

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, JANUARY 5, 2017, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of December 22, 2016.

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.**
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 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. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT AND SPECIAL USE APPLICATIONS.**

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

1. **JEFFREY D. PEELEN AND ROXANNE M. PEELEN 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

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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.

E. Adjournment

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

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

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

REMINDERS:

Next Regular Plan Commission Meeting: January 19, 2017

**City of Franklin
Plan Commission Meeting
December 22, 2016
Minutes**

A. Call to Order and Roll Call

Mayor Steve Olson called the December 22, 2016 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 and Kevin Haley and City Engineer Glen Morrow. Excused were Alderman Mark Dandrea and Commissioners Patricia Hogan and David Fowler. Also present were Principal Planner Nick Fuchs, Planning Manager Joel Dietl and Alderwoman Kristen Wilhelm.

B. Approval of Minutes

1. Regular Meeting of December 8, 2016.

Commissioner Haley moved and Commissioner Leon seconded approval of the December 8, 2016 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (4-0-0).

C. Public Hearing Business Matters

1. **CHARLOTTE'S GARDEN 52 UNIT TWO STORY MULTI-FAMILY SENIOR INDEPENDENT LIVING APARTMENT DEVELOPMENT.** Rezoning, Comprehensive Master Plan Amendment and Special Use applications by Robert Williams, TDI Associates, Inc., to rezone property located at 3709 West College Avenue (4.1204 acres) from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District and to amend the Future Land Use Map land use designation from Residential Use to Residential – Multi-Family Use to construct a 52 unit multi-family senior apartment complex consisting of 8 one bedroom units and 44 two bedroom units with a clubhouse/activity center, 94 underground parking spaces, 30

Planning Manager Dietl presented the request by Robert Williams, TDI Associates, Inc. for a 52 unit multi-family senior apartment complex development.

Commissioner Haley moved and City Engineer Morrow seconded a motion to approve a resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at 3709 West College Avenue from Residential use to Residential-Multi-Family use, pursuant to WIS.STAT. §66.1001(4)(b). On voice vote, all voted 'aye'. Motion carried (4-0-0).

The Public Hearing, being continued from the December 8, 2016 Plan Commission meeting, was opened at 7:02 p.m. and closed at 7:04 p.m.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend approval of an ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from R-6 Suburban Single-Family Residence District to R-8 Multiple-Family Residence District (3709 West College Avenue) (4.1204 acres). On voice vote, all voted 'aye'. Motion carried (4-0-0).

Commissioner Haley moved and Commissioner Leon seconded

surface parking spaces, a gazebo, storm water pond and landscaping (the Special Use is in part required because the proposed density of the development exceeds the R-8 Multiple-Family Residence District Development Standards (Option 1), which allows a Gross Density of 6.10 and a Net Density of 8.00; proposed development includes 52 units which equates to a net Density of 19.40 and Gross Density of 12.62; Special Use regulations provide in part at §15-3.0701A. of the Unified Development Ordinance that district standards may be modified by the Common Council pursuant to the recommendations of the Plan Commission); Tax Key No. 713-9996-003.

a motion to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use to allow for a two story, 52 unit multi-family senior independent living apartment complex development use upon property located at 3709 West College Avenue (Charlotte's Garden) with the amendment to allow 2 years to obtain an occupancy permit. On voice vote, all voted 'aye'. Motion carried (4-0-0).

D. Business Matters

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

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

City Engineer Morrow moved and Commissioner Haley seconded a motion to recommend approval of a resolution conditionally approving a 3 lot certified survey map, being that part of the Southeast ¼ of the Southwest ¼ of Section 13, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. On voice vote, all voted 'aye'. Motion carried (4-0-0).

2. TUCKAWAY PINES CONDOMINIUM DEVELOPMENT. Fourth

Planning Manager Dietl presented a Fourth Addendum to the Tuckaway Pines Condominium Plat for construction of six two-unit condominium buildings.

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

3. WHITNALL YOUTH BASEBALL, INC. SPORTS GROUP INDOOR PHYSICAL FITNESS/PRACTICE FACILITY. Temporary Use application by Michael Phillip

Commissioner Leon moved and City Engineer Morrow seconded a motion to recommend approval of a resolution conditionally approving a condominium plat for the Fourth Addendum to the Tuckaway Pines Condominium development at 7556, 7558, 7560 West Tuckaway Pines Circle (Building 0), 7550, 7552, 7554 West Tuckaway Pines Circle (Building 1), 7530, 7532, 7534 West Tuckaway Pines Circle (building 2), 7501, 7503, 7505 West Tuckaway Pines Circle (Building 5), 7543, 7545, 7547 West Tuckaway Pines Circle (Building 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11). On voice vote, all voted 'aye'. Motion carried (4-0-0). Planning Manager Dietl presented a Landscape Plan for the Tuckaway Pines Condominium development.

Commissioner Haley moved and Commissioner Leon seconded a motion to recommend approval of a resolution approving a landscape plan for construction of six two-unit building within the Tuckaway Pines Condominium development (at 7556, 7558, 7560 West Tuckaway Pines Circle (Building 0), 7550, 7552, 7554 West Tuckaway Pines Circle (Building 1), 7530, 7532, 7534 West Tuckaway Pines Circle (Building 2), 7501, 7503, 7505 West Tuckaway Pines Circle (Building 5) 7543, 7545, 7547 West Tuckaway Pines Circle (Building 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11). On voice vote, all voted 'aye'. Motion carried (4-0-0).

Planning Manager Dietl presented the application by Michael Phillip Meyer, President of Whitnall Youth Baseball, Inc., for Temporary Use approval.

Commissioner Haley moved and Commissioner Leon seconded a motion to approve a resolution imposing conditions and

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

restrictions for the approval of a Temporary Use for an indoor physical fitness/practice facility use for property located at 6542 South Lovers Lane Road (Garden Plaza Shopping center). On voice vote, all voted 'aye'. Motion carried (4-0-0).

Adjournment

Commissioner Leon moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of December 22, 2016 at 7:27 p.m. All voted 'aye'; motion carried.

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of January 5, 2017****Special Use**

RECOMMENDATION: City Development Staff recommends the Plan Commission postpone and continue the subject matter and public hearing to the January 19, 2017 Plan Commission meeting.

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

INTRODUCTION:

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.

The applicant had not submitted revised materials for the Plan Commission submittal and has requested that the item be tabled to allow additional time to work with the property owner in order to better address staff review comments. Staff is in agreement to allow the applicant additional time to revise the plans as necessary, prior to submitting for Plan Commission and Common Council review.

STAFF RECOMMENDATION:

City Development Staff recommends the Plan Commission postpone and continue the subject matter and public hearing to the January 19, 2017 Plan Commission meeting.

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of January 5, 2017****Unified Development Ordinance Text Amendment and Special Use**

RECOMMENDATION: City Development Staff recommends approval of the proposed Unified Development Ordinance Text Amendment and Special Use for Glencastle Irish Dancers, Inc. business use upon property located at 11217 West Forest Home Avenue, subject to the conditions of approval in the attached draft ordinance and resolution.

Project Name: Glencastle Irish Dancers, Inc. UDO TA & Special Use

Project Address: 11217 W. Forest Home Avenue

Applicant: Steve Anderson, Anderson Commercial Group

Owners (property): RY Holding Property 300, LLC & ACG Acquisitions #4, LLC

Current Zoning: M-1 Limited Industrial District

2025 Comprehensive Master Plan: Industrial

Use of Surrounding Properties: Vacant (M-1 District) land to the north, Jim K's Landscaping to the south, Woodland Prairie Condominiums to the east and commercial and single-family residential to the west

Applicant Action Requested: Recommendation of approval for the proposed UDO Text Amendment and Special Use for Glencastle Irish Dancers, Inc.

INTRODUCTION:

On December 8, 2016, the applicant filed an application for a Unified Development Ordinance (UDO) Text Amendment and Special Use to allow Glencastle Irish Dancers, Inc. to locate within vacant tenant space at 11217 W. Forest Home Avenue, zoned M-1 Limited Industrial District.

Currently Standard Industrial Classification (SIC) Title No. 7911 Dance Studios, Schools, and Halls is not allowed in the M-1 District. The applicant is proposing to add SIC No. 7911 to the M-1 District as a Special Use. The applicant has also submitted the required Special Use Application for Glencastle Irish Dancers, Inc. if the UDO Text Amendment is approved.

PROJECT DESCRIPTION AND ANALYSIS:**Unified Development Ordinance:**

Table 15-3.0603 of the Unified Development Ordinance sets forth those uses, which are permitted and special uses in all nonresidential zoning districts in the City of Franklin. Use designations are based on the Standard Industrial Classification (SIC) Manual (1987, or latest edition) published by the Executive Office of the President, Office of Management and Budget.

The SIC manual describes SIC Title No. 7911 Dance Studios, Schools, and Halls as:

“Establishments primarily engaged in operating dance studios, schools, and public dance halls or ballrooms. Establishments primarily engaged in renting facilities used as dance halls or ballrooms are classified in Real Estate, Industry 6512.”

The following specific uses are associated with SIC Title No. 7911 and included in the description:

- Ballroom operation
- Children's dancing schools
- Dance hall operation
- Dance instructors
- Dance studios and schools
- Discotheques, except those serving alcoholic beverages
- Professional dancing schools

Review of the City’s Unified Development Ordinance indicates that SIC Code 7911 is presently allowed as a permitted use in the B-2, B-4, CC, I-1 and OL-2 zoning districts and as a special use in the B-3, B-5 and B-7 zoning districts.

If approved, this text amendment would allow SIC No. 7911 in all M-1 zoned properties throughout the City. Generally speaking, the M-1 District can be found along the east side of W. Forest Home Avenue north of W. Rawson Avenue, the southwest corner of the City south of W. Oakwood Road and west of S. 112th Street and areas south of W. Ryan Road from approximately W. St. Martins Road to east of S. 58th Street. The underlying zoning of the OL-2 District located north of W. Rawson Avenue between approximately S. 51st Street and S. 60th Street is the M-1 District.

Special Use:

Glencastle Irish Dancers, Inc. provides Irish dance instruction to children and adults. Currently, the school has enrollment of 154 students. The school consists of the owner and 10 part-time instructors.

If approved, the school will locate within tenant spaces 4 and 5. These tenant spaces are about 2,000 square feet each. Office hours are Monday through Thursday 12:00 p.m. to 4:00 p.m. and class times are typically Monday through Thursday from 4:30 p.m. to 8:30 or 9:00 p.m. Classes may also be scheduled on Saturdays and Sundays as well.

The property contains about 92 parking spaces onsite, which are shared by all tenants. The building is approximately 14,260 square feet, which results in a parking ratio of approximately 6.5 parking spaces per 1,000 square feet of floor area. For comparison purposes, that is the same parking ratio recommended for medical offices and clinics and exceeds the requirement for shopping centers and freestanding retail uses. These uses generally have higher parking demands than uses found in the M-1 District.

The applicant is not proposing any new landscaping, lighting or exterior modifications to the building. Staff would anticipate new signage, which requires review and approval by the Architectural Review Board and a Sign Permit issued by the Inspection Department.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the proposed Unified Development Ordinance Text Amendment and Special Use for Glencastle Irish Dancers, Inc. business use upon property located at 11217 West Forest Home Avenue, subject to the conditions of approval in the attached draft ordinance and resolution.

ORDINANCE NO. 2017-_____

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
(STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC/ACG
ACQUISITIONS #4 LLC, APPLICANT)

WHEREAS, Table 15-3.0603 of the Unified Development Ordinance sets forth the permitted and special uses in the nonresidential zoning districts; and

WHEREAS, Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC having applied for a text amendment to 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; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to allow for Standard Industrial Classification Title No. 7911 “Dance Studios, Schools, and Halls” as a Special Use in the M-1 Limited Industrial District, and having held a public hearing on the proposal on the 5th day of January, 2017 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 7911 “Dance Studios, Schools, and Halls”, is hereby amended as follows: insert “S” (Special Use) in the M-1 column.

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

ORDINANCE NO. 2017-____

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

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

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2017-_____

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, (BY STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC/ACG ACQUISITIONS #4 LLC, FOR BRIDGET JASKULSKI, TCRG, D/B/A GLENCASTLE IRISH DANCERS, INC., APPLICANT)

WHEREAS, Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc. 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. 7911 "Dance Studios, Schools, and Halls", to allow for a dance instruction use, upon property located at 11217 West Forest Home Avenue, Suite 4 and 5, bearing Tax Key No. 748-9961-001, more particularly described as follows:

Certified Survey Map No. 4982, recorded on July 21, 1987, on Reel 2121, Images 1575 to 1577 inclusive as Document No. 6086366, being a part of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 6, Town 5 North, Range 21 East, 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 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

STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC/ACG
ACQUISITIONS #4 LLC, FOR BRIDGET JASKULSKI, TCRG, D/B/A GLENCASTLE
IRISH DANCERS, INC. – SPECIAL USE
RESOLUTION NO. 2017-_____

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the City of Franklin, Wisconsin, that the petition of Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc., successors and assigns, as a dance instruction use, which shall be developed in substantial compliance with, and operated and maintained by Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc., pursuant to those plans City file-stamped December 29, 2016 and annexed hereto and incorporated herein as Exhibit A.
2. Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc. dance instruction facility, 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 Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc., and the dance instruction use for the property located at 11217 West Forest Home Avenue, Suite 4 and 5: (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. [other conditions, etc.]

BE IT FURTHER RESOLVED, that in the event Steve Anderson, owner, RY Holdings Property 300 LLC/ACG Acquisitions #4 LLC, for Bridget Jaskulski, TCRG, d/b/a Glencastle Irish Dancers, Inc., successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use

STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC/ACG
ACQUISITIONS #4 LLC, FOR BRIDGET JASKULSKI, TCRG, D/B/A GLENCASTLE
IRISH DANCERS, INC. – SPECIAL USE
RESOLUTION NO. 2017-_____

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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 _____, 2017.

