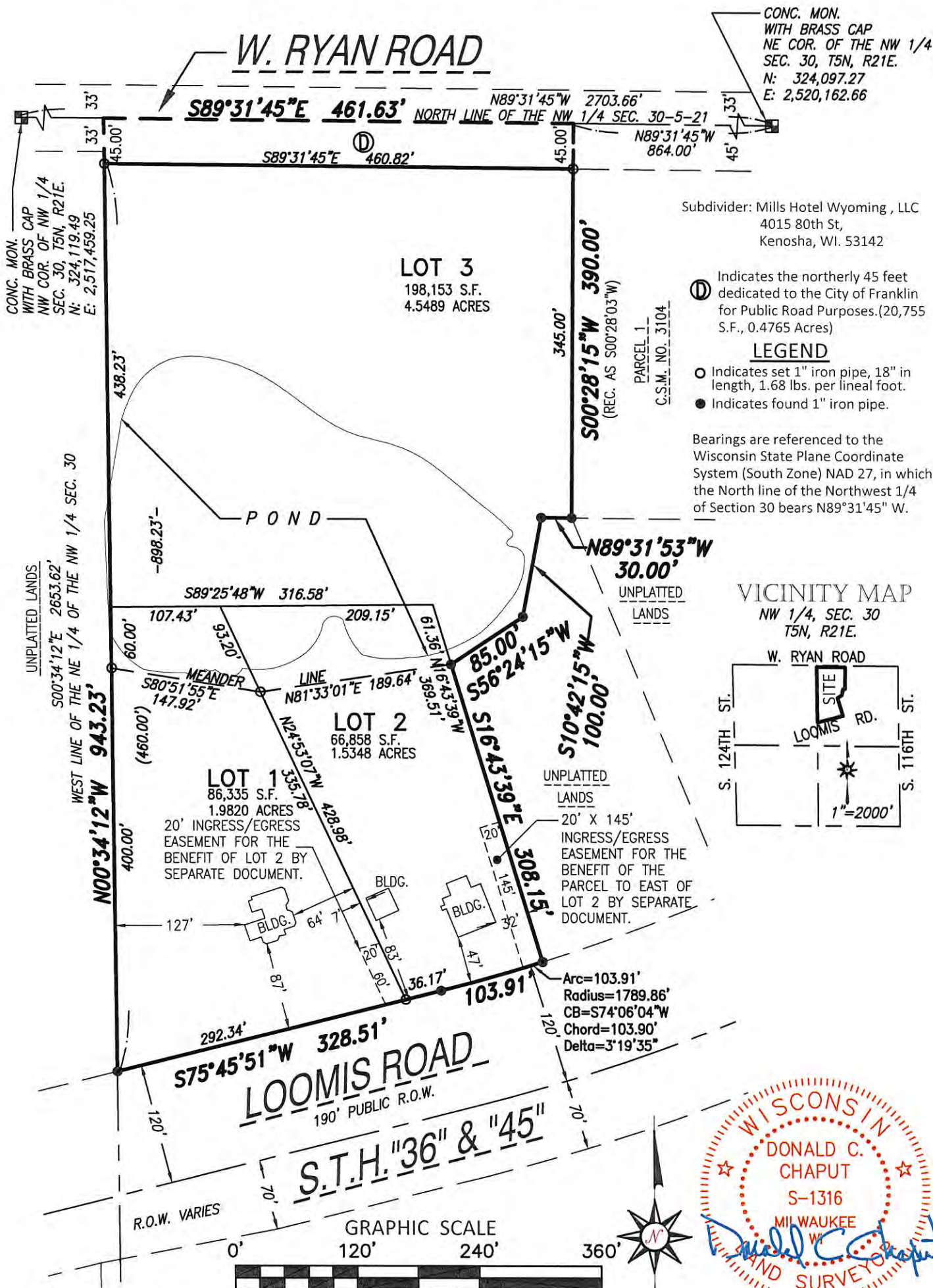
A handwritten signature in blue ink, appearing to read "Daniel Szczap".

Daniel Szczap
Bear Development, LLC

Cc: S. R. Mills
Steve Mills

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



CONC. MON. WITH BRASS CAP NE COR. OF THE NW 1/4 SEC. 30, T5N, R21E.
 N: 324,097.27
 E: 2,520,162.66

Subdivider: Mills Hotel Wyoming, LLC
 4015 80th St,
 Kenosha, WI. 53142

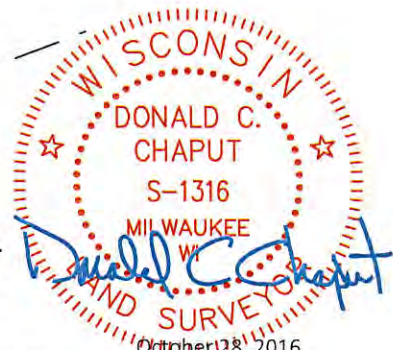
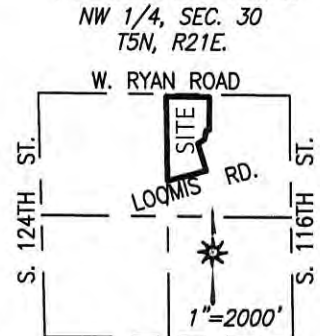
○ Indicates the northerly 45 feet dedicated to the City of Franklin for Public Road Purposes. (20,755 S.F., 0.4765 Acres)

LEGEND

- Indicates set 1" iron pipe, 18" in length, 1.68 lbs. per lineal foot.
- Indicates found 1" iron pipe.

