

CITY OF FRANKLIN  
PLAN COMMISSION MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA  
THURSDAY, JULY 21, 2016, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of July 7, 2016.

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

1. **EVERGREEN PARK ESTATES RESIDENTIAL LOTS DEVELOPMENT.** Rezoning and Preliminary Plat applications by Rick J. Przybyla, President of Creative Homes, Inc., to rezone a portion of the property located at 7501 South 49th Street (1.867 acres) from C-1 Conservancy District to R-6 Suburban Single-Family Residence District and to subdivide the existing 32.67 acre property at 7501 South 49th Street, to create six R-6 Suburban Single-Family Residence District lots. The Preliminary Plat includes one lot south of West Evergreen Street (Lot 1), three lots north of West Evergreen Street (Lots 2, 3 and 4) and two lots east of South 51st Street (Lots 5 and 6), and five outlots, which are reserved for future single-family residential lots, future storm water management facilities and/or consist of protected natural resource features. The property is zoned R-6 Suburban Single-Family Residence District, C-1 Conservancy District, FC Floodplain Conservancy District and FW Floodway District; Tax Key No. 788-9981-001. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE REZONING APPLICATION OF THIS MATTER.**

2. **HAPPY TAILS PET SUPPLIES RETAIL STORE.** Special Use application by Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, to operate a retail pet supply store including the sale of natural/healthy pet food, treats, supplements for dogs and cats, toys, beds, collars, pet dishware, etc., upon property zoned CC City Civic Center District, located at 7700 South Lovers Lane Road, Suite 210 (The Shoppes at Wyndham Village shopping center); Tax Key No. 794-9999-006. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

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

1. **ORCHARD VIEW SHOPPING CENTER SIGNAGE.** Master Sign Program application by John A. O'Malley of O'Malley Investments, to allow for a Master Sign Program allowing each tenant within the shopping center one sign per store front, and

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allowing end cap tenants signage on multiple store fronts, for property zoned B-3 Community Business District, located at 7140-7240 South 76th Street (Orchard View Shopping Center); Tax Key No. 756-9993-021.

### 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: August 4, 2016

**City of Franklin**  
**Plan Commission Meeting**  
**July 7, 2016**  
**Minutes**

unapproved

**Call to Order and Roll Call**

- A. Mayor Steve Olson called the July 7, 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 Alderman Mark Dandrea and Commissioners Kevin Haley, Patricia Hogan, Patrick Leon and City Engineer Glen Morrow. Excused was Commissioner David Fowler. Also present were Principal Planner Nick Fuchs and Planning Manager Joel Dietl.

**Approval of Minutes**

Regular Meeting of June 23, 2016.

- B.
1. Commissioner Haley moved and Alderman Dandrea seconded approval of the June 23, 2016 minutes of the regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried (5-0-0).

**Public Hearing Business Matters**

- C.
1. None.

**Business Matters**

**UNIFIED DEVELOPMENT  
ORDINANCE TEXT AMENDMENT  
RELATED TO RELIGIOUS  
ORGANIZATIONS USES.**

Unified Development Ordinance Text Amendment application by Root River Church Inc., to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious organizations" to allow for such Use as a Permitted Use City-wide in the B-3 Community Business District.

[SUBJECT MATTER CONTINUED  
FROM THE JUNE 23, 2016 MEETING].

- D.
1. City Attorney Jesse Wesolowski presented a memo and Attorney's Office opinion related to the proposed Unified Development Ordinance Text Amendment Application as requested at the June 23, 2016 Plan Commission meeting.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend denial of an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious Organizations" to allow for such use as a permitted use in the B-3 Community Business District, upon consideration of the regulatory criteria set forth in the Unified Development Ordinance and the Unified Development Ordinance provisions for the B-3 Community Business District, and as discussed and heard at the June 23, 2016 Plan Commission meeting and this meeting, and as set forth in the Department of City Development staff report for the Root River Church, Inc. Text Amendment Application and the memo and presentation on the subject matter from

the City Attorney's Office, as well as the facts presented, including, but not limited to the fact that religious organization use is currently allowed as a permitted use in five other zoning districts in the City, the fact that the stated intended church use property is within the Area A retail commercial redevelopment area which has been under review by the City for the past two plus years, and the history of a lack of any arguably similar uses existing in the B-3 District, which is intended for large groupings of retail sales and customer services establishments in a community serving shopping area for commercial uses and development to improve the tax base and quality of life in the City of Franklin, and to further recommend to the Common Council to direct staff to review and prepare an application to amend the Unified Development Ordinance text to remove some or all of the "Membership Organizations" as a permitted use in the B-3 District. On voice vote, all voted 'aye'. Motion carried (5-0-0).

**TUCKAWAY PINES  
CONDOMINIUM DEVELOPMENT.**

Special Use Amendment application by Wayne E. Foster, Butler Creek Properties, LLC, for construction of 6 two-unit buildings within the Tuckaway Pines Condominium development (Buildings 0, 1, 2, 5, 10 and 11). Most recent Special Use approval was granted for 44 units. 23 units have been constructed and applicant is proposing construction of 12 additional units for a total of 35 units, a reduction of 9 units, 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 (Buildings 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11); 804-0087-000, 804-0066-000, 804-9999-005 and 804-0075-000. [SUBJECT MATTER CONTINUED FROM THE JUNE 23, 2016 MEETING].

2. Planning Manager Joel Dietl presented the request by Wayne Foster, Butler Creek Properties, LLC for construction of 6 two-unit buildings within the Tuckaway Pines Condominium development (Buildings 0, 1, 2, 5, 10 and 11).

Alderman Dandrea motioned to recommend approval of a resolution to amend resolution Nos. 2001-5145, 2001-5317, 2005-5865 and 2006-6091 imposing conditions and restrictions for the approval of a Special Use for a 44 unit residential community use located at West Tuckaway Pines Circle to allow for construction of six two-unit buildings (Buildings 0, 1, 2, 5, 10 and 11) within the Tuckaway Pines Condominiums development to be located 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) with the inclusion of the two documents distributed at the meeting and subject to the removal of Condition No. 7.f. Seconded by Commissioner Haley. On voice vote, all voted 'aye'. Motion carried (5-0-0).

**TORBENSON SHOWS LLC  
HOLIDAY CRAFT AND GIFT  
EXPO AT THE MILWAUKEE  
COUNTY SPORTS COMPLEX.**

Temporary Use application by James C. Torbenson/Torbenson Shows LLC, for a holiday craft and gift expo at the Milwaukee County Sports Complex located at 6000 West Ryan Road, on November 25, 2016, from 9:00 a.m. to 5:00 p.m., November 26, 2016 from 9:00 a.m. to 5:00 p.m. and November 27, 2016 from 10:00 a.m. to 4:00 p.m., on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999-001 and 882-9987-001.

3. Planning Manager Joel Dietl presented the application by James C. Torbenson/Torbenson Shows LLC for Temporary Use approval to hold a Holiday Craft and Gift Expo at the Milwaukee County Sports Complex located at 6000 West Ryan Road.

Commissioner Leon made a motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for holiday craft and gift expo for property located at 6000 W. Ryan Road (Milwaukee County Sports Complex). Commissioner Hogan seconded to approve. All voted 'aye'. Motion carried. (5-0-0).

**Adjournment**

- E. Commissioner Hogan moved and Alderman Dandrea seconded to adjourn the Plan Commission meeting of July 7, 2016 at 7:34 p.m. All voted 'aye'. Motion carried. (5-0-0).



## CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of July 21, 2016

**Rezoning and Preliminary Plat**


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**RECOMMENDATION:** City Development Staff recommends approval of the Rezoning and Preliminary Plat Applications for the development of six single-family residential lots, subject to the conditions as noted in the attached draft ordinance and resolution.

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<b>Project Name:</b>	Evergreen Park Estates Rezoning and Preliminary Plat
<b>Project Address:</b>	7501 South 49 <sup>th</sup> Street
<b>Applicant:</b>	Rick Przybyla, Creative Homes, Inc.
<b>Owners (property):</b>	Franklin Oasis, LLC
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District and C-1 Conservancy District
<b>Proposed Zoning:</b>	R-6 Suburban Single-Family Residence District
<b>Use of Surrounding Properties:</b>	Single-family residential to the north and south, Pleasant View Elementary School and Pleasant View Neighborhood Park to the east and single-family and multi-family residential to the west
<b>Applicant Action Requested:</b>	Recommendation of approval of the Rezoning and Preliminary Plat

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**Introduction:**

Please note:

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

On June 20, 2016, the applicant submitted an application for a Rezoning and Preliminary Plat for property located at 7501 South 49<sup>th</sup> Street. The preliminary plat proposes to subdivide the existing 32.67-acre property into six R-6 single-family residential lots and five outlots. The five outlots are reserved for future single-family residential lots, future storm water management facilities and/or consist of protected natural resource features. A concept plan of the future lot layout is attached.

At the request of Department of City Development staff, based upon Section 15-1.0111 of the Unified Development Ordinance (below), the applicant also submitted a Rezoning Application to rezone a portion of the property located at 7501 South 49<sup>th</sup> Street from C-1 Conservancy District to R-6 Suburban Single-Family Residence District.

## **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.

### **Project Description/Analysis:**

#### **Rezoning:**

At the request of staff, the applicant submitted a Rezoning Application to rezone the C-1 Conservancy District portion of the subject property to R-6 Suburban Single-Family Residence District.

The C-1 portion of land is approximately 1.867 acres. The natural resource features required for protection located upon the property, including the C-1 District portion of land, will be protected in perpetuity within a Conservation Easement upon approval of a Final Plat.

#### **Preliminary Plat:**

The subject property is located between West Evergreen Street and the future extension of West Marquette Avenue, east of South 51<sup>st</sup> Street (Taxkey No. 788-9981-001). The property currently contains one single-family home and is approximately 32.67 acres.

The proposed Evergreen Park subdivision layout includes six residential lots and five outlots. One lot is located south of West Evergreen Street (Lot 1), three lots north of West Evergreen Street (Lots 2, 3 and 4) and two lots east of South 51<sup>st</sup> Street (Lots 5 and 6). The lots range in size from about 18,024 square feet to approximately 37,200 square feet, all exceeding the R-6 Residence District minimum of 11,000 square feet. The average or mean lot size is about 27,312.53 square feet. Lots 1 through 4 will be accessible from West Evergreen Street and Lots 5 and 6 will have access from South 51<sup>st</sup> Street.

For simplicity's sake and to try to keep the subdivision plat uncluttered, staff suggests that the applicant combine the four outlots north of Evergreen Street into one outlot. As Outlot 1 is likely undevelopable due to the extent of floodplain and wetlands, staff suggests that the applicant remove the note from Outlot 1 which states "Retained by Developer for Future Development". Should the applicant envision different phases of development, owners and/or uses for the four outlots, and have such detail available at this time, staff suggests that one outlot be created solely for the natural resource features to be protected, and such other outlots identified and noted accordingly.

A storm water pond exists to the south east of West Evergreen Street and the proposed subdivision development. The storm water pond design anticipated six residential lots abutting

West Evergreen Street and was sized and constructed accordingly; therefore, no additional storm water management facilities are required for those lots. Storm water calculations must be submitted for Lots 5 and 6; however, it is anticipated that storm water management facilities will not be required at this time. Staff recommends that any land disturbance and impervious surface within Lots 5 and 6 be made part of and included in the storm water calculations for any future phase of development upon the subject property.

Staff recommends that the applicant shall submit a revised Preliminary Plat application for Department of City Development review and approval, prior to submittal of a Final Plat, which includes:

- delineation on the revised preliminary plat of all 30-foot wetland buffers, all protected woodlands, all floodplain and floodway, and the conservation easement boundary;
- Site Intensity and Capacity worksheets;
- a draft copy of the declaration of deed restrictions and protective covenants;
- a grading and drainage plan;
- a draft Subdivision Development Agreement; and
- storm water management calculations.

#### Natural Resource Protection Plan:

A Natural Resource Protection Plan (NRPP) is required as part of the Rezoning and Preliminary Plat Application submittals. According to the project narrative, the site contains wetlands and woodlands. The site also contains floodplains and wetlands south of West Evergreen Street, which delineations are absent or are based on out-of-date information. Staff recommends that the applicant shall identify all natural resource features that require protection per Table 15-4.0100 of the Unified Development Ordinance and submit a revised project narrative or supplemental letter that lists all protected natural resource features that are located within the property, for Department of City Development review and approval as part of a revised Preliminary Plat application. Staff also recommends that the applicant shall submit a separate Natural Resource Protection Plan map exhibit that illustrates the entire site, and the delineations and areas (square footage) of all natural resource features onsite, pursuant to the requirements of Section 15-7.0201 of the Unified Development Ordinance, for Department of City Development review and approval as part of a revised Preliminary Plat application.

The wetlands were delineated by Dave Meyer of Wetland and Waterway Consulting on November 11, 2015. A full and complete wetland delineation report is on file with the Department of City Development. The cover letter of that report is attached. Dave Meyer is a Wisconsin Department of Natural Resources (WDNR) assured delineator; therefore, Department of City Development staff did not require separate review by a City consultant.

The applicant has identified two wetlands on the property. The wetlands are illustrated on the Preliminary Plat. A large wetland runs through the middle of the property and a smaller wetland exists to the east of the properties located at 7582 and 7610 S. 51<sup>st</sup> Street. The Wisconsin Department of Natural Resource Features Water Surface Data Viewer identifies the larger wetland as an intermittent stream; therefore, staff recommends that the applicant shall obtain a navigability determination from the Wisconsin Department of Natural Resources as part of a



revised Preliminary Plat application. If determined to be navigable, the applicant shall revise the Preliminary Plat, Natural Resource Protection Plan and Conservation Easement accordingly, including but not limited to, illustrating the 75-foot shore buffer.

The Natural Resource Protection Plan illustrates tree lines on the subject property; however, it is unclear if these areas meet the definitions of a grove, mature woodland or young woodland. Therefore, it is also not clear as to the extent these areas are required to be protected. Staff recommends that the applicant shall clearly and accurately identify on the Preliminary Plat, the Natural Resource Protection Plan, and the Conservation Easement all woodlands required for protection as defined by the Unified Development Ordinance, for Department of City Development review and approval as part of a revised Preliminary Plat application.

Staff recommends, pursuant to Section 15-8.0204 of the Unified Development Ordinance, that the applicant shall identify all significant mature or specimen trees and indicate the proposed method for preserving such trees, for Department of City Development review and approval as part of a revised Preliminary Plat application. Please note that in particular, such trees are located north of Evergreen Street along the eastern property boundary adjacent to Pleasant View Park.

Staff recommends, pursuant to City policy, that the applicant shall revise all building setback lines to be a minimum of six feet from the conservation easement when protected groves or woodlands are present, for Department of City Development review and approval, as part of a revised Preliminary Plat application.

The applicant has not yet provided a written conservation easement for staff review. Staff recommends that the applicant shall prepare a written conservation easement document for submittal as part of the Final Plat Application for Common Council review and approval.

Furthermore, staff suggests:

- that whenever possible, the conservation easement boundaries shall be located entirely within outlots, opposed to on individual lots.
- if a conservation easement exists on an individual lot, staff suggests marking the location of the conservation easement onsite utilizing signage or boulders.
- that the 50-foot wetland setback be included within conservation easement and shown as such on the Preliminary Plat.

Signage:

The applicant did not provide any signage information for this phase of the development. Staff recommends that any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.

Comprehensive Master Plan:

The 2025 Future Land Use Map designates the property at 7501 South 49<sup>th</sup> Street as Residential and Areas of Natural Resource Features. The proposed single-family residential use, along with

the protection of natural resources features within a conservation easement, is consistent with the City of Franklin 2025 Comprehensive Master Plan.

**Staff Recommendation:**

City Development Staff recommends approval of the Rezoning and Preliminary Plat Applications for the development of six single-family residential lots, subject to the conditions as noted in the attached draft ordinance and resolution.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 7-15-16]*

ORDINANCE NO. 2016-\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE (ZONING MAP) TO REZONE A PORTION OF A CERTAIN PARCEL  
OF LAND FROM C-1 CONSERVANCY DISTRICT TO  
R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT  
(A PORTION OF THE PROPERTY AT 7501 SOUTH 49TH STREET)  
(APPROXIMATELY 1.867 ACRES)  
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

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WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having petitioned for the rezoning of a portion of a certain parcel of land from C-1 Conservancy District to R-6 Suburban Single-Family Residence District, such land being located at 7501 South 49th Street; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 21st day of July, 2016, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

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

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

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

Part of the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the southwest corner of said Southeast 1/4 of Section 11, thence N 1° 31' 23.74" E, 666.07' along the west line of said 1/4 Section, thence N 90° 00' 00" E, 805.92' to a point on the north right-of-way line of Evergreen Drive, thence N

88° 50' 50.04" E, 185.72' along said right-of-way, thence 12.80' along a curve on said right-of-way with a chord bearing of N 85° 58' 15.14" E and radius of 125.04', to the point of beginning of the lands to be described: N 1° 25' 31.05" W, 185.37' thence; N 23° 34' 09.50" W, 56.87' thence; N 48° 19' 21.01" W, 127.24' thence; N 1° 30' 31.15" W, 50.80' thence; N 24° 17' 36.81" E, 271.62' thence; N 8° 51' 54.18" E, 104.16' thence; N 3° 20' 22.82" E, 103.49' thence; N 12° 00' 34.31" E, 238.00' thence; N 20° 23' 56.45" E, 142.07' thence; N 38° 58' 43.10" E, 40.40' thence; S 63° 55', 22.59" E, 36.49' thence; S 3° 04' 08.17" W, 37.48' thence; S 19° 43' 53.47" W, 122.82' thence; S 12° 01' 21.00" W, 154.05' thence; S 0° 49' 08.88" W, 46.78' thence; S 18° 02' 00.44" W, 58.33' thence; S 8° 09' 00.75" W, 226.56' thence; S 20° 27' 25.27" W, 78.46' thence; S 30° 09' 57.90" W, 155.81' thence; S 3° 22' 09.03" E, 22.76' thence; S 49° 39' 30.33" E, 105.30' thence; S 21° 31' 02.24" E, 94.82' thence; S 1° 48' 18.19" W, 175.43' to a point on the north right-of-way of Evergreen Drive, thence; 48.77' along said right-of-way along a curve with a chord bearing of N 71° 51' 43.53" E and radius of 125.03' to the point of beginning. Said lands containing 1.867 acres more or less. Tax Key No. (a part of) 788-9981-001.

