

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, JUNE 4, 2015, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of May 7, 2015.
Approval of special meeting of May 14, 2015.

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

1. **TUCKAWAY COUNTRY CLUB.** Natural Resource Special Exception application for Tuckaway Country Club, for the purpose of allowing for repairs and improvements of the existing navigable stream structures and floodplain to protect the stream and nearby properties, while increasing safety and aesthetics on Tuckaway Country Club property located at 6901 West Drexel Avenue, such property being zoned P-1 Park District, B-2 General Business District, R-3 Suburban/Estate Single-Family Residence District, FW Floodway District and C-1 Conservancy District (Tax Key No. 804-9989-022). **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**
2. **UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT RELATED TO ROOFING, SIDING, AND SHEET METAL WORK (WITHOUT OUTDOOR STORAGE) USES IN NONRESIDENTIAL ZONING DISTRICTS.** Unified Development Ordinance Text Amendment application by Christos Kambouris, to amend §15-3.0603, Table of Permitted and Special Uses in all nonresidential zoning districts, by adding Standard Industrial Classification Title No. 1761 Roofing, siding, and sheet metal work (without outdoor storage) and to allow for such use as a Permitted Use in the B-3 Community Business District. **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. **EWALD CHRYSLER JEEP DODGE, LLC.** Ewald Chrysler Jeep Dodge, LLC has submitted a landscape plan for the review and approval of the Department of City Development and the Plan Commission, as required by Condition No. 17 of Resolution No. 2014-7014, which conditionally approved a Special Use for the Ewald motor vehicle sales and rental business expansion, on September 9, 2014.

Franklin Plan Commission Agenda

6/4/15

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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: June 18, 2015

City of Franklin
Plan Commission Meeting
May 7, 2015
Minutes

unapproved

Call to Order and Roll Call

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

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

Approval of Minutes

Regular Meeting of April 23, 2015

- B.
1. Commissioner Fowler moved and Commissioner Haley seconded approval of the April 23, 2015 minutes of the Regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried.

Public Hearing Business Matters

KAYLA'S PLAYGROUND AT FRANKLIN WOODS NATURE CENTER SPECIAL PARK. Natural Resource Special Exception and Site Plan Amendment applications by the City of Franklin, to allow for the installation of new playground equipment, a poured in place playground surface, restroom facilities and a parking lot expansion for Kayla's Playground at Franklin Woods Nature Center Special Park, for property zoned P-1 Park District, located at 3723 West Puetz Road; Tax Key No. 854-9936-000.

- C.
1. Planning Manager Dietl presented the application by the City of Franklin for a Natural Resource Special Exception and Site Plan Amendment to allow for the installation of new playground equipment, a poured in place playground surface and a parking lot expansion at Franklin Woods Nature Center Special Park located at 3723 West Puetz Road.

Senior Planner Fuchs read the Official Notice of Public Hearing for the Natural Resource Special Exception to allow approximately 7,500 square feet of wetland buffer grading and paving, 5,500 square feet of grading and paving of the wetland setback and 11,700 square feet of shore buffer grading and paving associated with the Site Plan Amendment for Kayla's Playground, for property zoned P-1 Park District in to the record. The Public Hearing was opened at 7:26 p.m. and closed at 8:12 p.m.

Commissioner Fowler made a motion to recommend approval of the City of Franklin Natural Resource Features Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of any Environmental Commission recommendation, with the addition of the 5 year plant establishment and maintenance commitment. Commissioner Hogan seconded the motion. On voice vote, all voted 'aye'. Motion carried (6-0).

Item C.1. (continued)

UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT TO ALLOW FOR THE CREATION OF NEW LOTS OF RECORD FOR EXISTING ONE-FAMILY DETACHED DWELLINGS AND TWO-FAMILY ATTACHED DWELLINGS UPON PROPERTY IN THE B-4 SOUTH 27TH STREET MIXED-USE COMMERCIAL DISTRICT.

Unified Development Ordinance Text Amendment application by Adam C. Murphy and Tanya M. Murphy, to amend §15-3.0304A.2. of the Unified Development Ordinance which requires that no new lots of record for One-family detached dwellings and Two-family attached dwellings be created after the effective date of the Ordinance (June 17, 2005), to allow for the creation of new lots of record for such uses if the use was existing on the effective date of the Ordinance.

Business Matters

EXISTING DUPLEX CONVERSION INTO 2 CONDOMINIUM UNITS.

Declaration of Condominium Plat application by Erik R. Beste, to change the existing structure from a 2 unit duplex building to 2 condominium units, for property zoned R-7 Two-Family Residence District (Option1), located at 8986 South Cordgrass Circle East, Lot 47 in Prairie Grass Preserve Subdivision; Tax Key No. 847-0086-001.

GUS'S MEXICAN CANTINA SEASONAL, WEEKLY CAR SHOW.

Temporary Use application by Gus's Mexican Cantina, LLC, to host weekly car

Commissioner Hogan moved to approve a resolution amending the site plan for property located at 3723 West Puetz Road to allow for improvements to the Franklin Woods Nature Center Special Park to accommodate Kayla's Playground, an all-inclusive and all-accessible playground. Seconded by Commissioner Fowler. On voice vote, all voted 'aye'. Motion carried (6-0).

2. Planning Manager Dietl presented the application by Adam C. Murphy and Tanya M. Murphy, for approval of a Unified Development Ordinance Text Amendment in the B-4 South 27th Street Mixed-Use Commercial District.

Senior Planner Fuchs read the Official Notice of Public Hearing for the Text Amendment to §15-3.0304A.2. of the Unified Development Ordinance to allow for the creation of new lots of record for one-family detached dwellings and two-family attached dwellings if the use was existing on the effective date of the Ordinance. The Public Hearing was opened at 8:41 p.m. and closed at 8:42 p.m.

Commissioner Thinnies motioned to recommend approval of an ordinance to amend Section 15-3.0304A.2. of the Unified Development Ordinance to allow for the creation of new lots of record for existing one-family detached dwellings and two-family attached dwellings upon property in the B-4 South 27th Street Mixed-Use Commercial District. Seconded by Commissioner Hogan. On voice vote, all voted 'aye'. Motion carried.

D.

1. Planning Manager Dietl presented the application for Condominium Plat by Erik R. Beste for property located at 8986 and 8988 South Cordgrass Circle East.

Alderwoman Mayer moved, and Commissioner Fowler seconded, a motion to recommend approval of a resolution conditionally approving a Condominium Plat for 8986-8988 South Cordgrass Circle East, Lot 47, Prairie Grass Preserve Subdivision. On voice vote, all voted 'aye'. Motion carried.

2. Planning Manager Dietl presented the Temporary Use request by Gus's Mexican Cantina, LLC.

Alderwoman Mayer motioned to approve a

Item D.2. (continued)

shows on the northern half of the Garden Plaza Shopping Center parking lot, adjacent to Gus's Mexican Cantina located at approximately 6514 South Lovers Lane Road; Tax Key No. 705-8997-004.

resolution imposing conditions and restrictions for the approval of a Temporary Use for a seasonal, weekly car show upon property located at approximately 6514 South Lovers Lane Road (Garden Plaza Shopping Center). Seconded by Commissioner Haley. On voice vote, all voted 'aye', motion carried (6-0-0).

3 LOT CERTIFIED SURVEY MAP.

Certified Survey Map application by MC Home Builders, LLC, for division of an existing lot into 3 lots, for property zoned R-3 Suburban/Estate Single-Family Residence District located at 7979 South 68th Street; Tax Key No. 804-9991-000.

3. Planning Manager Dietl presented the request by MC Home Builders, LLC for a 3 lot Certified Survey Map on property located at 7979 South 68th Street.

Commissioner Fowler made a motion to recommend approval of a resolution conditionally approving a 3 lot Certified Survey Map, being a part of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. Seconded by Commissioner Hogan. On voice vote, all voted 'aye'. Motion carried.

Adjournment

- E. Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of May 7, 2015 at 9:03 p.m. All voted 'aye'; motion carried.

City of Franklin
Special Plan Commission Meeting
May 14, 2015
Minutes

unapproved

Call to Order and Roll Call

- A. Mayor Steve Olson called the May 14, 2015 Special Plan Commission meeting to order at 7:20 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderwoman Susanne Mayer and Commissioners David Fowler, Kevin Haley, Patricia Hogan, Scott Thinnies and City Engineer Glen Morrow. Also present were City Attorney Jesse Wesolowski and Senior Planner Nick Fuchs. In attendance were Alderman Mark Dandrea, Alderman Douglas Schmidt and Alderwoman Janet Evans.