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the North line of the Northwest 1/4 of Section 30 bears N89°31'45" W.

VICINITY MAP



October 28, 2016
 Revised: December 19, 2016
 Revised: December 22, 2016
 Revised: January 4, 2017
 Drawing No. 2160-grb
 Sheet 1 of 4 Sheets

CHAPUT LAND SURVEYS LLC
 234 W. FLORIDA STREET
 MILWAUKEE, WI 53204
 414-224-8068
 www.chaputlandsurveys.com

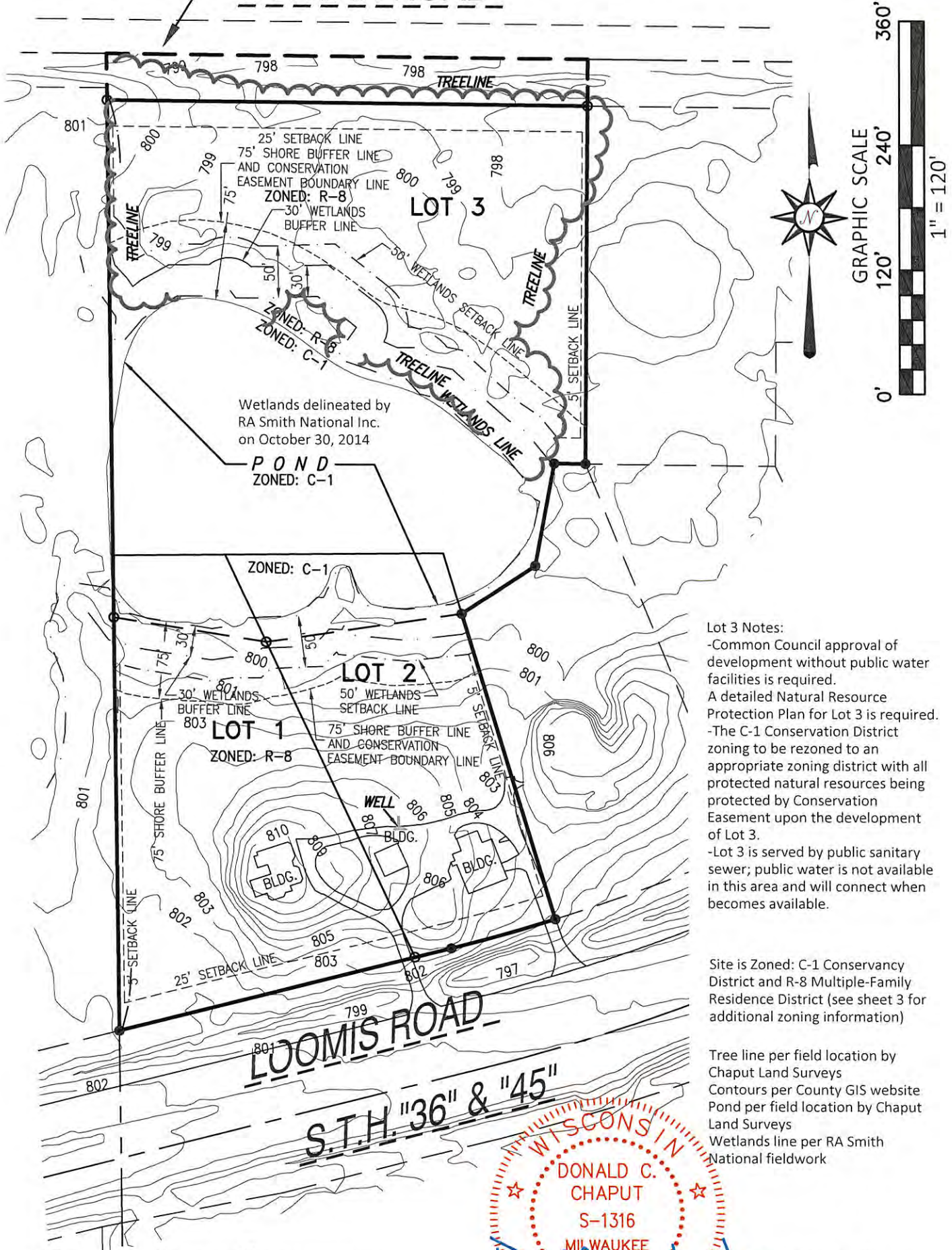
This instrument was drafted by Donald C. Chaput
 Professional Land Surveyor S-1316

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Information on Sheet 2 is shown hereon as a City of Franklin condition of approval.