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

APPROVED:

Stephen R. Olson, Mayor

STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC/ACG
ACQUISITIONS #4 LLC, FOR BRIDGET JASKULSKI, TCRG, D/B/A GLENCASTLE
IRISH DANCERS, INC. – SPECIAL USE
RESOLUTION NO. 2017-_____

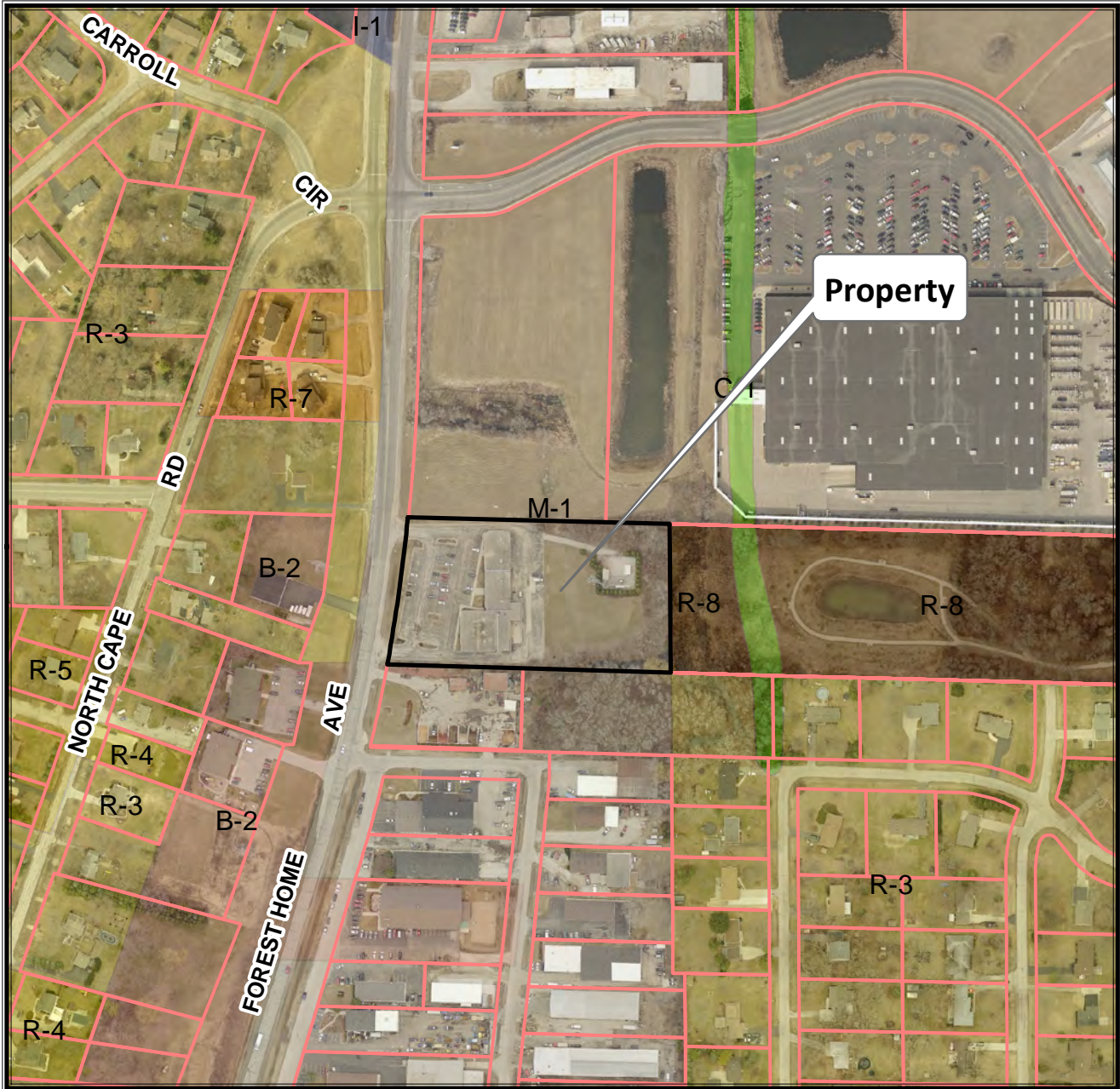
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ATTEST:

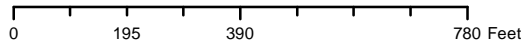
Sandra L. Wesolowski, City Clerk

YES _____ NOES _____ ABSENT _____

11217 W. Forest Home Ave.
TKN: 748 9961 001



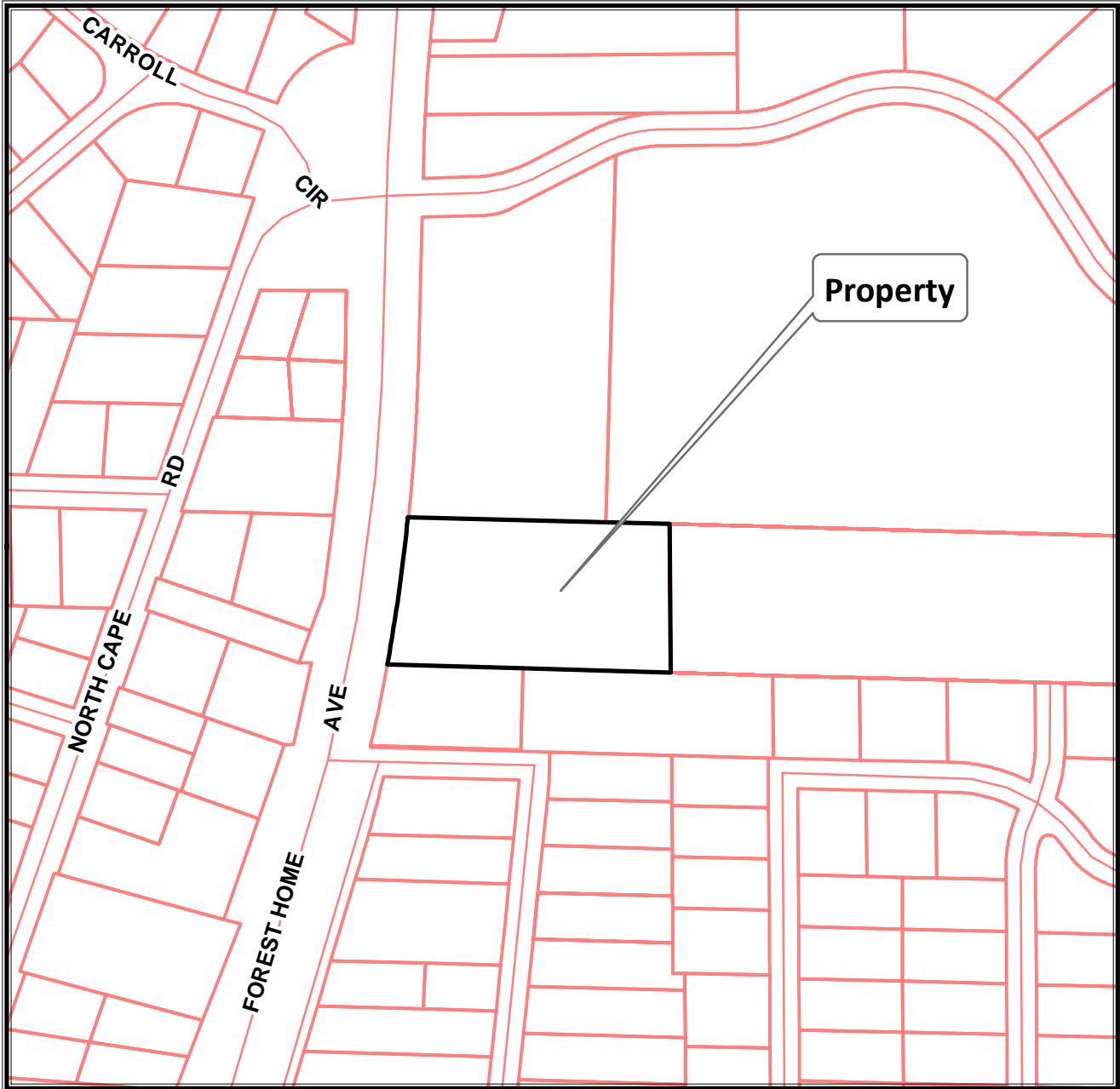
Planning Department
(414) 425-4024



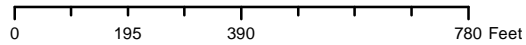
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



11217 W. Forest Home Ave.
TKN: 748 9961 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.





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Description for 7911: Dance Studios, Schools, and Halls

Division I: Services | Major Group 79: Amusement And Recreation Services

Industry Group 791: Dance Studios, Schools, And Halls

7911 Dance Studios, Schools, and Halls

Establishments primarily engaged in operating dance studios, schools, and public dance halls or ballrooms. Establishments primarily engaged in renting facilities used as dance halls or ballrooms are classified in Real Estate, Industry 6512.

- Ballroom operation
- Children's dancing schools
- Dance hall operation
- Dance instructors
- Dance studios and schools
- Discotheques, except those serving alcoholic beverages
- Professional dancing schools

[SIC Search](#)
[Division Structure](#)
[Major Group Structure](#)



Occupational Safety and Health Administration
 200 Constitution Ave., NW,
 Washington, DC 20210
 ☎ 800-321-6742 (OSHA)
 TTY
www.OSHA.gov

FEDERAL GOVERNMENT

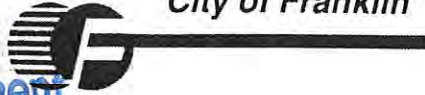
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- [USA.gov](#)
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- [Plain Writing Act](#)
- [Recovery Act](#)

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- [Important Web Site Notices](#)
- [Plug-ins Used by DOL](#)
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- [Accessibility Statement](#)



Date of Application: 12/7/16

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Applicant (Full Legal Name[s]):		Applicant is Represented by: (contact person)(Full Legal Name[s])	
Name: <u>STEVE ANDERSON</u>		Name: <u>SAME</u>	
Company: <u>RY HOLDING PROPERTY 300, LLC</u>		Company: <u>"</u>	
Mailing Address: <u>8575 W. FOREST HOME, #40</u>		Mailing Address: <u>"</u>	
City / State: <u>GREENFIELD, WI</u> Zip: <u>53228</u>		City / State: <u>"</u> Zip: <u>"</u>	
Phone: <u>(414) 425-2700</u>		Phone: <u>"</u>	
Email Address: <u>sanderson@andersoncommercialgroup.com</u>		Email Address: <u>"</u>	
Project Property Information: (if applicable)			
Property Address: <u>11217 W. FOREST HOME AVE.</u>		Tax Key Nos: <u>7489961001</u>	
Property Owner(s): <u>RY HOLDING PROPERTY 300, LLC</u>		Existing Zoning: <u>M1</u>	
<u>ACG ACQUISITIONS #4, LLC</u>		Existing Use: <u>VACANT SPACE</u>	
Mailing Address: <u>8575 W. FOREST HOME, #40</u>		Proposed Use: <u>OFFICE AND DANCE INSTRUCTION</u>	
City / State: <u>GREENFIELD</u> Zip: <u>53228</u>		CMP Land Use Identification: <u>INDUSTRIAL</u>	
Email Address: <u>sanderson@andersoncommercialgroup.com</u>			

UDO Text Amendment submittals for review must include and be accompanied by the following:

This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.


Application Filing Fee, payable to City of Franklin: \$200


Seven (7) copies of a written Project Narrative, including a full description of the proposed text amendment.
(Include the proposal's intent, impacts, and consistency with the Comprehensive Master Plan.)

- *The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>
- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
 - Requires a Class II Public Hearing notice at Plan Commission.
 - Unified Development Ordinance Text Amendment requests require Plan Commission review and recommendation and Common Council approval.
 - The City's Unified Development Ordinance (UDO) is available at www.franklinwi.gov.

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).


 Signature - Property Owner
STEVE ANDERSON,
 Name & Title (PRINT)
 Date: 12/7/16


 Signature - Applicant
STEVE ANDERSON
 Name & Title (PRINT)
 Date: 12/7/16

Signature - Property Owner
 Name & Title (PRINT)
 Date: _____

Signature - Applicant's Representative
 Name & Title (PRINT)
 Date: _____

UDO/TEXT AMENDMENT APPLICATION

December 8, 2016

PROJECT: SPECIAL USE – M1 ZONING

PROPERTY ADDRESS: 11217 W. FOREST HOME, FRANKLIN, WI

OWNER PROPOSES TO ADD SIC CODE #7911 (DANCE STUDIOS, SCHOOLS, AND HALLS) AS A SPECIAL USE (S) TO THE M1 ZONING DISTRICT. THIS PROPOSAL IS ON BEHALF OF THE GLENCASTLE IRISH DANCERS (SEE ATTACHED EMAIL FROM GLENCASTLE) TO ALLOW FOR SPECIAL USE & OCCUPY SUITES 4 & 5 OF THE SUBJECT PROPERTY NOTED ABOVE.

WE FEEL THIS USE IS APPROPRIATE FOR THE SUBJECT SPACE BASED ON SIMILAR, NON-CONFLICTING USES IN THE AREA UNDER M1 ZONING DISTRICT (SEE PROPERTIES NOTED BELOW).

- 44 FITNESS & MARTIAL ARTS, 10610 W. VENTURE DRIVE, FRANKLIN, WI (ZONED M1)
- ALTIUS GYMNASTICS, 9670 S. 60TH STREET, FRANKLIN, WI (ZONED M1)
- MWT GYMNASTICS, 11227 W. FOREST HOME, FRANKLIN, WI (ZONED M1)
- MILWAUKEE REPERTORY THEATER, 9800 S. 60TH, FRANKLIN, WI (ZONED M1)
- GOOD TIMES DJ ENTERTAINMENT, 10700 VENTURE DRIVE, SUITE D2, FRANKLIN, WI (ZONED M1)



December 8, 2016

Glencastle Irish Dancers, Inc. opened its doors on February 23, 2000. The school is owned and operated by Bridget Jaskulski. Glencastle provides Irish dance instruction to children and adult. We instill an appreciation for the art form in each student by focusing on the technical and traditional basics of Irish dance.

The mission and vision of Glencastle Irish Dancers, Inc. is to apply the tradition of Irish dance as a vehicle for personal growth by building self-esteem, practicing teamwork, and facilitating self discipline to ultimately encourage great dancers to grow into great people. Glencastle Irish Dancers Inc. is a welcoming family for dancers of every skill level to encourage one another in personal growth -- on and off the dance floor.

Classes begin in September and continue through June. Classes are also offered in July and August for those dancers participating in competitions and performances.

Hours of Operation:

Scheduled Office Hours - Monday through Thursday 12:00 until 4:00.

2016/2017 Class Instruction Times:

Mondays - 4:30 until 9:00

Tuesdays - 4:30 until 8:30

Wednesdays - 4:30 until 8:30

Thursdays - 4:30 until 8:30

*Additional classes are occasionally scheduled on Saturdays and Sundays.

*There are some weeks in the summer where daytime classes are offered to our students.

Our current enrollment is 154 students.

Bridget is the only full-time employee for Glencastle. She currently has 10 part-time instructors.

Connections to Franklin:

- Several of our current dancers live in Franklin and attend school in Franklin.
- One of our instructors, Colleen Jaskulski, works with the Franklin High School Theater Department
- A former Glencastle dancer, Jamie Schlecht, is the Choir Director at Franklin High School.
- Bridget taught an Irish dance class in the fall of 1999 for the Franklin Rec. Department. The class was held at Country Dale School. Many of the girls that took that rec. class joined Glencastle when we opened in 2000.
- A former Glencastle parent, Mary Pat Siewert, is the Principal at Ben Franklin Elementary.
- A former Glencastle family, Mark and Ann Mastrostefano are part owners to the Point After Sports Pub and Grille

Allowing our studio to open at 11217 West Forest Home Avenue provides our families and staff with the opportunity to continue our mission of teaching Irish dance in a wonderful community. Our current families will support Franklin businesses and this area could bring prospective new students to our classes.

Bridget Jaskulski, TCRG

Owner - Glencastle Irish Dancers, Inc.