Approval of Minutes

- B.1. None.

Public Hearing Business Matters

- C. None listed.

Business Matters

**MATT TALBOT COMMUNITY
BASED RESIDENTIAL FACILITY.**

Site Plan application by Matt Talbot Recovery Services, Inc., for the construction of a 5 to 8 bedroom State licensed Community Based Residential Facility consisting of a 3,690 square foot building and 16 parking spaces, for property zoned R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District located at 9132 South 92nd Street; Tax Key No. 886-9987-000 (revised site plan submitted by applicant)(May 5, 2015 Common Council direction to staff to set special meetings for the Board of Water Commissioners, the Common Council and the Plan Commission for the evening of Thursday, May 14, 2015 on this matter). the Plan Commission may enter closed session pursuant to Wis. Stat. §19.85(1)(g), to confer with legal counsel for the Plan Commission and city defense counsel who are rendering advice concerning strategy to be adopted by the body with respect to potential litigation with regard to the Matt Talbot Recovery Services, Inc. development, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

- D.
1. City Attorney Wesolowski presented the update of the application by Matt Talbot Recovery Services, Inc. for a Site Plan for the property located at 9132 South 92nd Street.

Alderwoman Mayer moved to suspend the regular order of business to allow citizens to speak. Seconded by Commissioner Fowler. All voted 'aye'; motion carried.

Commissioner Haley moved, and Commissioner Hogan seconded, to return to the regular order of business. All voted 'aye'; motion carried.

Commissioner Morrow moved to enter closed session at 8:07 p.m. pursuant to 19.85(1)(g), Wis. Stats., to confer with legal counsel for the Plan Commission and City defense counsel who are rendering advice concerning strategy to be adopted by the body with respect to potential litigation with regard to the Matt Talbot Recovery Services, Inc. development, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Commissioner Hogan. On roll call, all voted 'aye'. Motion carried.

Upon reentering open session at 9:02 p.m., Commissioner Thinnies made a motion, noting the Plan Commission receipt and review of the factual information it previously requested and now has received, including but not limited to from Wisconsin Department of Natural Resources, Wisconsin

Item D.1. (Continued)

Department of Transportation, as well as information regarding alternate public water supply routes and costs, to approve a resolution approving a Site Plan for a 5 to 8 Bedroom State licensed Community Based Residential Facility Development, with the "March 3" date in Condition No. 5 amended to "May 14"; and Condition No. 10 being amended to insert immediately following "Applicant shall", add "use its best efforts to"; and to recognize that applicant has volunteered to consider the relocation of the parking lot to behind the building, essentially turning the building and lot 90 degrees, which would be a Minor Site Plan Amendment for the review and approval of Department of City Development staff. Seconded by Commissioner Fowler. Upon voice vote, Commissioners Thinnies, Fowler, Hogan, Haley and Morrow voted "aye"; Alderwoman Mayer voted 'no'. Motion carried (5-1-0).

Adjournment

- E.** Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of May 14, 2015 at 9:05 p.m. All voted 'aye'; motion carried.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of June 4, 2015

Natural Resource Special Exception

RECOMMENDATION: City Development Staff recommends approval of the Natural Resource Special Exception, subject to the conditions of approval in attached draft Standards Findings and Decision.

| | |
|---------------------------------------|--|
| Project Name: | Natural Resource Special Exception (NRSE) Request for Tuckaway Country Club |
| Project Location: | 6901 West Drexel Avenue |
| Applicant: | Tuckaway Country Club |
| Existing Zoning: | P-1 Park District and C-1 Conservancy District |
| Use of Surrounding Properties: | Single-family and multi-family residential to the north, south, east and west |
| 2025 Comprehensive Plan: | Recreational and Areas of Natural Resource Features |
| Applicant Action Requested: | Recommendation to the Common Council for approval of the requested Natural Resource Special Exception (NRSE) |

Introduction:

Please note:

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

The applicant is requesting approval of a Natural Resource Special Exception (NRSE) for the purpose of allowing for approximately 350 square feet of disturbance to line Culvert 1, 450 square feet of disturbance to remove Culvert 2 and restore/fill the area, 600 square feet of disturbance to replace Dam 1 and line Culvert 3 and 855 square feet of disturbance to replace Dam 2 and line Culvert 4, to allow for repairs and improvements of the existing navigable stream structures and floodplain to protect the stream and nearby properties, while increasing safety and aesthetics on Tuckaway County Club property.

Tuckaway Country Club is located on approximately 175 acres and consists of an 18 hole golf course, a clubhouse, tennis courts, swimming pool and other related accessory uses and structures. Legend Creek, a navigable waterway, runs through the Tuckaway Country Club property through existing enclosures and dams. These structures are over 50 years old and have deteriorated over the years. The current condition of the culverts and dams has an adverse impact on the flow of water, water quality, flooding and the aesthetics of the golf course.

On May 22, 2015 Department of City Development staff received a letter from the Wisconsin Department of Natural Resources indicating their approval of the proposed repairs to the existing dams at Tuckaway Country Club. A copy of the letter is attached for review.

At their May 27, 2015 meeting, the Environmental Commission recommended approval of the Natural Resource Special Exception Request for Tuckaway Country Club. A draft copy of their findings is attached for review.

Project Description and Analysis:

According to the applicant, the proposed work to line, replace and/or remove the existing culverts and dams will protect the up and downstream integrity and water quality by maintaining open flow paths, flood elevations, and preventing further debris from the degrading structures from washing downstream. Furthermore, the applicant has indicated that the proposed modifications will also improve aesthetics and safety on the Tuckaway Country Club golf course.

Table 15-4.0100 requires 100% protection of streams and floodplains for nonresidential development. Therefore, to make the requested improvements a Natural Resource Special Exception is required.

The Wisconsin Department of Natural Resources has determined the stream to be navigable and identified the Ordinary High Water Mark as shown on the attached plans.

According to the applicant, the proposed work will take place within the stream only, thus not disturbing the shore buffer. However, as the subject stream is also part of the 100-year floodplain associated with Legend Creek, disturbance of the floodplain has been included as part of this Natural Resource Special Exception.

The applicant is not proposing any mitigation as part of this request. Staff would note, however, that any improvement of flows within the subject dams and culverts would likely have positive benefits upon the floodplain associated with the subject Legend Creek. If approved, staff recommends the following conditions:

1. The Site Plan/Natural Resource Protection Plan shall include updated field surveys and delineations, concurred by SEWRPC and/or the City's natural resource consultant, of all protected natural resource features within that project area per Part 4 of the Unified Development Ordinance, prior to the commencement of work.
2. The Site Plan/Natural Resource Protection Plan shall include a map and table detailing the limits and amount of disturbance (both temporary and permanent) of each dam replacement/removal and each culvert lining equipment setup/construction area in relationship to each of the protected natural resource features within these areas for Department of City Development review and approval prior to the commencement of work.
3. The updated Site Plan shall also include a boundary line illustrating the location of the Conservation Easement. The final delineations shall be reflected on the Conservation Easement.
4. Should any protected natural resource features (other than the subject stream) be impacted by this proposed project, Staff recommends mitigation meeting the

requirements of Section 15-4.0103 of the UDO. In that instance, a separate plan shall be submitted showing areas of proposed mitigation and enhancements to natural resource features as well as a long-term maintenance plan for those areas for Environmental Commission, Plan Commission and Common Council approval prior to the commencement of work.

5. That all City of Franklin Consultant's comments regarding the NRPP are addressed to the satisfaction of Department of City Development Staff, prior to issuance the commencement of work.
6. A written Conservation Easement shall be submitted for review and approval by the Common Council and must reflect the most up-to-date delineations, prior to the commencement of work.
7. All required approvals and permits from the Army Corp of Engineers, the Wisconsin Department of Natural Resources and Federal Emergency Management Agency (FEMA) as may be necessary be obtained, prior to the commencement of work.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the Natural Resource Special Exception, subject to the conditions of approval in the attached draft Standards Finding and Decision.