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

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

SECTION 4: This Ordinance shall take effect and be in force from and after: i) its passage and publication; and ii) Common Council approval of and the recording of a Preliminary Plat, the application for which is on file and pending upon the date of adoption of this Ordinance.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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APPROVED:

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Stephen R. Olson, Mayor

ATTEST:

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Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

## RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A  
PRELIMINARY PLAT FOR EVERGREEN PARK ESTATES SUBDIVISION  
(AT APPROXIMATELY 7501 SOUTH 49TH STREET)  
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a preliminary plat for Evergreen Park Estates Subdivision [contingent upon rezoning approval for the property located at 7501 South 49th Street], such plat being a part of lands in the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at approximately 7501 South 49th Street [The Preliminary Plat includes one lot south of West Evergreen Street (Lot 1), three lots north of West Evergreen Street (Lots 2, 3 and 4) and two lots east of South 51st Street (Lots 5 and 6), and five outlots, which are reserved for future single-family residential lots, future storm water management facilities and/or consist of protected natural resource features.], bearing Tax Key No. 788-9981-001, Rick J. Przybyla, President of Creative Homes, Inc., applicant; said preliminary plat having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof at its meeting on July 21, 2016, 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 preliminary plat 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 Preliminary Plat of Evergreen Park Estates Subdivision, as submitted by Rick J. Przybyla, President of Creative Homes, Inc., 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.
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.

RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC. – PRELIMINARY  
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3. Franklin Oasis, LLC, successors and assigns and any developer of the Evergreen Park Estates 6 lot single-family residential subdivision development 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 Evergreen Park Estates 6 lot single-family residential subdivision development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
4. The approval granted hereunder is conditional upon Rick J. Przybyla, President of Creative Homes, Inc. and the Evergreen Park Estates 6 lot single-family residential subdivision development project for the property located at approximately 7501 South 49th Street [contingent upon rezoning approval for the property located at 7501 South 49th Street]: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
5. The Evergreen Park Estates 6 lot single-family residential subdivision development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
6. Any land disturbance and impervious surface within Lots 5 and 6 shall be made part of, and included in, the storm water calculations for any future phase of development upon the subject property.
7. The applicant shall submit a revised Preliminary Plat application for Department of City Development review and approval, prior to submittal of a Final Plat, which includes:
  - a. Delineation, on a revised preliminary plat, of all 30-foot wetland buffers, all protected woodlands, all floodplain and floodway, and the conservation easement boundary.
  - b. Site Intensity and Capacity worksheets.
  - c. A draft copy of the declaration of deed restrictions and protective covenants.
  - d. A Grading and Drainage Plan.
  - e. A draft Subdivision Development Agreement.

RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC. – PRELIMINARY  
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- f. Storm water management calculations.
8. The applicant shall submit a revised project narrative or supplemental letter that lists all natural resource features that are located within the subject property that require protection pursuant to Table 15-4.0100 of the Unified Development Ordinance, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
9. The applicant shall submit a separate Natural Resource Protection Plan map exhibit that illustrates the entire site, and the delineations and areas (square footage) of all natural resource features onsite, pursuant to the requirements of Section 15-7.0201 of the Unified Development Ordinance, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
10. The applicant shall obtain a navigability determination from the Wisconsin Department of Natural Resources as part of a revised Preliminary Plat application. If determined to be navigable, the applicant shall revise the Preliminary Plat, Natural Resource Protection Plan, and Conservation Easement accordingly, including but not limited to, illustrating the 75-foot shore buffer.
11. The applicant shall clearly and accurately identify on the Preliminary Plat, the Natural Resource Protection Plan, and the Conservation Easement, all woodlands required for protection as defined by the Unified Development Ordinance, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
12. The applicant shall identify all significant mature or specimen trees and indicate the proposed method for preserving such trees, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
13. The applicant shall revise all building setback lines to be a minimum of six feet from the conservation easement when protected groves or woodlands are present, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
14. The applicant shall prepare a written conservation easement document for submittal as part of the Final Plat Application for Common Council review and approval.
15. Any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.



16. [other conditions, etc.]

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

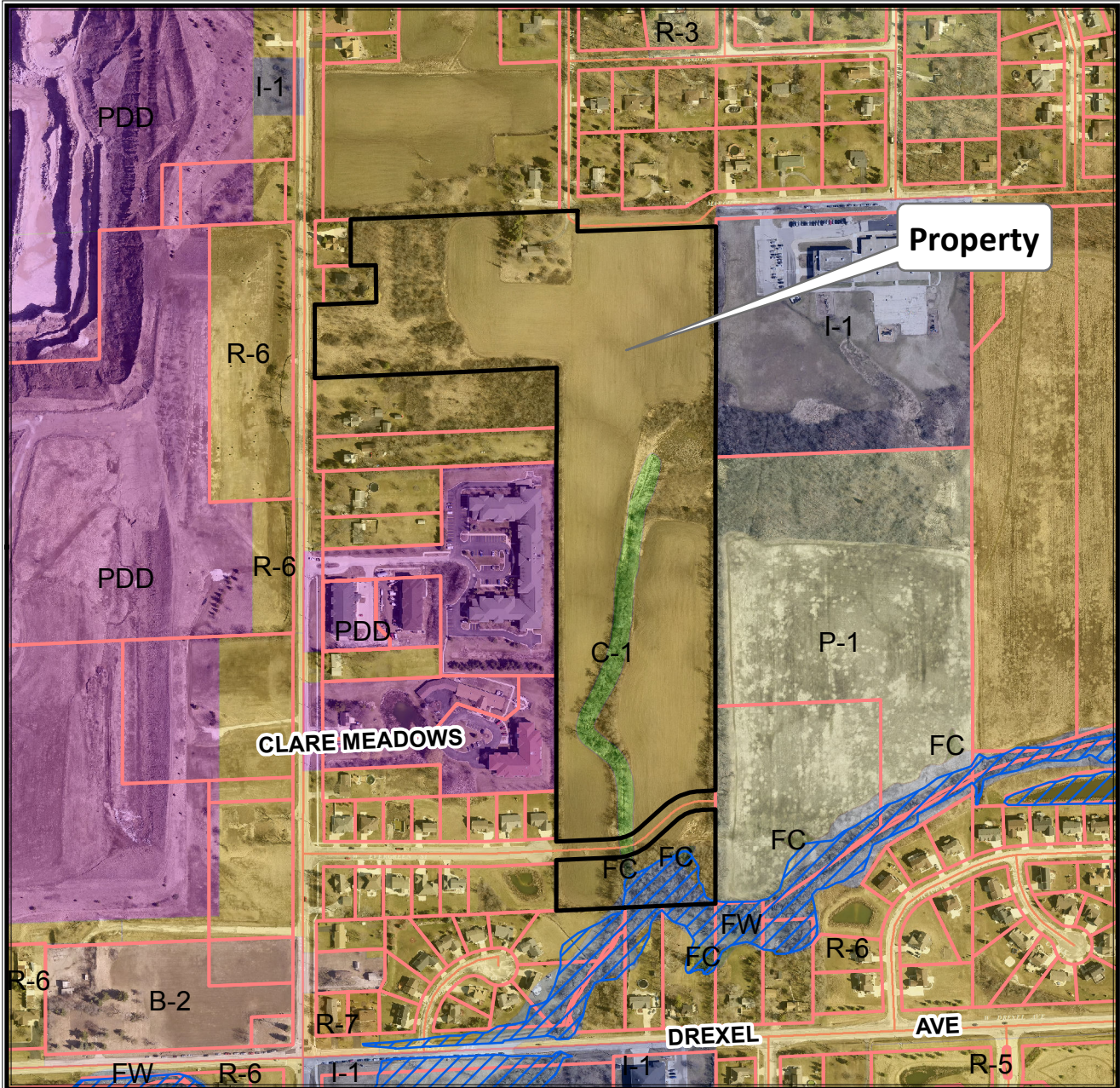
ATTEST:

\_\_\_\_\_  
Stephen R. Olson, Mayor

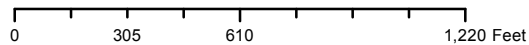
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

7501 S. 49th Street  
TKN: 788 9981 001



Planning Department  
(414) 425-4024

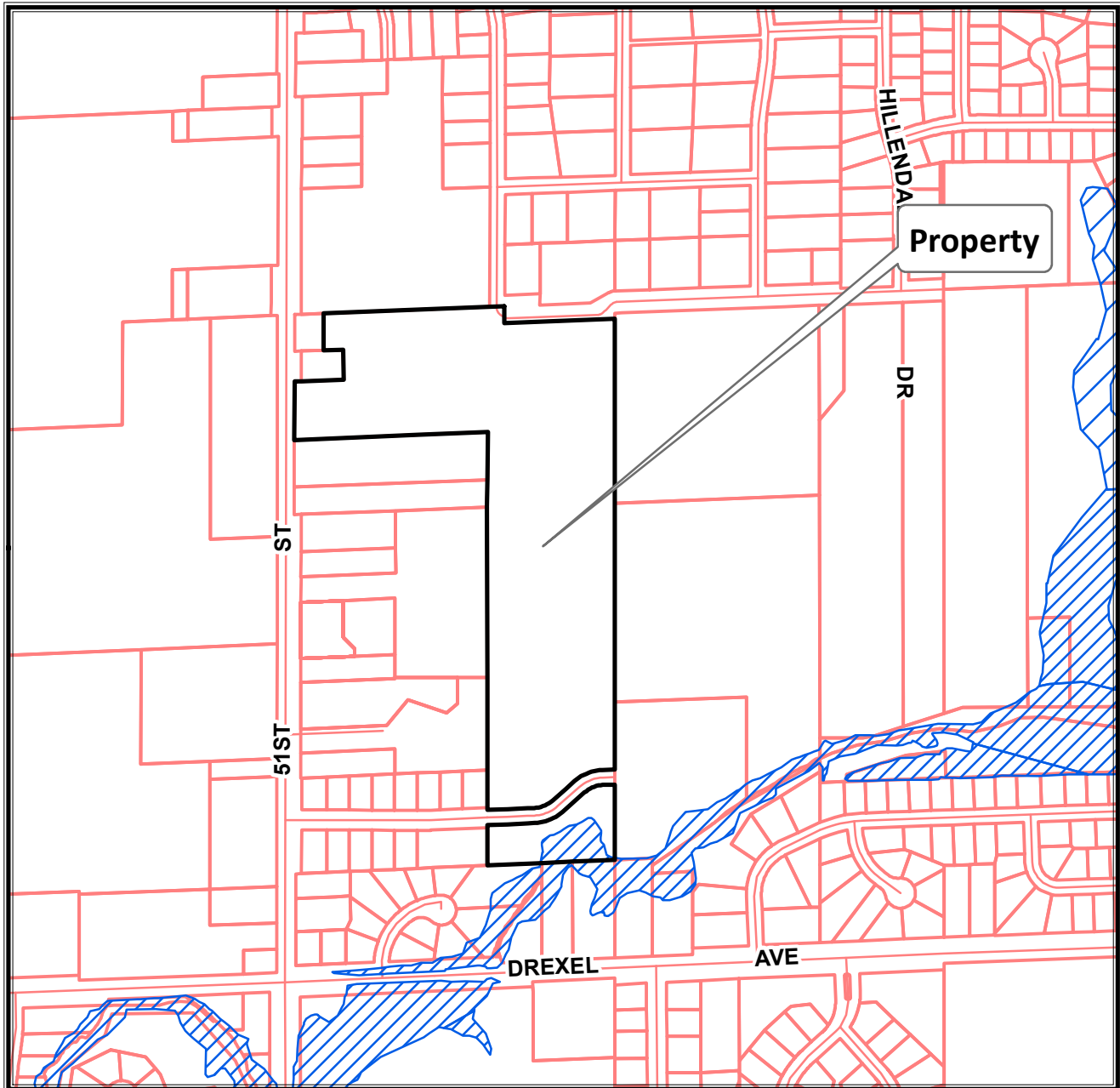


*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*

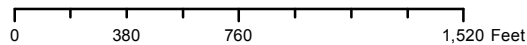
  
**NORTH**  
2016 Aerial Photo



7501 S. 49th Street  
TKN: 788 9981 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.*





LYNCH & ASSOCIATES  
ENGINEERING CONSULTANTS, LLC

June 20, 2016

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

RE: Evergreen Park Estates, 7501 S. 51<sup>st</sup> Street

Dear Nick:

#### **NARRATIVE AND SUMMARY**

Creative Homes, Inc. intends to develop the approximately 30 acres referenced above as a single family residential subdivision dubbed Evergreen Park Estates. The initial phase of this development is six lots all of which front on to existing city streets. Four of these lots front on to West Evergreen Street and two front on to S. 51<sup>st</sup> Street.

#### **UTILITY SERVICE**

All lots front onto existing city streets with sanitary sewer and water service available in the street. The four lots on Evergreen had laterals installed as part of the Evergreen road extension to the city park, the two lots on S. 51<sup>st</sup> Street will require lateral installation to the existing mains.

#### **STORMWATER MANAGEMENT**

The four lots on Evergreen has been included in the stormwater management plan for the Evergreen road extension. The two lots on S.51<sup>st</sup> Street will not trigger stormwater management requirements.

#### **NATURAL RESOURCE PROTECTION**

Natural resources on the overall site include wetlands and woodlands. None of the proposed lots in this application impact natural resources as defined by the UDO.

#### **FUTURE DEVELOPMENT**

It is anticipated that Creative Homes, Inc. will develop the remainder of the property on this plat when the necessary right-of-way issues are resolved. The development land retained for future development is noted on the plat.

Please do not hesitate to contact the undersigned should further details be required.

Sincerely,  
LYNCH & ASSOCIATES – ENGINEERING CONSULTANTS, LLC

Michael P. Doble, P.E.  
Director of Land Development Services

Franklin

JUN 20 2016

City Development



## Wetland & Waterway Consulting, LLC

Dave Meyer

583 W23915 Artesian Avenue • Big Bend, WI 53103

262-719-4286 • Fax • 262-364-2197

E-Mail • [wetland@wi.rr.com](mailto:wetland@wi.rr.com)

1-6-16

Mr. Rick Przybyla  
Creative Homes  
9244 W. Grandview Court  
Franklin, WI 53132

Dear Mr. Przybyla:

Wetland & Waterway Consulting (WWC) has conducted a wetland delineation on property located in Sec.11, T5N, R21E, City of Franklin. The delineation was conducted on 10-8-15 at your request. This site is under consideration for future development; therefore, location of the wetlands prior to construction is necessary. The purpose of the delineation was to identify and flag all wetlands within the boundaries identified on the attached maps.

### Investigator

Dave Meyer, lead delineator, is an independent environmental consultant providing environmental permitting services, site assessments, wetland delineations, and planning advice. He obtained a master's degree in Natural Resources Management from Southern Illinois University-Carbondale in 1977. Mr. Meyer has held technical and administrative positions in wetland and water resources specialties with the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers. He has satisfactorily completed the Reg IV Wetland Delineation training offered by the U.S. Army Corps of Engineers, the Advanced Wetland Delineation training conducted by the University of Wisconsin-LaCrosse in 2002 and 2007, the USACOE/WIDNR 1987 Wetland Delineation Manual Midwest Region Supplement Training in 2009, the USACOE/WIDNR 1987 Wetland Delineation Manual Northcentral/Northeast Region Supplement Training in 2010, the Basic Hydric Soil ID training conducted by the University of Wisconsin-LaCrosse in 2011, and the SEWRPC Environmental Corridor Delineation Workshops in 2004 and 2015. Mr. Meyer is recognized by the Wisconsin Department of Natural Resources as an Assured Delineator.