1126 South 70th Street, Suite 116B

West Allis, WI 53214

Phone: 414.258.0443

Fax: 414.258.8334

www.glencastleirishdancers.com

[property.costar.com/tenant/detail.aspx?i=1654167414141](#)

44 Fitness & Martial Arts
 10610 W Venture Dr
 Franklin, WI 53132
 (414) 213-4538 Phone

Industrial Information

Building Type: Industrial - Manufacturing
Building Status: Existing
Total Area: 0 SF
Warehouse Area: 0 SF
Office Area: 0 SF
Other Vacant: 0 SF
Max Counting: 0 SF
Standard Space: 0 SF
CEILING HEIGHT: 14'0"
Column Spacing: Masonry
Roof Type: None
Expenditures: 2015 Tax @ \$0.93/sf
Park(ing): 20 free Surface Spaces are available; Ratio of 1.87/1,000 SF

REAR: 13,320 SF
% Leased: 100.00%
Building FARE: -
Lotting: M-1
Land Area: -
Lot Dimensions: -
Units Docks: -
Levelators: None
Sprinklers: -

Owner Occupied: No
Tenancy: Multiple Tenant
Contract: None
Loading Docks: None
Drive In: 6 tot./8'0" w x 12'0" h
Rail Lines: None

Location Information

Metros Market: Milwaukee/Madison
Submarket: Milwaukee County Ind/SW Outlying Milwaukee Ind
County: Milwaukee

Building Contact Information

Company Name	Association	Phone	Address	City	State	Zip
Coltsville Falls Storage, LLC	Recorded Owner	(414) 529-8352	10535 W College Ave	Franklin	WI	53132
Coltsville Falls Storage, LLC	True Owner	(414) 529-8352	10535 W College Ave	Franklin	WI	53132

For full property and space information, click on CoStar Property Logo

Search Criteria **Result List** **Result Detail**

9640-9670 S 60th St. Q
 Franklin, WI 53132 - SW Outlying Milwaukee Inrl Submarket
 Fully Leased Building
 68,960 SF Class C Industrial Manufacturing Building Built in 1970

[Select Property](#)

[Summary](#) [Lease](#) [Lease Analysis](#) [Site](#) [Analytics](#) [Tenant](#) [Demographics](#) [Assessments](#) [Contracts](#) [Images](#) [Map](#) [My Data](#)

Sale >>

Price: \$275,000 (\$3.99/SF)
 Date: Oct 2012
 Type: Owner/User

Building

Type: 3 Star Industrial Manufacturing
 Year: 1970
 Floors: Multi
 Units: Nu
 Height: 14'-10"
 Area: 40'w x 40'd
 Orientation: West
 Foundation: None
 Structure: None
 Roofing: None
 Siding: None
 Windows: None
 Doors: None
 HVAC: None
 Elevators: None
 Stairs: None
 Other: None

Land

Total Area: 4.15 AC
 Total SF: 180,774 SF
 Zoning: Manufacturing
 Assessed Value: \$99,990,064

Tenants >>

Tenant 1: Advanced Chemical Services, Inc.
 Tenant 2: Keystone Properties LLC
 Tenant 3: Copaxter/User
 Tenant 4: Cushman & Wakefield | Boeke

Leasing Activity >>

Sign Date	SF Leased	Use	Rent	Rent Type
Mar 2015	30,000 SF	Industrial	\$3.37/NNN	Effective

Market Conditions >>

Market Type	Current	YOY Change
Industrial (Overall)	0.0%	0.0%
Manufacturing (Overall)	5.4%	1.5%
Warehouse (Overall)	4.9%	0.5%
Office (Overall)	\$4.83	0.7%
Medical (Overall)	\$4.13	1.9%
Multi-Family (Overall)	\$8.15	-0.4%
Other (Overall)	12.5	0.7%
Overall (Overall)	Current	Price Year
	\$13.6	\$49.8
	\$74	\$77

Property Contacts >>

Name: Advanced Chemical Services, Inc.
 Role: Leasing Agent
 Contact Type: Copaxter/User
 Primary Contact: Cushman & Wakefield | Boeke

Documents
 Last Sale: Marketed for financial loss

Assessment >>

2015 Assessment	Improvements	Land	Total
\$426,500	\$100	\$26,500	\$453,100
\$8.18/SF	\$0.00/SF	\$0.14/SF	\$8.32/SF



[Home](#) [Lookup](#) [Result List](#) [Result Detail](#) [Select Property](#)

11227 W Forest Home Ave 
 Franklin, WI 53132 - SW Outlying Milwaukee Submarket
 Fully Leased Building
 9,724 SF Retail Free-standing Building

[Summary](#) [Lease](#) [Lease Analysis](#) [Site](#) [Analytics](#) [Tenant](#) [Demographics](#) [Assessments](#) [Contacts](#) [Images](#) [Map](#) [My Data](#)

Building

2-Star Retail Free-standing
 9,724 SF
 1 Tenant
 100% Occupied
 16' Height
 None
 Masonry
 25 free Surface Spaces are available Ratio of 2.57:1,000 SF
 138' on Forest Home Ave (with 1 curb cut)
 \$1.42/SF (2015)
 Car-Dependent (20)
 Minimal Transit (0)

Land

Parcel
 748-0053-001

Tenants

Name
 Midwest Twisters Gymnastics
 SF Occupied
 500 SF

Amenities

Pylon Sign
 Location

53132
 SW Outlying Milwaukee
 Milwaukee County
 Milwaukee/Milwaukee
 Wisconsin
 Milwaukee-Waukesha-West Allis, WI

Market Conditions

Category	Current	YOY Change
Valueley Sales	0.0%	↓ 0.0%
Current Rent	6.6%	↓ 1.2%
Market Overall	6.1%	↓ 0.0%
Midwest Twisters Gymnastics	\$15.31	↓ 12.4%
Market Overall	\$11.15	↓ 1.8%
Midwest Twisters Gymnastics	68,284	↓ 80.3%
Market Overall	33.7	↓ 6.6 mo
Current	\$9.6	Prev Year \$23.3
Current	\$84	Prev Year \$84

Property Contacts

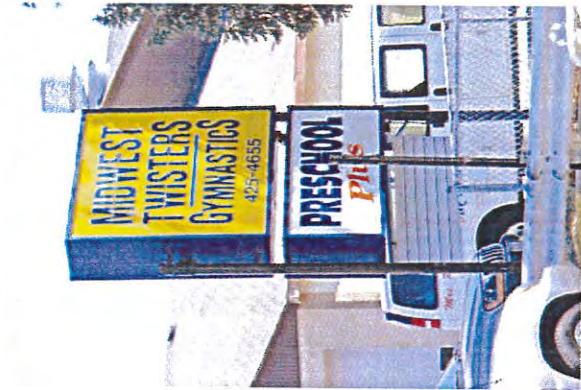
R & W Holdings Inc

Demographics

Category	Current	YOY Change
Population	1.6M	3.6M
Households	7,245	46,448
Average Age	3,273	19,113
Median HH Income	42,50	42,30
Daytime Employees	\$60,929	\$71,997
Population Growth (YoY)	1.9%	↑ 1.4%
Household Growth (YoY)	1.3%	↑ 1.4%

Traffic

Collection Street	Traffic Vol	Year	Distance
W Forest Home Ave	8,037	2015	0.07 mi
S North Cape Rd	2,200	2011	0.15 mi
S North Cape Rd	4,055	2015	0.25 mi
W Woods Rd	4,612	2015	0.40 mi



property.costar.com/tenant/detail.aspx?PropertyId=17201611

Milwaukee Repertory Theater
 8800 S 60TH
 Franklin, WI 53132
 (414) 224-1761 Phone

16 of 24 > Summary Company Building Neighbors Map My Data

Industrial Information

Bldg Type:	Industrial - Manufacturing	IBDA:	43,000 SF
Bldg Status:	Existing	% Leased:	100.0%
Total Avail:	43,000 SF	Building FAK:	0.49
Warehouse Avail:	43,000 SF	Count:	M-1
Office Avail:	0 SF	Land Area:	2 AC
Bldg Vacant:	0 SF	Dimensions:	-
Plus Curbs:	43,000 SF		
Smallest Space:	43,000 SF		
Column Height:	14'0"-20'0"		
Column Spacing:	3 ext (Bldg. total)		
Column Type:	Metal		
Flat Spots:	None		
Power:	Heavy		
Utilities:	Gas, Heating, Lighting		
Expenses:	2015 Tax @ \$0.56/sf, 2013 Est Tax @ \$0.60/sf		
Marking:	45 free Surface Spaces are available; Ratio of 1.12/1,000 SF		

Location Information

Metro Market: Milwaukee/Madison
 Submarket: Milwaukee County Ind/SW Outlying Milwaukee Ind
 County: Milwaukee

Space Availability

Floor	Use	Type	SF Avail	Fir Ctg	Idle Ctg	Leas/SF/Yr	Occupancy	Status	space summary
B1st	Industrial	Direct	43,000	43,000	\$3.75/line	30 Days	Available	The Dickman Company, Inc.	

Building Contact Information

Company Name	Association	Phone	Address	City	State	Zip
Zonas Builders, Inc.	Recorded Owner		3939 W Hickinley Ave	Milwaukee	WI	53208
Zonas Builders, Inc.	True Owner	(414) 342-9201	3939 W Hickinley Ave	Milwaukee	WI	53208

For full property and space information, click on Costar Property Logo [HERE](#)

Search Criteria Result List Result Details

Good Times DJ Entertainment
 10700 W Venture Dr, Suite D2
 Franklin, WI 53132
 (414) 421-8424 Phone

6 of 13 > Summary Company Building Neighbors Map My Data

Industrial Information

Bidly Type: **Flex - Light Distribution**
 Bldg Status: **Existing**
 Total Avail: **1,100 SF**
 Warehouse Avail: **0 SF**
 Office Avail: **1,100 SF**
 Bldg Vacant: **1,100 SF**
 Plus Conting: **1,100 SF**
 Smallest Space: **1,100 SF**
 Ceiling Height: -
 Column Spacing: -
 Const Type: **Masonry**
 Est Spots: **None**
 Expensed: **2011 Tax @ \$0.79/sf**
 Parking: **60 free Surface Spaces are available; Ratio of 2.34/1,000 SF**

REA: **25,602 SF**
 % Leased: **95.7%**
 Building FAR: **0.52**
 Zoning: **M1**
 CAP: -
 Land Area: **1.13 AC**
 Lot Dimensions: -
 Cranes: **None**
 Loading Docks: **None**
 Levelators: **None**
 Sprinklers: -
 Rents/3 Yr: **\$11.00**
 Class: **C**
 Stories: **2**
 Owner Type: **Individual**
 Owner Occupied: **No**
 Tenancy: **Multiple Tenant**
 Crane: **None**
 Loading Docks: **None**
 Carve Ins: **8 tot./8'0"W x 12'0"H**
 Roll Up: **None**

Location Information

Metro Market: **Milwaukee/Madison**
 Submarket: **Milwaukee County Ind/SW Outlying Milwaukee Ind**
 County: **Milwaukee**

Space Availability

Floor	Use	Type	SF Avail	Fir Ctg	Bldg Ctg	Rent/SF/Yr	Occupancy	space summary
P.1st	Office	Direct	1,100	1,100	1,100	\$11.00/mg	Vacant	Available
								Listing Company
								Sunset Investors

Building Notes

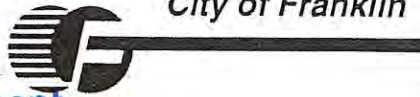
Property located near S108th Avenue and S Lovers Lane Road, Highway 45.

Building Contact Information

Company Name	Association	Phone	Address	City	State	Zip
Sunset Investors	Property Manager	(414) 529-8352	10535 W College Ave	Franklin	WI	53132
Sunset Investors	True Owner	(414) 529-8352	10535 W College Ave	Franklin	WI	53132

For full property and space information, click on CoStar Property Logo [View Property](#)

DEC 29 2016



City Development

Date of Application: 12/7/16

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Applicant (Full Legal Name(s)):

Name: STEVE ANDERSON
Company: RY HOLDING PROPERTY 300 LLC
Mailing Address: 8575 W. FOREST HOME, #40
City / State: GREENFIELD, WI Zip: 53228
Phone: (414) 425-2700
Email Address: sanderson@andersoncommercialgroup.com

Applicant is Represented by: (contact person)(Full Legal Name(s))

Name: SAME
Company: "
Mailing Address: "
City / State: " Zip: "
Phone: "
Email Address: "

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Tax Key Nos: 7489961001
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Existing Use: VACANT SPACE
Proposed Use: OFFICE AND DANCE INSTRUCTION
Future Land Use Identification: INDUSTRIAL

*The 2025 Comprehensive Master Plan Future Land Use Map is available at: http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm

Special Use/Special Use Amendment submittals for review must include and be accompanied by the following:

- Application form accurately completed with original signature(s).
Application Filing Fee, payable to City of Franklin: \$1500, New Special Use over 4,000 square feet
Legal Description for the subject property (WORD.doc or compatible format).
One copy of a response to the General Standards, Special Standards (if applicable), and Considerations found in Section 15-3.0701(A), (B), and (C) of the Unified Development Ordinance available at www.franklinwi.gov.
Seven (7) complete collated sets of Application materials to include:
One (1) original and six (6) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available.
Three (3) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package.
Four (4) folded reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package.
One colored copy (11"x17") of the building elevations, if applicable.
Three copies of the Natural Resource Protection Plan and report, if applicable (see Section 15-4.0102 & 15-7.0201 of the UDO).
Email (or CD ROM) with all plans/submittal materials. Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable).

- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval.

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Signature - Property Owner: STEVE ANDERSON
Name & Title (PRINT)
Date: 12/7/16

Signature - Applicant: STEVE ANDERSON
Name & Title (PRINT)
Date: 12/7/16

Signature - Property Owner
Name & Title (PRINT)
Date:

Signature - Applicant's Representative
Name & Title (PRINT)
Date:

SPECIAL USE/SPECIAL USE AMENDMENT

December 8, 2016

PROJECT: SPECIAL USE – M1 ZONING

PROPERTY ADDRESS: 11217 W. FOREST HOME, FRANKLIN, WI

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- MWT GYMNASTICS, 11227 W. FOREST HOME, FRANKLIN, WI (ZONED M1)
- MILWAUKEE REPERTORY THEATER, 9800 S. 60TH, FRANKLIN, WI (ZONED M1)
- GOOD TIMES DJ ENTERTAINMENT, 10700 VENTURE DRIVE, SUITE D2, FRANKLIN, WI (ZONED M1)

THERE SHALL BE NO EXTERIOR SITE CHANGES.

THERE ARE +/- 90 PARKING SPACES (5.5/1000). PARKING IS ON A FIRST COME FIRST SERVE BASIS.

SITE PLAN: SEE ATTACHED.

SPACE LOCATION AND PLAN: SEE ATTACHED.

LEGAL DESCRIPTION: Certified Survey Map No. 4982, recorded on July 21, 1987, on Reel 2121, Images 1575 to 1577 inclusive as Document No. 6086366, being a part of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 6, Town 5 North, Range 21 East, City of Franklin, County of Milwaukee, State of Wisconsin.



December 8, 2016

Glencastle Irish Dancers, Inc. opened its doors on February 23, 2000. The school is owned and operated by Bridget Jaskulski. Glencastle provides Irish dance instruction to children and adult. We instill an appreciation for the art form in each student by focusing on the technical and traditional basics of Irish dance.

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Thursdays - 4:30 until 8:30

*Additional classes are occasionally scheduled on Saturdays and Sundays.

*There are some weeks in the summer where daytime classes are offered to our students.

Our current enrollment is 154 students.

Bridget is the only full-time employee for Glencastle. She currently has 10 part-time instructors.

Connections to Franklin:

- Several of our current dancers live in Franklin and attend school in Franklin.
- One of our instructors, Colleen Jaskulski, works with the Franklin High School Theater Department
- A former Glencastle dancer, Jamie Schlecht, is the Choir Director at Franklin High School.
- Bridget taught an Irish dance class in the fall of 1999 for the Franklin Rec. Department. The class was held at Country Dale School. Many of the girls that took that rec. class joined Glencastle when we opened in 2000.
- A former Glencastle parent, Mary Pat Siewert, is the Principal at Ben Franklin Elementary.
- A former Glencastle family, Mark and Ann Mastrostefano are part owners to the Point After Sports Pub and Grille

Allowing our studio to open at 11217 West Forest Home Avenue provides our families and staff with the opportunity to continue our mission of teaching Irish dance in a wonderful community. Our current families will support Franklin businesses and this area could bring prospective new students to our classes.

Bridget Jaskulski, TCRG

Owner - Glencastle Irish Dancers, Inc.

1126 South 70th Street, Suite 116B

West Allis, WI 53214

Phone: 414.258.0443

Fax: 414.258.8334

www.glencastleirishdancers.com

ALTA/ACSM Land Title Survey

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT Robert Yunker, Citizens Bank, its successors and assigns, and Citizens Title Insurance Company, pursuant to the terms of the ALTA/ACSM Land Title Survey Map No. 4078, prepared and recorded on May 17, 2016, are the true and correct owners of the property described herein.