Draft 5/28/15

Standards, Findings and Decision
of the City of Franklin Common Council upon the Application of Tuckaway Country
Club for a Special Exception to Certain Natural Resource Provisions of the City of
Franklin Unified Development Ordinance

Whereas, Tuckaway Country Club having filed an application dated May 6, 2015, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated May 27, 2015 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated June 4, 2015 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the property which is the subject of the application for a Special Exception is located at approximately 6901 West Drexel Avenue, zoned P-1 Park District and C-1 Conservancy District, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

Whereas, Section 15-10.0208B. of the City of Franklin Unified Development Ordinance, as amended by Ordinance No. 2003-1747, pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature, provides in part: "The decision of the Common Council upon any decision under this Section shall be in writing, state the grounds of such determination, be filed in the office of the City Planning Manager and be mailed to the applicant."

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated May 6, 2015, by Tuckaway Country Club, pursuant to the City of Franklin Unified Development Ordinance, the

proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *but rather*,_____.

2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:

a. be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives:_____; *or*

b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives: _____.

3. The Special Exception, including any conditions imposed under this Section will:

a. be consistent with the existing character of the neighborhood: *the proposed development with the grant of a Special Exception as requested will be consistent with the existing character of the neighborhood; and*

b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: _____; *and*

c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement:_____; *and*

d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development: *(this finding only applying to an application to improve or enhance a natural resource feature).*

The Common Council considered the following factors in making its determinations pursuant to Section 15-10.0208B.2.d. of the Unified Development Ordinance.

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks:_____.

2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: _____.
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: _____.
4. Aesthetics: _____.
5. Degree of noncompliance with the requirement allowed by the Special Exception: _____.
6. Proximity to and character of surrounding property: _____.
7. Zoning of the area in which property is located and neighboring area: *Residential*.
8. Any negative affect upon adjoining property: *No negative affect upon adjoining property is perceived.*
9. Natural features of the property: _____.
10. Environmental impacts: _____.
11. A recommendation from the Environmental Commission as well as a review and recommendation prepared by an Environmental Commission-selected person knowledgeable in natural systems: *The Environmental Commission recommendation and its reference to the report of _____ is incorporated herein.*
12. The practicable alternatives analysis required by Section 15-9.0110C.4. of the Unified Development Ordinance and the overall impact of the entire proposed use or structure, performance standards and analysis with regard to the impacts of the proposal, proposed design solutions for any concerns under the Ordinance, executory actions which would maintain the general intent of the Ordinance in question, and other factors relating to the purpose and intent of the Ordinance section imposing the requirement: *The Plan Commission recommendation and the Environmental Commission recommendation address these factors and are incorporated herein.*

Decision

Upon the above findings and all of the files and proceedings heretofore had upon the subject application, the Common Council hereby grants a Special Exception for such relief as is described within Exhibit C, upon the conditions: 1) that the natural resource features upon the property to be developed be protected by a perpetual conservation easement to be approved by the Common Council prior to any

development within the areas for which the Special Exception is granted; 2) that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted; 3) that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for Tuckaway Country Club and all other applicable provisions of the Unified Development Ordinance; 4) the Site Plan/Natural Resource Protection Plan shall include updated field surveys and delineations, concurred by SEWRPC and/or the City's natural resource consultant, of all protected natural resource features within that project area per Part 4 of the Unified Development Ordinance, prior to the commencement of work; 5) the Site Plan/Natural Resource Protection Plan shall include a map and table detailing the limits and amount of disturbance (both temporary and permanent) of each dam replacement/removal and each culvert lining equipment setup/construction area in relationship to each of the protected natural resource features within these areas for Department of City Development review and approval prior to the commencement of work; 6) the updated Site Plan shall also include a boundary line illustrating the location of the Conservation Easement. The final delineations shall be reflected on the Conservation Easement; 7) should any protected natural resource features (other than the subject stream) be impacted by this proposed project, Staff recommends mitigation meeting the requirements of Section 15-4.0103 of the UDO. In that instance, a separate plan shall be submitted showing areas of proposed mitigation and enhancements to natural resource features as well as a long-term maintenance plan for those areas for Environmental Commission, Plan Commission and Common Council approval prior to the commencement of work; 8) that all City of Franklin Consultant's comments regarding the NRPP are addressed to the satisfaction of Department of City Development Staff, prior to issuance the commencement of work. The duration of this grant of Special Exception is permanent.

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

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

APPROVED:

Stephen R. Olson, Mayor

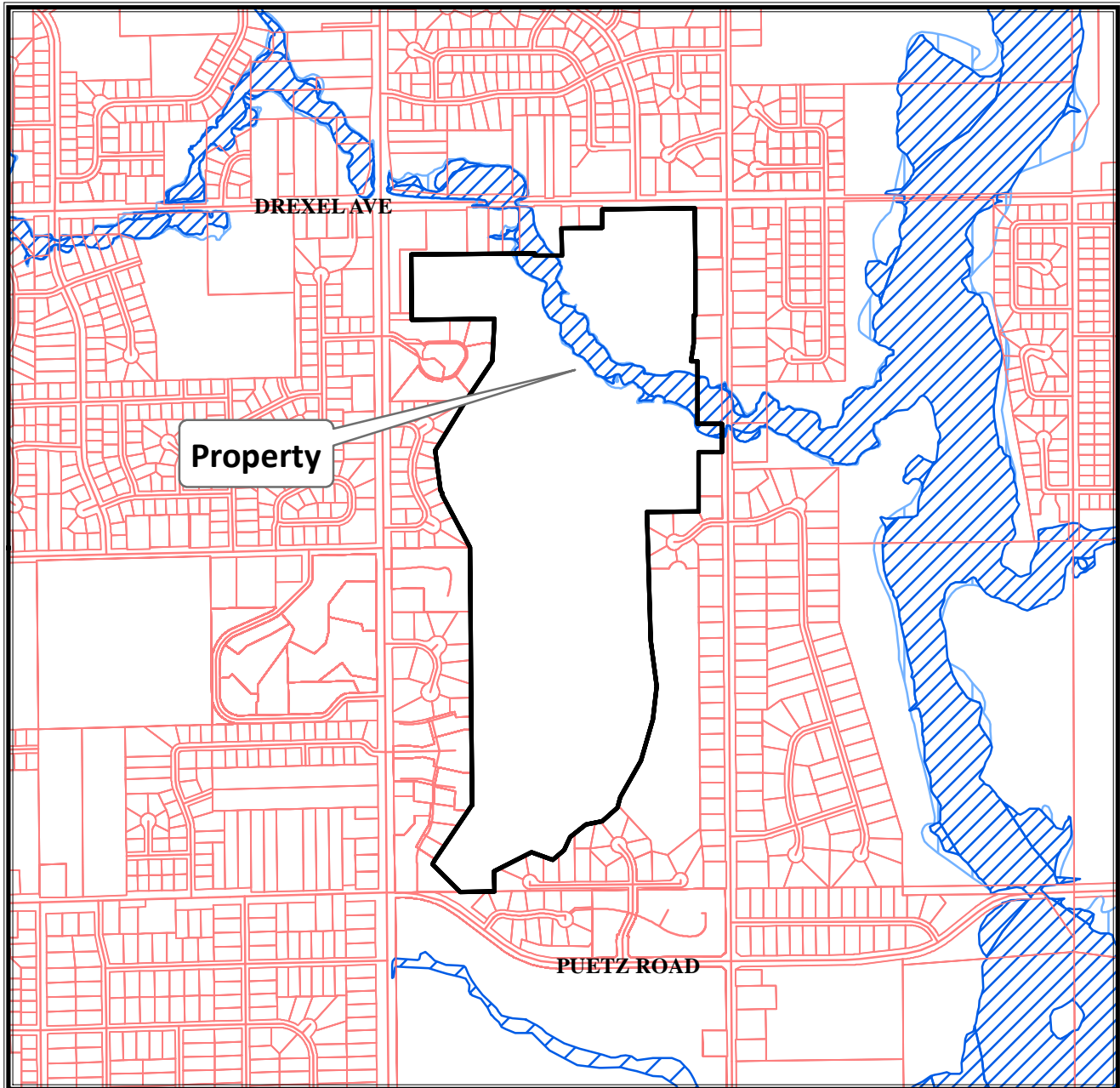
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