### Methods

The site visit was conducted according to the guidelines identified in the U.S. Army Corps of Engineers' 1987 manual and the Midwest Regional Supplement. The plot size used was a 30 foot radius circle for trees, shrub/saplings, and woody vines, and a 5 foot radius circle for herbaceous vegetation. Resources utilized in the investigation included the NRCS county soil survey, Wisconsin Wetland Inventory mapping, topo mapping, aerial photos, county plat mapping, *The Vegetation of Wisconsin, Wetland Plants and Plant Communities of Minnesota and Wisconsin – 3<sup>rd</sup> Edition*, *A Field Guide to Wildflowers of Northeastern and Northcentral North America*, and *Plants of the Chicago Region*. Sampling points were located in the areas that exhibited wetland characteristics as well as upland characteristics. Data was collected on the vegetation, soils, and hydrology at each sampling point. The wetlands were identified

using the technical approach described in the USACOE 1987 Manual. The wetland boundary was flagged using breaks in topography, transitions between hydric and upland vegetation, identification of wetland hydrology, and the presence of hydric soils. Roadside ditches were identified if they displayed hydric vegetation. Flags were placed at the beginning and ending points of the ditches for the surveyor to locate. If the ditch was very long or had unusual bends or turns in it, additional flags were placed within the central parts of the ditch to assist in its location. The flags were located in the field by a registered land surveyor and a wetland map was produced which identifies all flagged wetland complexes within the subject boundaries. Refer to the wetland map attached to the end of this report for locations. In addition, an FSA crop history slide review was undertaken prior to the delineation. In preparation for the slide review, the NRCS wetland map was used to locate mapped areas of Prior Converted "PC", Wetland "W", Farmed Wetland "FW", Non-Wetland "NW", etc. If less than 5 years of imagery during normal conditions was available, wet signatures noted in aerials with wet or dry antecedent conditions were used in the calculations for the number of hits.

### Results and Discussion

The growing season remained intact. Continued vegetative growth was exhibited by turgid green leaves present on several species of herbaceous vegetation on the site. These species included reed canary grass, Kentucky bluegrass, Canada thistle, red clover, bird's foot trefoil, dandelion, and Canada goldenrod.

This site has not been previously delineated.

Only one short segment of wetland roadside ditch was present immediately adjacent to the project boundaries. This ditch is identified as D1 on the wetland map and runs parallel to S. 51<sup>st</sup> Street for 212'. See Photograph F. It is dominated by narrow leaf cattail, soft stem bulrush, and reed canary grass. No water was present. One segment of upland ditch borders the project boundary on W. Marquette Avenue in the northeast corner of the site. This is identified as D2 on the wetland map and is 235' linear feet. It is dominated by Kentucky fescue, smooth brome grass, and Kentucky bluegrass. No water was present. This ditch was newly constructed in 2014 in conjunction with the extension of W. Marquette Avenue.

The soil types mapped within the project boundaries are Blount silt loam (B1A), Morley silt loam (MzdB2), and Ashkum silty clay loam (AsA).

This approximately 29.77 acre site is divided into two parcels. The larger northern piece is bounded by W. Evergreen Lane on the south, W. Marquette Avenue on the north, and S. 51<sup>st</sup> Street on the west. Pleasant View Elementary School is offsite to the east. An unnamed intermittent creek flows through the center of this portion of the site. It is between 1 and 4 feet wide. No water was present anywhere along this stretch of the creek and the substrate was primarily silt loam soil. It appears that this creek has been historically dredged and straightened over the years to allow it to more effectively perform the functions of an agricultural drainage ditch. The site is actively cropped (DP #'s 4, 6, 7, 10) with the exception of the flagged wetlands (DP #'s 5, 8, 12, 13) and the upland tree and brush areas (DP #'s 9, 11, 14, 15, 16, 17, 18). The northeastern and southern portions of the site slope down toward the large wetland complex at between a 5%--10% grade. The wooded complex in the northwestern corner of the site slopes down to the west toward S. 51<sup>st</sup> Street also at 5 to 10% grade.

The smaller southern piece is bounded by W. Evergreen Lane on the north. This parcel is nearly level across the entire piece. It was used as a staging area for heavy equipment in 2014 during the construction activities that extended W. Evergreen Lane to the east. The attached soil map for this parcel shows the equipment on site.

The Wisconsin Wetland Inventory map shows a T3K/E2K and E2H complex occupying the south-central portion of the larger parcel. This complex was found and flagged in the general configuration as shown on the WWI map. In addition, a small drainage ditch was located and flagged on the western boundary line.

Wetland 1, a T3K/E2K and E2H complex occupying a depressional basin bordering an unnamed intermittent creek, is 3.65 acres. The wooded areas are dominated by American elm, common buckthorn, gray dogwood, prickly ash, and fowl manna grass (DP # 5); soils that meet the A-11 and F-3 indicators; and hydrology indicators of Geomorphic Position and FAC Neutral Test. The shallow water marsh areas (DP # 8) are dominated by narrow leaf cattail and reed canary grass; soils that meet the A-12 and F-6 indicators; and hydrology indicators of Saturation, High Water Table, Geomorphic Position, and FAC Neutral Test. This complex extends north up into the hedgerow bordering the eastern boundary of the parcel (DP # 12). A drainage ditch, located in the center of this hedgerow, flows to the south and makes a hydrological connection with the intermittent creek. It is dominated by green ash, common buckthorn, gray dogwood, and reed canary grass; soils that meet the A-11 indicator; and hydrology indicators of Geomorphic Position and FAC Neutral Test. The wetland lines were flagged along the topo breaks where the vegetation transitioned from hydric to upland in the vicinity of DP #'s 9 and 11 and along the topo breaks where the cropped field (DP #'s 4, 6, 7, 10) transitioned into hydric vegetation.

Wetland 2 is not identified on the WWI map. It is a shallow depressional ditch (DP # 13) that appears to have been excavated years ago to intercept water flow from the higher elevations to the west and prevent sheet flow erosion from occurring in the adjacent cropped field. It is dominated by common buckthorn and redtop grass; soils that meet the A-11 and F-6 indicators; and hydrology indicators of Geomorphic Position and FAC Neutral Test. The wetland lines were flagged along the top of the ditch perimeter where the vegetation transitioned from hydric to upland.

Adjacent upland areas throughout the site included the wooded hedgerow on the east boundary (DP # 11), a stand of upland hardwood trees and shrubs in the northwest corner of the site (DP #'s 14, 15, 16, 17, 18), and a shrubby area immediately south of the flagged large wetland complex (DP # 9). Neither hydric soil indicators nor hydrology indicators were present at any of the data points. Dominant vegetation included Canada goldenrod, white ash, apple, strawberry, smooth brome grass, Kentucky fescue, elecampane, common buckthorn, gray dogwood, Kentucky bluegrass, and silky dogwood. A single black willow tree was growing on the hillside. DP # 17 was located here to demonstrate the lack of hydric conditions even with the presence of this OBL tree species.

The FSA crop history slide review was undertaken to determine the extent of wetlands in the cropped areas of the site, especially those identified as "PC" on the NRCS wetland map. No areas of the subject property revealed wet signatures. Virtually all of the cropped field areas identified as "PC" are on a 5 to 10% grade which slopes down toward the large wetland complex. These areas remain effectively drained. There were no indications of wet conditions in the cropped portions of the fields. The soybean crop had been harvested prior to the delineation and only sparse understory upland vegetation remained intact at two points in the fields (DP #'s 4 and 10). Common dandelion was present in these two areas. The other portions of the field did not have any residual understory vegetation. The soybean stubble was uniform throughout the fields with no indication that there had been any drowned-out areas during the growing season.

Precipitation Data

Precipitation data from the websites of the USDA Natural Resource Conservation Service and the National Oceanic and Atmospheric Administration (NOAA) was reviewed.

Note that when a site is delineated in the first half of the month, the previous 3 months are taken into consideration.

Condition Value Dry = 1 Normal = 2 Wet = 3

	Month	Normal	3 yrs. In 10 less than	3 yrs. In 10 more than	Observed precip.	Condition dry, wet, normal	Condition value	Month weight value	Product of previous two columns
1st prior month	September	3.52	1.72	4.30	3.59	normal	2	3	6
2nd prior month	August	2.61	1.76	3.12	3.51	wet	3	2	6
3rd prior month	July	2.78	1.78	3.35	2.04	normal	2	1	2
								<b>sum</b>	<b>14</b>
		<b>If sum is</b>							
		6 - 9	drier than normal						
		10 - 14	normal						
		15 - 18	wetter than normal						

**Conclusion**

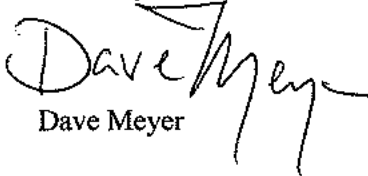
Antecedent precipitation was normal.

Conclusion

The wetland lines staked in the field and referred to in this report are the best estimate of the wetland boundaries based on the conditions present at the time of delineation. Because this delineation was conducted by Mr. Meyer, an Assured Delineator, obtaining a concurrence letter from the Wisconsin Department of Natural Resources is not necessary. Concurrence with these wetland lines by the U.S. Army Corps of Engineers, however, must be obtained before undertaking any alterations or modifications of this property. Activities affecting wetlands or surface waters may require permits from the U.S. Army Corps of Engineers, the Wisconsin Department of Natural Resources, and local municipal authorities. The client must obtain authorization from all proper regulatory authorities before altering, modifying, or using the property. If the required authorizations are not obtained, Wetland & Waterway Consulting, LLC shall not be liable or responsible for any resulting damages.



Sincerely,

A handwritten signature in black ink that reads "Dave Meyer". The signature is written in a cursive style with a large, stylized "D" and "M".

Dave Meyer

Attachments

1. Data points
2. Soil Survey maps
3. Wisconsin Wetland Inventory map
4. USGS topo map
5. Location map
6. Site photographs
7. Literature cited
8. Delineation checklist
9. FSA slide review
10. Wetland boundary map

**Owners' Names and Addresses within 200 feet**

<b>TAXKEY</b>	<b>PARCEL_KEY</b>	<b>OWNERNAME1</b>	<b>OWNERNAME2</b>	<b>OWNERADDR</b>	<b>OWNERCTYST</b>	<b>OWNERZIP</b>
7880047000	788-0047	CHRISTOPHER J WILSON	PAULINE WILSON	4854 W EVERGREEN ST	FRANKLIN, WI	53132
7880053000	788-0053	%CHRISTOPHER WILSON WINTERHAVEN HOME OWNER'S ASSOCIATION		4854 W EVERGREEN ST	FRANKLIN, WI	53132
7889986011	788-9986-011	FRANCISCAN SISTERS OF ST CLARE INC		7728 S 51ST ST	FRANKLIN, WI	53132
7889986012	788-9986-012	C/O HORIZON DEVELOPMENT CLARE MEADOWS OF FRANKLIN II LLC		5201 E TERRACE DR #300	MADISON, WI	53718
7889994000	788-9994	MILWAUKEE METROPOLITAN SEWERAGE DISTRICT		260 W SEEBOTH ST	MILWAUKEE, WI	53204-1446
7889995000	788-9995	HENRY O REYES	PATRICIA CABRAL	4720 W DREXEL AVE	FRANKLIN, WI	53132
7889996000	788-9996	CHERYL L UTPHALL		4714 W DREXEL AVE	FRANKLIN, WI	53132
7889999002	788-9999-002	FRANKLIN CITY OF		9229 W LOOMIS RD	FRANKLIN, WI	53132
7880007000	788-0007	CARYL A CHMIELEWSKI		7801 S STONEBROOK CT	FRANKLIN, WI	53132
7889986009	788-9986-009	CLARE MEADOWS LLC		2601 OLD CAMDEN SQ SUITE 111	MADISON, WI	53718
7889980000	788-9980	FRANKLIN SCHOOL DIST #5	PLEASANT VIEW SCHOOL	8255 W FOREST HILL AVE	FRANKLIN, WI	53132
7889981001	788-9981-001	%CHRISTINE BERINGER FRANKLIN OASIS LLC		9055 W ALLERTON AVE	GREENFIELD, WI	53228
7889981001	788-9981-001	%CHRISTINE BERINGER FRANKLIN OASIS LLC		9055 W ALLERTON AVE	GREENFIELD, WI	53228
7889981001	788-9981-001	%CHRISTINE BERINGER FRANKLIN OASIS LLC		9055 W ALLERTON AVE	GREENFIELD, WI	53228
7889981001	788-9981-001	%CHRISTINE BERINGER FRANKLIN OASIS LLC		9055 W ALLERTON AVE	GREENFIELD, WI	53228

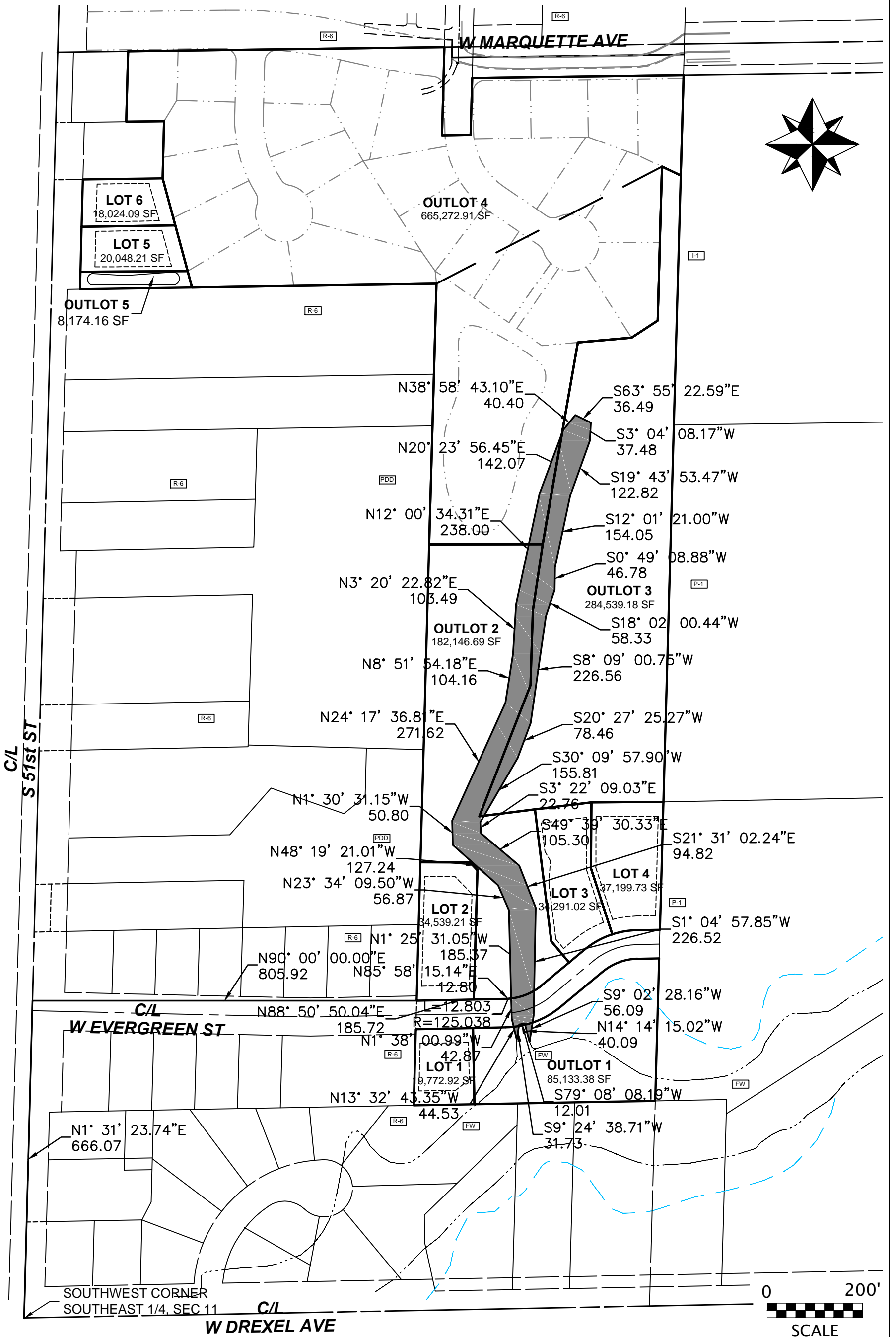
# REZONING EXHIBIT

From retired C-1 Zoning to R-6  
 Part of the Southeast 1/4 of Section 11, Town 5  
 North, Range 21 East, in the City of Franklin,  
 Milwaukee County, Wisconsin