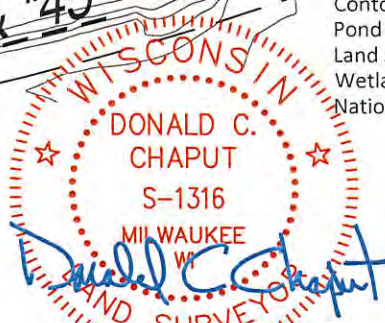
W. RYAN ROAD



Lot 3 Notes:
 -Common Council approval of development without public water facilities is required. A detailed Natural Resource Protection Plan for Lot 3 is required.
 -The C-1 Conservation District zoning to be rezoned to an appropriate zoning district with all protected natural resources being protected by Conservation Easement upon the development of Lot 3.
 -Lot 3 is served by public sanitary sewer; public water is not available in this area and will connect when becomes available.

Site is Zoned: C-1 Conservancy District and R-8 Multiple-Family Residence District (see sheet 3 for additional zoning information)

Tree line per field location by Chaput Land Surveys
 Contours per County GIS website
 Pond per field location by Chaput Land Surveys
 Wetlands line per RA Smith National fieldwork



CHAPUT LAND SURVEYS LLC
 234 W. FLORIDA STREET
 MILWAUKEE, WI 53204
 414-224-8068
 www.chaputlandsurveys.com

This instrument was drafted by Donald C. Chaput
 Professional Land Surveyor S-1316

October 28, 2016
 Revised: December 19, 2016
 Revised: December 22, 2016
 Revised: January 4, 2017
 Drawing No. 2160-grb
 Sheet 2 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}
:SS
MILWAUKEE COUNTY}

I, DONALD C. CHAPUT, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

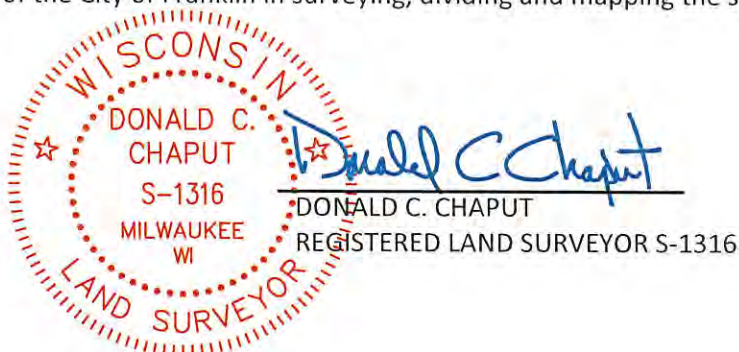
Commencing at the Northeast corner of the Northwest 1/4 of said Section, thence North 89°31'45" West along the North line of said 1/4 Section 864.00 feet to the point of beginning of lands hereinafter described; thence South 00°28'15" West along the West line of Parcel 1 of Certified Survey Map 3104 and its extension 390.00 feet to the Southwest corner of said Parcel 1; thence North 89°31'53" West 30.00 feet to a point; thence South 10°42'15" West 100.00 feet to a point; thence South 56°24'15" West 85.00 feet to a point; thence South 16°43'39" East 308.15 feet to a point on the North line of Loomis Road; thence Southwesterly 103.91 feet along said North line and arc of a curve whose center lies to the North, whose radius is 1789.86 feet and whose chord bears South 74°06'04" West 103.90 feet to a point; thence South 75°45'51" West along said North line 328.51 feet to a point; thence North 00°34'12" West 943.23 feet to a point on the North line of said Northwest 1/4 Section; thence South 89°31'45" East along said North line 461.63 feet to the point of beginning. Containing 372,100 square feet or 8.5422 acres of land.

THAT I have made the survey, land division and map by the direction of Mills Hotel Wyoming, LLC, owner.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Unified Development Ordinance Division - 15 of the City of Franklin in surveying, dividing and mapping the same.

October 28, 2016
Revised: December 19, 2016
Revised: December 22, 2016
Revised: January 4, 2017



MUNICIPAL ZONING

Site is Zoned: C-1 Conservancy District

Site is zoned: R-8 Multiple-Family Residence District
Municipal Code: Sec. 15-3.0209
Special Use: Single-Family Detached D.U.s and
Maximum Two-Attached D.U.s (Two-Family Structures)
Front setback: 25 feet (e)
Side setback: 5 feet (e)
Rear setback: 25 feet D.U. & 10 - garage (e)

Site is zoned: R-8 Multiple-Family Residence District
Municipal Code: Sec. 15-3.0209
Special Use: Multiple-Family Attached Dwelling Units
with More Than Two D.U.s per Structure
Front setback: 30 feet (c)(e)
Side setback: 20 feet (d)(e)
Rear setback: 30 feet (e)

(c) Plus one (1) additional foot for each two (2) feet
over thirty-five (35) feet of building height.
(d) Plus five (5) additional feet for each additional
story above two (2) stories of building height.
(e) See Section 15-5.0108 for increased setback
requirements along arterial streets and highways.

SECTION 15-5.0108 BUILDING SETBACK LINES

A. Plan Commission May Increase Minimum Required Setback Lines. Building setback lines appropriate to the location and type of development contemplated, which are more restrictive than the regulation of the zoning district in which the Subdivision, Certified Survey Map, or Condominium is located, may be required by the Plan Commission.