6901 West Drexel Avenue
TKN 804-9989-022



Planning Department
(414) 425-4024

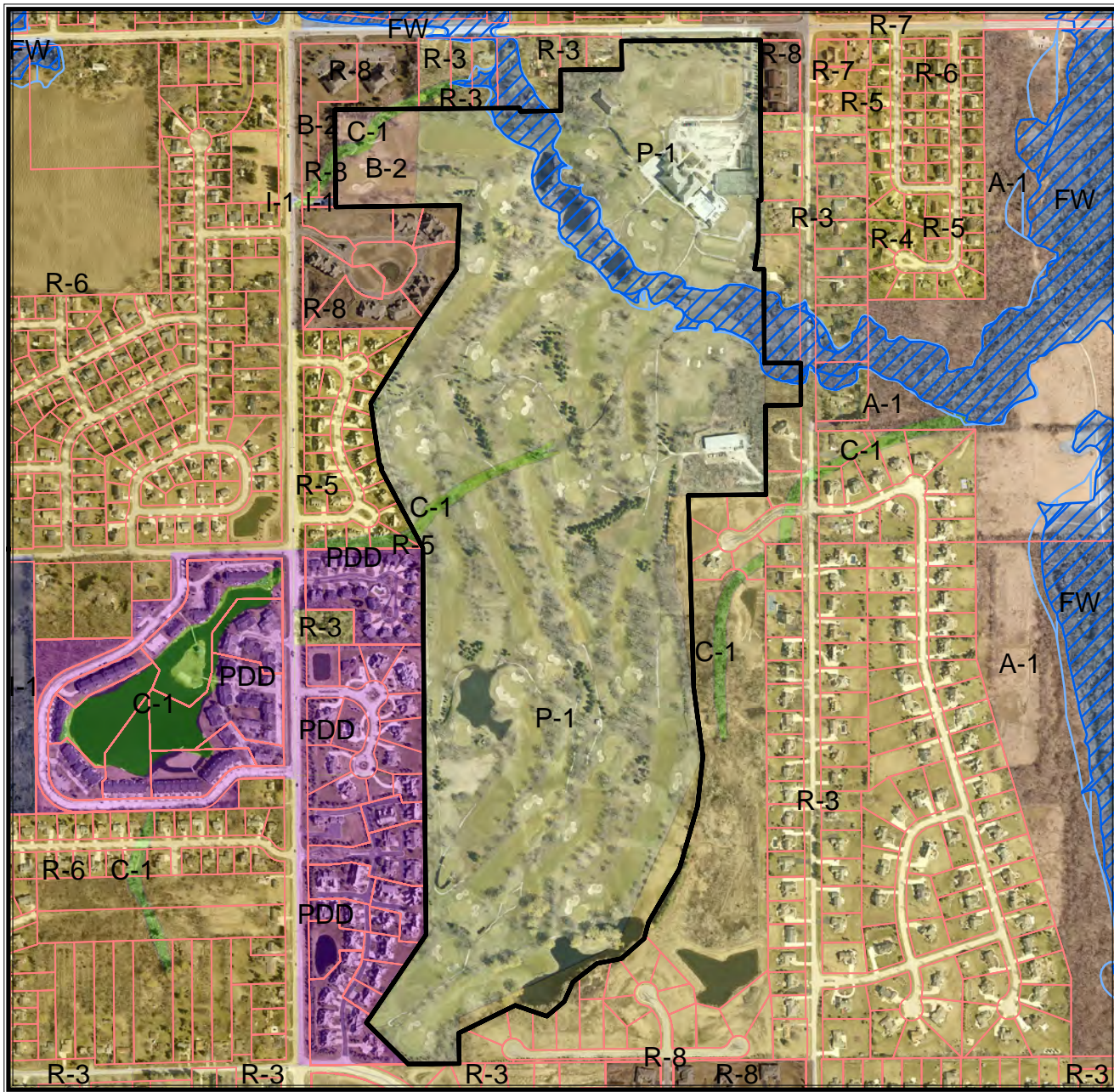
0 700 1,400 2,800 Feet

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

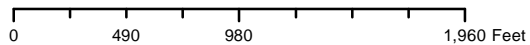


2013 Aerial Photo

6901 West Drexel Avenue
TKN 804-9989-022



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 Environmental Commission

TO: Common Council
DATE: May 27, 2015
RE: Special Exception application review and recommendation
APPLICATION: Tuckaway Country Club, Applicant, dated: May 6, 2015
(6901 West Drexel Avenue)

I. §15-9.0110 of the Unified Development Ordinance Special Exception to Natural Resource Feature Provisions Application information:

1. Unified Development Ordinance Section(s) from which Special Exception is requested:

Table 15-4.0100.

2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions):

Legend Creek flows through five enclosures and two water control devices (dam outlet structures) on Tuckaway Country Club property. Three 3-ft diameter degrading stream enclosures (Culverts 1, 3, and 4) are to be repaired using a 3 1-in diameter PVC liner. These enclosures total 550 ft in length. Another 5-ft diameter degrading stream enclosure (Culvert 2) is to be removed, and the newly exposed soil will be protected using cobble. The two highly corroded dams are to be replaced with new outlet structures. These repairs will protect up and downstream stream integrity and water quality by maintaining open flow paths, flood elevations, and preventing further debris from the degrading structures from washing downstream. The improvement will also improve aesthetics and safety on Tuckaway Country Club property.

3. Applicant's reason for request:

The existing stream structures are over 50 years old and in need of repair. The repair will continue to protect the stream and nearby properties, while increasing safety and aesthetics on Tuckaway Country Club property.

4. Applicant's reason why request appropriate for Special Exception:

The enclosure and dams along Legend Creek at Tuckaway Country Club are deteriorating, causing sink holes, sharp exposed pipe, and periods of restricted flow along the property. Not only does this take away from the beauty of the stream, it also is a safety concern for golfers and staff. Repair to the structures includes lining three of the 3-ft diameter culverts with a PVC liner to provide needed structural integrity, while maintaining upstream flood elevations. A fourth enclosure will be removed and the exposed soil will be protected with cobble. The existing highly corroded metal dams will be removed and replaced with precast concrete outlet structures, with easily maintained trash racks to prevent clogging during large stream flows. Construction disturbance for these repairs is quite small, consisting mainly of the machinery required to place the new outlet structures. The time frame for construction is estimated at less than 1 week.

In addition, the project is needed to further protect the navigable water and shore by repairing structures that have long been a part of Legend Creek. The repairs enhance the integrity of the stream, while maintaining upstream flood elevations.

II. Environmental Commission review of the §15-9.0110C.4.f. Natural Resource Feature impacts to functional values:

1. Diversity of flora including State and/or Federal designated threatened and/or endangered species:

Not applicable - No Federal- or State-designated Special Concern, Threatened or Endangered species will be impacted by the proposed improvements. Vegetation around the ponds is primarily turf grass, with some emergent herbaceous vegetation closer to the permanent water surface.

2. Storm and flood water storage:

Not applicable - There will be no significant impacts to storm and flood water storage as a result of the proposed improvements. There will be no impact to the base flood elevations.

3. Hydrologic functions:

Not applicable - There will be a minimal affect on hydrologic functions.

4. Water quality protection including filtration and storage of sediments, nutrients or toxic substances:

Not applicable - There will be no significant impact to water quality. During construction activities, all exposed soil will be covered with erosion control fabric and seeded. The project will likely improve water quality in the long-term by preventing further metals from leaching off the existing pipes.

5. Shoreline protection against erosion:

Not applicable – There will be no significant impact to the shoreline. Newly exposed soil will be protected using cobble.

6. Habitat for aquatic organisms:

Not applicable – The proposed site work will not disturb any habitats.

7. Habitat for wildlife:

Not applicable – The proposed site work will not disturb any habitats.

8. Human use functional value:

Not applicable – There will be no change to the use or function.

9. Groundwater recharge/discharge protection:

Not applicable – There will be no significant impact to groundwater recharge/discharge.

10. Aesthetic appeal, recreation, education, and science value:

Applicable – Aesthetics will be improved with the proposed improvements with the elimination of corroding metal and sink holes.

11. State or Federal designated threatened or endangered species or species of special concern:

Not applicable – The proposed improvements will not impact any State or Federal designated threatened or endangered species or species of special concern.

12. Existence within a Shoreland:

Not applicable – The area is not located within a shoreland.

13. Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time:

The project area within the Tuckaway Country Club property is located within a Planned Secondary Environmental Corridor.