This map was prepared by me in accordance with the ALTA/ACSM Standards and Practices for Professional Land Title Surveys. I have performed a diligent search of the records and have examined the original and certified copies of the survey and all other documents which are pertinent thereto, and I find that the same are correct and true.



Robert Yunker
Professional Land Surveyor
No. 38585

Address: 1717 W. Forest Home Avenue, Franklin, Wisconsin

Phone: 920-732-4019

Fax: 920-732-4051

The above description and plat is a true and correct representation of the actual conditions on the date of the survey.

SCHEDULE B - II

1. Reservation for easement and right of eminent domain, as granted in a document, recorded on December 15, 1965, as Document No. 8984583 to be located hereon.
2. Easement for the proposed and rights incidental thereto, as granted in a document, recorded on December 15, 1965, as Document No. 8984583 to be located hereon.
3. Easement for the proposed and rights incidental thereto, as granted in a document, recorded on August 10, 1940, as Document No. 43248715 to be located hereon.
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VICINITY MAP

STANDARD LEGEND

- 1. POWER POLE
- 2. UNLAWFUL CONSTRUCTION
- 3. UNLAWFUL ENCROACHMENT
- 4. UNLAWFUL ENCROACHMENT
- 5. UNLAWFUL ENCROACHMENT
- 6. UNLAWFUL ENCROACHMENT
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- 36. UNLAWFUL ENCROACHMENT
- 37. UNLAWFUL ENCROACHMENT
- 38. UNLAWFUL ENCROACHMENT
- 39. UNLAWFUL ENCROACHMENT
- 40. UNLAWFUL ENCROACHMENT

FLOOD DATA

The information in this document is based on the most current flood insurance rate information available to the Surveyor. The Surveyor is not a licensed flood insurance broker and does not provide flood insurance. It is the responsibility of the client to obtain flood insurance coverage for the property being surveyed.

PREPARED FOR: Citizens Bank, Milwaukee County, Wisconsin
Citizens Title Insurance Company.

PROJECT LOCATION: Milwaukee County, Wisconsin
Parcel 2, C.S.M. 4078 (on address)
FRANKLIN WI 53132

PROJECT ADDRESS: Forest Avenue & Franklin WI 53132

ALTA/ACSM LAND TITLE SURVEY

JOB NUMBER: AC-2972
Commitment NO. CO-2972
dated May 17, 2016

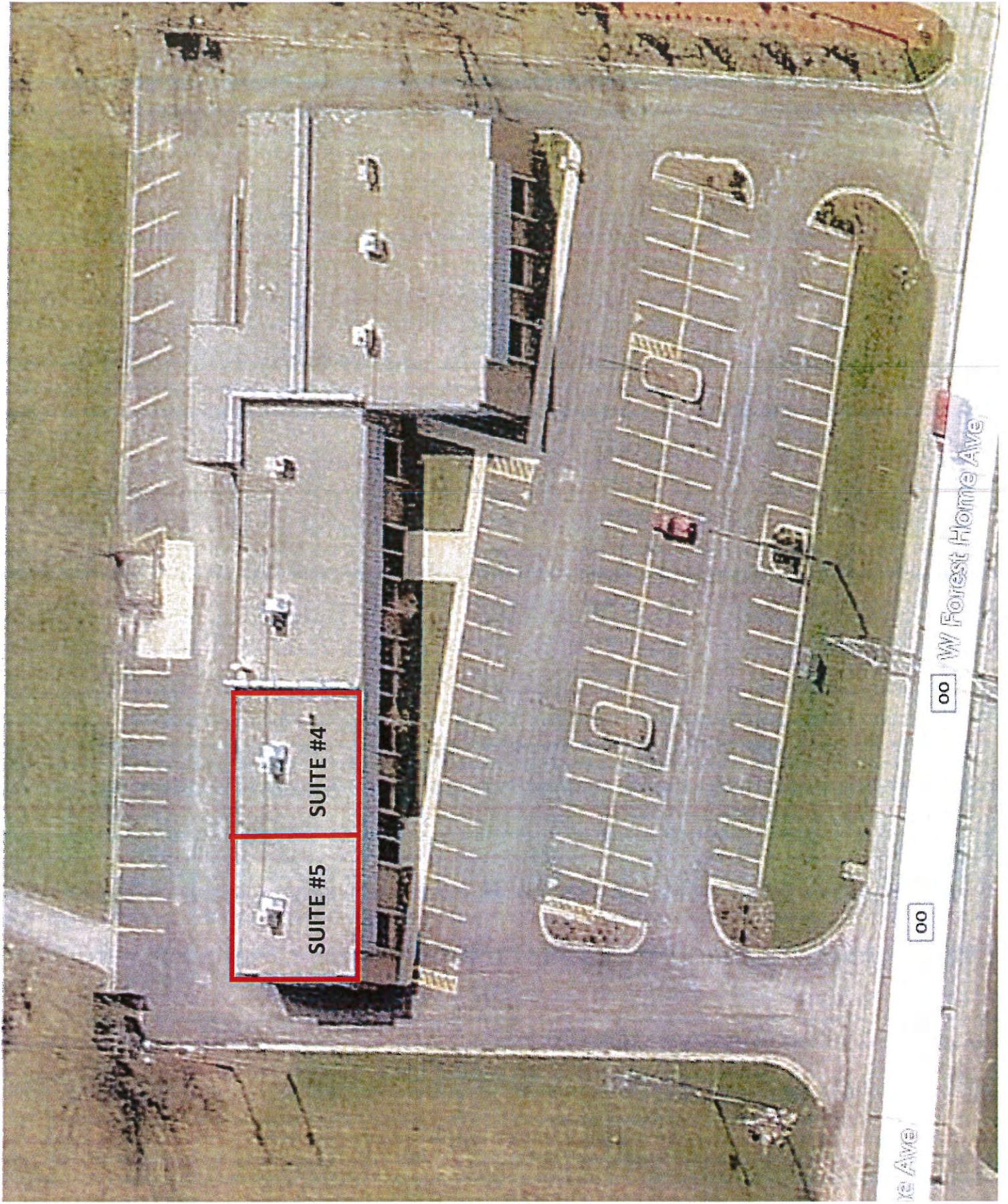
GRAPHIC SCALE
1 inch = 40 feet

LEGAL DESCRIPTION

Parcel 1 of Certified Survey Map No. 4078
Parcel 2 of Certified Survey Map No. 4078

SURVEYOR'S CERTIFICATE

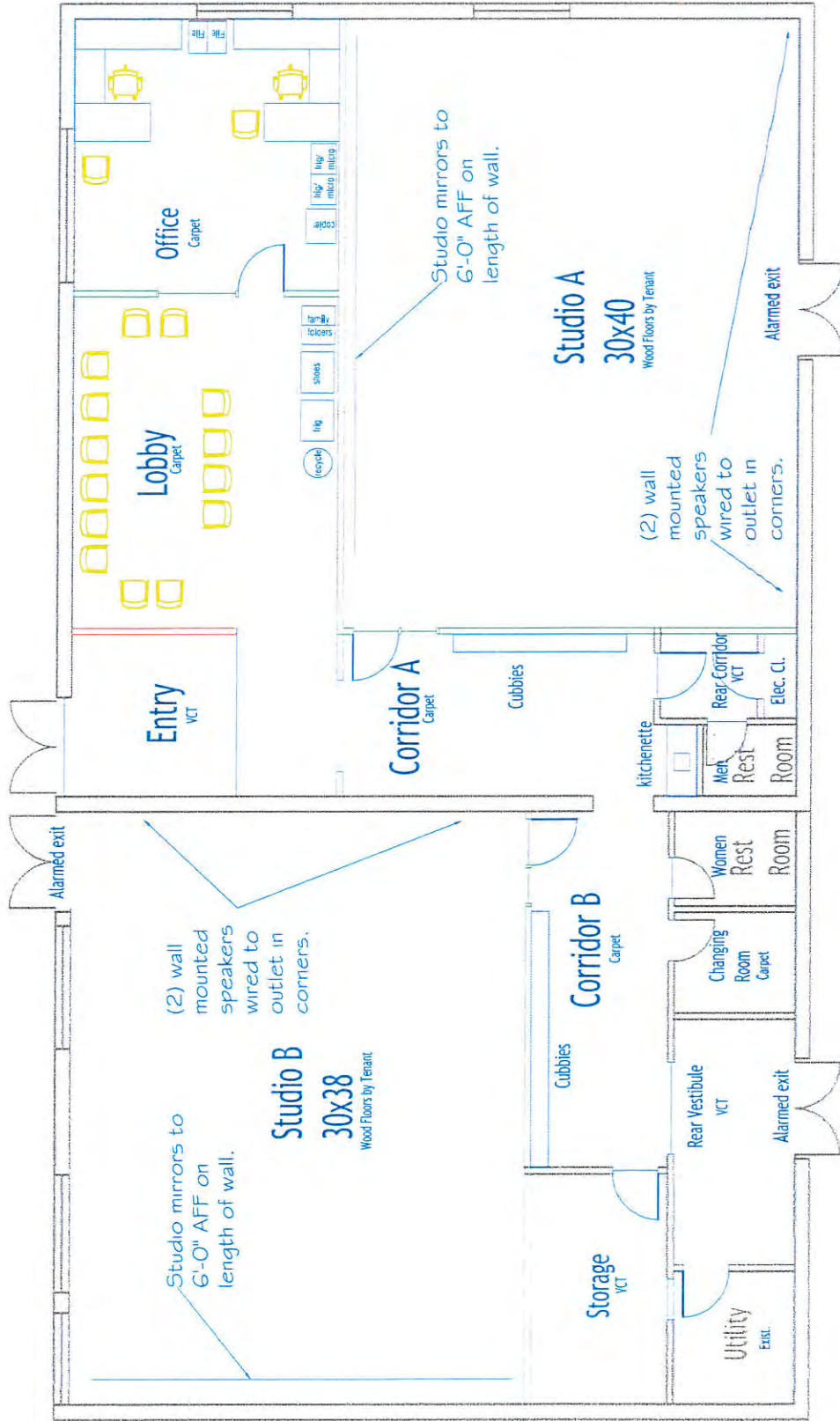
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SUITE #5

SUITE #4

W Forest Home Ave



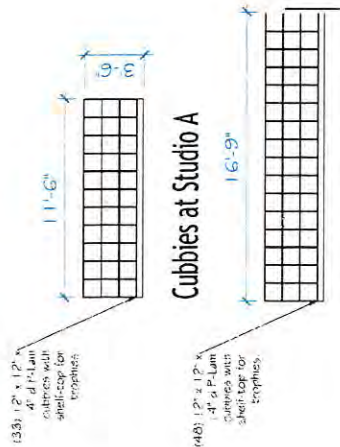
GLENCASTLE IRISH DANCERS
 11217 W. Forest Home Ave.
 Franklin, WI
 December 5, 2016

General Note:

1. Contractor responsible for field verification of all existing conditions.
2. Discrepancies shall be reviewed by tenant prior to final plan development.
3. Contractor to ensure all codes are met including egress, fire, safety and accessibility.
4. Flooring height change due to removable wood floors shall be reviewed by architect.

KEY

- New walls
- New half-height wall
- New walls to deck
- Demolition



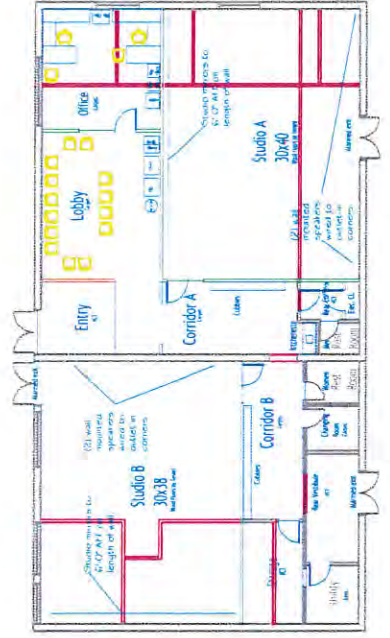
Cubbies at Studio A

Cubbies at Studio B

Notes:

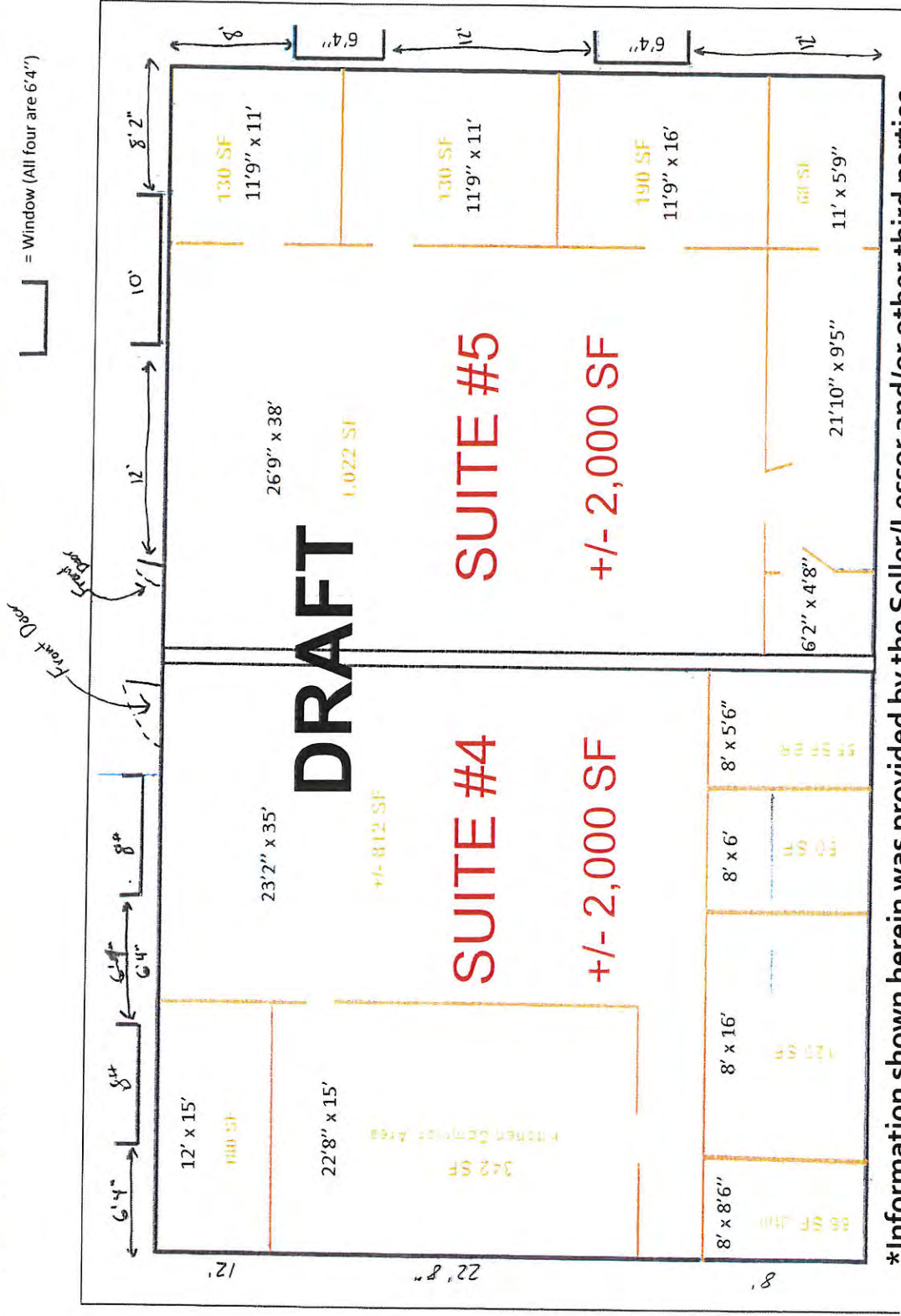
Build-out Notes:

- **Flooring:**
 - Wood floors in Studios by tenant.
 - New Vinyl Composition Tile (VCT) per plan.
 - New carpet per plan.
 - New covered vinyl base in areas receiving new VCT.
 - New straight vinyl base in areas receiving new carpet.
- **Walls:**
 - New paint throughout, colors specified by tenant.
 - For walls to deck, paint shall be specified from 10 ft. and 10 ft. to deck as separate colors, and shall align with existing paint line at ceiling grid being removed. Discrepancies shall be reviewed with Tenant prior to painting.
- **Doors and sidelights:**
 - existing doors shall be remain for toilet rooms, changing room and utility room. All other doors shall be new to match existing except in Studios and office.
 - Studio and office doors shall be solid wood with tenant approved lite-kit in Office and Studios.
 - Add alternate: 30" wide sidelights in Studios per plan.
 - Interior window in Office per plan from 3'-6" to 6'-8" AFF by 5'-0" wide.
- **Electrical outlets throughout per tenant approval. Data to be supplied in Office per tenant approval. See plan for additional locations for speaker system, etc.**
- 2 electrical outlets above each set of cubbies at 44" AFF per tenant approved locations.
- Kitchenette to receive new stainless steel bar sink, laminate counter, splash.
- Cubbies shall be constructed of plastic laminate TBD (see elevations). Tenant to review and approve shop drawings prior to fabrication. Alternate deduct to use Melamine in standard gray per tenant approval.
- **Ceiling & lighting:**
 - existing acoustic ceiling tile to be removed throughout except in toilet room, changing room, Rear Vestibule and Utility.
 - Lighting to be reused, relamped where required and new lense covers where required to supplement existing.
- New light fixtures in toilet rooms per tenant approval.
- Office to receive new ACT per tenant approval. Lay-in light fixtures to be placed per code and tenant approval.
- Overall lighting placement of existing fixtures to be reviewed and approved by tenant.