LYNCH & ASSOCIATES  
 ENGINEERING CONSULTANTS, LLC

5482 S. WESTRIDGE DRIVE  
 NEW BERLIN, WI 53151  
 (262) 248-3697



# PRELIMINARY PLAT: EVERGREEN PARK ESTATES

Part of the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

**OWNER:**  
 Creative Homes, Inc.  
 Mr. Rick Przybyla  
 9244 W. Grandview Ct.  
 Franklin, WI 53132  
 (414) 529-0958

**USE:**  
 Single Family Residential

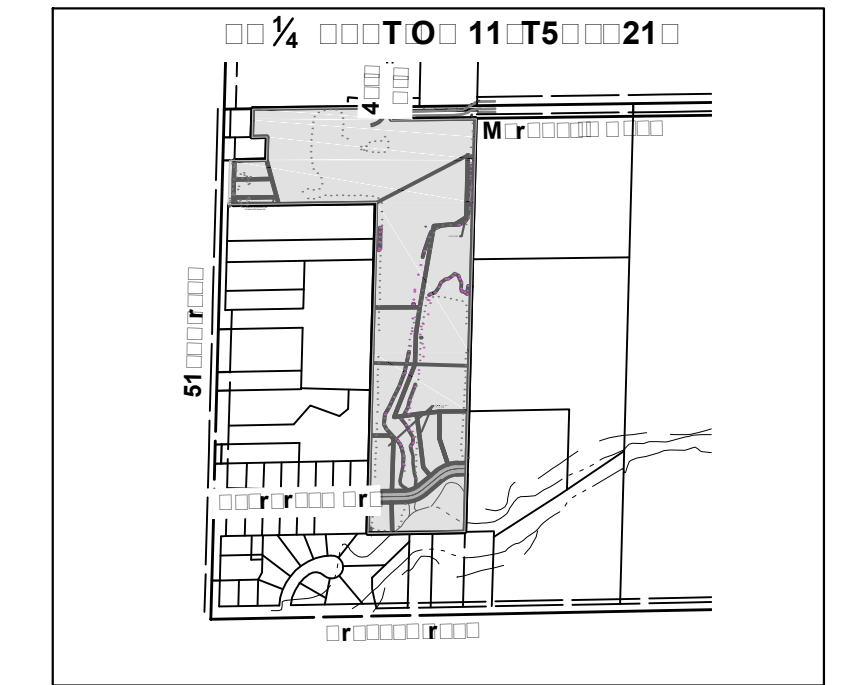
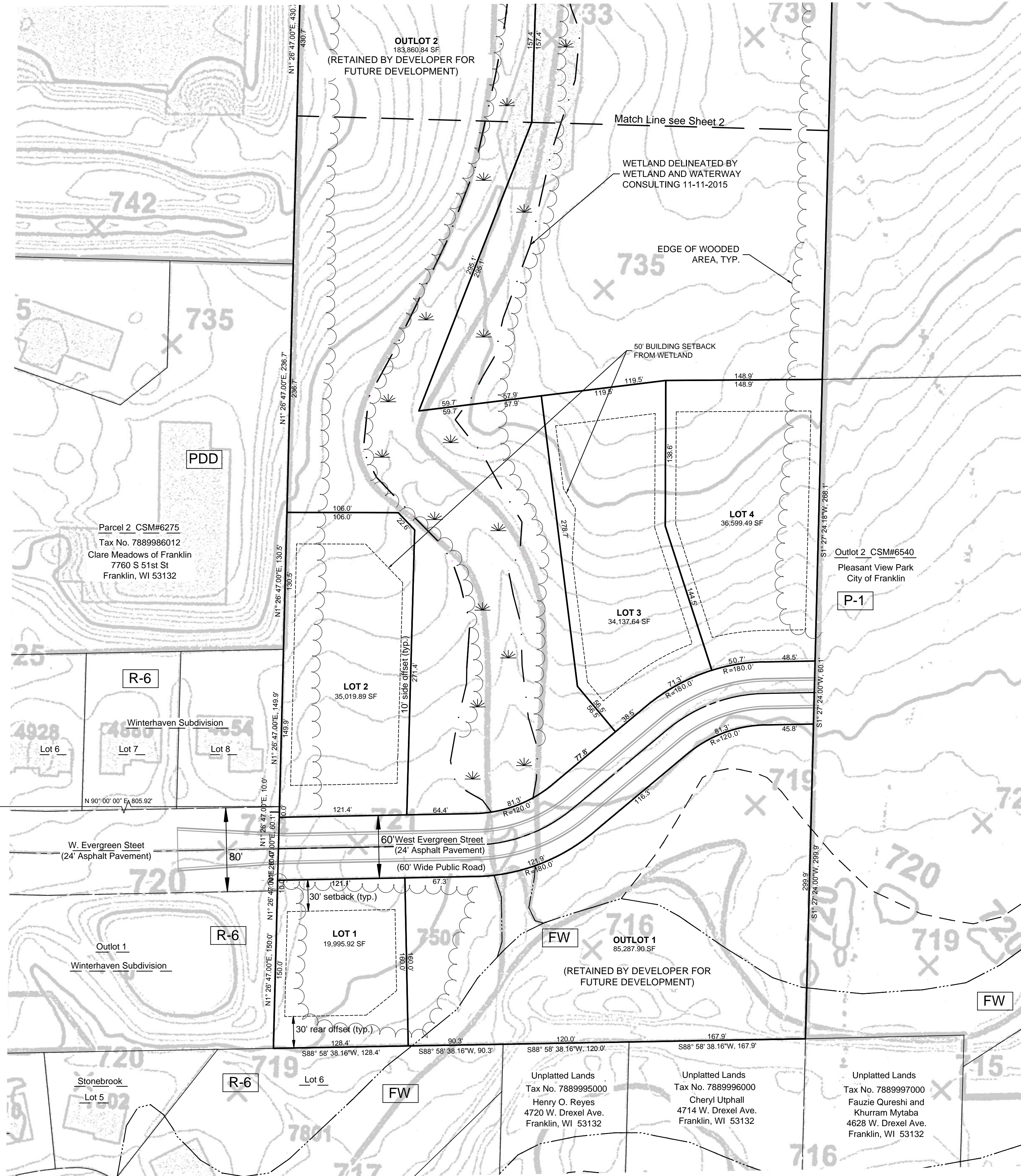
**PROPOSED LOTS:**  
 Proposed Number of Lots = Six (6)  
 One Dwelling Unit per Lot  
 Gross Site Area = 1,423,215 Square Feet (32.67 acres)

**ZONING:**  
 Existing Zoning: R-6, FW  
 Proposed Zoning: R-6, Suburban Single-Family Residential, FW  
 Minimum Lot Area=11,000 Sq. Ft.  
 Minimum Lot Width at Setback Line = 90 Feet  
 Minimum Lot Width at Setback Line (Corner Lot) = 100 Feet  
 Minimum Front Yard Setback = 30 Feet  
 Minimum Side Yard Setback = 10 Feet/ 19 Feet Corner  
 Minimum Rear Yard Setback = 30 Feet  
 Minimum Wetland Buffer = 30 Feet  
 Minimum Wetland Setback = 50 Feet  
 Minimum Shore Setback = 75 Feet

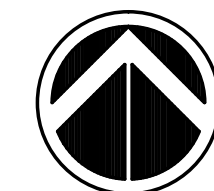
**NOTES:**  
 Although all lots in the Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some lots may contain soil conditions which, due to the possible presence of groundwater near the surface, may require soil engineering and foundation design with regard to basement construction. It is recommended that either a licensed professional engineer or other soils expert design a basement and foundation which will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that special measures be taken. Soil conditions should be subject to each owners special investigation prior to construction and no specific representation is made herein.

## LEGEND

- EXISTING TELEPHONE PEDESTAL
- EXISTING CULVERT
- EXISTING STORM INLET MANHOLE
- EXISTING CONTOURS
- EXISTING ZONING



LOTT



Bearings refer to Grid North of the Wisconsin State Plane Coordinate System Grid, South Zone per N.A.D. 27.  
 The West line of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East has a reference bearing of N 01°31'24" W.  
 Elevations based on North American Vertical Datum of 1988 (NAVD-88)



I have surveyed the above-described property and the above map is a true representation thereof and shows the site and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, adjacent easements, roadways, and utility encroachments, if any.

No title commitment or results of a title search were provided to this office pertaining to this survey. This Plat of Survey may not reflect easements of record, encumbrances, restrictions, ownership, title evidence, or other facts that a current and accurate title search may disclose.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or insure the title thereto within one (1) year from date hereof, and as to them I warrant the accuracy of said survey map.

*Kenneth B. Mehring*  
 KENNETH B. MEHRING, PROFESSIONAL LAND SURVEYOR, S. R. E. OR, S-2

The Southwest Corner of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

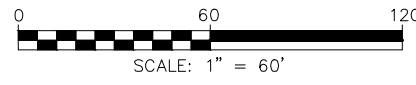
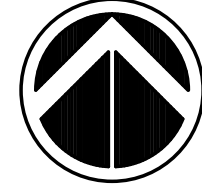
**MAP PREPARED BY:**  
 Kenneth B. Mehring, PLS  
 Lynch & Associates Engineering Consultants, LLC  
 5482 S. Westridge Dr.  
 New Berlin, WI 53151

Sheet 1 of 3  
 Project No. 16-0004  
 Date: July 13, 2016  
 Revised:

**LYNCH & ASSOCIATES**  
 ENGINEERING CONSULTANTS, LLC  
 5482 S. WESTRIDGE DRIVE  
 NEW BERLIN, WI 53151  
 (262) 248-3697

# PRELIMINARY PLAT: EVERGREEN PARK ESTATES

Part of the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.



I have surveyed the above-described property and the accompanying is a true representation thereof and shows the site and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, adjacent easements, roadways, and visible encroachments, if any.

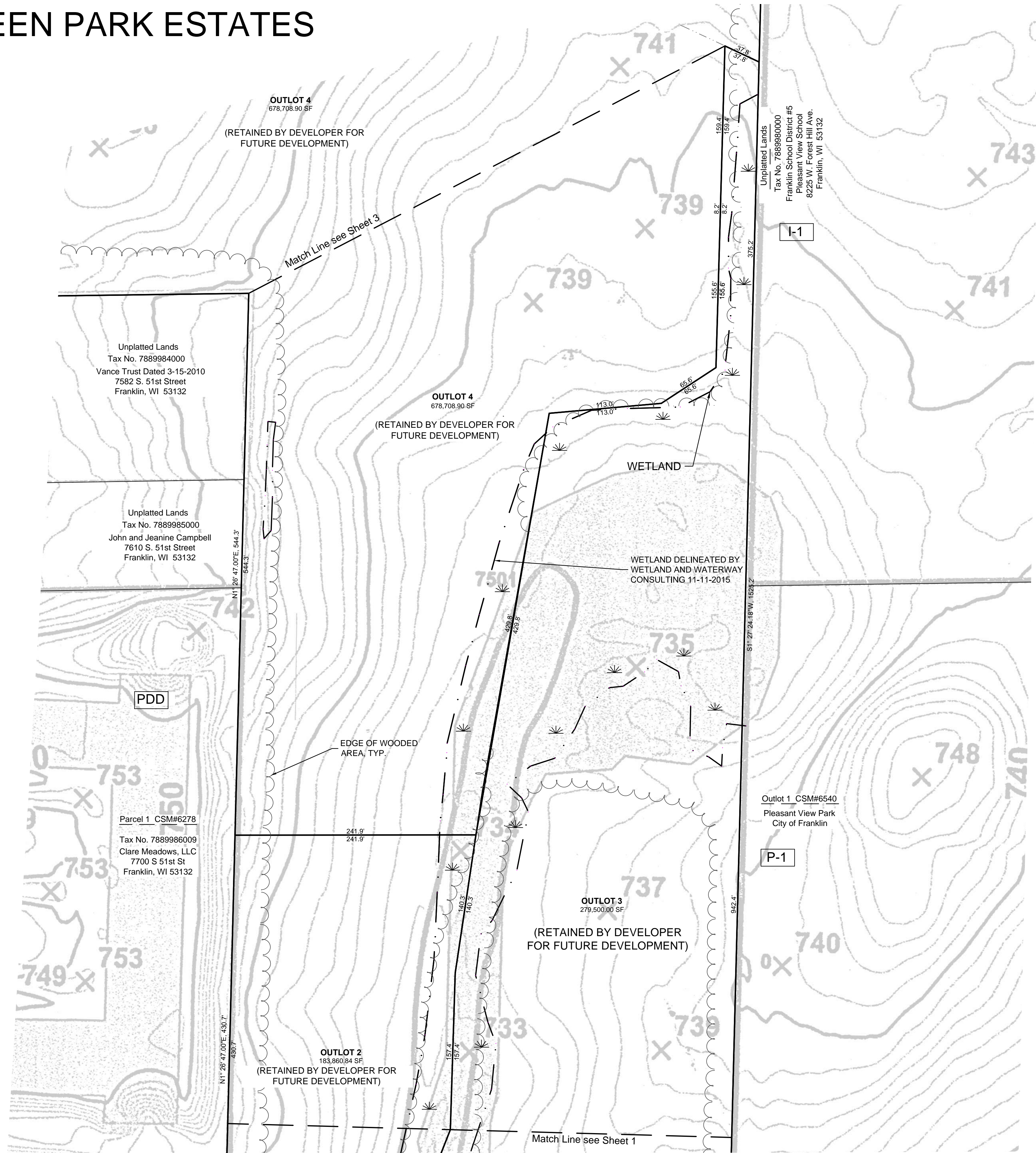
No title commitment or results of a title search were recorded to this office pertaining to this survey. This Plat of Survey may not reflect easements of record, encumbrances, restrictions, ownership, title evidence, or other facts that a current and accurate title search may disclose.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or insure the title thereto within one (1) year from date hereof, and as to them I warrant the accuracy of said survey map.

*Kenneth B. Mehring*  
 KENNETH B. MEHRING, PROFESSIONAL LAND SURVEYOR, S-2838

## LEGEND

	EXISTING TELEPHONE PEDESTAL
	EXISTING CULVERT
	EXISTING STORM INLET MANHOLE
	EXISTING CONTOURS
	EXISTING ZONING



MAP PREPARED BY:  
 Kenneth B. Mehring, PLS  
 Lynch & Associates Engineering Consultants, LLC  
 5482 S. Westridge Dr.  
 New Berlin, WI 53151

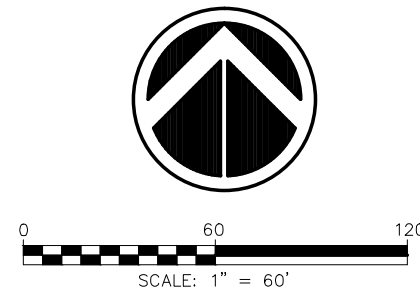


LYNCH & ASSOCIATES  
 ENGINEERING CONSULTANTS, LLC  
 5482 S. WESTRIDGE DRIVE  
 NEW BERLIN, WI 53151  
 (262) 248-3697






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 Project No. 16-0004  
 Date: July 13, 2016  
 Revised:

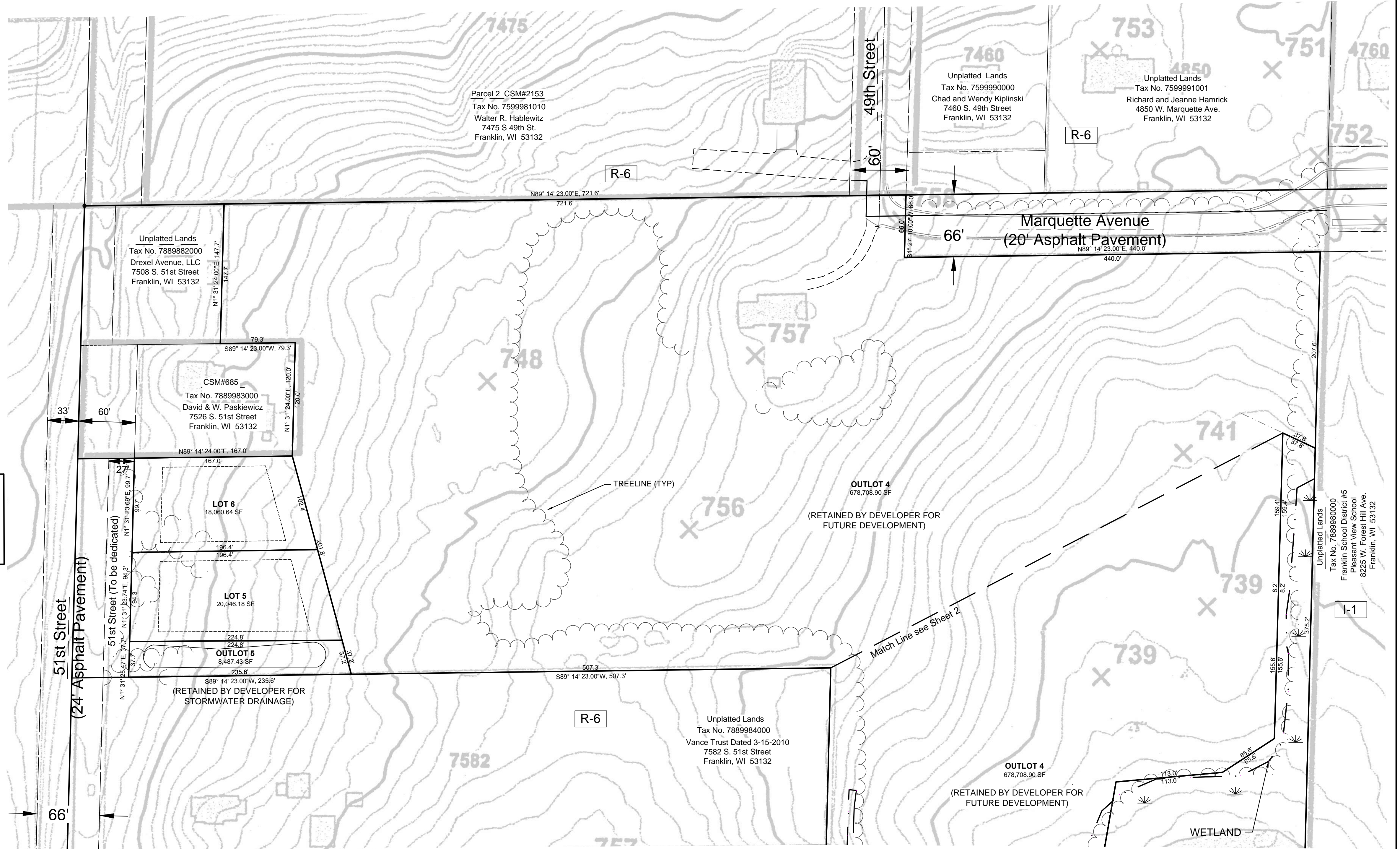
# PRELIMINARY PLAT: EVERGREEN PARK ESTATES

Part of the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.