III. Environmental Commission review of the §15-10.0208B.2.d. factors and recommendations as to findings thereon:

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature):

The proposed project involves repairing existing structures; therefore, will be an enhancement to the stream.

2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:
 - a. be unreasonably burdensome to the applicants and that there are no reasonable practicable alternatives:
 - b. unreasonably and negatively impact upon the applicants' use of the property and that there are no reasonable practicable alternatives:

There are no alternatives to repairing the existing in-stream structures without affecting the stream.

All the alternatives will result in disturbance to Legend Creek. As the project is repairing that which already exists, it will not result in any resource loss to the community.

The project provides an option for repairing stream structures along Legend Creek, maintaining the integrity and flooding pattern of the creek. In minimizing disturbance to the stream, Tuckaway also minimizes disturbances to its property, while providing opportunity for safe recreation and occupation.

If the repairs are not made, the stream structures will continue to degrade. This will increase the sink holes on Tuckaway property, potentially resulting in injury to golfers or staff. Further deterioration of the enclosure will also likely restrict flow through the culverts, increasing flooding on Tuckaway and possibly on upstream properties as well.

The repairs were chosen to have the smallest effects on Legend Creek during construction and after completion. There is not a foreseeable alternative to repairing the structures with less disturbance to the waterway.

3. The Special Exception, including any conditions imposed under this Section will;

- a. be consistent with the existing character of the neighborhood: *the proposed project consists of repairing and improving existing structures onsite and will be an enhancement to the stream, Tuckaway Country Club's property and the adjacent neighborhood; and*
- b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: *the circumstances surrounding this project are unique to Tuckaway Country Club, which has existing structures that are over 50 years old and in need of repair to allow the property to continue to function as a golf course; and*
- c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: *The proposed improvements are an enhancement to the existing conditions, and therefore, are in harmony with the purpose and intent of the Unified Development Ordinance; and*
- d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development (*this finding only applying to an application to improve or enhance a natural resource feature*): *The aesthetics and functional values of the stream will be improved as result of the proposed project.*

IV. Environmental Commission review of the §15-10.0208B.2.a., b. and c. factors and recommendations as to findings thereon:

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks:

Much of Legend Creek is enclosed along Tuckaway property. However, two dams serve as water level controls for two large shallow ponded areas on the golf course. The ponds act as aesthetic features along the course. Environmentally, the ponds are classified by the Wisconsin Wetland Inventory as WOHx - standing water, shallow ponded, manmade Palustrine wetland (WDNR, 1992). The vegetation around the pond is primarily turf grass, with some emergent herbaceous vegetation closer to the permanent water surface.

The work will be solely located on Tuckaway Country Club property, does not adversely impact adjacent properties and does not encroach on any applicable setbacks not otherwise stated herein.

2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district:

The circumstances and needs surrounding the proposed project are unique to Tuckaway Country Club's property. The improvements are being made to existing structures already in place. These are old structures that are in need of repair and the project will be a benefit to the stream, property and adjacent properties. There are no new disturbances or impacts to natural resource features.

3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant:

The improvements allow the continued use of the property as a golf course. Furthermore, the improvements provide for better aesthetics and safety for golfers.

4. Aesthetics:

Aesthetic appeal and recreation at Tuckaway Country Club will be improved by eliminating corroding metal and sink holes. The stream will not experience any other negative impact.

5. Degree of noncompliance with the requirement allowed by the Special Exception:

The impacts are minimal and will result in an overall enhancement of the stream and property.

6. Proximity to and character of surrounding property:

Tuckaway Country Club is surrounded by single-family and multi-family residential to the north, south, east and west.

7. Zoning of the area in which property is located and neighboring area:

The subject property is zoned P-1 Park District, B-2 General Business District, C-1 Conservancy District and FW Floodway District.

Surrounding zoning districts include R-3 Suburban/Estate Single-Family Residence District, R-5 Suburban Single-Family Residence District, R-6 Suburban Single-Family Residence District, R-8 Multiple-Family Residence District, Planned Development District developments, C-1 Conservancy District and FW Floodway District.

8. Any negative affect upon adjoining property:

There are no negative impacts to adjoining properties. The project will not significantly affect adjoining properties, and if anything will be an improvement to the stream.

9. Natural features of the property:

Within the project area, the property consists of the stream and 75-foot shore buffer.

10. Environmental impacts:

The requested Special Exception to Natural Resource Feature Provisions is for the purpose of allowing for approximately 350 square feet of disturbance to line Culvert 1, 450 square feet of disturbance to remove Culvert 2 and restore/fill the area, 600 square feet of disturbance to replace Dam 1 and line Culvert 3 and 855 square feet of disturbance to replace Dam 2 and line Culvert 4, to allow for repairs and improvements of the existing navigable stream structures and floodplain to protect the stream and nearby properties, while increasing safety and aesthetics on Tuckaway County Club property.

V. Environmental Commission Recommendation:

The Environmental Commission has reviewed the subject Application pursuant to §15-10.0208B. of the Unified Development Ordinance and makes the following recommendation:

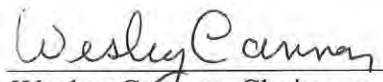
1. The recommendations set forth in Sections III. and IV. Above are incorporated herein.
2. The Environmental Commission recommends approval of the Application upon the aforesaid recommendations for the reasons set forth therein.
3. The Environmental Commissions recommends that should the Common Council approve the Application, that such approval be subject to the following conditions:
 - a. *The Site Plan/Natural Resource Protection Plan shall include updated field surveys and delineations, concurred by SEWRPC and/or the City's*

natural resource consultant, of all protected natural resource features within that project area per Part 4 of the Unified Development Ordinance, prior to the commencement of work.

- b. The Site Plan/Natural Resource Protection Plan shall include a map and table detailing the limits and amount of disturbance (both temporary and permanent) of each dam replacement/removal and each culvert lining equipment setup/construction area in relationship to each of the protected natural resource features within these areas for Department of City Development review and approval prior to the commencement of work.*
- c. The updated Site Plan shall also include a boundary line illustrating the location of the Conservation Easement. The final delineations shall be reflected on the Conservation Easement.*
- d. Should any protected natural resource features (other than the subject stream) be impacted by this proposed project, Staff recommends mitigation meeting the requirements of Section 15-4.0103 of the UDO. In that instance, a separate plan shall be submitted showing areas of proposed mitigation and enhancements to natural resource features as well as a long-term maintenance plan for those areas for Environmental Commission, Plan Commission and Common Council approval prior to the commencement of work.*
- e. That all City of Franklin Consultant's comments regarding the NRPP are addressed to the satisfaction of Department of City Development Staff, prior to issuance the commencement of work.*
- f. A written Conservation Easement shall be submitted for review and approval by the Common Council and must reflect the most up-to-date delineations, prior to the commencement of work.*
- g. All required approvals and permits from the Army Corp of Engineers, the Wisconsin Department of Natural Resources and Federal Emergency Management Agency (FEMA) as may be necessary be obtained, prior to the commencement of work.*

The above review and recommendation was passed and adopted at a regular meeting of the Environmental Commission of the City of Franklin on the 27th day of May, 2015.

Dated this 29 day of May, 2015.


Wesley Cannon, Chairman

Attest:

Curtis Bolton, Vice-Chairman



May 22, 2015

Nick Fuchs
Senior Planner
9229 W. Loomis Road
Franklin, WI 53132

Subject: Approval of the Case by Case Analysis for the reconstruction of dams on Legend Creek
FAD (11921)

Dear Mr. Fuchs:

I received the floodplain analysis for the proposed repairs two existing dams across Legend Creek, located in the NE ¼ of NW ¼ of Section 15, T5N, R21E, City of Franklin, Milwaukee County. The proposed repairs to the existing dams will consist of removing the existing water control structure, lining the enclosure culverts, grouting between the liner and CMP and the construction of a principal and auxiliary spillway; and the removal of an existing culvert. My review found that the study submitted on May 15, 2015 under the Professional Seal of Susan Coyle, P.E. CFM of Stormwater Solutions Engineering LLC meets the requirements of NR 116, Wisconsin Administrative Code and has therefore gained my approval.

The study showed no impact to the base flood elevations and therefore a LOMR is not required.

This approval only relates to the Standards of NR116 and does not relieve the applicant of other necessary Federal, State or Local requirements. If you have any questions, please contact me at Nathan.zoch@wi.gov or (262) 574-2188.