B. Minimum Required Building Setbacks from Arterial Streets and Highways. Unless a greater setback distance is specified in Divisions 15-3.0200, 15-3.0300, Division 15-3.0400, or elsewhere in this Ordinance, the minimum required setback from the ultimate right-of-way line of all arterial streets and highways (as specified by the City of Franklin Comprehensive Master Plan, Official Map, or components and/or amendments thereto) shall be forty (40) feet. An exception to this requirement, however, shall be that segment of W. St. Martins Road (CTH MM) within that area defined as the "Village of St. Martins" in the City of Franklin Comprehensive Master Plan.

Drawing No. 2160-grb
Sheet 3 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

Part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

As owner, Mills Hotel Wyoming, LLC a Wisconsin limited liability company, duly organize and existing under and by virtue of the laws of the State of Wisconsin hereby certifies that said limited liability company caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin Statutes, and Unified Development Ordinance Division - 15 of the City of Franklin in surveying, dividing and mapping the same.

Stephen R. Mills, Managing Member
Mills Hotel Wyoming, LLC

STATE OF WISCONSIN}
:SS
COUNTY}

Personally came before me this ____ day of _____, 201__, the above named Stephen R. Mills, to me known as the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission expires. _____
My commission is permanent.

CITY OF FRANKLIN COMMON COUNCIL APPROVAL

Approved and dedication accepted by the Common Council of the City of Franklin by Resolution No.

Signed this ____ day of _____, 201__

Date

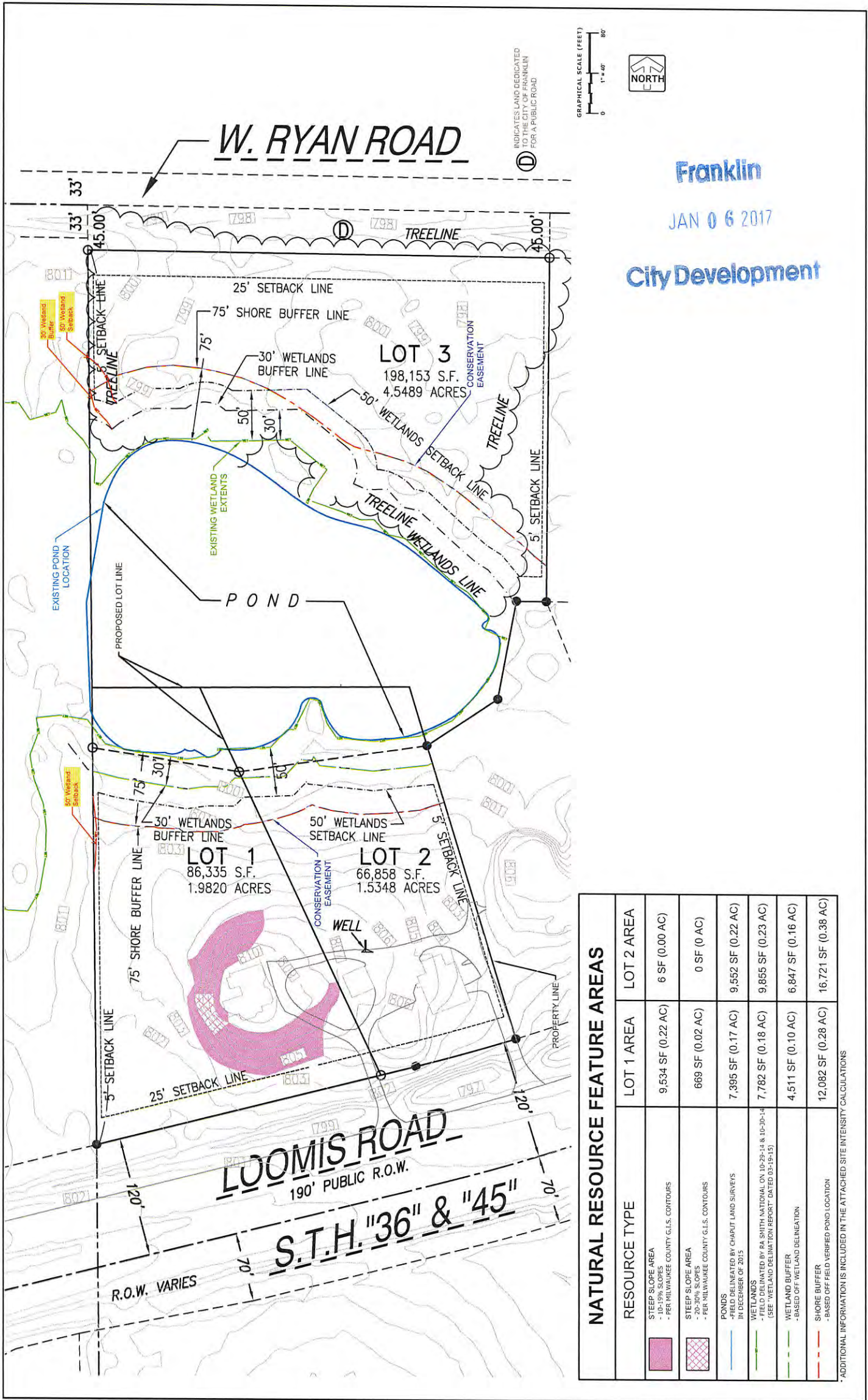
Stephen Olson, Mayor

Date

Sandra L. Wesolowski, City Clerk



October 28, 2016
Revised: December 19, 2016
Revised: December 22, 2016
Revised: January 4, 2017



