

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, DECEMBER 17, 2019 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
 - 1. Regular Common Council Meeting of December 3, 2019.
 - 2. Special Common Council Meeting of December 12, 2019.
- D. Hearings.
- E. Organizational Business:

The Mayor has made the following appointment for Common Council confirmation:
Plan Commission:
Patrick Leon, 7836 W. Winston Way, (Ald. Dist. 2), 3-year unexpired term expiring 04/30/22.
- F. Letters and Petitions - Wisconsin Policy Forum Report Titled “Got Your Back: Exploring Fire and Emergency Medical Services Sharing Opportunities in Franklin, Greenfield, Greendale and Hales Corners.”
- G. Reports and Recommendations:
 - 1. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone Lot 1 of Certified Survey Map No. _____ [to be provided by the Milwaukee County Register of Deeds] From R-2 Estate Single-Family Residence District to M-2 General Industrial District (Located at 10082 South 124th Street and Property Generally Located South of Loomis Court and East of South North Cape Road) (Approximately 33.05 Acres) (Bear Development, LLC, Applicant).
 - 2. A Resolution Conditionally Approving a 2 Lot Certified Survey Map, Being Part of the Fractional Northwest Quarter of the Southwest Quarter and the West Half of the Northeast Quarter of the Southwest Quarter of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (Bear Development, LLC, Applicant (Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, Property Owners)) (at 10082 South 124th Street and Property Generally Located South of Loomis Court and East of South North Cape Road).
 - 3. Submittal of The Franklin 2020-2021 Multimodal Local Supplement (“MLS”) Grant Applications for the West Marquette Avenue Extension and the South 116th Street Trail.
 - 4. Request for Approval to Authorize a Purchase Agreement for Lifeline/Ford E-450 Type III Ambulance in Approved 2020 Equipment Replacement Fund, and to Allow Additional Purchases of Items Such as 800MHz Mobile Radio and Associated Mounting Brackets and Hardware, Not to Exceed the Approved Appropriation of \$241,000.

5. Release of Escrow Deposit for the Public Improvements at the Franklin Wellness Center Located at 8800 South 102nd Street.
6. Council Feedback for Logo Sign and Chamber Updates Proposed for Common Council Chambers and Lobby.
7. Update on the City Hall Roof, HVAC and Fascia Wood Replacement Project; Confirmation Approval of Change Orders 2 Through 7; and Authorization for the Director of Administration to Execute a Change Order to Extend the Contract Term for the Limited, Identified Tasks and Punch List Items and a Change Order for Extension of the Project for Landscaping Installation.
8. Agreement with Ehlers, Inc. for a New Tax Incremental District Located in the Northeast Corner of West Ryan Road and South 76th Street.
9. A Resolution to Award Ryan Creek Interceptor Odor Reduction Project to The Wanasak Corporation for \$199,000.
10. A Resolution Accepting a Public Watermain Easement From Eugene D. and Marlene Magarich, Tax Key 892-9994-001, 11327 West Ryan Road.
11. A Resolution Authorizing the City to Execute a Contract for Professional Services with Root-Pike Watershed Initiative Network (Root-Pike WIN) for Information and Education Program for Meeting the 2020-2021 Department of Natural Resources Storm Water Permit Requirements for a Not to Exceed Fee of \$10,500.
12. City of Franklin Audit Agreement Between Baker Tilly LLP and the City of Franklin for Audit of the 2019 Annual Financial Statements.
13. Allow Department of Public Works to Purchase Various LED Lighting Supplies with Unspent 2019 Lighting Funds.
14. Carry Over Remaining 2019 Economic Development Non-Personnel Funds to 2020 for Anticipated 2020 Activities.
15. Request to Carry Forward 2019 Appropriations in the Inspection Services Department, Reflecting unused Special Appropriations Previously Authorized for Supplemental Services.
16. Planning Department Changes to Pursue Unified Development Ordinance, Comprehensive Master Plan and Development Process Changes.
17. Request for Authorization to Purchase Exchange Server Licenses and SQL Server Licenses from the Information Services Capital Outlay Fund.
18. Information Technology Services Agreement with Heartland Business Systems (“HBS”).
19. Geographic Marketing Advantage, LLC Agreement for Geographic Information System (“GIS”) Support and Database Maintenance Services for 2020.
20. Compensation and Benefits for Consideration of an Employee’s promotion and compensation. The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

H. Bills.

Request for Approval of Vouchers and Payroll.

Common Council Meeting Agenda

December 17, 2019

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I. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of December 17, 2019.