Sincerely,

Nathan Zoch, EIT
Water Management Engineer
Waukesha Regional Office
Wisconsin DNR

Cc: Gary Heinrichs – WDNR (via email)
Adrienne Cizek, P.E. Stormwater Solutions Engineering, LLC (via email)
Susan Coyle, P.E. CFM of Stormwater Solutions Engineering LLC (via email)
Michelle Scott – WDNR (via email)

Natural Resource Special Exception Question and Answer Form.

Questions to be answered by the Applicant

Items on this application to be provided in writing by the Applicant shall include the following, as set forth by Section 15-9.0110C. of the UDO:

- A. Indication of the section(s) of the UDO for which a Special Exception is requested. _____
Exception requested per Section 15-10.0208 – Enhancement and Improvement

- B. Statement regarding the Special Exception requested, giving distances and dimensions where appropriate.

Legend Creek flows through five enclosures and two water control devices (dam outlet structures) on Tuckaway Country Club property. Three 3-ft diameter degrading stream enclosures (Culverts 1, 3, and 4) are to be repaired using a 31-in diameter PVC liner. These enclosures total 550 ft in length. Another 5-ft diameter degrading stream enclosure (Culvert 2) is to be removed, and the newly exposed soil will be protected using cobble. The two highly corroded dams are to be replaced with new outlet structures. These repairs will protect up and downstream stream integrity and water quality by maintaining open flow paths, flood elevations, and preventing further debris from the degrading structures from washing downstream. The improvement will also improve aesthetics and safety on Tuckaway Country Club property.

- C. Statement of the reason(s) for the request.

The existing stream structures are over 50 years old and in need of repair. The repair will continue to protect the stream and nearby properties, while increasing safety and aesthetics on Tuckaway Country Club property.

- D. Statement of the reasons why the particular request is an appropriate case for a Special Exception, together with any proposed conditions or safeguards, and the reasons why the proposed Special Exception is in harmony with the general purpose and intent of the Ordinance. In addition, the statement shall address any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district, including a practicable alternative analysis as follows:

1) Background and Purpose of the Project.

- (a) Describe the project and its purpose in detail. Include any pertinent construction plans.

The enclosure and dams along Legend Creek at Tuckaway Country Club are deteriorating, causing sink holes, sharp exposed pipe, and periods of restricted flow along the property. Not only does this take away from the beauty of the stream, it also is a safety concern for golfers and staff. Repair to the structures includes lining three of the 3-ft diameter culverts with a PVC liner to

provide needed structural integrity, while maintaining upstream flood elevations. A fourth enclosure will be removed and the exposed soil will be protected with cobble. The existing highly corroded metal dams will be removed and replaced with precast concrete outlet structures, with easily maintained trash racks to prevent clogging during large stream flows. Construction disturbance for these repairs is quite small, consisting mainly of the machinery required to place the new outlet structures. The time frame for construction is estimated at less than 1 week.

- (b) State whether the project is an expansion of an existing work or new construction.

Repair to existing work, no expanding or new construction

- (c) State why the project must be located in or adjacent to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback to achieve its purpose.

The project is needed to further protect the navigable water and shore by repairing structures that have long been a part of Legend Creek. The repairs enhance the integrity of the stream, while maintaining upstream flood elevations.

2) Possible Alternatives.

- (a) State all of the possible ways the project may proceed without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback as proposed.

There are no alternatives to repairing the existing in-stream structures without affecting the stream.

- (b) State how the project may be redesigned for the site without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback.

There are no alternatives to repairing the existing in-stream structures without affecting the stream

- (c) State how the project may be made smaller while still meeting the project's needs.

The repairs were chosen to have the smallest effects on Legend Creek during construction and after completion. There is not a foreseeable alternative to repairing the structures with less disturbance to the waterway.

- (d) State what geographic areas were searched for alternative sites.

N/A, the stream structures are fixed at this location

- (e) State whether there are other, non-stream, or other non-navigable water, non-shore buffer, non-wetland, non-wetland buffer, and/or non-wetland setback sites available for development in the area.

N/A, the project is repairing stream structures and therefore affects (enhances) the stream

State what will occur if the project does not proceed.

If the repairs are not made, the stream structures will continue to degrade. This will increase the sink holes on Tuckaway property, potentially resulting in injury to golfers or staff. Further deterioration of the enclosure will also likely restrict flow through the culverts, increasing flooding on Tuckaway and possibly on upstream properties as well.

3) Comparison of Alternatives.

- (a) State the specific costs of each of the possible alternatives set forth under sub.2., above as compared to the original proposal and consider and document the cost of the resource loss to the community.

All the alternatives will result in disturbance to Legend Creek. As the project is repairing that which already exists, it will not result in any resource loss to the community.

- (b) State any logistical reasons limiting any of the possible alternatives set forth under sub. 2., above.

N/A

- (c) State any technological reasons limiting any of the possible alternatives set forth under sub. 2., above.

N/A

- (d) State any other reasons limiting any of the possible alternatives set forth under sub. 2., above.

N/A

4) Choice of Project Plan.

State why the project should proceed instead of any of the possible alternatives listed under sub.2., above, which would avoid stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback impacts.

The project provides an option for repairing stream structures along Legend Creek, maintaining the integrity and flooding pattern of the creek. In minimizing disturbance to the stream, Tuckaway also minimizes disturbances to its property, while

providing opportunity for safe recreation and occupation.

5) Stream or Other Navigable Water, Shore Buffer, Wetland, Wetland Buffer, and Wetland Setback Description.

Describe in detail the stream or other navigable water shore buffer, wetland, wetland buffer, and/or wetland setback at the site which will be affected, including the topography, plants, wildlife, hydrology, soils and any other salient information pertaining to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback.

Much of Legend Creek is enclosed along Tuckaway property. However, two dams serve as water level controls for two large shallow ponded areas on the golf course. The ponds act as aesthetic features along the course. Environmentally, the ponds are classified by the Wisconsin Wetland Inventory as W0Hx - standing water, shallow ponded, manmade Palustrine wetland (WDNR, 1992). The vegetation around the pond is primarily turf grass, with some emergent herbaceous vegetation closer to the permanent water surface.

6) Stream or Other Navigable Water, Shore Buffer, Wetland, Wetland Buffer, and Wetland Setback Impacts.

- | | | | |
|----|--|--|--|
| a) | Diversity of flora including State and/or Federal designated threatened and/or endangered species. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| b) | Storm and flood water storage. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| c) | Hydrologic functions. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| d) | Water quality protection including filtration and storage of sediments, nutrients or toxic substances. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| e) | Shoreline protection against erosion. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| f) | Habitat for aquatic organisms. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| g) | Habitat for wildlife. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| h) | Human use functional value. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| i) | Groundwater recharge/discharge protection. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| j) | Aesthetic appeal, recreation, education, and science value. | <input type="checkbox"/> Not Applicable | <input checked="" type="checkbox"/> Applicable |
| k) | Specify any State or Federal designated threatened or endangered species or species of special concern. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| l) | Existence within a Shoreland. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |
| m) | Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time. | <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Applicable |

Describe in detail any impacts to the above functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback:

Aesthetic appeal and recreation at Tuckaway Country Club will be improved by eliminating corroding metal and sink holes. The stream will not experience any other negative impact.

7) Water Quality Protection.

Describe how the project protects the public interest in the waters of the State of Wisconsin.

During construction activities, all exposed soil will be covered with erosion control fabric and seeded. The project will likely improve water quality in the long-term by preventing further metals from leaching off the existing pipes.

Dam Repair/Replacement Narrative:

The enclosures and associated water level controls (i.e. dams) along Legend Creek on the Tuckaway Country Club (TCC) property are in need of repair. This project proposes installing a PVC liner within three of the enclosures and removing one of the enclosures to minimize disturbance to the creek and associated ecologies. The upstream ends of two of the three enclosures to be lined also have water level control structures (i.e. dams) that create the ponds on the golf course property. The upstream dam (i.e. Dam 1) is severely corroded and will be replaced at its original elevation. The downstream dam (i.e. Dam 2) is beginning to corrode, and will be replaced at the current elevation. The following describes the purpose, description, and methods of installation of the proposed solution.