Franklin
 JAN 06 2017
 City Development

NATURAL RESOURCE FEATURE AREAS		
RESOURCE TYPE	LOT 1 AREA	LOT 2 AREA
STEEP SLOPE AREA - FIELD DELINEATED BY CHARIT LAND SURVEYS IN DECEMBER OF 2015 - PER MILWAUKEE COUNTY G.L.S. CONTOURS	9,534 SF (0.22 AC)	6 SF (0.00 AC)
STEEP SLOPE AREA - 20-30% SLOPES - PER MILWAUKEE COUNTY G.L.S. CONTOURS	669 SF (0.02 AC)	0 SF (0 AC)
PONDS - FIELD DELINEATED BY CHARIT LAND SURVEYS IN DECEMBER OF 2015	7,395 SF (0.17 AC)	9,552 SF (0.22 AC)
WETLANDS - FIELD DELIMITED BY RA SMITH NATIONAL ON 10-29-14 & 10-30-14 (SEE "WETLAND DELINEATION REPORT" DATED 03-19-15)	7,782 SF (0.18 AC)	9,855 SF (0.23 AC)
WETLAND BUFFER - BASED OFF WETLAND DELINEATION	4,511 SF (0.10 AC)	6,847 SF (0.16 AC)
SHORE BUFFER - BASED OFF FIELD VERIFIED POND LOCATION	12,082 SF (0.28 AC)	16,721 SF (0.38 AC)