GLENCASTLE IRISH DANCERS
 11217 W. Forest Home Ave.
 Franklin, WI
 December 5, 2016

11217 W. FOREST HOME AVE. · FRANKLIN, WI FOR LEASE



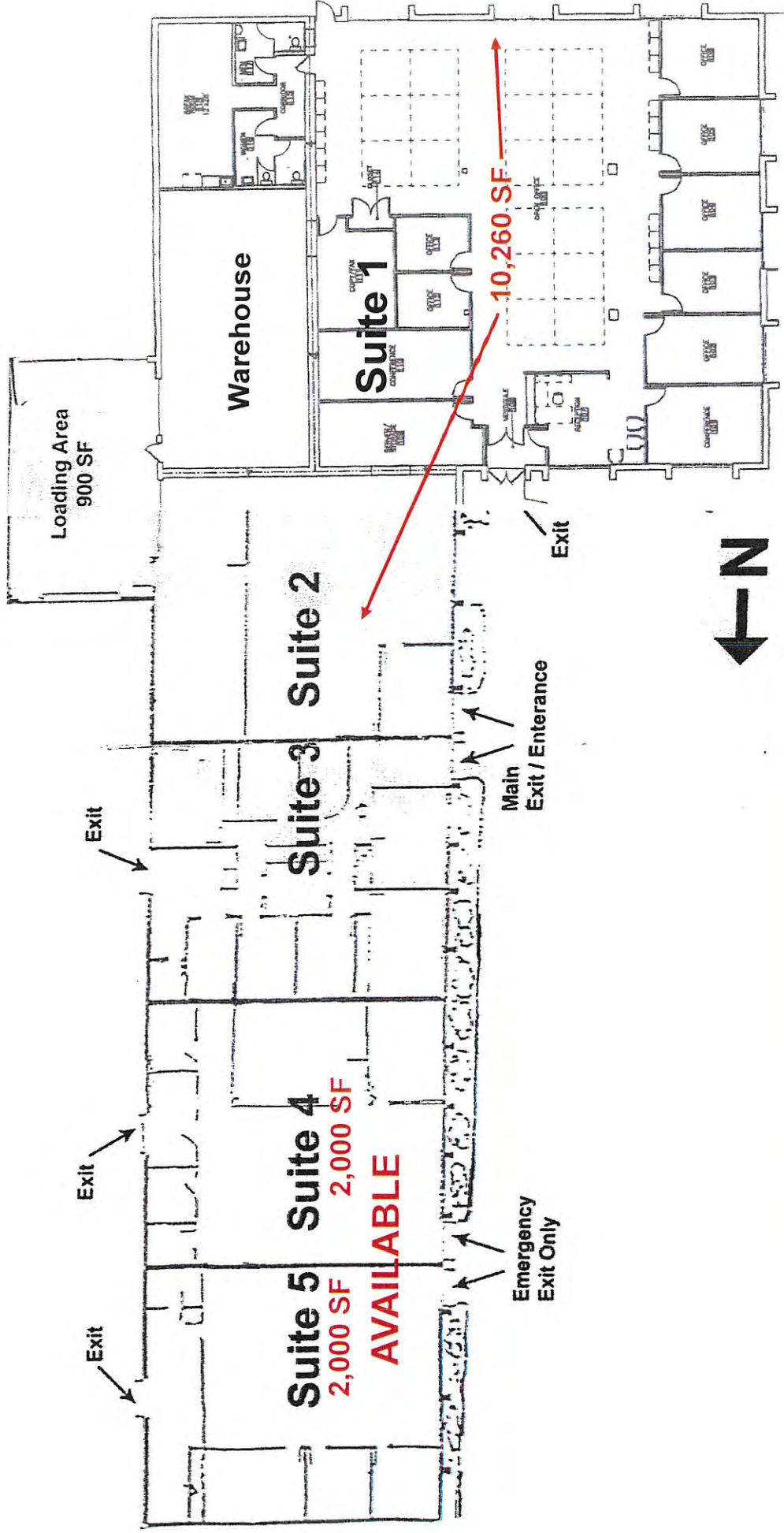
*Information shown herein was provided by the Seller/Lessor and/or other third parties and has not been verified by the broker unless otherwise indicated.



8575 W. Forest Home Avenue | Suite 40
Greenfield, Wisconsin 53228
414-425-2700 | 414-425-2877 (fax)
www.andersoncommercialgroup.com

Information shown herein was provided by the Seller/Lessor and/or other third parties and has not been verified by the broker unless otherwise indicated.

**11217 W. FOREST HOME AVE. · FRANKLIN, WI
FOR LEASE**



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Anderson
CommercialGroup

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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, a dance studio is compatible and non-intrusive with other uses within the M1 zoning district, such as gymnastic schools, a martial arts school and a repertory theater to name just a few. (see attached proposal for similar uses under the M1 zoning district).

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: The proposed use will not adverse or detrimental effect in any manner.

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: The dance studio will operate as an office between the hours of 12 -4 pm daily. Dance instruction will commence on weekdays after 4:30 and continue until approx. 8:30 pm. Additional classes are occasionally scheduled on weekends and, during the summertime, during daytime hours. There are no outside performances held at the dance studio or any other activities that would draw large crowds. All performances by the dancers are held at outside locations such as schools, nursing homes, restaurants, etc.

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: Yes, property is currently served by municipal sewer and private well and all necessary utilities. Current services are more than adequate such that proposed use will not require any additional services.

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: The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. There is currently adequate access to the property. No additional changes will need to be made. As noted above, all performances by the dancers are held at outside locations such as schools, nursing homes, restaurants, etc.

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: No changes will be made to any natural, scenic or historic features.

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: Yes, proposed use will comply with all additional standards as set forth in the provisions of this Division and Ordinance.

- 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: Yes, applicant shall comply with all special standards as required by the municipality.

- 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: Yes, it will bring a benefit not only to the property owners and neighboring businesses, but also enrich the lives of the students in the community and bring others to the area as well. There is a growing population within the Irish dance community and this will offer an opportunity to Franklin residents that did not exist before. This will bring commerce to the community and City of Franklin. In addition, GID has many existing connections to the City of Franklin:

- 1. Several of the current dancers live in Franklin and attend Franklin schools.*
- 2. One of the school's instructors works with the Franklin High School Theater Department.*
- 3. A former dancer is the Choir Director at Franklin High School.*
- 4. A parent of a former dancer is the Principal at Ben Franklin Elementary.*
- 5. Parents of a former dancer own Point After Sports Pub and Grill in Franklin.*

Our current and former families will continue to support Franklin businesses, and will expose these businesses to new prospective clients.

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: Prospective Tenant has not identified any other locations that are as well suited for their specific use.

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: No changes will be made to the building itself or immediate vicinity thereof as a result of this proposed use.

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: The use will not establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of January 5, 2017

Certified Survey Map

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

Project Name:	Peelen Certified Survey Map (CSM)
Project Address:	7145 South Woelfel Road
Applicant:	Jeffrey Peelen
Owners (property):	Jeffrey D. and Roxanne M. Peelen
Current Zoning:	R-3E Suburban/Estate Single-Family Residence District; C-1 Conservancy District; FW Floodway District
2025 Future Land Use:	Residential
Use of Surrounding Properties:	Single-family residential to the north, south, east and west
Applicant Action Requested:	Recommendation of approval of the Certified Surrey Map

Introduction:

Please note:

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

On December 1, 2016, the applicant filed a Certified Survey Map (CSM) Application with the Department of City Development requesting release of an outlot designation for a property located at 7145 S. Woelfel Road.

In 2008, the Common Council approved a CSM via Resolution No. 2008-6427 that included the subject property as an outlot (Outlot 1 of CSM No. 8048). The approval contained several conditions relating to the outlot (see below).

- The natural resources illustrated on the Certified Survey Map have not been approved by the City of Franklin as part of a Natural Resource Protection Plan and any future development of Lots 1, 2 and Outlot 1 will require the submittal of a Natural Resource Protection Plan meeting the requirements of the Unified Development Ordinance.
- No development shall be permitted on Outlot 1 until the Common Council removes the outlot designation upon its determination upon a further division (Certified Survey Map) that the reasons for the designations no longer exist or that the purposes of the Ordinances are further served by the removal of such designation.
- Prior to recording the Certified Survey Map, the applicant must request approval from the Common Council to extend the water main to serve the proposed Outlot 1 and if rejected by the Common Council, then the well system can be utilized.

The applicant is requesting that the outlot designation be removed to allow the lot to be developed with a single-family dwelling. The applicant has provided a Natural Resource Protection Plan (NRPP), and has indicated that a new home would be served by public sewer via a private collection system and by a private well.

Project Description and Analysis:

Certified Survey Map

The proposed Lot 1 is 3.7508-acres or 163,386 square feet and is currently vacant. The property will be accessible from W. Woelfel Road. No vehicular access will be allowed from W. Rawson Avenue. The proposed lot meets the R-3E Suburban/Estate Single-Family Residence District minimum lot area of 25,000 square feet as well as the minimum lot width of 125 feet.

The property consists of FW Floodway District and C-1 Conservancy District zoning as well as R-3E Residence District zoning. As the C-1 Conservancy District is no longer utilized by the City (see Section 15-1.0111 below), *staff recommends that the applicant shall apply for a Rezoning Application to remove the existing C-1 Conservancy District zoning, prior to recording the Certified Survey Map. If rezoned, the information on the CSM shall be revised accordingly.* Per the applicant's NRPP, there is no floodplain located on the property. As such and upon final determination that floodway does not exist on the property, *staff suggests the FW Floodway District also be rezoned to R-3E Residence District.* Staff notes that the applicant has expressed concerns with having to apply for the rezoning.

SECTION 15-1.0111 REPEAL

A. Repeal of Zoning Ordinance. The City of Franklin Ordinance No. 221 adopted on February 6, 1968 and subsequent amendments thereto, relating to the zoning of land is hereby repealed and all other Ordinances or parts of Ordinances of the City of Franklin inconsistent or conflicting with this Ordinance, to the extent of the inconsistency or conflict only, are hereby repealed, excepting Section 8.5 of Ordinance No. 221 (B-4 Regional Shopping District) and Section 12.1 of Ordinance No. 221 (C-1 Conservancy District), which shall remain in effect until such time, after duly held public hearing, as the Common Council rezones the lands in a B-4 or C-1 zoning pursuant to Ordinance No. 221 to a zoning district provided for within this Ordinance. Immediately upon approval of said rezonings, the aforementioned Sections 8.5 and 12.1 shall be repealed without further public hearing.

Natural Resource Protection Plan

GRAEF prepared a Natural Resource Protection Plan, dated November 2016. The only protected natural resources shown on the property are mature woodlands. As noted, Floodway is shown; however, that is only due to the City's zoning of the property pursuant to older (1987) floodplain mapping. There is no actual floodplain, floodways or floodlands on the property per more recent (2008) FEMA mapping. There are potential areas of steep slopes on the property; however, these were manmade and/or do not have a minimum area of 5,000 square feet, thus are exempt from UDO protection standards. As requested by staff, the applicant has illustrated the Southeastern Wisconsin Regional Planning Commission Primary Environmental Corridor on the NRPP map and CSM.

The applicant is proposing to protect 70% of mature woodland onsite, which is the minimum required protection standard set forth in Part 4 of the UDO. The boundary of the proposed conservation easement is shown on the NRPP map and CSM. Staff recommends that the applicant submit a written Conservation Easement document for Common Council review and approval and recording with the Milwaukee County Register of Deeds.

According to the Wisconsin Department of Natural Resources Surface Water Data Viewer, a wetland exists offsite, but directly adjacent to the west property line of the subject property (see attached WDNR map). If this area is a wetland, the associated 30-foot wetland buffer and 50-foot wetland setback would be located on this parcel; therefore, staff recommends that the applicant illustrate the approximate location of the 30-foot wetland buffer and 50-foot wetland setback on the Certified Survey Map, based upon the Wisconsin Department of Natural Resources mapping. It is staff's understanding that the applicant has concerns with this condition as the wetland is offsite and cannot be verified. The WDNR mapping has not been field verified; therefore, the applicant has concerns with identifying a wetland on an adjacent property and noting approximate locations of protected natural resources that carry development restrictions. Staff contends that proper notation of the source of information should alleviate these concerns.

Staff Recommendation:

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

1. Applicant shall apply for a Rezoning Application to remove the existing C-1 Conservancy District zoning, prior to recording the Certified Survey Map. If rezoned, the information on the CSM shall be revised accordingly.
2. Applicant shall submit a written Conservation Easement document for Common Council review and approval and recording with the Milwaukee County Register of Deeds.
3. Applicant shall illustrate the approximate location of the 30-foot wetland buffer and 50-foot wetland setback on the Certified Survey Map, based upon the Wisconsin Department of Natural Resources mapping.
4. Applicant shall submit design calculations proving that the force main is sufficient to accommodate three (3) residences, for Engineering Department review and approval, prior to recording the Certified Survey Map with the Milwaukee County Register of Deeds.
5. Applicant shall remove the existing fence from the public road right-of-way, prior to issuance of a Building Permit for a new home.
6. A final certified survey map in AutoCAD and Pdf format shall be sent electronically to the Engineering Department at the time of recording the Certified Survey Map with the Milwaukee County Register of Deeds.

In addition to the above, staff also suggests that the applicant utilize signage or boulders to mark the location of the conservation easement boundary on the individual lots.