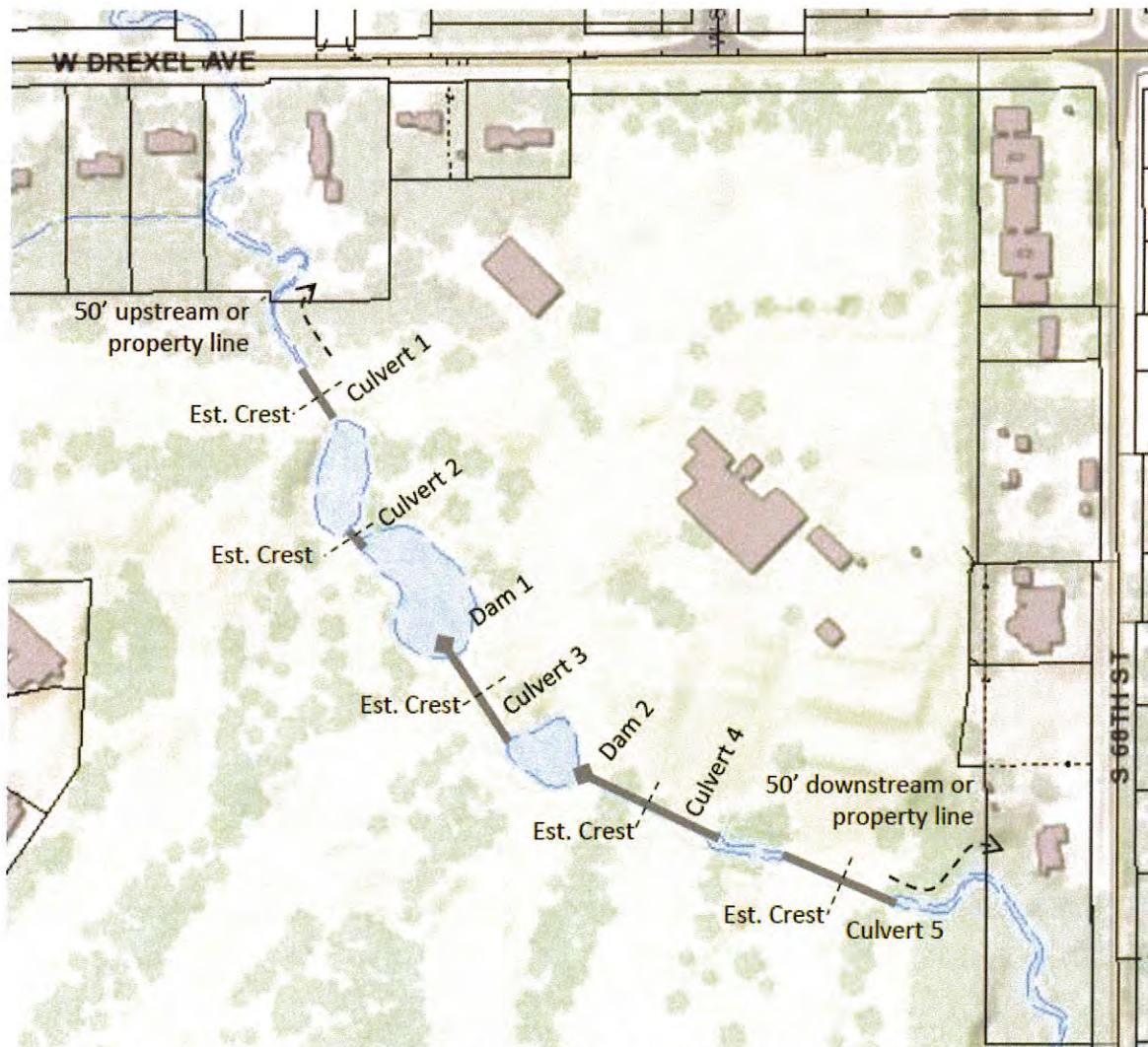


Figure 1. Legend Creek enclosures and dams at Tuckaway Country Club

Franklin

MAY 27 2015

City Development

Stormwater Solutions Engineering, LLC
247 Freshwater Way, Suite 410
Milwaukee, WI 53204
(414) 810-1245

Purpose

The dams serve as water level controls for two shallow ponded areas on the golf course. The ponds act as aesthetic features along the course. Environmentally, the ponds are classified by the Wisconsin Wetland Inventory as W0Hx - standing water, shallow ponded, manmade Palustrine wetland (WDNR, 1992). The vegetation around the pond is primarily turf grass, with some emergent herbaceous vegetation closer to the permanent water surface.

Existing Description

Dam 1 – Upturned Elbow

The existing dam consists of a weir cut into an upturned corrugated metal pipe (CMP) elbow. This elbow is directly connected to a 36" culvert enclosure that directs Legend Creek downstream. Water levels within the upstream ponded area have progressively decreased as the existing dam corrodes. For safety, aesthetics, and environmental reasons, TCC would like to replace Dam 1 to its original form and function.

Dam 2 – Weir Plate on Culvert

Dam 2 consists of a weir plate on the 36-inch CMP culvert 4 (Figure 1). The dam structure is beginning to deteriorate. However, it continues to function. TCC would like to make the proper repairs such that it does not become an ecological and aesthetic nuisance.



Figure 2. Dam 1, clogged and corroded



Figure 3. Dam 1 and upstream ponding

Proposed Description

The existing dams will be cut off the existing 36-in CMP culvert. New outlet structures comprised of a rectangular manhole with an angled trash grate weir opening will be installed at each of the dam locations. The weir height of the new Dam 1 will be 12 inches higher than the current, corroded low point on the weir, increasing the current pond depth by 12 inches. The weir height of the new Dam 2 will remain the same as it currently is. The primary spillways for these dams are considered to be the weir and receiving culvert. The auxiliary spillways for these dams are the low point in the earth fill over the downstream receiving culvert (i.e. Dam 1 auxiliary spillway is the low point over Culvert 3). Flows leaving the pond via the auxiliary spillways follow topography along the culvert and enter the next downstream open water (i.e. Dam 1 auxiliary spillway directs water to Dam 2 impoundment). Hydraulic analysis verified that new weir structures, as described, will not affect upstream and downstream flood maps.



Figure 4. Dam 2, weir face on existing culvert

Description of Installation Sequence

The nature of materials chosen to make the repairs to enclosures and dams require only small, lightweight equipment, such as a backhoe. Little to no excavation is expected during the dam repair, except for the small amount required to place the new outlet structure on a flat surface. No excavation will be needed to line the pipe. All excavated material will be placed away from natural resource features, and protected by silt fence. The stream will flow on its normal route for the duration of the repairs. Dam 1 and Dam 2 will be cut from the existing culverts. The liners will be installed per the manufacturer's instructions. Installation of the liner includes:

- Freeing existing culverts of debris and clean using a flush of high pressure water;
- Verifying clearance by pulling a test liner through the entire culvert extent;
- Using a backhoe to pull liner into pipe. Backhoe will pull from grassed area directly atop the existing culvert (outside of natural resource features);
- Attaching second liner when two feet of first liner length remains outside of the culvert - repeating until entire culvert is lined;

Tuckaway Country Club – Legend Creek Enclosure and Dam Repair

- Applying grout between the liner the existing culvert using a pressurized application process from both the upstream and downstream end.