## LEGEND

-  EXISTING TELEPHONE PEDESTAL
-  EXISTING CULVERT
-  EXISTING STORM INLET MANHOLE
-  EXISTING CONTOURS
-  EXISTING ZONING



I have surveyed the above-described property and the area thereon, and the same is a true representation thereof and shows the site and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, adjacent easements, roadways, and visible encroachments, if any.

No title commitment or results of a title search were recorded to this office pertaining to this survey. This Plat of Survey may not reflect easements of record, encumbrances, restrictions, owners' title evidence, or other facts that a current and accurate title search may disclose.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or insure the title thereto within one (1) year from date hereof, and as to them I warrant the accuracy of said survey map.



*KBM*  
KENNETH B. MEHRING, PROFESSIONAL LAND SURVEYOR, S-2838

MAP PREPARED BY:  
Kenneth B. Mehring, PLS  
Lynch & Associates Engineering Consultants, LLC  
5482 S. Westridge Dr.  
New Berlin, WI 53151



Sheet 3 of 3  
Project No. 16-0004  
Date: July 13, 2016  
Revised:

5482 S. WESTRIDGE DRIVE  
NEW BERLIN, WI 53151  
(262) 248-3697

**CONCEPT PLAN**  
**32 SINGLE FAMILY LOTS**  
**896 FT OF NEW ROAD**



L:\Shared\1 - Projects\15047 (15047) - Creative Homes, Inc. - 49th St. & Marquette (CD) (Design) (15-047)001.dwg

**LYNCH & ASSOCIATES**  
 CONSULTING ENGINEERS  
 5482 S. WESTRIDGE DRIVE  
 NEW BERN, WI 53151  
 SURVEYOR'S OFFICE:  
 405 SKYLINE DRIVE, STE C  
 LAKE GENIEVA, WI 53147  
 (262) 248-3697

Drawings refer to Grid North of the Wisconsin State Plane Coordinate System Zone 16N, South Zone of NAD 83. The East Edge of the Southzone 16N of Section 15, Township 2 North, Range 18 East has a reference bearing of 51° 24' 16" E.

**GRAPHIC SCALE**  
 1 INCH = 100 FEET  
 DRAWING BY: MD

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of July 21, 2016****Special Use**


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**RECOMMENDATION:** City Development Staff recommends approval of the proposed special use for a pet supply store business use upon property located at 7720 South Lovers Lane Road, subject to the conditions of approval in the attached draft resolution.

---

**Project Name:** Happy Tails Special Use

**Project Address:** 7720 South Lovers Lane Road, Suite 210

**Applicant:** Kenneth Paul LaVigne and Tiffany Lyn LaVigne, Happy Tails Pet Supplies, LLC

**Owners (property):** Franklin-Wyndham, LLC

**Current Zoning:** CC City Civic Center District

**2025 Comprehensive Master Plan** Mixed Use

**Use of Surrounding Properties:** Single-family residential to the north, multi-family residential to the south, institutional (Risen Savior Church) to the east and commercial (Speedway) to the west

**Applicant Action Requested:** Recommendation of approval for the proposed Special Use for Happy Tails Pet Supplies to open a pet supplies retail store at the Shoppes at Wyndham Village

---

**PROJECT DESCRIPTION AND ANALYSIS**

On June 28, 2016, the applicant submitted a Special Use Application requesting approval to locate a retail pet supply store within The Shoppes at Wyndham Village shopping center. The applicant is proposing to locate in Suite 210 of the building located at the northwest corner of the development, parallel to West Drexel Avenue. The tenant space is 1,984 square feet, a portion of the space formerly occupied by Mattress Firm. The proposed use corresponds to Standard Industrial Classification (SIC) Title No. 5999: Miscellaneous Retail Stores, Not Elsewhere Classified, which is allowable in the CC City Civic Center District as a Special Use.

According to the applicant, Happy Tails Pet Supplies will provide nutritious and healthy pet food and treats as well as supplements for dogs and cats. In addition, Happy Tails Pet Supplies sells toys, beds, collars, pet dishware and other pet related items. Happy Tails currently has a store located in Caledonia, WI.

The applicant has indicated that dog grooming services may be offered in the future. Such use is classified under SIC Title No. 0752: Animal Specialty Services, Except Veterinary. SIC No. 0752 is not currently allowed in the City Civic Center District. A Unified Development Ordinance Text Amendment would be required to allow such use in the CC District in the future. Staff anticipates recommending that the use be allowed as a Special Use, thus also requiring the applicant to submit a Special Use Amendment Application.



The applicant is not proposing any new landscaping, lighting or exterior modifications to the building other than new signage.

Parking:

Table 15-5.0203 of the City of Franklin Unified Development Ordinance (UDO) defines requirements for off-street parking. According to this section, “Shopping Centers (4 stores or more)” require five parking spaces per 1,000 square feet of gross floor area (GFA).

There are no changes in parking from the original approval of the shopping center. Staff is not aware of any parking issues; therefore, staff does not have any concerns related to parking with this proposed use and the mix of uses currently operating within this development.

**STAFF RECOMMENDATION:**

City Development Staff recommends approval of the proposed special use for Happy Tails Pet Supplies upon property located at 7720 South Lovers Lane Road, Suite 210, subject to the conditions of approval below and in the attached draft resolution.

1. All outdoor pet activities, including but not limited to exercising, waste areas, and play areas, shall be prohibited.
2. The applicants shall provide a detailed clean up and disposal plan for all pet waste that may inadvertently occur outside the building, for staff review and approval prior to issuance of a Building Permit.

## RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A SPECIAL USE FOR A RETAIL PET SUPPLY STORE USE  
UPON PROPERTY LOCATED AT 7700 SOUTH LOVERS LANE ROAD, SUITE 210  
(THE SHOPPES AT WYNDHAM VILLAGE)  
(KENNETH PAUL LAVIGNE AND TIFFANY LYN LAVIGNE,  
D/B/A HAPPY TAILS PET SUPPLIES LLC, APPLICANTS)

---

WHEREAS, Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC having petitioned the City of Franklin for the approval of a Special Use within a CC City Civic Center District under Standard Industrial Classification Title No. 5999 “Miscellaneous retail stores, not elsewhere classified”, to allow for a retail pet supply store use, including the sale of natural/healthy pet food, treats, supplements for dogs and cats, toys, beds, collars, pet dishware, etc., upon property located at 7700 South Lovers Lane Road, Suite 210 (The Shoppes at Wyndham Village), bearing Tax Key No. 794-9999-006, more particularly described as follows:

Lot 1 of Certified Survey Map No. 8000 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on November 14, 2007, as Document No. 9523246, being a redivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 8, Township 5 North, Range 21 East. Said land being in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 21st day of July, 2016, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission

KENNETH PAUL LAVIGNE AND TIFFANY LYN LAVIGNE, D/B/A HAPPY TAILS  
PET SUPPLIES LLC – SPECIAL USE  
RESOLUTION NO. 2016-\_\_\_\_\_

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, 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 Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, successors and assigns, as a retail pet supply store use, which shall be developed in substantial compliance with, and operated and maintained by Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, pursuant to those plans City file-stamped July 7, 2016 and annexed hereto and incorporated herein as Exhibit A.
2. Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC retail pet supply store, 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 Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, and the retail pet supply store use for the property located at 7700 South Lovers Lane Road, Suite 210 (The Shoppes at Wyndham Village): (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. All outdoor pet activities, including but not limited to exercising, waste areas, and play areas, shall be prohibited.
5. The applicants shall provide a detailed clean up and disposal plan for all pet waste that may inadvertently occur outside the building, for staff review and approval, prior to the issuance of a Building Permit.

KENNETH PAUL LAVIGNE AND TIFFANY LYN LAVIGNE, D/B/A HAPPY TAILS  
PET SUPPLIES LLC – SPECIAL USE  
RESOLUTION NO. 2016-\_\_\_\_\_

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6. [other conditions, etc.]

BE IT FURTHER RESOLVED, that in the event Kenneth Paul Lavigne and Tiffany Lyn Lavigne, d/b/a Happy Tails Pet Supplies LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

KENNETH PAUL LAVIGNE AND TIFFANY LYN LAVIGNE, D/B/A HAPPY TAILS  
PET SUPPLIES LLC – SPECIAL USE  
RESOLUTION NO. 2016-\_\_\_\_\_

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APPROVED:

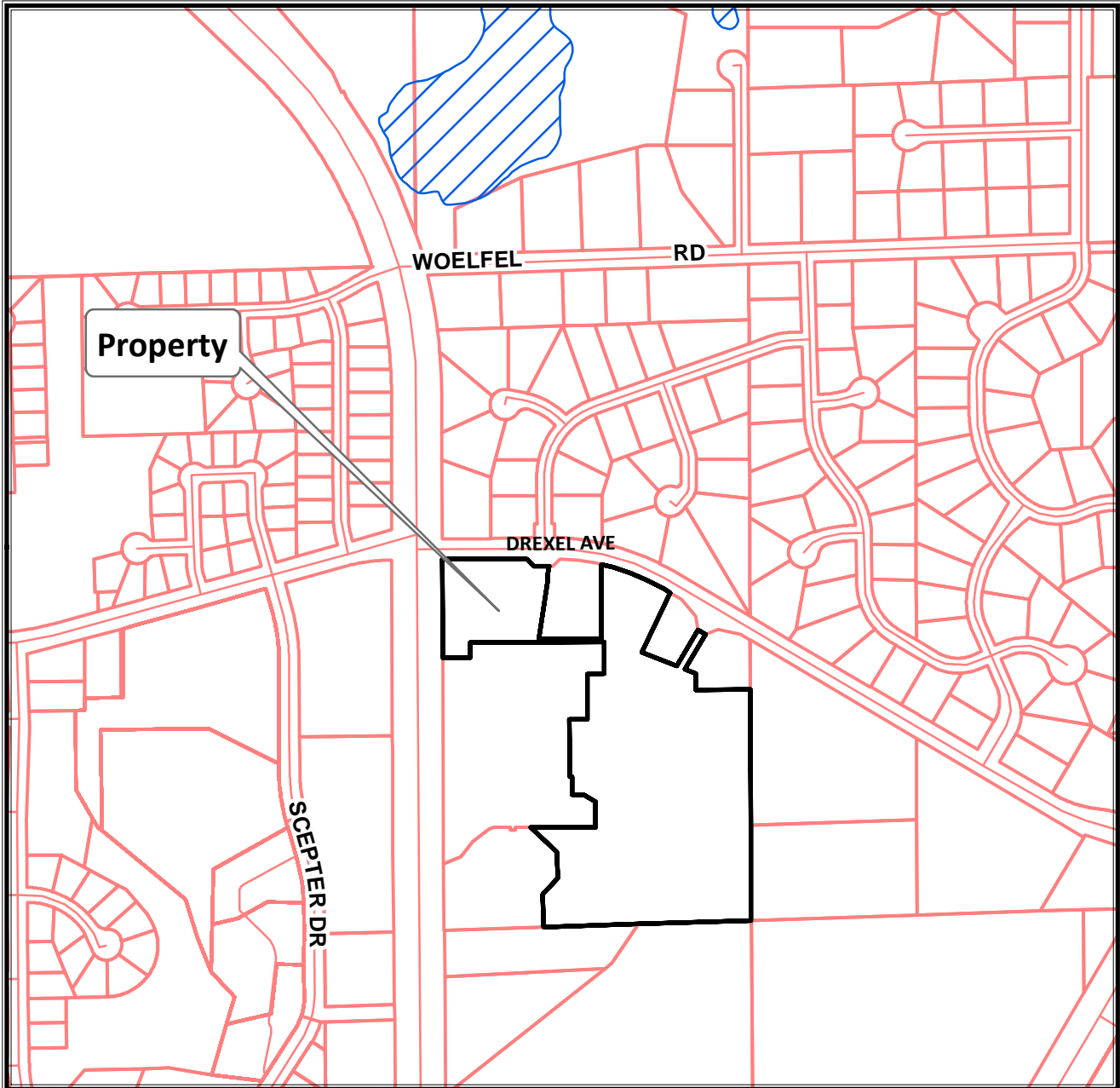
\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

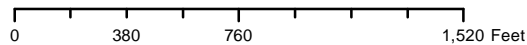
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

7700 S. Lovers Lane Road Suite 210  
TKN: 794 9999 006



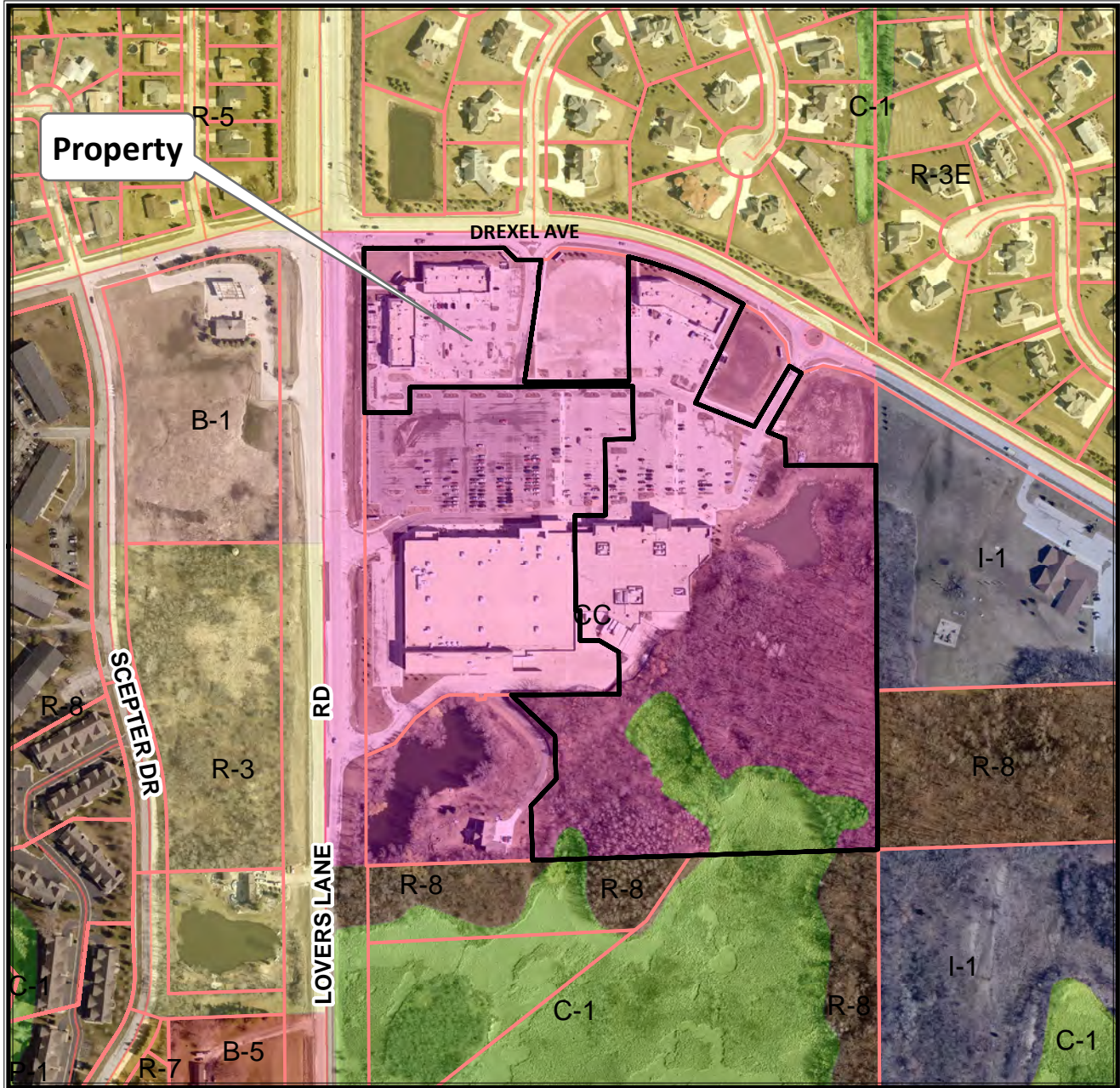
**Planning Department**  
**(414) 425-4024**



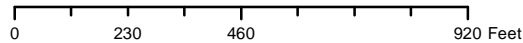
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



7700 S. Lovers Lane Road Suite 210  
TKN: 794 9999 006



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.*



Table of Contents

Project Narrative

Site Plan

Legal Description

Special Use Standards & Regulations

The Shoppes at Wyndham Village

7720 S Lovers Lane, Suite 210

Franklin

JUL 07 2016

City Development



Happy Tails Pet Supplies will offer a unique shopping experience that is friendly and inviting for pet owners. It will differ from the traditional "grocery market aisles" footprint which many existing pet retailers subscribe to.

We will provide nutritious/healthy pet food, treats, as well as supplements for dogs and cats. In addition to selling products that promote a healthy lifestyle for pets, the store will offer unique and exciting toys, beds, collars, pet dishware, etc. This store will establish itself as a leader, in and around the Franklin area, in providing high quality pet products at a competitive price. Although we will not have grooming services offered upon opening our store, we do hope to offer this service at some point in the future.