*ADDITIONAL INFORMATION IS INCLUDED IN THE ATTACHED SITE INTENSITY CALCULATIONS

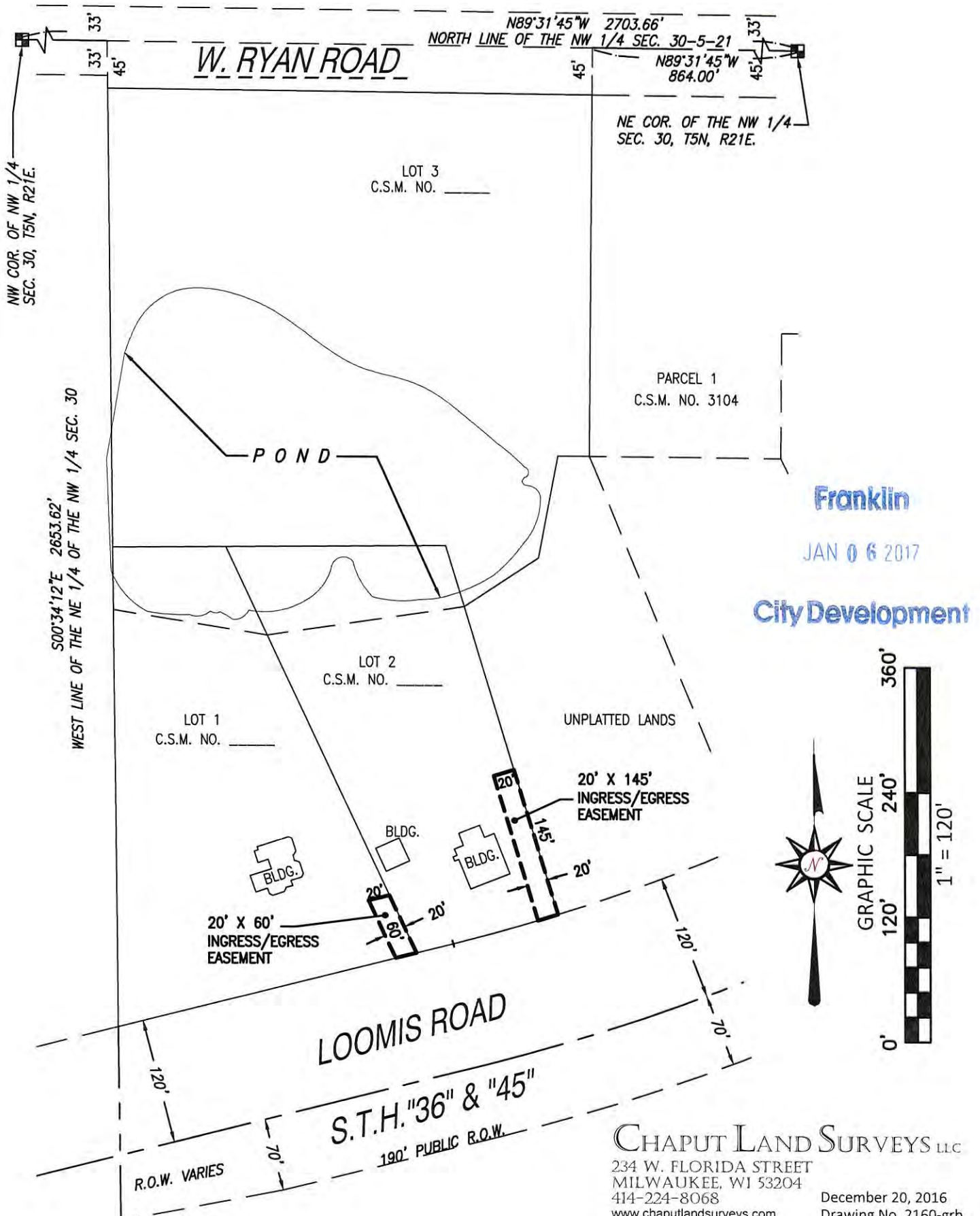
INGRESS EGRESS EASEMENT EXHIBIT

20' x 145' INGRESS EGRESS EASEMENT

The East 20 feet of the South 145 feet of Lot 2 in Certified Survey No. _____ in the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

20' x 60' INGRESS EGRESS EASEMENT

The East 20 feet of the South 60 feet of Lot 1 in Certified Survey No. _____ in the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



Franklin

JAN 06 2017

City Development

CHAPUT LAND SURVEYS LLC
 234 W. FLORIDA STREET
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 December 20, 2016
 Drawing No. 2160-grb

CONSERVATION EASEMENT

JAN 06 2017

City Development

This Conservation easement is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Mills Hotel Wyoming, LLC., a Limited Liability Corporation, hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes.

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, in the Northeast ¼ of the Northwest ¼ of Section 30, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, steep slopes, mature woodlands, young woodlands, lakes, ponds, streams, floodplains, floodways, floodlands, shore buffers, wetland buffers, wetlands and shoreland wetlands, and refer to Natural Resource Investigation by Pinnacle Engineering Group, dated December 6, 2016, which is located in the office of the Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

WHEREAS, Grantee is a "holder", as contemplated by §700.41(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

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

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

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

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

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

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

1. Construct or place buildings or any structure;
2. Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and

agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like;

- 3. Excavate, dredge, grade, mine, drill, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees;
- 4. Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, or other landscape materials, ashes, garbage, or debris;
- 5. Plant any vegetation not native to the protected property or not typical wetland vegetation;
- 6. Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.

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

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

To Grantor:
Mills Hotel Wyoming, LLC
Attn: S.R. Mills
4011 80th Street
Kenosha, WI 53142

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

In witness whereof, the grantor has set its hand and seals this on this date of December 28, 20 16.

Mills Hotel Wyoming, LLC
By: 
S. R. Mills, Member

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 30 day of December, A.D. 2016 by
S.R. Mills, Member, Mills Hotel Wyoming, LLC

To me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said Mills Hotel Wyoming, LLC.




Notary Public

My commission expires 1/15/2018

Acceptance

The undersigned does hereby consent to and accepts the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement. In consideration of the making of such Grant Of Conservation Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns

and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by §236.293 of the Wisconsin Statutes.

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

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

Personally came before me this _____ day of _____, A.D. 20__, the above named Stephen R. Olson, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. _____, adopted by its Common Council on the _____ day of _____, 20__.

Notary Public

My commission expires _____

This instrument was drafted by the City of Franklin.

Approved as to contents:

Nicholas Fuchs, Senior Planner
Department of City Development

Date

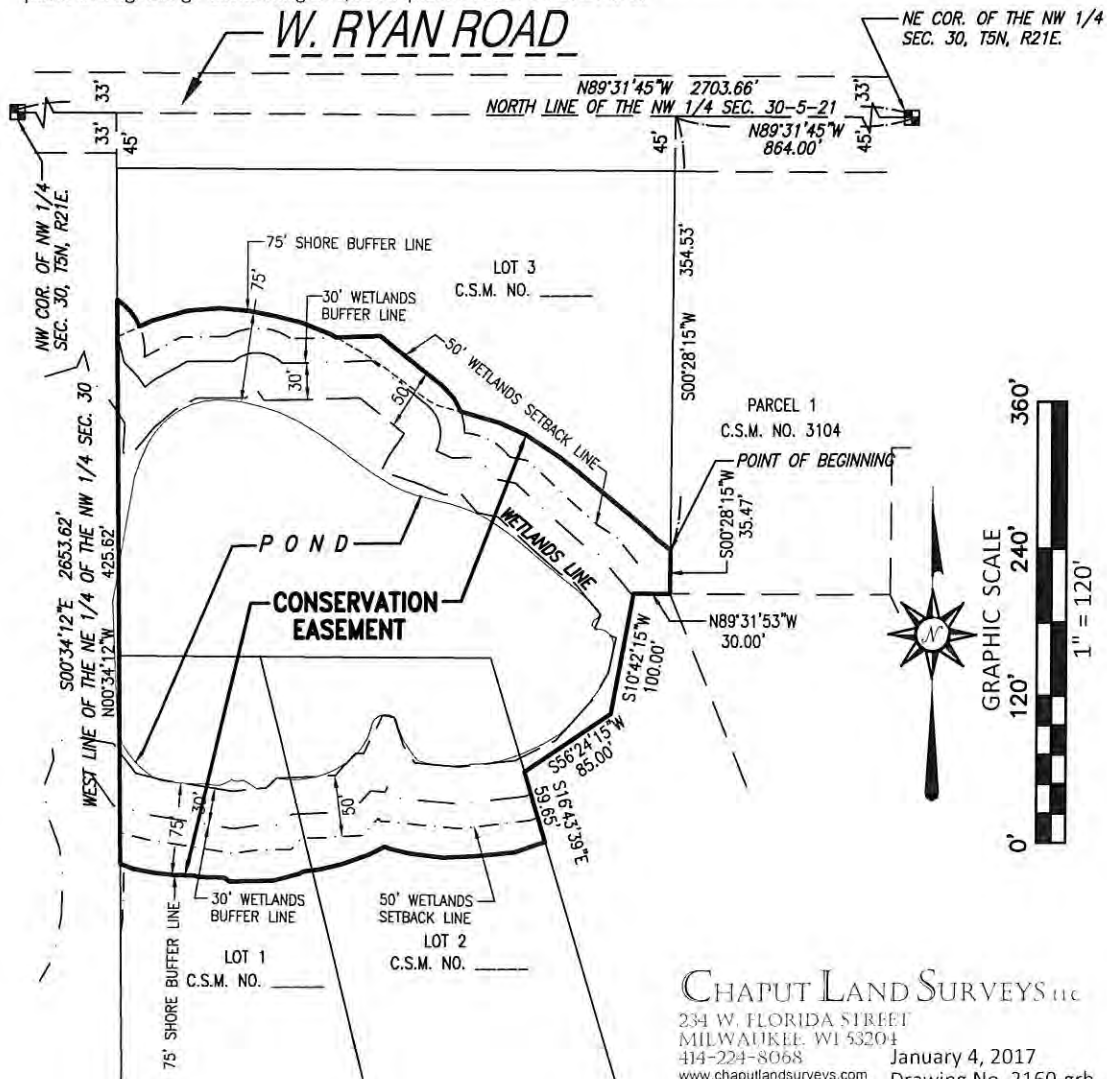
Approved as to form only:

Jesse A. Wesolowski
City Attorney

Date

CONSERVATION EASEMENT EXHIBIT

Part of Lots 1, 2 and 3 in Certified Survey Map No. _____ in the Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Northeast corner of the Northwest 1/4 of said Section, thence North 89°31'45" West along the North line of said 1/4 Section 864.00 feet to a point; thence South 00°28'15" West along the West line of Parcel 1 of Certified Survey Map 3104 and its extension 354.53 feet to the point of beginning of lands hereinafter described; thence continuing thence South 00°28'15" West along said West line 35.47 feet to the Southwest corner of said Parcel 1; thence North 89°31'53" West along the South line of Lot 3 of Certified Survey Map No. _____ a distance of 30.00 feet to a point; thence South 10°42'15" West along said South line 100.00 feet to a point; thence South 56°24'15" West along said South line 85.00 feet to a point on the East line of Lot 2 of Certified Survey Map No. _____; thence South 16°43'39" East along said East line 59.65 feet to a point; thence South 71°53'09" West 26.21 feet to a point; thence South 84°07'55" West 30.67 feet to a point; thence South 87°05'29" West 28.31 feet to a point; thence North 82°35'43" West 27.53 feet to a point; thence North 76°14'53" West 18.11 feet to a point; thence North 63°50'58" West 3.78 feet to a point; thence South 62°19'45" West 14.92 feet to a point; thence South 71°41'35" West 23.07 feet to a point; thence South 76°43'50" West 20.00 feet to a point; thence South 83°59'34" West 12.56 feet to a point; thence South 61°12'07" West 4.34 feet to a point; thence South 75°52'10" West 22.20 feet to a point; thence South 88°54'29" West 35.55 feet to a point; thence North 56°38'20" West 5.88 feet to a point; thence North 88°20'10" West 20.51 feet to a point; thence North 74°11'53" West 4.50 feet to a point; thence North 89°18'09" West 15.90 feet to a point; thence North 83°45'46" West 16.50 feet to a point; thence North 79°23'09" West 18.17 feet to a point; thence North 67°38'10" West 11.13 feet to a point on the West line of the Northeast 1/4 of the Northwest 1/4 of Section 30; thence North 00°34'12" West along said West line 459.89 feet to a point; thence 28.83 feet along the arc of curve whose radius is 50.00 feet and whose center lies to the southwest, having a bearing of South 40°31'03" East 28.44 feet to a point; thence North 65°19'36" East 11.83 feet to a point; thence North 74°39'37" East 30.08 feet to a point; thence North 85°31'06" East 26.12 feet to a point; thence South 84°33'48" East 25.66 feet to a point; thence South 78°53'41" East 19.41 feet to a point; thence South 76°10'49" East 23.63 feet to a point; thence South 67°45'52" East 27.83 feet to a point; thence South 60°16'21" East 3.75 feet to a point; thence North 88°04'41" East 36.27 feet to a point; thence South 51°29'11" East 65.76 feet to a point; thence South 43°02'17" East 14.69 feet to a point; thence South 27°51'17" East 11.73 feet to a point; thence South 73°50'39" East 33.41 feet to a point; thence South 65°34'16" East 23.82 feet to a point; thence South 56°35'28" East 32.44 feet to a point; thence South 52°47'06" East 13.49 feet to a point; thence South 50°27'17" East 53.06 feet to a point; thence South 50°07'18" East 28.00 feet to a point; thence South 46°05'35" East 8.93 feet to a point; thence South 50°14'54" East 16.52 feet to the point of beginning. Containing 162,353 Square Feet or 3.7271 Acres



SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

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

Table 15-3.0502

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

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	1.98 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; <i>or</i> In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	- 0 acres
STEP 5:	Equals "Base Site Area"	= 1.98 acres

SECTION 15-3.0503

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

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

Franklin

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City Development

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District.		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X 0.22 =	0.13
20-30%	0.65	0.75	0.70	X 0.02 =	0.01
+ 30%	0.90	0.85	0.80	X 0 =	0
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X 0 =	0
Young	0.50	0.50	0.50	X 0 =	0
Lakes & Ponds	1	1	1	X 0.17 =	0.17
Streams	1	1	1	X 0 =	0
Shore Buffer	1	1	1	X 0.28 =	0.28
Floodplains	1	1	1	X 0 =	0
Wetland Buffers	1	1	1	X 0.10 =	0.10
Wetlands & Shoreland Wetlands	1	1	1	X 0.18 =	0.18
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					0.59

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

SECTION 15-3.0504

CALCULATION OF SITE INTENSITY AND CAPACITY FOR RESIDENTIAL USES

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

Table 15-3.0504

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

<p>STEP 1:</p>	<p>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>1.98</u></p> <p>Multiply by Minimum <i>Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard): X <u>0</u></p> <p>Equals MINIMUM REQUIRED ON-SITE OPEN SPACE =</p>	<p>0 acres</p>
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA:</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>1.98</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater: <u>0.59</u></p> <p>Equals NET BUILDABLE SITE AREA =</p>	<p>1.39 acres</p>
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>1.39</u></p> <p>Multiply by Maximum <i>Net Density (ND)</i> (see specific residential zoning district ND standard): X <u>5</u></p> <p>Equals MAXIMUM NET DENSITY YIELD OF SITE =</p>	<p>7.0 D.U.s</p>
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>1.98</u></p> <p>Multiply by Maximum <i>Gross Density (GD)</i> (see specific residential zoning district GD standard): X <u>5</u></p> <p>Equals MAXIMUM GROSS DENSITY YIELD OF SITE =</p>	<p>9.9 D.U.s</p>
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</p> <p>Take the <i>lowest</i> of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):</p>	<p>7.0 D.U.s</p>

SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

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

Table 15-3.0502

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

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	1.53 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; <i>or</i> In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	- 0 acres
STEP 5:	Equals "Base Site Area"	= 1.53 acres

SECTION 15-3.0503

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

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

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District.		
Steep Slopes: 10-19%	0.00	0.60	0.40	X <u>0.00</u> =	<u>0.00</u>
20-30%	0.65	0.75	0.70	X <u>0</u> =	<u>0</u>
+ 30%	0.90	0.85	0.80	X <u>0</u> =	<u>0</u>
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X <u>0</u> =	<u>0</u>
Young	0.50	0.50	0.50	X <u>0</u> =	<u>0</u>
Lakes & Ponds	1	1	1	X <u>0.22</u> =	<u>0.22</u>
Streams	1	1	1	X <u>0</u> =	<u>0</u>
Shore Buffer	1	1	1	X <u>0.38</u> =	<u>0.38</u>
Floodplains	1	1	1	X <u>0</u> =	<u>0</u>
Wetland Buffers	1	1	1	X <u>0.16</u> =	<u>0.16</u>
Wetlands & Shoreland Wetlands	1	1	1	X <u>0.23</u> =	<u>0.23</u>
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					0.60

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

SECTION 15-3.0504

CALCULATION OF SITE INTENSITY AND CAPACITY FOR RESIDENTIAL USES

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

Table 15-3.0504

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

<p>STEP 1:</p>	<p>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>1.53</u></p> <p>Multiply by Minimum <i>Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard): X <u>0</u></p> <p>Equals MINIMUM REQUIRED ON-SITE OPEN SPACE =</p>	<p>0 acres</p>
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA:</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>1.53</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater: - <u>0.60</u></p> <p>Equals NET BUILDABLE SITE AREA =</p>	<p>0.93 acres</p>
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>0.93</u></p> <p>Multiply by Maximum <i>Net Density (ND)</i> (see specific residential zoning district ND standard): X <u>5</u></p> <p>Equals MAXIMUM NET DENSITY YIELD OF SITE =</p>	<p>4.65 D.U.s</p>
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>1.53</u></p> <p>Multiply by Maximum <i>Gross Density (GD)</i> (see specific residential zoning district GD standard): X <u>5</u></p> <p>Equals MAXIMUM GROSS DENSITY YIELD OF SITE =</p>	<p>7.65 D.U.s</p>
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</p> <p>Take the <i>lowest</i> of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):</p>	<p>4.65 D.U.s</p>