J. Adjournment.

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

[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:

| | | |
|----------------------------|-------------------------|-----------|
| December 19 | Plan Commission Meeting | 7:00 p.m. |
| December 24 & 25 | City Hall Closed | |
| December 31 & January 1 | City Hall Closed | |
| January 7 | Common Council Meeting | 6:30 p.m. |
| January 9 | Plan Commission Meeting | 7:00 p.m. |
| January 21 | Common Council Meeting | 6:30 p.m. |
| January 23 | Plan Commission Meeting | 7:00 p.m. |

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CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 3, 2019
MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on November 19, 2019 and called to order at 6:31 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber, and Alderman John R. Nelson. Alderman Dan Mayer is excused. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and Deputy City Clerk Shirley Roberts.
- CITIZEN COMMENT
- B. Citizen comment period was opened at 6:32 p.m. and closed at 6:33 p.m.
- MINUTES
NOVEMBER 19, 2019
- C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council meeting of November 19, 2019 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- HEARINGS
2025 COMP MASTER
PLAN 8429 & 8459 W.
FOREST HILL AVE.
- D. A public hearing was called to order at 6:34 p.m. regarding a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property generally located at 8429 and 8459 West Forest Hill Avenue, from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use (Franklin Public Schools, Applicant, Ronald S. Pesche and Susan D. Pesche, property owners). The public hearing was closed at 6:36 p.m.
- MAYORAL
APPOINTMENTS
- E.1. Alderman Dandrea moved to confirm the following Mayoral Appointments: James Schubilski, 7342 S. Cambridge Dr., (Ald. Dist. 2), 5-year term to the Board of Water Commissioners, expiring 09/30/24; and
Tourism Commission:
a) Hotel/Motel Industry Member: Lance A. Schaefer, Everest Hospitality, LLC, 6901 S. 76th St. (Ald. Dist. 2), 1-year term expiring 12/31/2020.
b) Shaun Marefka, 7644 S. Mission Ct. (Ald. Dist. 2), 1-year term expiring 12/31/2020.
c) Amy Schermetzler, 4227 W. Central Ave. (Ald. Dist. 4), 1-year term expiring 12/31/2020.
d) Mark Wylie, 7468 Carter Circle S. (Ald. Dist. 5), 1-year term expiring 12/31/2020.

e) Ann Adamski, 7825 S. Stonebrook Ct. (Ald. Dist. 3), 1-year term expiring 12/31/2020.

Seconded by Alderman Nelson. On roll call, all voted Aye; motion carried.

Alderman Barber moved to confirm the Inspectors of Election and alternates for 2020 and 2021 as listed on the action request form dated 12/03/2019. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye; motion carried.

ORD. 2019-2401
AMEND THE 2025
COMP MASTER PLAN
TO CHANGE FUTURE
LAND USE AT 8429 &
8459 W. FOREST HILL
AVE. (FRANKLIN
PUBLIC SCHOOLS,
APPLICANT)

G.1. Alderman Dandrea moved to adopt Ordinance No. 2019-2401, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTIES LOCATED AT 8429 AND 8459 WEST FOREST HILL AVENUE FROM RESIDENTIAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO INSTITUTIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE (APPROXIMATELY 13.974 ACRES) (FRANKLIN PUBLIC SCHOOLS, APPLICANT, RONALD S. PESCHE AND SUSAN D. PESCHE, PROPERTY OWNERS). Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2019-2402
AMEND UDO TO
REZONE 8429 & 8459
W. FOREST HILL AVE.

G.2. Alderman Dandrea moved to adopt Ordinance No. 2019-2402, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE TWO PARCELS OF LAND FROM R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT TO I-1 INSTITUTIONAL DISTRICT (8429 AND 8459 WEST FOREST HILL AVENUE) (APPROXIMATELY 13.974 ACRES) (FRANKLIN PUBLIC SCHOOLS, APPLICANT, RONALD S. PESCHE AND SUSAN D. PESCHE, PROPERTY OWNERS). Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2019-7558
MODIFY JOHNS
DISPOSAL CONTRACT

G.3. Alderman Taylor moved to adopt Resolution No. 2019-7558, A RESOLUTION TO MODIFY JOHNS DISPOSAL SERVICES, INC. CONTRACT TO PROVIDE WEEKLY RECYCLING AND AUTOMATED GARBAGE SERVICES subject to technical corrections by City Attorney and City Engineer. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2019-7559
JSA ENVIRONMENTAL
AGREEMENT