RESOLUTION NO. 2017-_____

A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 8048, BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (JEFFREY D. PEELEN AND ROXANNE M. PEELEN, APPLICANTS) (7145 SOUTH WOELFEL ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 7145 South Woelfel Road, bearing Tax Key No. 754-9994-024, Jeffrey D. Peelen and Roxanne M. Peelen, applicants; 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 Jeffrey D. Peelen and Roxanne M. Peelen, 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

JEFFREY D. PEELLEN AND ROXANNE M. PEELLEN – CERTIFIED SURVEY MAP
RESOLUTION NO. 2017-_____

Page 2

City of Franklin Design Standards and Construction Specifications and such form 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. Jeffrey D. Peelen and Roxanne M. Peelen, successors and assigns, and any developer of the Jeffrey D. Peelen and Roxanne M. Peelen 1 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 Jeffrey D. Peelen and Roxanne M. Peelen and the 1 lot certified survey map project for the property located at 7145 South Woelfel 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. Applicant shall apply for a Rezoning Application to remove the existing C-1 Conservancy District zoning, prior to recording the Certified Survey Map. If rezoned, the information on the CSM shall be revised accordingly.
7. Applicant shall submit a written Conservation Easement document for Common Council review and approval and recording with the Milwaukee County Register of Deeds.
8. Applicant shall illustrate the approximate location of the 30-foot wetland buffer and 50-foot wetland setback on the Certified Survey Map, based upon the Wisconsin Department of Natural Resources mapping.
9. Applicant shall submit design calculations proving that the force main is sufficient to accommodate three (3) residences, for Engineering Department review and approval, prior to recording the Certified Survey Map with the Milwaukee County Register of Deeds.
10. Applicant shall remove the existing fence from the public road right-of-way, prior to issuance of a Building Permit for a new home.

JEFFREY D. PEELLEN AND ROXANNE M. PEELLEN – CERTIFIED SURVEY MAP
RESOLUTION NO. 2015-_____

Page 3

11. A final certified survey map in AutoCAD and Pdf format shall be sent electronically to the Engineering Department at the time of recording the Certified Survey Map with the Milwaukee County Register of Deeds.

12. [other conditions, etc.]

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Jeffrey D. Peelen and Roxanne M. Peelen, 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 owners, Jeffrey D. Peelen and Roxanne M. Peelen, 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.

APPROVED:

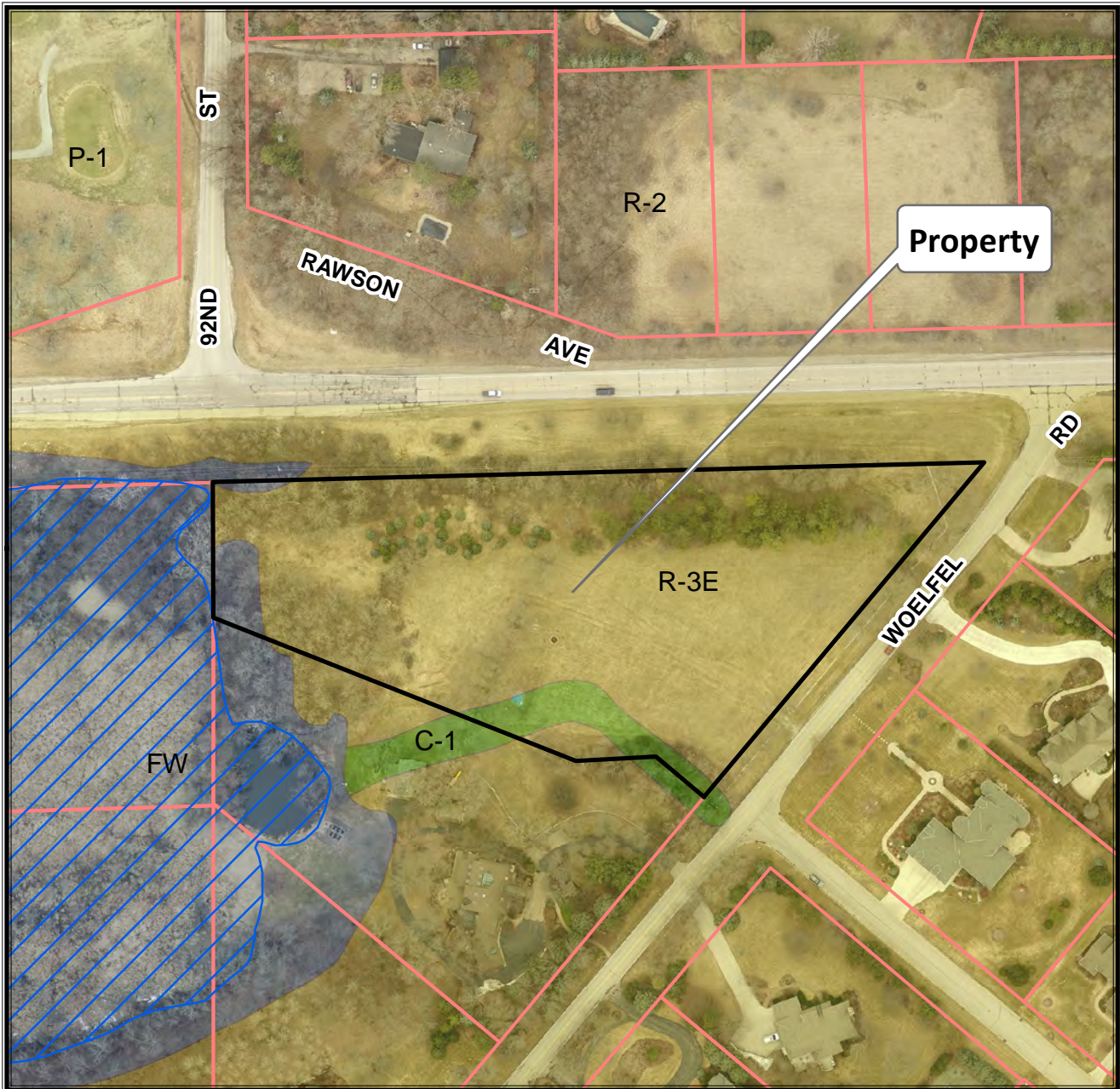
Stephen R. Olson, Mayor

ATTEST:

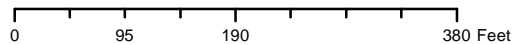
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7145 S. Woelfel Road
TKN: 754 9994 024



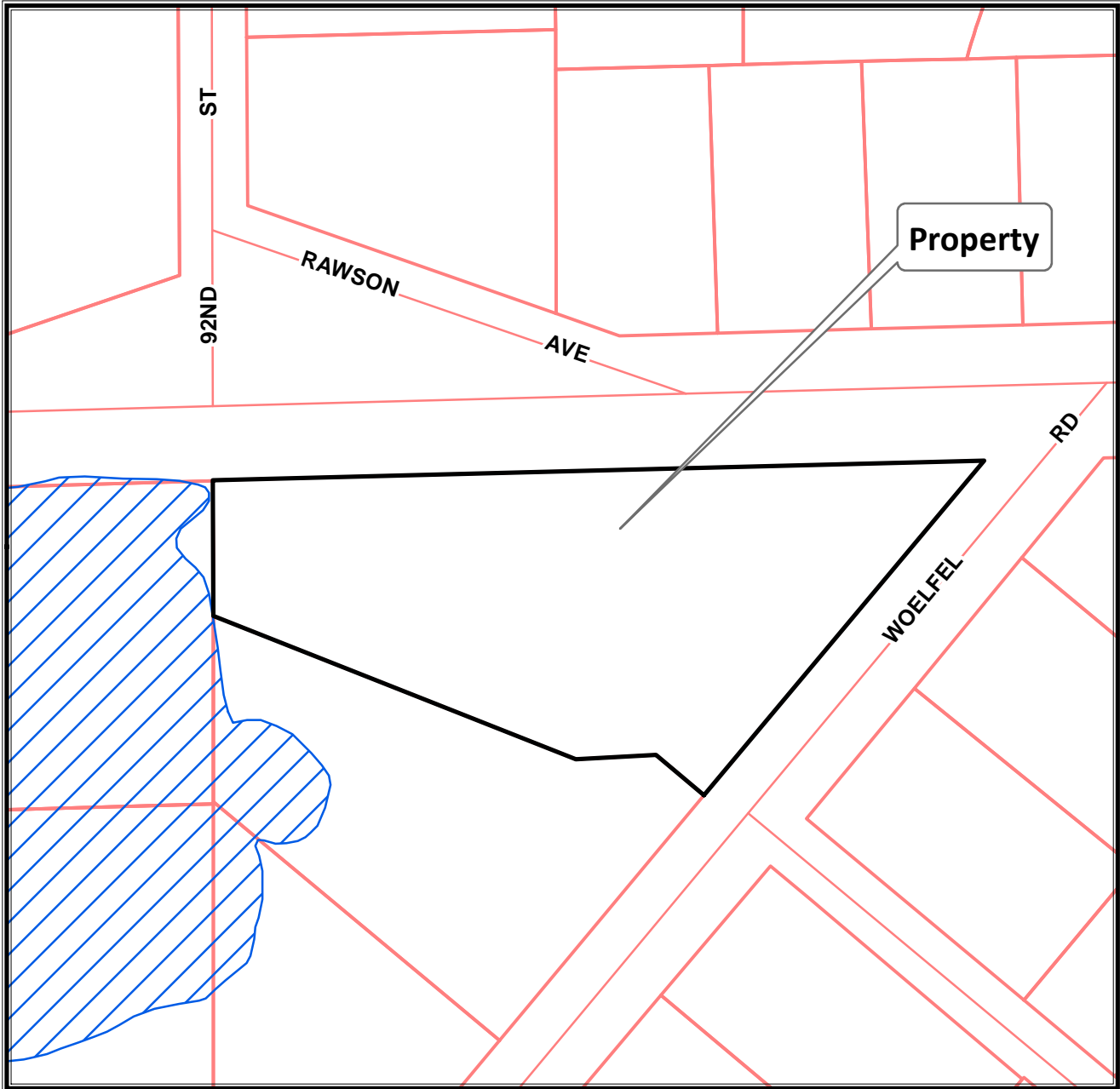
Planning Department
(414) 425-4024



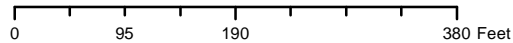
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7145 S. Woelfel Road
TKN: 754 9994 024



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.





Surface Water Data Viewer Map



Legend

- Dams**
 - Dams with FERC License
 - Dams
- PNW-PRF Other Public Rights Features
- PNW-ASNRI Sensitive Areas of Lakes
- PNW-ASNRI Wild and Scenic Rivers
- PNW-ASNRI Outstanding and Exceptional Streams
- PNW-ASNRI Trout Streams
- PNW-ASNRI Wild Rice Streams
- PNW-ASNRI Quality Wetland Streams
- PNW-ASNRI Outstanding and Exceptional Lakes
- PNW-ASNRI Quality Wetland Areas
- PNW-ASNRI Wild Rice Areas
- PNW-ASNRI Trout Spring Ponds
- PNW-ASNRI State Natural Areas
- PNW Musky Streams
- PNW Sturgeon Streams
- PNW Musky Areas
- PNW Sturgeon Areas
- PNW Walleye Areas
- PNW Lakes Less Than 50 Acres
- Wetland Class Points**
 - Dammed pond
 - Excavated pond
 - Filled excavated pond

Notes

0.1 0 0.03 0.1 Miles

NAD_1983_HARN_Wisconsin_TM
© Latitude Geographics Group Ltd.

1: 1,980

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

Project Narrative
7145 S. Woelfel Road

Our intention is to change the status of the lot from "Outlot 1" to "Lot." Upon approval, we will construct a single family residence on the lot.

- We had a Natural Resource Protection Plan (NRPP) completed on November 2nd, 2016. Revisions/additions were made as suggested by City of Franklin Planning Department staff. Such revisions include: the addition of the Conservation Easement as well as the PEC to both the NRPP and the CSM. We will be submitting the NRPP for approval along with the CSM.
- A new CSM and Plat of Survey were performed. On the CSM, the statement "This land is not served by public water. Public sewer is accessed through a private collection system subject to a private agreement", clarifies sewer is accessible to the lot which is necessary to make it of a buildable status.

Franklin

DEC 27 2016

City Development

CERTIFIED SURVEY MAP NO. _____

Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

- INDICATES 1" IRON PIPE (FOUND), UNLESS NOTED
- INDICATES SET 1.315" O.D. IRON PIPE AT LEAST 18" IN LENGTH, 1.68 LBS. PER LINEAL FOOT.

SETBACKS
R-3E ZONING
FRONT-50'
SIDE-15'
REAR-30'

PREPARED FOR:
JEFF PEELER
4683 W. ALANNA CT.
FRANKLIN, WI., 53132

PREPARED BY:
STEPHAN G. SOUTHWELL
16745 W. BLUEMOUND RD.
BROOKFIELD, WI., 53005

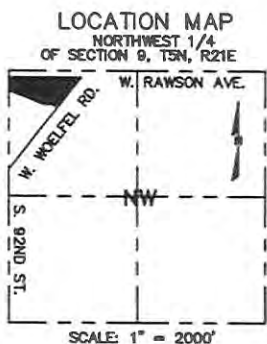
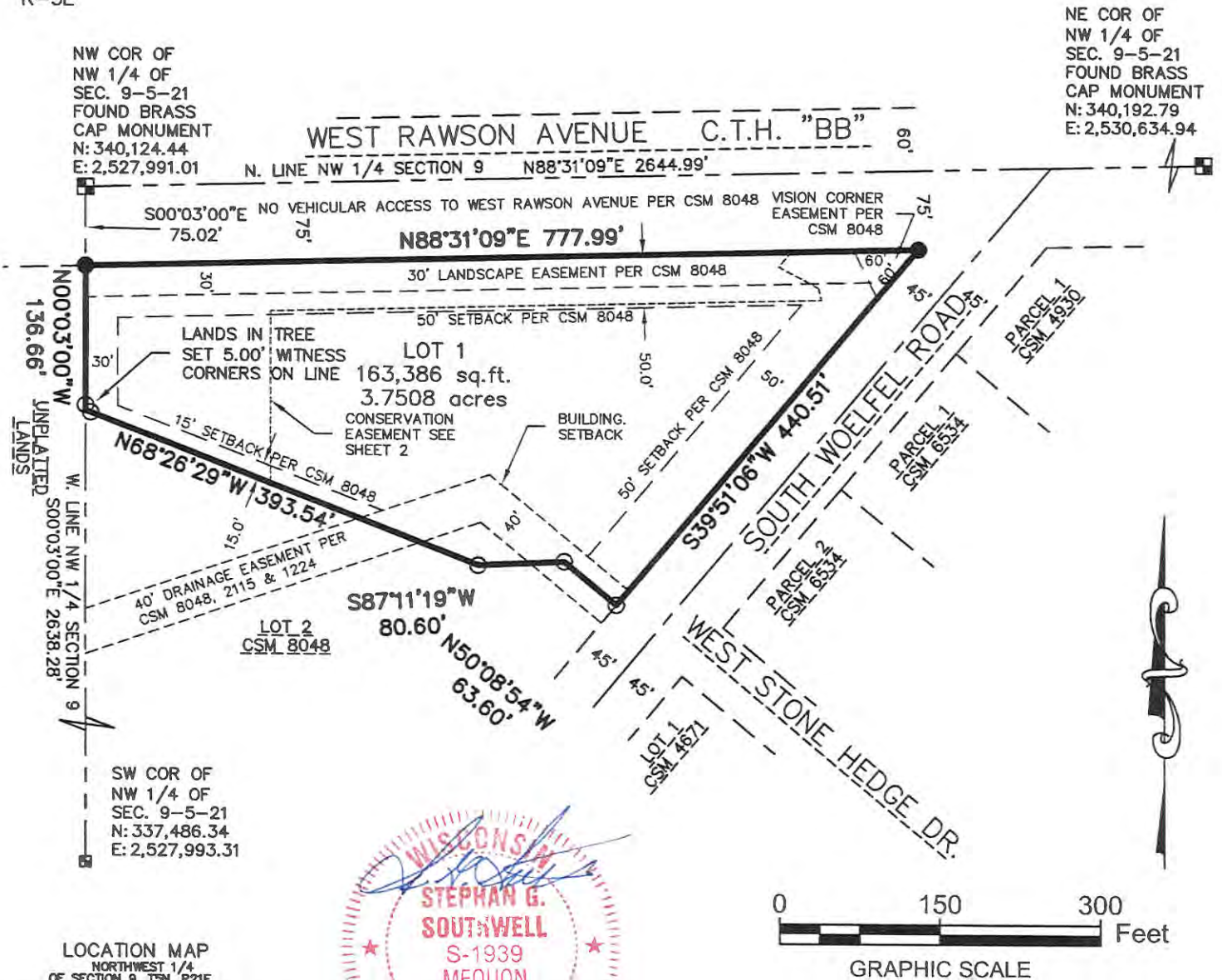
ALL DIMENSIONS SHOWN ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.
ALL BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 9, T 5 N, R 21 E, WHICH BEARS N88°31'09"E. WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

SEE RECORDED CONSERVATION EASEMENT FOR RESTRICTION.