The target market for Happy Tails Pet Supplies is pet owners that see their pets as members of the family much like their human children. Franklin is a growing community as is the percentage of pet owners across the country. The past number of years has seen a noticeable increase in demand for high quality pet products and food, which promotes improved overall health for consumer's "pet children". With the existing clientele at Wyndham and our proven history of pet food retail sales Happy Tails is positioned to meet this increased demand in and around the Franklin area.

We currently have one store and it is located in Caledonia (Racine County) WI. We will be taking over a vacated retail space located in suite 210 of The Shoppes at Wyndham Village. There will be no alterations to the exterior of this building other than affixing two LED signs (one front and one rear) according to city specifications provided. The interior will have the flooring replaced with a high quality sealant that is excellent for a high traffic shopping space that also accommodates pet visitors. Existing florescent lighting will be supplemented with energy efficient LED fixtures that will accent strategic walk aisles while enhancing various products displayed on commercial quality store

fixtures that are comprised of metal and wood component to provide a modern shopping experience. A portion of the wall space will be decorated with pet art and a combination of slat-wall and gridwall fixtures.

The hours of operation will be:

Mon, Tues, Thurs, Fri: 10am – 6pm

Wed: Noon – 8pm

Sat: 10am – 5pm

Sun: Noon – 4pm

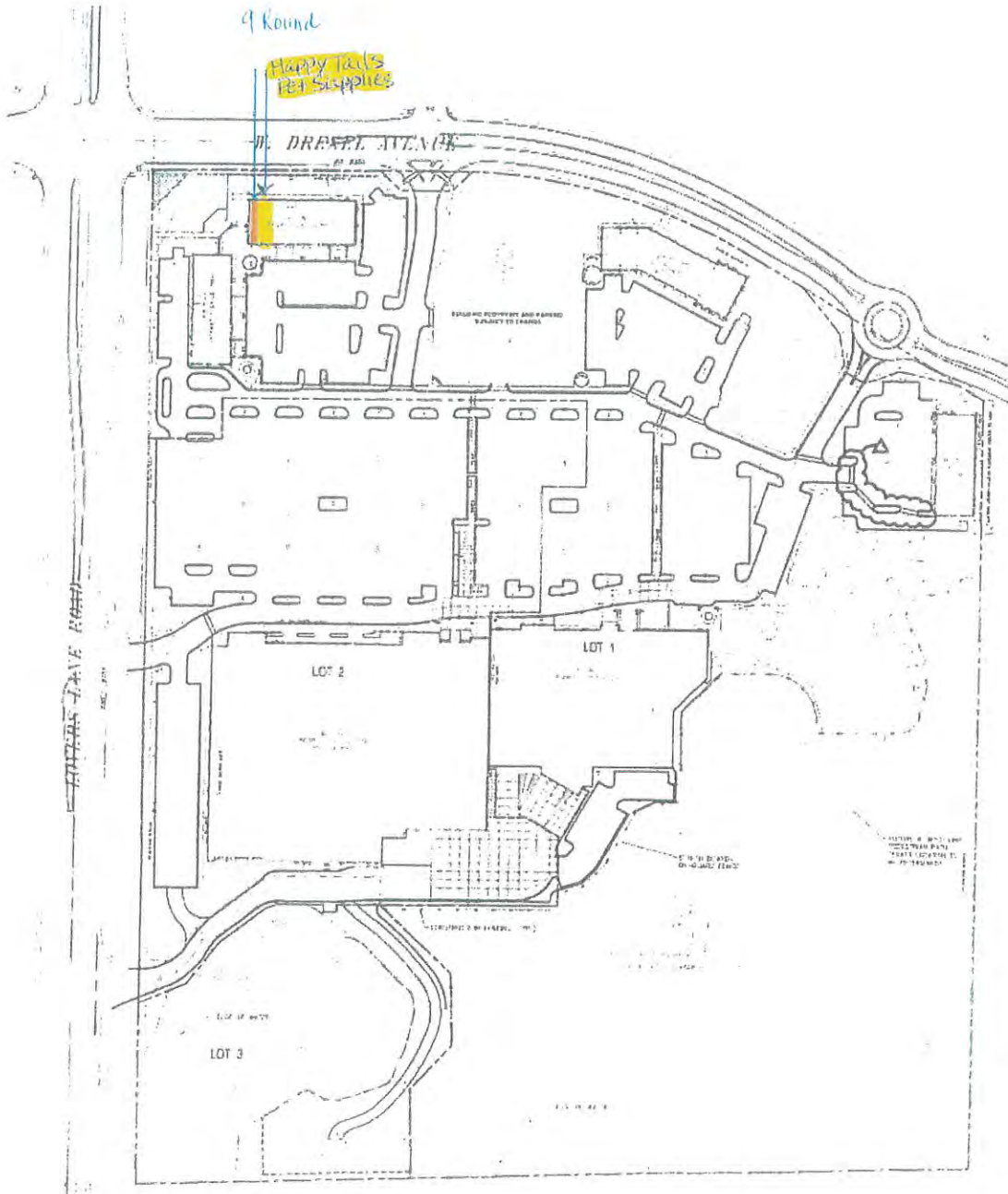
Square Footage: 1,984

Number of Employees: 4

SITE PLAN – Happy Tails Pet Supplies

Zoning District: CC City Civic Center District

Submitted: 6/28/2016; Revised 7/7/2016



Applicants Name: Kenneth and Tiffany LaVigne, Happy Tails Pet Supplies LLC

Address: 5200 Douglas Avenue, Racine WI 53402

Property Owners Name: Cloverleaf Real Estate Group Inc

Address: 666 Dundee Road STE 901, Northbrook IL 60062

## LEGAL DESCRIPTION

Lot 1 of Certified Survey Map No. 8000 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on November 14, 2007, as Document No. 9523246, being a redivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest  $\frac{1}{4}$  and Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 8, Township 5 North, Range 21 East. Said land being in the City of Franklin, County of Milwaukee, State of Wisconsin.

**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:***

***Happy Tails Pet Supplies is a retail seller of natural/healthy pet food and supplies which is aligned with this space being zoned for general use. Our store will have synergy with other current retailers already located at Wyndham.***

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:***

***Our business complements the other existing establishments at Wyndham as well as the community. Almost 75 % of households have pets and approximately 80% of those are dog/cat owners. Thus, most of the patrons visiting any of the existing retailers will have a reason to visit our store.***

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:***

***We are a retail operation that will occupy an existing vacant suite that was previously occupied by a national retailer. The nature of our business aligns with the current zoning regulations.***

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:***

*The nature of our business complements existing retailers and we expect that many of their existing clientele will utilize our services as well. Thus, existing public facilities and services should satisfy the needs of Happy Tails Pet Supplies.*

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:***

*Although there will be times when we are the main destination of our customers, the expectation is that many of the services offered by other existing retailers will be utilized at the same time as ours. In doing so, there should essentially be no additional traffic impact through commercial or residential areas than what exists today.*

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:***

*We will be occupying an existing suite that was also a retail location. Thus, we do not foresee any change or negative impact of any kind to any features, scenery, etc.*

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:***

*As Happy Tails is taking over the space vacated by a retailer we will comply with all applicable standards and regulations regarding use of this area as all previous and existing retailers must.*

- 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:***

*To date Happy Tails has supplies all sufficient data and responses regarding the intended use of the location and build-out of the facility to ensure an appropriate and respectable pet supplies retail center will operate at Wyndham. We are prepared to address any additional special requests/standards that may be brought to our attention.*

- 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:***

*Happy Tails Pet Supplies will provide Franklin with a “go to” location for people wanting to provide their pets with healthy/nutritional foods as well as various high-quality accessories (i.e. toys, leashes, collars, training aides). Approximately 80% of all pet households have a dog and/or cat, which is the exclusive focus of all of our products. By ensuring our products and services are offered by quality-minded, caring personnel we expect Happy Tails to become a destination site of not only Franklin residents, but bring individuals to the area that will then further support surrounding retail businesses. Based on our extensive market research we are confident that there is not an existing “like company”, in or around Franklin, that provides the quality, diversity, and shopping experience that Happy Tails will within the Shoppes at Wyndham Village.*

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

***Response:***

*The Shoppes at Wyndham Village is the ideal location for our business. This extraordinary commercial area is ideal for consumers of our products. We sell exceptional quality pet products while maintaining high standards of service and industry knowledge. We cannot overstate the percentages of individuals that require our products/services, thus the diverse mix of residential and businesses in this area will not only support our goals, but in turn we will satisfy the need for convenience by*

*the various types of customers that patronize Wyndham and all the areas surrounding this establishment. The products and services that Happy Tails provides are expected to realize national growth through at least 2021 and we look forward to strengthening our business as this residential/commercial area continues to grow as well.*

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:***

*As we will occupy an existing suite that was previously occupied by another retailer, we do not have the right or intent to affect the building design, landscaping, etc. However, we can promise that our store design and layout is above average and along with our services/products has received positive recognition in community publications and social media. Our focus is to not feel like a retail location, but to provide our customers with a positive shopping experience each and every time they visit our store. We have a proven track record of accomplishing this at our current store location within Racine County. Due to the attributes of the Wyndham facility we look forward to enhancing our store layout internally while complying with all requirements currently in place regarding the Shoppes and Wyndham Village.*

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:***

*Per statistics previously stated, Happy Tails Pet Supplies actually satisfies the needs of the majority of all households. In doing so, it is expected that our retail store will be an exclusive supplier and destination for customers from most of the Franklin area. With this type of unique business having the potential to satisfy the needs of much of the Franklin area, there is no correlation of our business model promoting or encouraging any other incompatible uses or activities near or far from this location.*





## CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of July 21, 2016

**Master Sign Program**

**RECOMMENDATION:** City Development Staff recommends approval of the Master Sign Program for the Orchard View shopping center located at 7140-7240 South 76<sup>th</sup> Street, subject to the conditions in the attached draft resolution.

<b>Project Name:</b>	Orchard View Master Sign Program Amendment
<b>Project Address:</b>	7140-7240 South 76 <sup>th</sup> Street
<b>Applicant:</b>	Bob Hacker, Bauer Sign Company
<b>Owners (property):</b>	O’Braun Corporation AWIS CORP
<b>Current Zoning:</b>	B-3 Community Business District
<b>Use of Surrounding Properties:</b>	Commercial to the north, south and west and commercial and single-family residential to the east
<b>Applicant Action Requested:</b>	Approval of the proposed Master Sign Program

**Introduction:**

Please note:

- Staff recommendations are *underlined, in italics* and are included in the draft resolution.

On June 2, 2016, the applicant submitted an application for a Master Sign Program for the Orchard View shopping center located at 7140-7240 South 76<sup>th</sup> Street. The Master Sign Program is required per Section 210-9.A. of the Franklin Municipal Code (see below).

“All MTCCs and planned developments, including, but not limited to, office parks, industrial parks, office centers, retail centers, office and limited business structures, and churches and schools which have a campus must have a master sign program if, after January 1, 2007, more than one sign will be erected in conjunction with such building, development, or center, as defined in this chapter.”

**Project Description/Analysis:**

A summary of the proposed Master Sign Program requirements is below. Additional details and a sample sign can be found in the attached packet materials.

- Each tenant will be allowed one wall sign per storefront, except end cap tenant spaces, which will be allowed a maximum of two wall signs.
- Sign size will be calculated at 1.5 times the lineal front foot of the tenant space.
- Wall signs must be internally illuminated channel letters mounted directly to the building.

- Tenant spaces 4,500 square feet or less in area are permitted a maximum 24” letter size. Tenant spaces that exceed 4,501 square feet are permitted a maximum letter size of 48”.
- Wall sign colors may be red, green, blue or white. There are no color restrictions for logos.
- Maximum sign projection from the building is 6”.

Section 210-9.E. of the Franklin Sign Code states that a Master Sign Program shall include the list of components below. Staff finds that these items are addressed under the proposed Master Sign Program either within the application materials submitted by the Plan Commission or as a condition of approval.

1. An aesthetically developed theme on color, size, and style;
2. A proposed location of all permanent signs for the building, development, or center, which considers that, where possible, wall signs shall be centered over tenant spaces;
3. The proposed size of individual signs, which may be expressed in maximums and minimums for purposes of the proposed master sign program;
4. The following categories of signs may be proposed and approved for inclusion in a master sign program:
  - a. Master identification sign: a freestanding monument sign which identifies a MTCC or planned development;
  - b. Tenant identification sign, separate from such identification that may be made as part of a master identification sign:
    - i. Tenant identification signs at individual tenant entrances in an office center may not exceed four square feet in area if permitted.
    - ii. Retail tenants occupying not less than 20% of an office and limited business structure with individual entrances to the exterior may be allowed tenant identification similar to tenants in retail centers. In both instances, the area of such signage shall not exceed 1.5 times the lineal front foot of the space occupied unless provided a special exception.
  - c. Tenant/service/product directory board for an office center or office and limited business structure;
  - d. Entrance markers;
  - e. Traffic directional signs;
  - f. Wall signs for retail centers; and
  - g. Such other signs as requested by the applicant.
5. Nature and characteristics of signage proposed, i.e., individual letters, box, etc.;
6. Blueprints, drawings, and written policies governing the color, size, style, location and other features of the proposed signs, including but not limited to the proposed allocation or distribution of the total signage allowance to individual tenants or tenant spaces; and
7. An acknowledgement of the authority identified in Subsection I of this section.

The applicant is not requesting any special exceptions at this time. The applicant has also provided statements related to the requirements of Section 210-9.F. of the Franklin Sign Code, which lists factors to be considered by the Plan Commission.

## **Staff Recommendation:**

City Development Staff recommends approval of the Master Sign Program for the Orchard View shopping center located at 7140-7240 South 76<sup>th</sup> Street, subject to the conditions below and in the attached draft resolution.

1. Separate Sign Permits shall be required for each individual sign throughout the development and will be issued by the Inspection Department. Prior to application, the tenant shall obtain initial approval from the property owner and the application must bear the signature and/or stamp of the appropriate property owner representative(s).
2. All temporary signs and window signs must conform to the City of Franklin Sign Code as amended.
3. Traffic Regulatory, Directional and Informational Signs, which include signs such as "Stop", "No Parking", "One-way", "Fire Lane", "No Skateboarding", "Clearance X", or other legal notices, etc, but which do not include way-finding signs (directional signs that incorporate advertising or store names), may be installed by the developer, subject to review and approval by Department of City Development Staff.
4. Any sign prohibited in the City of Franklin Sign Code shall not be allowed under this Master Sign Program unless expressly permitted in this document.
5. Any new Master Identification Sign and/or modifications to the existing Master Identification Sign shall require a Master Sign Program Amendment. Sign face and letter replacement and minor repairs to the existing sign may be allowed without an amendment to the Master Sign Program at the discretion of Department of City Development Staff.
6. Prior to issuance of a Sign Permit, all holes and building deterioration from previous signage must be repaired.

## RESOLUTION NO. 2016- \_\_\_\_\_

A RESOLUTION APPROVING A MASTER SIGN PROGRAM  
FOR ORCHARD VIEW SHOPPING CENTER  
(7140-7240 SOUTH 76TH STREET)  
(JOHN A. O'MALLEY, O'MALLEY INVESTMENTS, APPLICANT)

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WHEREAS, John A. O'Malley, O'Malley Investments having applied for a Master Sign Program approval for Orchard View Shopping Center, at 7140-7240 South 76th Street, and such application having been reviewed by City staff and the application and staff recommendations and suggested considerations having been reviewed by the Plan Commission at its meeting on July 21, 2016; and

WHEREAS, the Plan Commission having determined that the John A. O'Malley, O'Malley Investments Master Sign Program application, together with those staff recommendations and suggested considerations meets the purposes and intent of §210-9. of the Municipal Code of the City of Franklin and will promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the John A. O'Malley, O'Malley Investments Master Sign Program application, be and the same is hereby approved, subject to the Master Sign Program Application and plans City file-stamped on July 11, 2016 together with the following additional conditions, which conditions shall be incorporated into the Master Sign Program – Orchard View Shopping Center:

1. John A. O'Malley, O'Malley Investments, successors and assigns, and any developer of the Orchard View Shopping Center Master Sign Program 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 Orchard View Shopping Center Master Sign Program, 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.
2. Compliance with the "City of Franklin – Master Sign Program" document annexed hereto and incorporated herein.
3. Separate Sign Permits shall be required for each individual sign throughout the development and will be issued by the Inspection Department. Prior to application,

JOHN A. O'MALLEY, O'MALLEY INVESTMENTS – MASTER SIGN PROGRAM  
RESOLUTION NO. 2016-\_\_\_\_\_

Page 2

the tenant shall obtain initial approval from the property owner and the application must bear the signature and/or stamp of the appropriate property owner representative(s).

4. All temporary signs and window signs must conform to the City of Franklin Sign Code as amended.
5. Traffic Regulatory, Directional and Informational Signs, which include signs such as “Stop”, “No Parking”, “One-way”, “Fire Lane”, “No Skateboarding”, “Clearance X”, or other legal notices, etc., but which do not include way-finding signs (directional signs that incorporate advertising or store names), may be installed by the developer, subject to review and approval by Department of City Development Staff.
6. Any sign prohibited in the City of Franklin Sign Code shall not be allowed under this Master Sign Program unless expressly permitted in this document.
7. Any new Master Identification Sign and/or modifications to the existing Master Identification Sign shall require a Master Sign Program Amendment. Sign face and letter replacement and minor repairs to the existing sign may be allowed without an amendment to the Master Sign Program at the discretion of Department of City Development Staff.
8. Prior to the issuance of a Sign Permit, all holes and building deterioration from previous signage must be repaired.