G.4. Alderman Nelson moved to adopt Resolution No. 2019-7559, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT TO CONTINUE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES TO MONITOR COMPLIANCE AT THE METRO RECYCLING & DISPOSAL

FACILITY TO DECEMBER 31, 2020, WITH JSA ENVIRONMENTAL, INC. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2019-7560
SPECIAL USE FOR DAY
CARE AT 7760 S.
LOVERS LANE RD.
(STEVEN PAGNOTA,
MANAGING MEMBER
OF BRADFORD
FRANKLIN, LLC,
APPLICANT)

G.5. Alderman Dandrea moved to adopt Resolution No. 2019-7560, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR DAYCARE FACILITY USE UPON PROPERTY LOCATED AT 7760 SOUTH LOVERS LANE ROAD (STEVE PAGNOTA, MANAGING MEMBER OF BRADFORD FRANKLIN, LLC), authorizing the special use, with the condition that the applicant receive a text amendment change to the Unified Development Ordinance (to allow for a waiver of the cross-access requirement). Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2019-7561
SPECIAL USE FOR
REPLACEMENT
BRIDGE 6361 S. 27TH
ST. (DAVID
STEINBERGER,
PRESIDENT FOR
FRANKLIN MOBILE,
LLC, APPLICANT)

G.6. Alderwoman Wilhelm moved to adopt Resolution No. 2019-7561, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR REPLACEMENT OF AN EXISTING FAILED BRIDGE AND ASSOCIATE CULVERT WITHIN A SHORELAND, FLOODWAY, AND WETLANDS AREA ASSOCIATED WITH THE EAST BRANCH OF THE ROOT RIVER LOCATED ON A PRIVATE ROAD REFERRED TO AS WEST WESTMOOR AVENUE, IN THE FRANKLIN MOBIL HOME PARK, PROPERTY LOCATED AT 6361 SOUTH 27TH STREET (DAVID STEINBERGER, PRESIDENT FOR FRANKLIN MOBILE, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

AMENDMENT NO. 1
SERVICE CONTRACT
WITH SOUTHWEST
INSPECTION

G.7. Alderman Taylor moved to approve and authorize execution of Amendment No. 1 to the Service Contract between the City of Franklin and Southeast Inspection Management Services, LLC. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2019-7562
AMEND SITE PLAN
AND TERMS OF PDD
NO. 37 (THE ROCK
SPORTS COMPLEX/
BALLPARK COMMONS)

G.8. Alderman Dandrea moved to adopt Resolution No. 2019-7562, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO AMEND SITE PLAN RESOLUTION NO. 2019-001 A RESOLUTION APPROVING A SITE PLAN FOR CONSTRUCTION OF BUILDING C1, A 3-STORY RETAIL/OFFICE BUILDING; TO AMEND STANDARDS. FINDINGS AND DECISION OF THE CITY OF FRANKLIN COMMON COUNCIL FOR A SPECIAL EXCEPTION TO CERTAIN NATURAL RESOURCE PROVISIONS DATED JANUARY 9, 2018; AND TO AMEND THE TERMS OF PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS). Seconded by Alderman Nelson. Alderman Dandrea, Alderwoman Wilhelm,

Alderman Barber, Alderman Nelson voted Aye; Alderman Taylor Abstained. Motion carried.

QUARRY SURVEY
SERVICES CONTRACT
WITH LYNCH &
ASSOCIATES

G.9. Alderwoman Wilhelm moved to authorize that \$6,400 of General Fund Contingency appropriations be used to fund the Quarry Survey Services contract with Lynch & Associates, which contract was previously approved at the November 19, 2019 meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

QUARRY MONITORING
COMMITTEE
RECOMMENDATIONS

G.10. No action taken regarding recommendations from the Quarry Monitoring Committee.

RES. 2019-7563
CHANGE ORDER NO.1
ZIGNEGO COMPANY
INC., S. 51ST ST. & W.
DREXEL AVE.

G.11. Alderman Taylor moved to adopt a Resolution authorizing Change Order No. 1 of the South 51st Street and West Drexel Avenue intersection project to Zignego Company Inc. in the amount of \$173,859.73 savings and additional 140 calendar days. Seconded by Alderman Barber.

Alderman Taylor withdrew his motion without objection.