SEE SHEET 2 FOR EXISTING CONTOURS.

THIS LAND IS NOT SERVED BY PUBLIC WATER. PUBLIC SEWER IS ACCESSED THROUGH A PRIVATE COLLECTION SYSTEM SUBJECT TO A PRIVATE AGREEMENT.

ZONED
FW
C-1
R-3E



Franklin

DEC 27 2016

City Development

R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373 www.rasmithnational.com
Appleton, WI Irvine, CA Pittsburgh, PA

S:\S166955\dwg1
CS101L150.dwg/SHEET 1

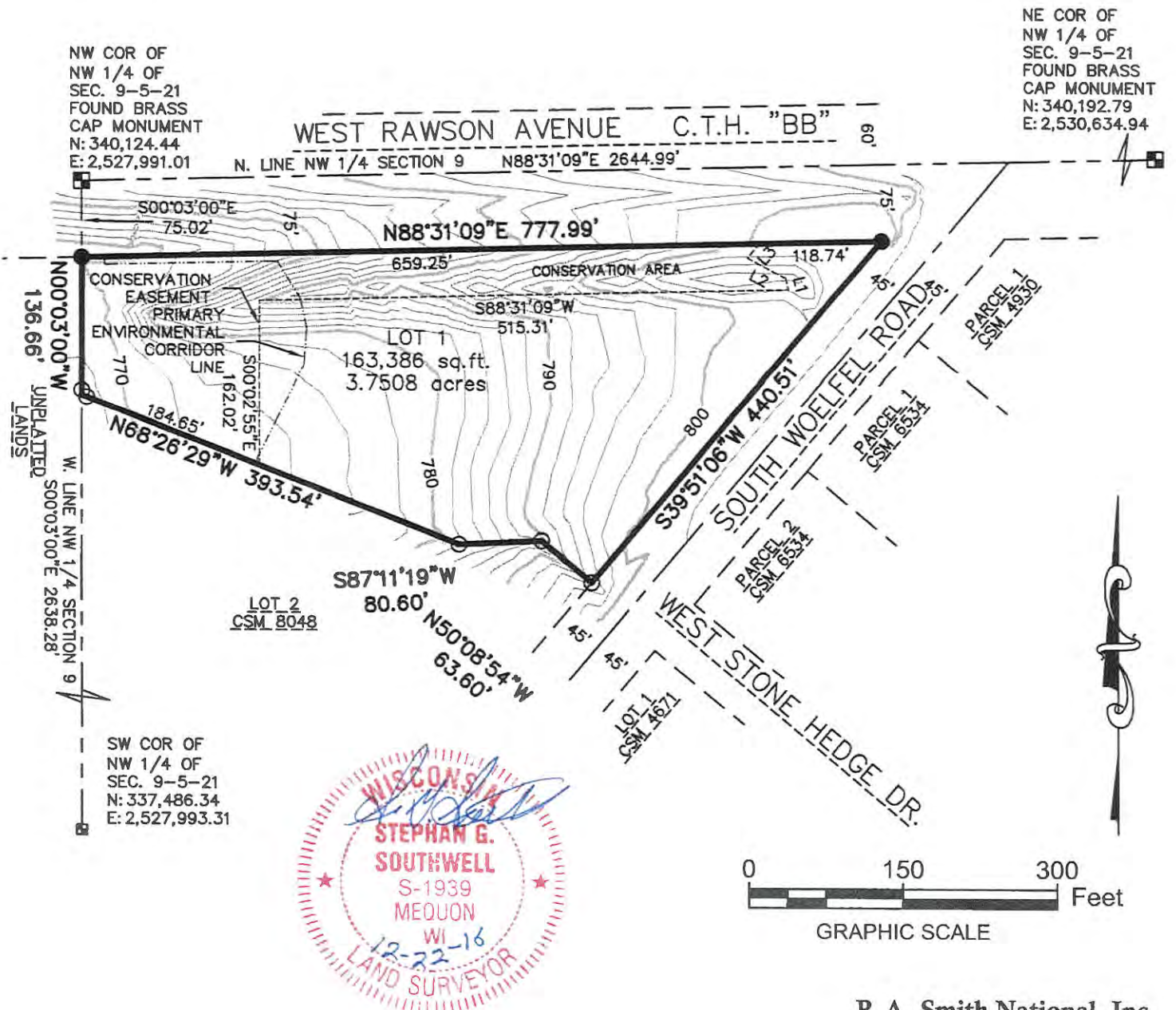
SHEET 1 OF 4 SHEETS

CERTIFIED SURVEY MAP NO. _____

Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Line Table		
Line #	Direction	Length
L1	S14°22'27"E	12.23
L2	S62°16'21"E	42.03
L3	S40°39'33"W	18.64

THE PRIMARY ENVIRONMENTAL CORRIDOR LINE AND THE CONSERVATION EASEMENT WERE OBTAINED FROM DRAWINGS PROVIDED BY GRAEF USA.



R.A. Smith National, Inc.

*Beyond Surveying
and Engineering*

16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373 www.rasmithnational.com
Appleton, WI Irvine, CA Pittsburgh, PA

S:\S166955\dwg\CS101L150.dwg/SHEET 2

CERTIFIED SURVEY MAP NO. _____

Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, STEPHAN G. SOUTHWELL, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Containing 163,386 square feet or 3.7508 acres.

THAT I have made such survey, land division and map by the direction of JEFFREY D. PEELLEN & ROXANNE M. PEELLEN, owners.

THAT such 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 City of Franklin Unified Development Ordinance Division-15 in surveying, dividing and mapping said lands.

12/22/16
DATE


STEPHAN G. SOUTHWELL,
PROFESSIONAL LAND SURVEYOR S-1939



CERTIFIED SURVEY MAP NO. _____

Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

JEFFREY D. PEELEN & ROXANNE M. PEELEN, as owners, certify that I we caused the land described on this map, to be surveyed, divided and mapped as represented on this Certified Survey Map in accordance with the requirements of the City of Franklin Municipal Code.

JEFFREY D. PEELEN & ROXANNE M. PEELEN, does further certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of Franklin

IN Witness Whereof, said owners has caused these presents to be signed This _____ day of _____, 20____.

JEFFREY D. PEELEN

ROXANNE M. PEELEN

STATE OF WISCONSIN }
 }SS
MILWAUKEE COUNTY }

PERSONALLY, came before me this _____ day of _____, 20____, JEFFREY D. PEELEN & ROXANNE M. PEELEN, to me known as the persons who executed the foregoing instrument, and known to be the owners, and acknowledged that they executed the foregoing instrument.

Notary Public, State of Wisconsin (SEAL)

My commission expires _____

CITY OF FRANKLIN COMMON COUNCIL

APPROVED by the Common Council of the City of Franklin by Resolution No. _____

signed on this _____ day of _____, 20____.



STEPHEN OLSON, MAYOR

SANDRA L. WESOLOWSKI, CITY CLERK



**Natural Resource
Protection Plan
Milwaukee County**

7145 South Woelfel Road
Franklin, WI 53132

November 2016

Prepared for

Earth Exchange, Inc.

33750 Academy Road
Burlington, WI 53105

Prepared by



125 S 84th St., Suite 401
Milwaukee, WI 53214
(414) 259-1500

Project Manager: Brian Schneider

brian.schneider@graef-usa.com

Project Scientist: Mike Al-wathiqui

Mike.al-wathiqui@graef-usa.com

www.graef-usa.com

Project No.: 2016-0405.00

Franklin

DEC 27 2016

City Development

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APPENDICES

FIGURE 1 Site Location Map

APPENDIX A Site Photographs

APPENDIX B Tree Survey

APPENDIX C Site Intensity Calculations

I. INTRODUCTION

A Setting and Client Information

Site Location:

The site is located in the Northwest ¼ Section 9, Township 5 North, Range 21 East in Franklin, Milwaukee County, Wisconsin with the address of 7145 South Woelfel Road. The location of the subject property is shown in Figure 1.

Client Information:

Earth Exchange, Inc.
33750 Academy Road
Burlington, WI 53105

B Scope of Services

This Natural Resource Protection Plan (NRPP) has been prepared by GRAEF for Earth Exchange, Inc. (client/user). The scope includes conducting site reconnaissance, review of available records and a written report to determine natural resource features on the subject property. Field work and site reconnaissance has been completed by Mike Al-wathiqui of GRAEF.

C Purpose

The purpose of this report is to document natural resource protection areas as they relate to the proposed construction of a single family dwelling on the subject property in accordance with the City of Franklin Unified Development Division (UDO) 15-4.0100. The subject property consists of 3.75 acres. The subject property is mostly managed turf field uplands with Mature Woodland located primarily on the west end of the site as well as on a manmade privacy berm along the north parcel boundary. The subject property can be seen on the Site Location Map (Figure 1).

II. EXISTING NATURAL RESOURCES

A. STEEP SLOPES

There are steep slopes along the northern boundary of the site. However, these are associated with a manmade berm which serves as a privacy screen and sound barrier from Rawson Avenue and is therefore exempt from classification as a protected natural resource under the steep slopes category. There is a small section of steep slope at the southeast corner of the property associated with a manmade drainage ditch that is located just south of the parcel boundary. This section of steep slope does not occupy 5,000 ft² and is associated with the

manmade swale making it exempt from classification as a protected natural resource under the steep slopes category.

B. WOODLANDS – MATURE AND YOUNG

There are planted pine and spruce on the manmade berm bordering the north edge of the parcel. The planted berm connects with a natural wooded area on the west end of the property. There is also a planted row of Box Elder near the center of the property. Independently, all of these features have 50 percent or more canopy coverage by at least eight trees or more with a DBH of 12 inches or greater meeting the UDO definition of Mature Woodland. Combined the Mature Woodland on site occupies 1.7 acres. 70 percent of the Mature Woodland will be placed in a conservation easement to be protected.

Trees located within 25 feet of the proposed development with a DBH of 8 inches or greater were inventoried and their details documented in a tree survey (Appendix B). These include trees 1 through 5 as shown on the NRPP Figure. It is not certain whether these trees will be removed as part of the development. The row of Box Elder near the middle of the site (trees 7-20) are not located within 25 feet of the proposed development, but are to be removed. Their details are included in the tree survey as well.

C. LAKES AND PONDS

There are no lakes or ponds, as defined by the UDO within the subject property.

D. STREAMS

There are no streams, as defined by the UDO within the subject property.

E. SHORE BUFFERS

There are no shore buffers required, as defined by the UDO within the subject property.

F. FLOODPLAINS, FLOODWAYS, AND FLOOD LANDS

Per the FEMA FIRM map review there are no floodplains, floodways or flood lands within the subject property. However, Franklin has a Floodway District (FW) zoned at the west end of the property. This feature will be included in the conservation easement to be protected.

G. WETLANDS, SHORE LAND WETLANDS, WETLAND BUFFERS, AND WETLAND SETBACKS.

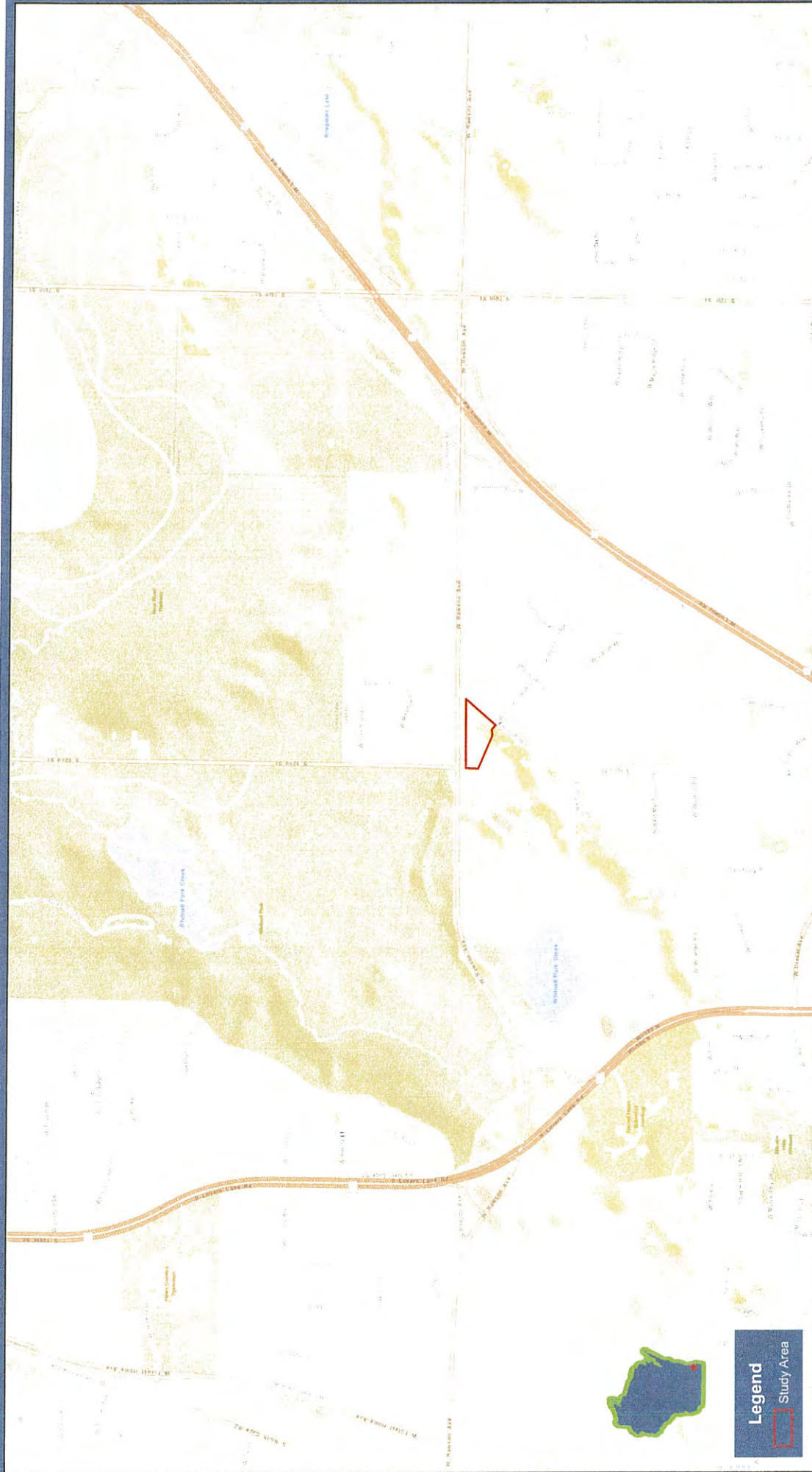
There are no wetlands, shore land wetlands, wetland buffers or wetland setbacks, as defined by the UDO within the subject property. The site was originally investigated by GRAEF in 2007 at which time no wetlands were identified on site. A wetland investigation was conducted again on October 20th, 2016 at which time no wetlands were identified on site.