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

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

APPROVED:

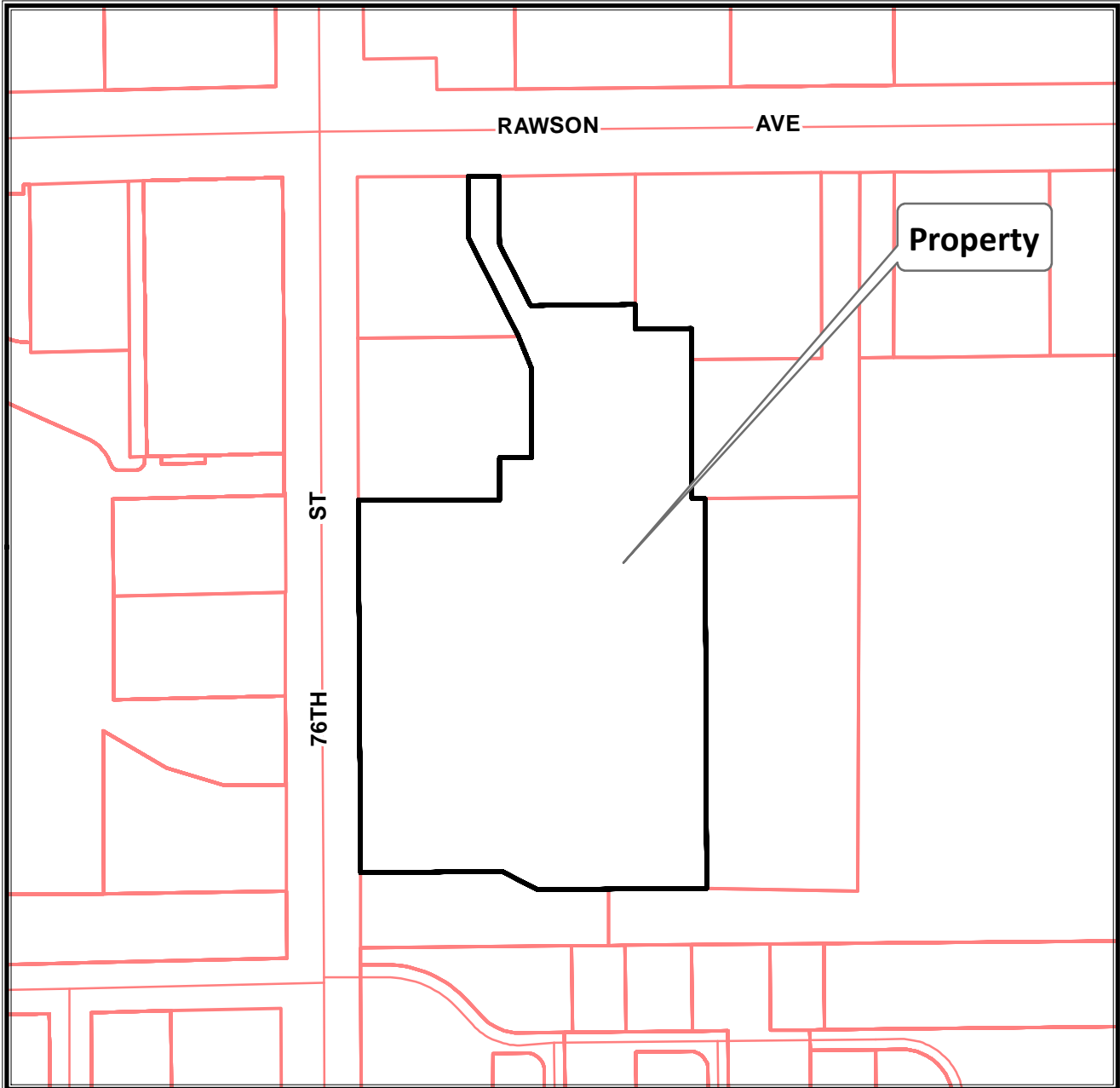
\_\_\_\_\_  
Stephen R. Olson, Chairman

ATTEST:

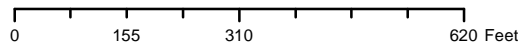
\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_ NOES \_\_\_\_ ABSENT \_\_\_\_

7140 - 7240 S. 76th Street  
TKN: 756 9993 021



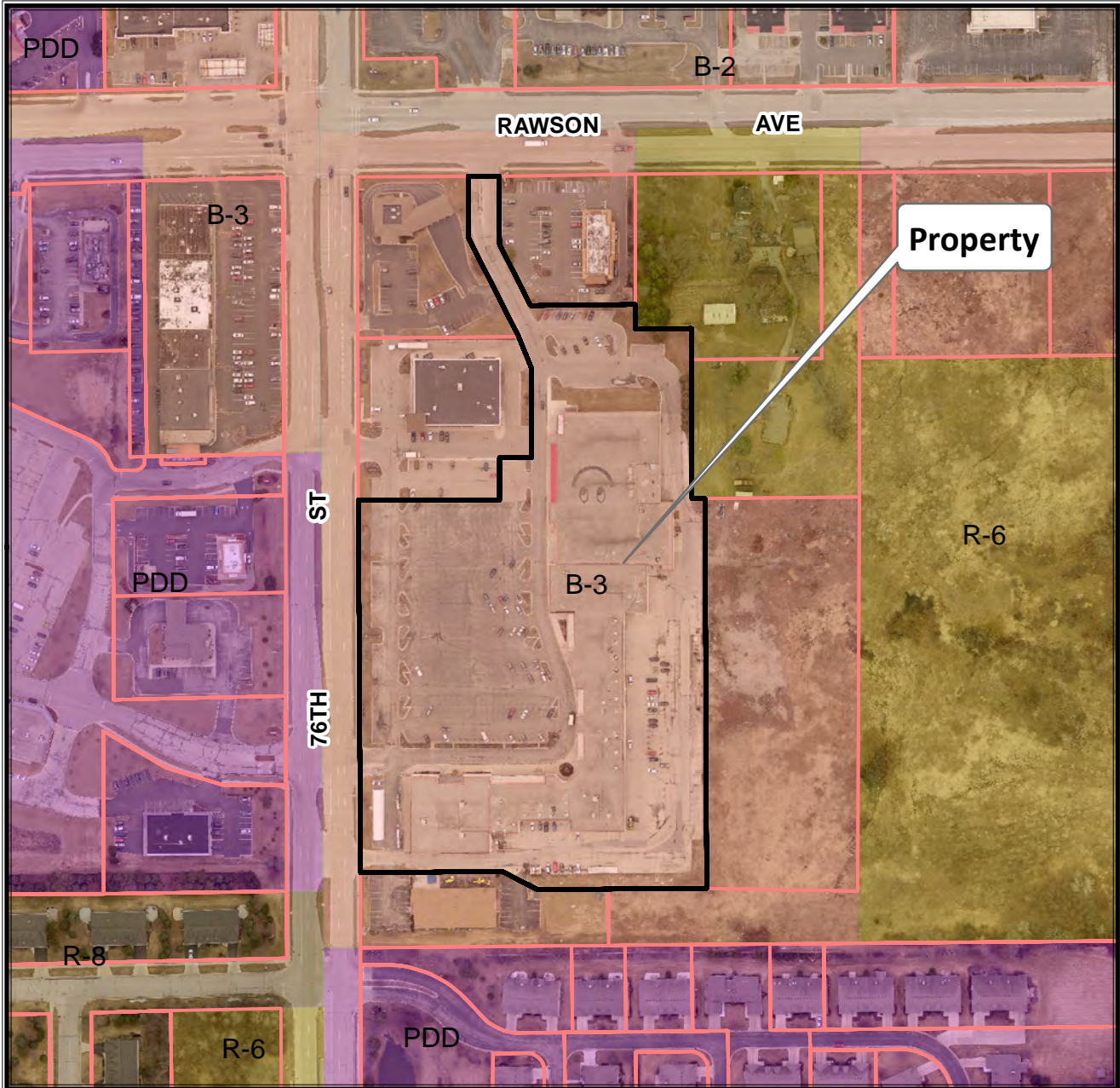
**Planning Department**  
**(414) 425-4024**



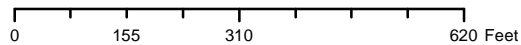
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



7140 - 7240 S. 76th Street  
TKN: 756 9993 021



**Planning Department**  
**(414) 425-4024**



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

# CITY OF FRANKLIN

## INSPECTION DEPARTMENT

9229 W. LOOMIS ROAD FRANKLIN WISCONSIN 53132  
 PHONE: 414-425-0084 FAX: 414-425-7513  
 www.franklinwi.gov

### APPLICATION FOR MASTER SIGN PROGRAM

**APPLICANTS:** IF THE APPLICATION IS NOT COMPLETE, THE APPLICATION WILL NOT BE ACCEPTED OR IT WILL BE RETURNED TO THE OWNER OR SIGN CONTRACTOR. DO NOT MODIFY THIS FORM, THIS APPLICATION MUST BE COMPLETE OR IT WILL NOT BE ACCEPTED AT TIME OF APPLICATION.

**APPLICATION DATE:** MAY 15, 2016

**PROPERTY ADDRESS:** 7140 - 7240 S. 16<sup>th</sup> ST.

**NAME OF DEVELOPMENT:** ORCHARD VIEW SHOPPING CENTER

**1. \* DEVELOPER OR OWNER INFORMATION:**

OWNERS' NAME		ADDRESS	
<u>O'MALLEY INVESTMENTS</u>		<u>5200 W. LOOMIS RD.</u>	
CITY	STATE	ZIP	
<u>GREENWALD</u>	<u>WI</u>	<u>53132</u>	
TELEPHONE	FAX	E-MAIL	
<u>414-421-1010</u>			

*connie @omalleyinvestments.com  
john.omalley@omalleyinvestments.com*

**2. \* APPLICANT INFORMATION:**

NAME		ADDRESS	
<u>BAUER SIGN COMPANY</u>		<u>2500 S. 170<sup>th</sup> ST.</u>	
CITY	STATE	ZIP	
<u>NEW BERLIN</u>	<u>WI</u>	<u>53151</u>	
TELEPHONE	FAX	E-MAIL	
<u>262-784-0500</u>	<u>262-784-6675</u>		

*blacker@bauersignusa.com*

**3. CITY OF FRANKLIN STAFF USE ONLY:**

DATE APPLICATION RECEIVED:	APPLICATION #:	APPLICATION REVIEWED AND ACCEPTED BY:
DATE DISTRIBUTED:		

Franklin

JUL 11 2016

City Development



## SIGN AREA CALCULATIONS & INFORMATION

5. The allowable sign area for each building shall be calculated using the method below. Multiply the frontage of each building shown on the site plans, by sign area factor of 1.5 square feet per front foot of building.

BUILDING NUMBER	BUILDING FRONTAGE	X MULTIPLY	ALLOWABLE SIGN AREA	MAXIMUM ALLOWABLE SIGN AREA FOR EACH BUILDING	REQUESTED SIGN AREA FOR THIS BLDG.	SPECIAL EXCEPTION REQUIRED
<u>Example</u>	100 FT.	X	1.5 sq. ft.	150 sq. ft.	200 sq. ft.	50 sq. ft.
1		X	1.5 SQ. FT			
2		X	1.5 SQ. FT			
3		X	1.5 SQ. FT			
4		X	1.5 SQ. FT			
5		X	1.5 SQ. FT			
6		X	1.5 SQ. FT			
7		X	1.5 SQ. FT			
8		X	1.5 SQ. FT			
9		X	1.5 SQ. FT			
10		X	1.5 SQ. FT			
11		X	1.5 SQ. FT			
12		X	1.5 SQ. FT.			
<b>TOTAL</b>						

SEE EXHIBIT 1

5a. Master Identification signs (Maximum -120 sq. ft), Monument signs (Maximum - 120 sq. ft.), Traffic Directional signs (Maximum - 4 sq. ft.), Entrance markers (maximum - 4 sq. ft.), Information signs (maximum - 4 sq. ft.)

SIGN #	SIGN TYPE	AREA IN sq. ft.	DIMENSION OF SIGN FACE	MAXIMUM ALLOWABLE SIGN SIZE	REQUESTED SIGN AREA	SPECIAL EXCEPTION REQUESTED

N/A

**6. SPECIAL EXCEPTIONS REQUESTED:**

The special exceptions permitted are limited to the following:

- (1) Wall Signs: May deviate from the requirement that wall signs be located with the tenant space or occupancy to which the signs refer.

Exception Requested:

- (2) Monument Signs: May modify the number of monument signs, the thirty foot (30') façade setback requirement, the height limitations up to the height of the principal building to which the sign pertains, the proximity to another monument sign, and the sign area limitations up to the maximum of one hundred fifty (150) square feet per sign (as long as the total permitted sign area for either the occupant or the premises is not exceeded).

Exception requested:

- (3) Tenant Identification Signs: May deviate from the size area limitations set forth in this section.

Exception requested:

- (4) Master Identification Signs: May deviate from the requirements set forth in subsection G.(4) and G.(5) of this section.

Exception Requested:

- (5) The total amount of signage permitted under 210-4.C.(1)(d) and (e) may be increased by up to 100%.

Exception requested:

**7. \*SIGNATURES:**

OWNER/APPLICANT: \_\_\_\_\_

DATE: \_\_\_\_\_

July 2016

MASTER SIGN PROGRAM  
ORCHARD VIEW SHOPPING CENTER  
7140 – 7240 S. 76<sup>th</sup> St.  
FRANKLIN, WISCONSIN 53132

OWNER/LANDLORD/APPLICANT: O'Malley Investments  
5200 W. Loomis Rd.  
Greendale, WI 53129

The following criteria has been established for the purpose of advising all tenants of the Orchard View Shopping Center of the approved sign specifications. This criteria will be used to inform all tenants of the framework within which the Landlord will review and approve all signs to be erected in the Center.

**MONUMENT SIGN:**

The existing monument sign will not be changed or relocated.

**TENANT WALL SIGNS:**

Each tenant will be allowed one (1) sign per store front, to be mounted on the exterior of the covered walkway. Square footage allowed will be determined by using the city code standard of 1.5 times the lineal front footage of the tenant space. When a storefront is an end-cap, landlord may allow one sign on each storefront. The size of the second sign will use the same square footage calculation of 1.5 times the lineal footage of the second side.

All signs must be vertically centered on the lease space and not exceed 80% of the space nor be closer than two (2) feet from the demising partition wall. Wall signs may be centered over the tenant entrance, centered relative to an architectural element, or centered over the tenant space as mutually determined by the landlord and Department of City Development. Each wall sign shall be placed and sized in a manner such that it does not interfere with any architectural elements and may be placed so as to create balance across the façade of the building. In no case can the sign project above the building façade or walls.

**DESIGN REQUIREMENTS:**

Wording of all signs shall not include the products sold except as part of the Lessee's nationally registered trade name. Logos are permitted, with no color restriction, but are subject to Landlord approval and the overall size does not exceed city code requirements.

All signs must be internally illuminated channel letters, directly mounted to the storefront. No exposed raceways are allowed. All signs shall be constructed and mounted in conformance with local codes and must not have exposed fasteners, hangers, brackets, power supplies or wiring. All wall penetrations are to be silicone filled to prevent leakage through the fascia.

For tenants with less than 4500 square feet of lease space, the maximum letter size is 24". For tenants greater than 4501 square feet, the maximum letter size is 48". Allowed face colors will be red, green, blue and white. Illumination to be LED with remote mounted power sources. Logos, as stated, are allowed but are subject to prior Landlord approval. Face material to be 1/8" thick acrylic with 1" trim caps. Maximum projection from the fascia to be 6".

No special exceptions are being requested at this time. Only an amendment to this Master Sign Program could modify any of this information.

**GENERAL SPECIFICATONS:**

No animated, flashing or audible signs will be permitted.

All signs and their installation shall comply with all City of Franklin building and electrical codes.

No exposed raceways, crossovers or conduit will be permitted.

Electrical service to the sign shall be on Lessee's meter.

Disconnects for signs will be located behind the sign fascia and accessible through a panel in soffit Or under the soffit, so as not to be visible from the parking lot.

Upon vacating the tenant space, tenant is responsible for removing the sign and repairing the fascia to original condition.

Tenant is responsible for obtaining all necessary approvals of the sign, in writing, prior to applying for permits from the City of Franklin. The Landlord's written approval shall be required for permit application.

July 2016

ORCHARD VIEW SHOPPING CENTER  
MASTER SIGN PROGRAM COMPONENTS

1. Scale and proportion: All signs shall be in scale and proportion in their design and their Relationship to other signs, building, and surroundings.

All of the tenant signs in the shopping center shall conform to the standards set in the Master Sign Program as approved by the City of Franklin. They must be illuminated channel letters with uniform lighting and sized per the tenant space requirements. This will allow for a consistent and uniform look across the center.

2. Integral elements: Signs shall be designed as integral architectural elements of the building and the site and not appear as add-ons or intrusions.