Alderwoman Wilhelm moved to adopt Resolution No. 2019-7563, A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 OF THE SOUTH 51ST STREET AND WEST DREXEL AVENUE INTERSECTION PROJECT TO ZIGNEGO COMPANY INC. IN THE AMOUNT OF \$173,859.73 SAVINGS AND ADDITIONAL 140 CALENDAR DAYS. Seconded by Alderman Barber. All voted Aye; motion carried.

BID FOR THE 2020
LOCAL ROAD
PROGRAM AND S. 68TH
ST. IMPROVEMENTS

G.12. Alderwoman Wilhelm moved to direct staff to solicit contractors per compliance with applicable public works bidding requirements for the 2020 Local Road Program and South 68th Street Vertical Sight Curve Improvements. Seconded by Alderman Barber. All voted Aye; motion carried.

DEVELOPER
GUARANTEE WATER
IMPACT FEES

G.13. Alderwoman Wilhelm moved to direct staff to proceed with the preparation of a bond, to be executed by the developer, the terms thereof to be negotiated between staff and the developer, with the assistance of Special Counsel and City Bond Counsel, to be returned to the Common Council for its consideration at a special meeting at the call of the Chair. Seconded by Alderman Dandrea. Alderman Dandrea, Alderwoman Wilhelm, Alderman Barber, Alderman Nelson voted Aye; Alderman Taylor Abstained. Motion carried.

RES. 2019-7564
RUEKERT & MIELKE
NEW WATER MODEL

G.14. Alderwoman Wilhelm moved to adopt Resolution No. 2019-7564, A RESOLUTION TO AUTHORIZE RUEKERT & MIELKE TO CREATE A NEW WATER MODEL FOR FRANKLIN WATER UTILITY IN THE AMOUNT OF \$26,000. Seconded by Alderman Barber. On roll call, all voted Aye; motion carried.

OCTOBER 2019
FINANCIAL REPORT

G.15. Alderman Taylor moved to receive and place on file the October 2019 Monthly Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.

2020 PROPERTY &
CASUALTY COVERAGE

G.16. Alderman Taylor moved to authorize the Director of Administration to renew and execute the City's casualty insurance plans with R & R Insurance/League of Wisconsin Municipalities Mutual Insurance (LWMMI), Chubb, Hanover and ACE American Insurance Company for the upcoming 2020 year, as noted above, including the addition of the Cyber Insurance Policy through Chubb for an annual premium of \$3,958, and to further authorize release of premium payments in accordance with or as required by said policy documents. Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

H.1. Alderman Barber moved to approve the following:
City vouchers with an ending date of December 2, 2019 in the amount of \$981,747.50; and payroll dated November 22, 2019 in the amount of \$428,572.65 and payments of the various payroll deductions in the amount of \$437,990.45, plus City matching payments; and estimated payroll dated December 6, 2019 in the amount of \$400,000.00 and payments of the various payroll deductions in the amount of \$235,000.00 plus City matching payments; and approval to release payments to Knight Barry in the amount of \$1,780,412.10. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

LICENSES AND
PERMITS

I.1. Alderman Taylor moved to approve the following license recommendations from the License Committee meeting of December 3, 2019:
Grant Class B Combination license in compliance to Honey Butter Café, LLC, Agent Debbie Koutromanos, 7221 S. 76th St.; grant license subject to a surrender of the license of Pantheon, 7621 W. Rawson Avenue and provision of a valid lease for the new premises and compliance with all State and City of Franklin regulations;
Grant Operator license with warning letter to Ashleigh Ponga, 6062 S 36th St, Greenfield;
Grant Operator Licenses to Kendrick W Hoehn, 1008 Montclair Dr, Racine; Nisa Razo, 1826 S 18th St, Milwaukee; Amanda L Smith, S97 W13776, Muskego;

Grant the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to the following:

- 1) Franklin Health Department, Park Permits, Bike Safety Event; 06/06/20 and Movie Night 06/20, Lions Legend Park;
- 2) Franklin Historical Society, Park Permit, year-round, Lions Legend Park, pending receipt of Certificate of Insurance;
- 3) Franklin Noon Lions Club, Civic Celebration, Temporary Class B, Operator Licenses, Labor Day Fair Permit; 07/03 - 07/05/20 and 09/06 - 09/07/20 Civic Celebration and St Martins Fair;
- 4) Franklin Lions Club, Meetings & Fundraisers for St Martins Fair Permit, Park Permits, Temporary Class B Beer and Operator's Licenses; 04/11/20, 07/14/20, 07/28/20, 08/11/20, 09/06-09/07/20;
- 5) Franklin Police Citizens Academy Alumni, St Martins Fair Permit, 09/06 - 09/07/20;
- 6) Franklin Public Library Foundation, Park Permit & Temporary Class B, Summer, 2020; November, 2020 & December, 2020;
- 7) Knights of Columbus, Arts & Craft Fair, Extraordinary Entertainment and Special Event License; 09/06/2020;
- 8) Root River Church, St Martins Fair, St Martins Fair Permit; 09/06 - 09/07/20;
- 9) VFW Post 10394, St Martins Fair; Temporary Entertainment & Amusement, Temporary Class B Beer, St Martins Fair Permit; 09/06 - 09/07/20, pending receipt of Certificate of Insurance;
- 10) Xaverian Missionaries, Annual Mission Festival; Extraordinary Event License, Temporary Class B Beer and Wine License, Operator License and Sign Permits. 06/27 - 06/28/20.

Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

CLOSED SESSION
S. 76TH ST. & W. RYAN
RD. DEVELOPMENT

- G.17. Alderman Barber moved to enter closed session at 8:06 p.m. pursuant to Wis. Stat. §19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development agreements(s) for, including, but not limited to the propert(ies) at the Northeast corner of South 76th Street and West Ryan Road, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Upon reentering open session at 8:33 p.m., no action was taken on this item.

CLOSED SESSION
W. ELM RD.
TKN: 979-9997-000
DEVELOPMENT

- G.18. Alderman Barber moved to enter closed session at 8:35 p.m. pursuant to Wis. Stat. §19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms related to potential development and proposal and the investing of public funds and governmental actions in relation thereto and to effect such development, including the terms and provisions of a potential development agreement for the development of property located on the south side of West Elm Road in the approximately 3500 block area where West Elm Road to be extended to the west, consisting of approximately 79.79 acres and bearing Tax Key No. 979-9997-000, and to reenter open session at the same place thereafter to act on such matters discusses therein as it deems appropriate. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Upon reentering open session at 8:51 p.m., no action was taken on this item.

CLOSED SESSION
3617 W. OAKWOOD RD.
& 3548 SOUTH COUNTY
LINE RD.
DEVELOPMENT

- G.19. Alderman Taylor moved to enter closed session at 8:53 p.m. pursuant to Wis. Stat. §19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition(s) and public improvements and development(s) and agreement(s) for the Tax Incremental District No. 4 Franklin Corporate Park, including, but not limited to the properties located at 3617 West Oakwood Road (Tax Key No. 950-9997-001) and 3548 South County Line Road (Tax Key No. 979-9999-000), and the investing of public funds and governmental actions in relation thereto and to effect such acquisitions(s) and development(s), and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:07 p.m., no action was taken on this item.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:10 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

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CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING
DECEMBER 12, 2019
MINUTES

ROLL CALL

- A. The special meeting of the Common Council was held on December 12, 2019 and called to order at 5:30 p.m. by Common Council President Mark Dandrea in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderwoman Kristen Wilhelm, Alderman Mike Barber, and Alderman John R. Nelson. Excused were Mayor Steve Olson, Alderman Dan Mayer and Alderman Steve F. Taylor. Also present were Director of Finance & Treasurer Paul Rotzenberg, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

Presiding Officer Dandrea stated he will be voting as Alderman.

CITIZEN COMMENT

- B. Citizen comment period was opened at 5:31 p.m. and closed at 5:34 p.m.

TID 5 IMPACT FEES
AGREEMENT

- C. Alderman Barber moved to approve the Tax Incremental District No. 5 Ballpark Commons development project Agreement regarding Impact Fees and Irrevocable Payment Bond as presented to the Common Council at this meeting subject to technical and minor changes by the Director of Finance & Treasurer and the City Attorney. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- F. Alderman Barber moved to adjourn the meeting at 5:50 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

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| <p>APPROVAL <i>slw</i></p> | <p>REQUEST FOR COUNCIL ACTION</p> | <p>MEETING DATE 12-17-19</p> |
| <p>REPORTS & RECOMMENDATIONS</p> | <p>Mayoral Appointments</p> | <p>ITEM NUMBER E.</p> |

The Mayor has made the following appointment for Common Council confirmation:

Plan Commission:

Patrick Leon, 7836 W. Winston Way, (Ald. Dist. 2), 3-year unexpired term expiring 04/30/22.

COUNCIL ACTION

Motion to confirm the following Mayoral appointment:

Plan Commission:

Patrick Leon, 7836 W. Winston Way, (Ald. Dist. 2), 3-year unexpired term expiring 04/30/22.