Once the liners are installed and the grout has cured, Dam 1 and Dam 2 can be installed. The new concrete outlet structures will be placed where the existing dams were located. The 36-in CMP culvert will be attached to the outlet structure using a sealant.

| Activity | Area of Disturbance (sf) |
|---|--------------------------|
| Lining Culvert 1 | 350 sf ¹ |
| Removal of Culvert 2 | 450 sf |
| Replacement of Dam 1/ Lining of Culvert 3 | 600 sf ¹ |
| Replacement of Dam 2/Lining of Culvert 4 | 855 sf ¹ |

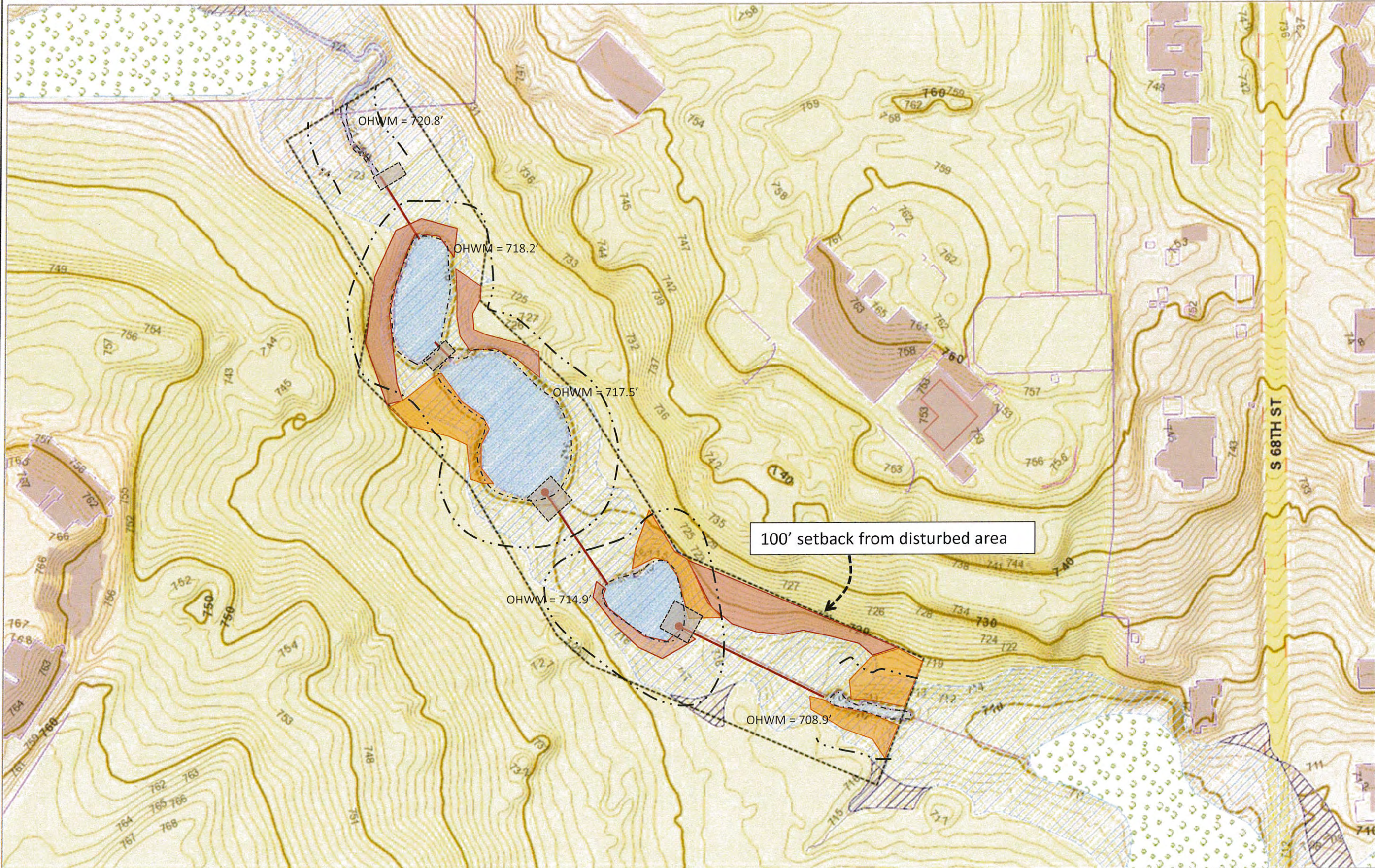
¹ Includes area atop culvert

Works Cited

Wisconsin Department of Natural Resources (WDNR). 1992. Wisconsin Wetland Inventory Classification Guide (PUBL-WZ-WZ023). 2 pp.



Legend Creek at Tuckaway Country Club



Legend

— Culvert

Natural Resource Features

Floodway

Steep Slopes

10% to 19%

20% to 29%

--- OHWM

Stream

Shore Buffer

Staging and work areas

Franklin

MAY 27 2015

City Development

1:1,800



300 0 150 300 Feet

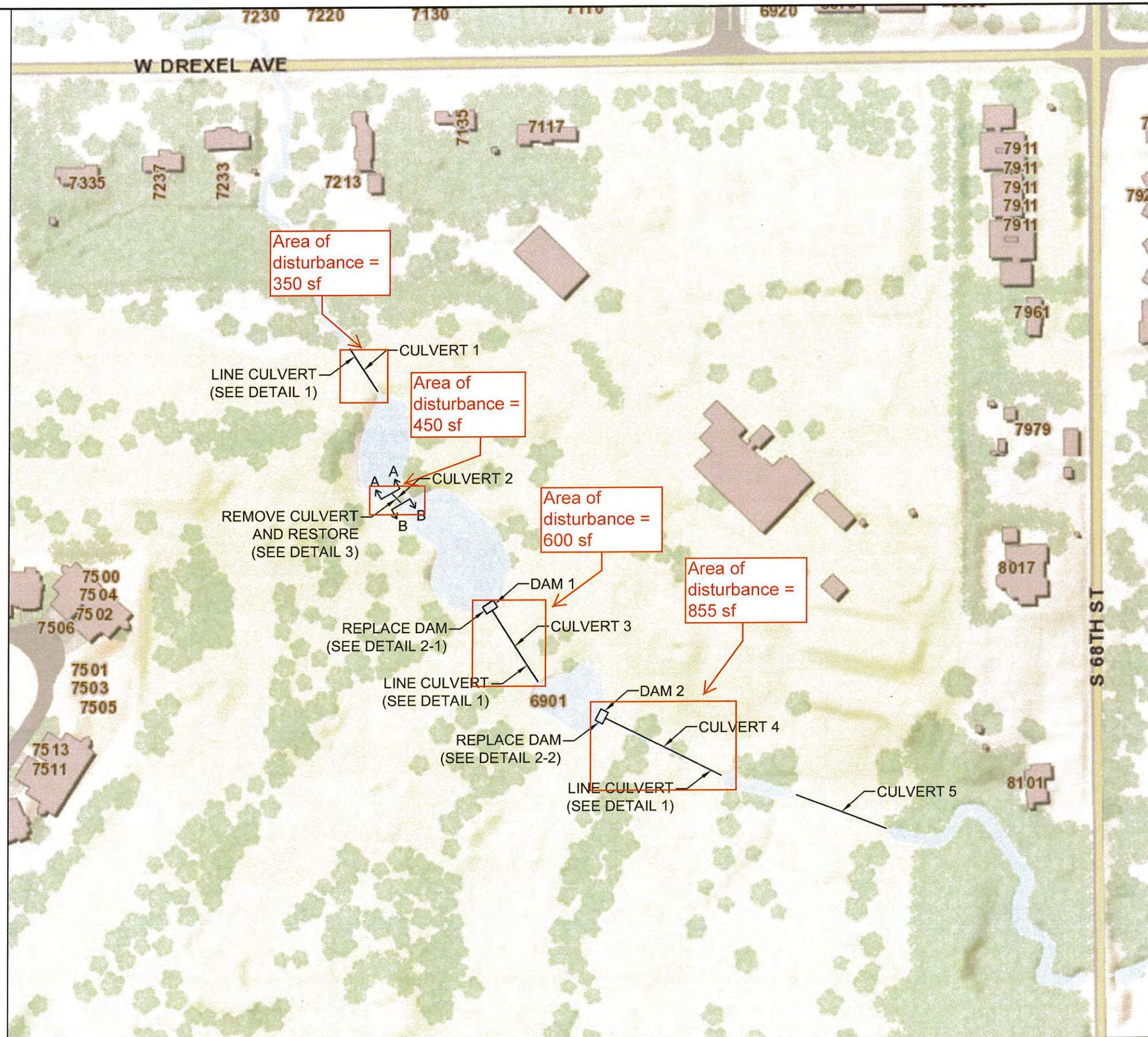
NAD_1927_StatePlane_Wisconsin_South_FIPS_4803
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Notes

Natural Resource Protection Plan



**STORMWATER
SOLUTIONS
ENGINEERING LLC**



247 W. FRESHWATER WAY, MILWAUKEE, WI 53204 (414)810-1245
WWW.STORMWATER-SOLUTIONS-ENGINEERING.COM

**TUCKAWAY
COUNTRY CLUB
6901 W. DREXEL AVE.
FRANKLIN, WI 53132**

| | |
|-------------------------|--------------------------|
| DATE: 4/2/15 | DWG BY: HJG |
| CHK'D BY: ARC | APRV'D BY: CBG |

**OVERALL
SITE PLAN**

**SHEET #
1**