As in other shopping centers of this type, all of the tenant signs will project a clean, well designed image. The signs will fit with the architectural design of the building and be professionally manufactured to the landlord and tenant specifications.

3. Harmonious design: The colors, materials, and lighting of each sign shall be compatible and harmonious with the design of the building and the site.

It is the intent of the landlord to allow flexibility in the color schemes allowed, yet restrict the number of colors so that the tenant signs will comply with corporate standards yet be in harmony with the design of the building architecture. The lighting sources used will be low energy LED allowing for maximum illumination and low operating costs.

4. Composition: The graphic design elements of the sign, including consideration that the size of individual sign letters shall be in reasonable proportion to the area of the façade or tenant space.

Each tenant will use the square footage calculations allowed by the MSP to determine the overall size of their sign. Additionally, each tenant will use a competent sign company for the design of the sign. This will allow for the look of the sign in proportion to the façade/frontage.

5. Compatibility: Signs shall be compatible with signs on adjacent properties.

The Master Sign Program defined clearly establishes the type of signs that can be used. In this case all signs must be internally illuminated channel letters that will match with the other tenants in the same development.

6. Unified Image: The proposed signs submitted as part the MSP review shall provide a unified image for the development.

Because all of the signs in this development must meet the MSP standards, a uniform look will prevail. Additionally, as tenants change, these standards will, in fact, become more uniform in terms of colors allowed. This is the ultimate purpose of the Master Sign Program.

7. Type and location of the building and development.

This development is an established, multi-tenant project that has been part of the Franklin landscape for many years. It has been carefully maintained and has had a stable tenant mix over those years. It is the intent of the landlord to continue to provide Franklin with high quality tenants and jobs, yet give flexibility to new tenants in terms of sign colors. All other standards will continue to be the operating mode.

The building is in a high visibility area of the city and will continue to be a key community partner in the future.



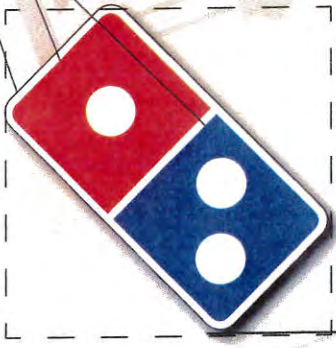
2500 South 170th Street  
New Berlin, Wisconsin 53151  
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wire [bauersignusa.com](http://bauersignusa.com)  
voice 262.784.0500  
fax 262.784.6675

Award Winning  
Graphic Design



SAVED AS Domino's Pizza  
LOCATION Franklin WI  
CLIENT  
SALES REP Bob Hacker  
DATE 18 Mar 15  
REVISION



3/16" 7328 WHITE ACRYLIC  
FACE W/ 1ST SURFACE VINYL  
3630-33 RED: UPPER TILE  
3630-127 BLUE: LOWER TILE

**SAMPLE SIGN**

**Domino's**

1/2" scale

11' 10.5"

15' 7.5"

**Domino's Pizza channels**  
**FRANKLIN WI**

**SPECIFICATIONS**

FABRICATE AND INSTALL (1SET) INTERNALLY ILLUMINATED, RACEWAY MOUNTED CHANNEL LETTERS.

- FACES TO BE #7328 WHITE PLEXIGLASS SHEETED WITH 1" 3630-127 VINYL OVERLAYS
- LOGO MODULE FACE TO BE DECORATED WITH TRANSLUCENT VINYL OVERLAYS
- RETURNS TO BE .050X5" AND BACKS TO BE .063 ALUMINUM
- TRIMCAPS TO BE 1" BLUE
- EXTERIORS PAINTED BLUE **LOGO EXTERIOR** PAINTED WHITE
- INTERIORS PAINTED WHITE
- ILLUMINATED WITH WHITE LEDS
- POWERED WITH APPROPRIATE LOAD POWER SUPPLIES
- RACEWAY TO BE 7"x4.5" x 15.7" AND PAINTED MPO5234 BANANA WHIP

**FABRICATION**

- CHANNEL LETTERS
- OPEN CHANNEL LETTERS
- REVERSE CHANNEL LETTERS
- NEON ACCENTS
- CABINET SIGN
- MONUMENT SIGN
- PYLON SIGN
- PYLON PANEL (B ONLY)
- PLATE LETTERS
- OTHER
- SINGLE SIDED  DOUBLE SIDED
- RACEWAY MOUNT
- FLUSH MOUNT
- INTERNALLY ILLUMINATED
- NON ILLUMINATED
- NEON  LED  LAMPS
- 120V TRANSFORMERS
- 30 M.A.  60 M.A.
- 120V ADVANCE BALLASTS
- COMPUTER CUT GRAPHICS
- DIGITALLY PRINTED GRAPHICS
- 1/2" ALUMINUM ROUTED FACE
- PLEX FACE  White
- PLEX BACKED
- PLEX FACE
- LEGAN FACE
- RETURN  Blue
- TRIMCAP  Blue
- RETAINERS
- MESSAGE CENTER
- BASE
- POLE COVER
- ADDRESS NUMBERS
- SPECIAL INFORMATION

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FINAL ELECTRICAL CONNECTION IS CLIENT'S RESPONSIBILITY

our products are certified by Underwriters Laboratories, Inc.

APPROVAL / DATE

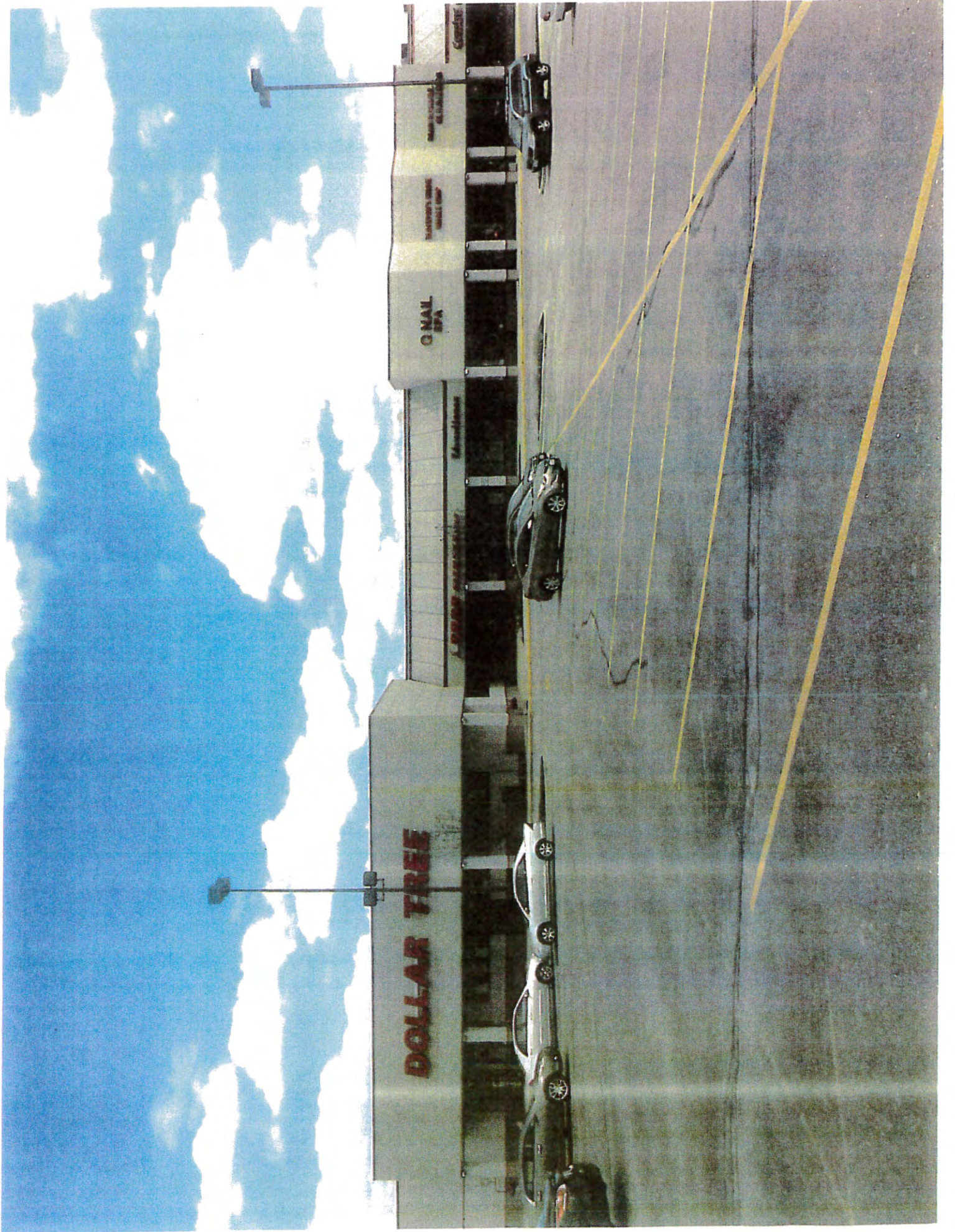
EXISTING MONUMENT

EXHIBIT 1





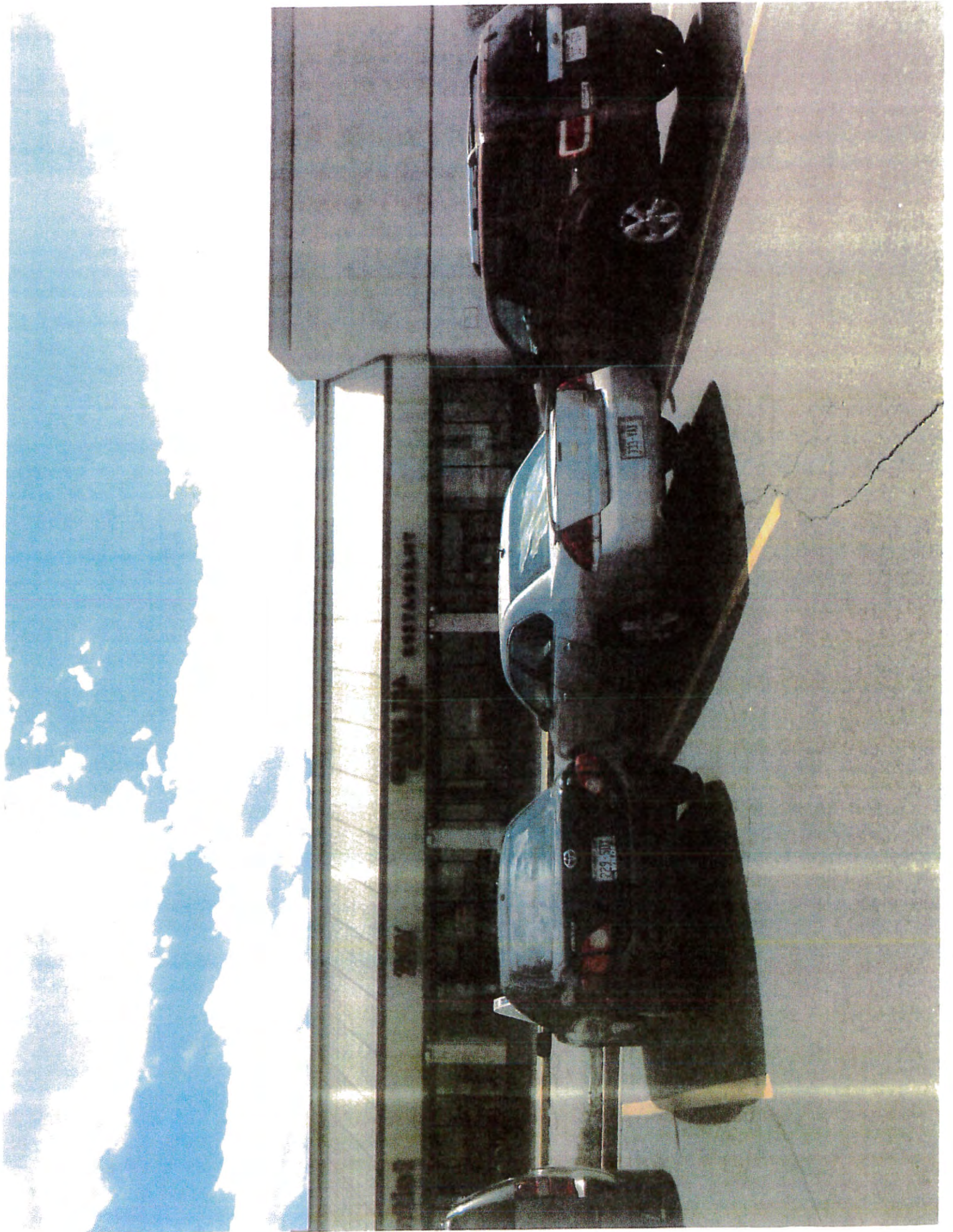




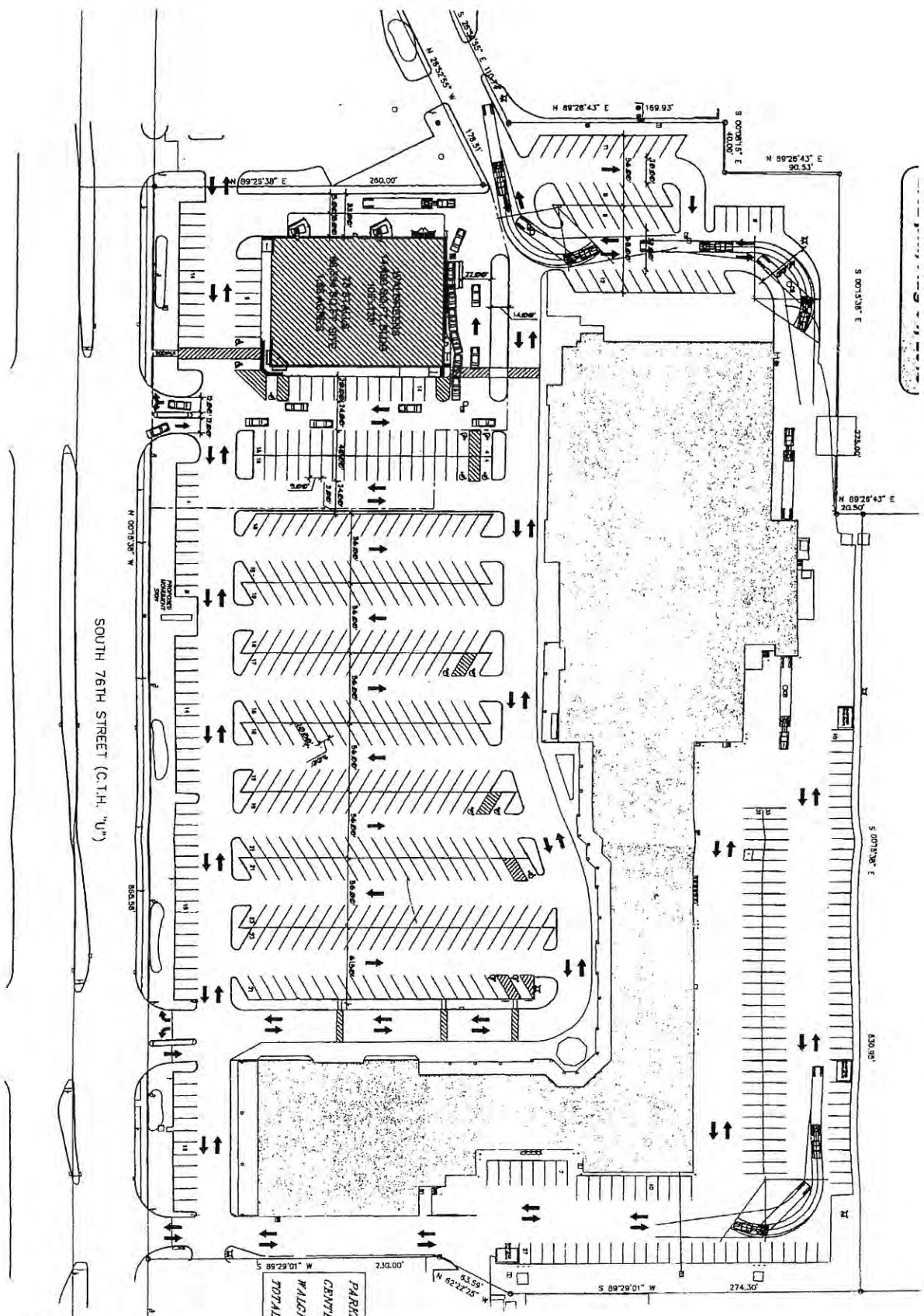












PARKING SUMMARY

CENTER	526 STALLS
WALGREEN'S	79 STALLS
TOTAL	599 STALLS



DATE: 07/27/10  
 SHEET TITLE: WALGREEN'S SITE PL  
 SHEET NUMBER: C-10

PROJECT: WALGREEN'S  
 PROJECT NAME: WALGREEN'S CENTER  
 STREET ADDRESS: 76TH STREET  
 CITY/STATE/ZIP: FORT WORTH, TX 76102

ALL WORK TO BE ACCORDANCE WITH THE CITY OF FORT WORTH, TEXAS

DESIGNED BY: [Signature]

REVISIONS:

SINGLE SOI  
 MAIN GEN: [Name]  
 P.O. BOX: [Address]  
 COONING: [Address]  
 TEL: [Phone]  
 FAX: [Phone]  
 ESTIMATE: [Number]