III. SUMMARY

Natural resource features identified on site include the 0.11 acres of Franklin Floodway District (FW) and 1.7 acres of mature woods. The Franklin Floodway District (FW) and the required 70 percent of Mature Woodland will be placed in a conservation easement to be protected. This will

result in the protection of 1.2 acres of natural resources via the conservation easement as graphically indicated on the NRPP Figure.

Figure 1
Site Location Map



Legend
 Study Area

0 200 400 1,000
 Feet
 N
 1 in = 1,000 ft

MAP DATE: 10/25/2016
 OWNER:
 JEFFEREY D & ROXANNE M PEELEN
 4683 W ALANA CT
 FRANKLIN, WI 53132
 414-839-0406

EARTH EXCHANGE NRP - SITE LOCATION
 NW 1/4 OF S09-T05-R21
 7145 WOELFEL RD. FRANKLIN 53132
 MILWAUKEE CO., WISCONSIN

DEVELOPER:
 EARTH EXCHANGE, INC.
 33750 ACADEMY RD
 BURLINGTON, WI 53105
 262-534-4035

WETLAND INVESTIGATION CONDUCTED
 BY MIKE AL-WATHIQUI ON 10/20/2016

APPENDIX A

Site Photographs

SITE PHOTOGRAPHS

Earth Exchange NRPP
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 10/20/2016



Photo #: 1

Direction of View:

Northeast

Comment:

Overview of east edge of site along South Woelful Road. The manmade berm planted with pine and spruce acting as a privacy screen and sound barrier is in the background.



Photo #: 2

Direction of View:

Southwest

Comment:

Overview of east edge of site along South Woelful Road.

SITE PHOTOGRAPHS



Earth Exchange NRPP
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 10/20/2016



Photo #: 3

Direction of View:

West

Comment:

Overview of north side of site. The manmade berm planted with pine and spruce acting as a privacy screen and sound barrier is in on the right.



Photo #: 4

Direction of View:

West

Comment:

Overview of northeast end of manmade berm located along the north edge of the property.

SITE PHOTOGRAPHS

Earth Exchange NRPP
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 10/20/2016



Photo #: 5

Direction of View:

South

Comment:

Overview of southern portion of the property just east of the natural portion of Mature Woodland.



Photo #: 6

Direction of View:

West

Comment:

View of the row of planted Box Elder toward the center of the site .

SITE PHOTOGRAPHS



Earth Exchange NRPP
Milwaukee County, Wisconsin

Photos Taken by GRAEF on 10/20/2016



Photo #: 7

Direction of View:

West

Comment:

Overview inside the natural portion of
Mature Woodland at west end of
property.

APPENDIX B

Tree Survey

Tree Survey		
Tree #	Species	DBH (inches)
1	<i>Pinus sylvestris</i>	12
2	<i>Pinus sylvestris</i>	12
3	<i>Pinus sylvestris</i>	13
4	<i>Pinus sylvestris</i>	13
5	<i>Pinus sylvestris</i>	11
6	<i>Acer negundo</i>	8
7	<i>Acer negundo</i>	12
8	<i>Acer negundo</i>	13
9	<i>Acer negundo</i>	11
10	<i>Acer negundo</i>	11
11	<i>Acer negundo</i>	8
12	<i>Acer negundo</i>	12
13	<i>Acer negundo</i>	10
14	<i>Acer negundo</i>	8
15	<i>Acer negundo</i>	14
16	<i>Acer negundo</i>	13
17	<i>Acer negundo</i>	8
18	<i>Acer negundo</i>	13
19	<i>Acer negundo</i>	12
20	<i>Acer negundo</i>	12

APPENDIX C

Site Intensity Calculations

DIVISION 15-3.0500 SITE INTENSITY AND CAPACITY CALCULATIONS

SECTION 15-3.0501 NATURAL RESOURCE PROTECTION AND SITE INTENSITY AND
CAPACITY CALCULATIONS FOR RESIDENTIAL AND
NONRESIDENTIAL USES REQUIRED

- A. **Recognition of Natural Resource Features.** This Ordinance recognizes that landforms, parcel size and shape, and natural resource features vary from site to site and that development regulations must take into account these variations. The maximum density or intensity of use allowed in any zoning district is controlled by the various district standards set forth for each of the various zoning districts of this Ordinance.
- B. **When Natural Resource Protection and Site Intensity and Capacity Calculations Are Required.** Natural resource protection is required for all development and the site intensity and capacity calculations set forth in this Division shall be made for each parcel of land to be used or built upon in the City of Franklin including all new Certified Survey Maps, Preliminary Plats, condominiums, multiple-family residential developments, all nonresidential development, and as may be required elsewhere in this Ordinance except as excluded under the provisions of Section 15-3.0501C. of the Unified Development Ordinance.
- C. **Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required).** Natural resource protection shall not be required and the site intensity and capacity calculations set forth in this Division shall not be required for the construction of single-family and two-family residential development located on non-divisible existing lots of record within existing platted Subdivisions (with an approved Final Plat), Certified Survey Maps, and Condominiums existing on August 1, 1998, the effective date of this Ordinance or for which a natural resource protection plan and site intensity capacity calculations were filed at the time of division after August 1, 1998.

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.	3.75 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"	= 3.75 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.

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 _____ = _____	_____
20-30%	0.65	0.75	0.70	X _____ = _____	_____
+ 30%	0.90	0.85	0.80	X _____ = _____	_____
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X <u>1.7</u> = _____ X _____ = _____	<u>1.19</u> _____
Young	0.50	0.50	0.50	X _____ = _____	_____
Lakes & Ponds	1	1	1	X _____ = _____	_____
Streams	1	1	1	X _____ = _____	_____
Shore Buffer	1	1	1	X _____ = _____	_____
Floodplains/Floodlands	1	1	1	X <u>0.11</u> = _____ X _____ = _____	<u>0.11</u> _____
Wetland Buffers	1	1	1	X _____ = _____	_____
Wetlands & Shoreland Wetlands	1	1	1	X _____ = _____	_____
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					1.30

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

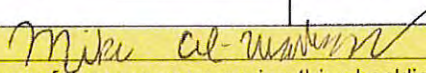
<p>STEP 1:</p>	<p>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>3.75</u></p> <p>Multiple by Minimum <i>Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard): X <u>0.00</u></p> <p>Equals MINIMUM REQUIRED ON-SITE OPEN SPACE =</p>	<p>0</p> <p>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>3.75</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater: <u>-1.3</u></p> <p>Equals NET BUILDABLE SITE AREA =</p>	<p>2.45</p> <p>acres</p>
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>2.45</u></p> <p>Multiple by Maximum <i>Net Density (ND)</i> (see specific residential zoning district ND standard): X <u>1.394</u></p> <p>Equals MAXIMUM NET DENSITY YIELD OF SITE =</p>	<p>3.42</p> <p>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>3.75</u></p> <p>Multiple by Maximum <i>Gross Density (GD)</i> (see specific residential zoning district GD standard): X <u>1.394</u></p> <p>Equals MAXIMUM GROSS DENSITY YIELD OF SITE =</p>	<p>5.23</p> <p>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>3.42</p> <p>D.U.s</p>

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NATURAL RESOURCE PROTECTION PLAN CHECKLIST

Staff Use	Complete or NA	Natural Resources that must be Identified, Measured, Graphically Depicted	Ordinance #
	✓	Steep Slopes, measured & graphically Indicated	15-4.0102-A
	✓	Woodlands and Forests, as defined, measured & graphically Indicated	15-4.0102-B
	✓	Lakes and Ponds, measured & graphically Indicated	15-4.0102-C
	✓	Streams, measured & graphically Indicated	15-4.0102-D
	✓	Shore Buffers, measured & graphically Indicated	15-4.0102-E
	✓	Floodplain(s), Floodway(s) & Floodland(s), measured & graphically Indicated	15-4.0102-F
	✓	Drainageways (as defined in the City of Franklin Unified Development Ordinance), measured & graphically Indicated	15-4.0102-G
	✓	Wetlands and Shoreland Wetlands, measured & graphically Indicated	15-4.0102-H
	✓	Project Name	15-7.0201-A
	✓	Location (physical address and/or Section - 1/4 Section information)	15-7.0201-B
	✓	Scale, North Arrow, Contours (2' interval)	15-7.0702-L
	✓	Names, Addresses, Telephone #s of Owners, Subdividers, Lessee & Developer	15-7.0201-C
	✓	Date and all applicable revision dates	15-7.0201-D
	✓	Site Boundary	15-7.0201-E
	✓	Lot Lines, Right-of-Way lines and Easements	15-7.0201-F
	✓	Existing Streets	15-7.0201-G
	✓	Easements along property boundaries adjacent to the site	15-7.0201-H
	✓	Location and extent of existing Natural Resource features	15-7.0201-I
	✓	Disturbed and Preserved Nat. Resource Features (shown graphically and in numerical sequence on plan)	15-7.0702-J
	✓	Method of Natural Resource Preservation (Conservation Easements)	15-7.0702-K
	✓	Site Intensity Calculations	15-7.0702-N
	✓	Mitigation Plan (See attached pages)	15-4.0103
	✓	Name of Person Performing Wetland Delineation	
	✓	Date of Wetland Delineation	
	✓	50' Wetland Building Setback Lines, identified & dimensioned	
	✓	75' Shoreland Buffer Areas, identified & dimensioned	


 Signature of the person preparing this checklist

Staff Notes

Reviewer's Initials: _____

City Development

DEC 27 2016

Franklin

S 92nd St

W Rawson Ave,

S Woolfel Rd

W Stone Hedge Dr

Legend

- Tree
- Right of Way
- Pruned
- Study Area
- Proposed Building & Driveway
- Floodway (FW)
- Conservation Easement (1.2 A)
- Mature Woods (17 A)
- Drainage Easement (C-1)
- Z Corridor Intersect
- Isolated Natural Resource
- Primary Environmental Corridor
- Secondary Environmental Corridor

EARTH EXCHANGE NNRP

NW 1/4 OF S09-T05-R21
7145 WOOLFEL RD, FRANKLIN 53132
MILWAUKEE CO., WISCONSIN

OWNER:
JEREMY D. & ROXANNE M. PEELIN
4638 W. ALMA CT
FRANKLIN, WI 53148

DEVELOPER:
EARTH EXCHANGE, INC.
3175 ACADEMY RD
MILWAUKEE, WI 53212

SITE MANAGER:
EARTH EXCHANGE, INC.
3175 ACADEMY RD
MILWAUKEE, WI 53212



PRIVATE SEWER SYSTEM USE
AND
MAINTENANCE AGREEMENT

Document Number

Document Title

THIS PRIVATE SEWER USE AND MAINTENANCE AGREEMENT ("Agreement") made as of this ___ day of October, 2016, by and between **TERRY BRISCOE** and **MARY BRISCOE**, husband and wife (together, "Briscoe"), the owner of properties located at 7217 and 7165 South Woelfel Road the legal descriptions of which are attached as Exhibit A (together, the "Briscoe Property") and **JEFFREY D. PEELEN** and **ROXANNE M. PEELEN**, husband and wife (together, "Peelen"), the owner of property located at 7145 South Woelfel Road the legal description of which is attached as Exhibit B ("Peelen Property" and, together with the Briscoe Property, the "Property").

RECITALS:

Pursuant to an Offer to Purchase executed on January 10, 2016 (the "Offer"), Briscoe conveyed the Peelen Property to Peelen. Briscoe owns and maintains a private sewer system (the "System") which presently serves the Briscoe Property and which the parties desire to serve the Peelen property. The parties are hereby entering into this Agreement in contemplation of extending the System to serve the Peelen Property, to evidence their approval of such extension, and to set forth their respective responsibilities with respect to maintenance of the System, once extended, to serve the Peelen Property.

ACCORDINGLY, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Briscoe and Peelen hereby agree as follows:

1. Briscoe agrees to cooperate with Peelen to facilitate the connection of the Peelen Property to the System, at Peelen's sole cost and expense, in order to provide sewer service to a single family residence to be constructed and owned by Peelen on the Peelen Property.
2. Briscoe and Peelen agree that no connections to the System in addition to Briscoe's two existing connections serving the Briscoe Property, and the contemplated third connection for the Peelen Property, shall be permitted without their mutual written consent. No such further connections are presently contemplated.

DOC # 10620839

RECORDED
11/07/2016 2:27 PM

JOHN LA FAVE
REGISTER OF DEEDS
Milwaukee County, WI
AMOUNT: 30.00

FEE EXEMPT #:

***This document has been electronically recorded and returned to the submitter. **

Recording Area

Name and Return Address

Jeffrey D. Peelen
4683 W. Alanna Court
Franklin, WI 53132

Franklin

DEC 27 2016

City Development

3. The parties agree to maintain, repair and, if necessary replace, the System in accordance with applicable laws, codes and ordinances, and keep the same in good working order for so long as this Agreement remains in effect pursuant to its terms.

4. Subject to paragraph 5, below, Briscoe and Peelen shall individually be responsible for and shall pay the cost of maintenance and repair of their respective portions of the System running from the foundation of their respective residences to the points where such portions join the common lateral. Briscoe and Peelen shall divide 2/3 (Briscoe) and 1/3 (Peelen) of the cost of maintenance and repair, and if necessary replacement, of the remaining, common portion of the System. Repairs and maintenance to the parties' individual properties shall be undertaken by and at the direction of the individual parties. Unless otherwise agreed by the parties, repairs and maintenance, and if necessary replacement, to the common portion of the System shall be undertaken at the direction of Briscoe, by a contractor to be selected by Briscoe.

5. In the event of damage to the System due to improper use of the System which is the fault of one of the parties, that party shall bear the cost of related repairs to the System in its entirety.

6. Each party hereby grants to the other an easement over, across and under that party's property of sufficient size and dimension as may be necessary to facilitate the maintenance and repair of the System as provided herein. If either party fails to fulfill its maintenance, repair or replacement obligations, the other party, after not less than five (5) days written notice (except in an emergency, when notice shall not be required), shall have the right to complete the maintenance, repair or replacement and receive reimbursement from the failing party for the actual costs incurred in so doing.

7. This Agreement and the easements, rights and responsibilities set forth herein shall run with the land for the benefit of the Properties, as well as the owners of the Properties, and their heirs, personal representatives, successors and assigns, and shall continue in effect as long as the parties continue to use the System, it being understood that the parties may be required to cease using the System in the event the City of Franklin, Wisconsin, provides public sewer service to the Properties. Neither party shall be responsible for any costs associated with the other's future access and connection to any such public system. Except as provided above, the rights and responsibilities set forth herein may only be amended, modified or terminated by written agreement of the parties.

8. This Agreement may be executed in any number of counterparts, each of which shall constitute an original but which altogether shall constitute one and the same instrument.

[Signatures appear on the following pages.]

EXHIBIT A

Legal Descriptions of the Briscoe Property

7217 South Woelfel Road

Lot 1 of Certified Survey Map No. 8048, recorded in the Register of Deeds Office for Milwaukee County on May 21, 2008 as Document No. 9603312, being a re-division of Lot 1 of Certified Survey Map No. 1224 and Lots 2A and 2B of Certified Survey Map No. 2115, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin

Tax Key No. 754-9994-022

7165 South Woelfel Road

Lot 2 of Certified Survey Map No. 8048, recorded in the Register of Deeds Office for Milwaukee County on May 21, 2008 as Document No. 9603312, being a re-division of Lot 1 of Certified Survey Map No. 1224 and Lots 2A and 2B of Certified Survey Map No. 2115, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin

Tax Key No. 754-9994-023