Shirley Roberts

From: volunteerfactsheet@franklinwi.info
Sent: Tuesday, February 19, 2019 9:57 PM
To: Lisa Huening; Shirley Roberts; Sandi Wesolowski
Subject: Volunteer Fact Sheet

Name: Patrick Leon
PhoneNumber:
EmailAddress:
YearsasResident: 5+
Alderman: Daniel Mayer
ArchitecturalBoard: 0
CivicCelebrations: 0
CommunityDevelopmentAuthority: 1
EconomicDevelopmentCommission: 0
EnvironmentalCommission: 0
FinanceCommittee: 0
FairCommission: 0
BoardofHealth: 0
FirePoliceCommission: 1
ParksCommission: 0
LibraryBoard: 0
PlanCommission: 1
PersonnelCommittee: 0
BoardofReview: 0
BoardofPublicWorks: 0
QuarryMonitoringCommittee: 0
TechnologyCommission: 0
TourismCommission: 0
BoardofZoning: 0
WasteFacilitiesMonitoringCommittee: 0
BoardWaterCommissioners: 0
CompanyNameJob1: Rockwell Automation
TelephoneJob1: 414-382-1239
StartDateandPositionJob1: 3/2013 / Buyer
EndDateandPositionJob1: N/A
CompanyNameJob2: U.S. Army Reserve
TelephoneJob2: 920-339-7200
StartDateandPositionJob2: 10/2002 / Operations Sergeant Major
EndDateandPositionJob2: N/A
CompanyNameJob3: Midwest/Frontier Airlines

TelephoneJob3: N/A
StartDateandPositionJob3: 6/2006 / Reservations Agent
EndDateandPositionJob3: 9/2012 / Help Desk Agent
Signature: Patrick L. Leon
Date: 2/19/2019
Signature2: Patrick L. Leon
Date2: 2/19/2019
Address: 7836 W Winston Way
PriorityListing: (1) Community Development Authority; (2) Fire and Police Commission; (3) Plan Commission
WhyInterested: To help shape development and/or public use projects in Franklin.
CompanyAddressJob1: 1201 South 2nd Street Milwaukee, WI 53204
DescriptionofDutiesJob1: Supply chain
AddressJob2: 2929 Holmgren Way Green Bay, WI 54304
DescriptionofDutiesJob2: Oversight of Army Reserve battalion operations and planning section.
AddressJob3: 555 West Air Cargo Way Milwaukee, WI 53207
DescriptionofDutiesJob3: Call center airline reservations support.
AdditionalExperience: Previously served on Franklin Plan Commission from 2016-2017 (*resigned due to overseas deployment with Army Reserve. Four overseas deployments with U.S. Army Civil Affairs battalion working with local government on projects to improve/stabilize conditions in various municipal and regional areas.
ClientIP: 75.9.81.117
SessionID: mlpaoi3x41vivliw0zfc1545

[See Current Results](#)

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F.

MEMORANDUM

Date: December 12, 2019

To: Aldermen

From: Stephen R. Olson
Mayor

RE: Got Your Back: Exploring fire and EMS service sharing opportunities in Franklin, Greenfield, Greendale, and Hales Corners – December 2019

On December 10, 2019, the Wisconsin Policy Forum released its new report titled “Got Your Back: Exploring fire and EMS service sharing opportunities in Franklin, Greenfield, Greendale, and Hales Corners” (attached).

I have requested that representatives of the Wisconsin Policy Forum come present their findings of this report to the Committee of the Whole Meeting of January 6, 2020.

/lh

GOT YOUR BACK

*Exploring Fire and EMS Service Sharing
Opportunities in Franklin, Greenfield,
Greendale and Hales Corners*



WISCONSIN

POLICY FORUM

ABOUT THE WISCONSIN POLICY FORUM

The Wisconsin Policy Forum was created on January 1, 2018, by the merger of the Milwaukee-based Public Policy Forum and the Madison-based Wisconsin Taxpayers Alliance. Throughout their lengthy histories, both organizations engaged in nonpartisan, independent research and civic education on fiscal and policy issues affecting state and local governments and school districts in Wisconsin. The Wisconsin Policy Forum is committed to those same activities and to that spirit of nonpartisanship.

PREFACE AND ACKNOWLEDGMENTS

This report was undertaken to provide citizens and policymakers in the cities of Franklin and Greenfield and the villages of Greendale and Hales Corners with analysis of possible service sharing and consolidation options that might improve the quality and cost effectiveness of fire and emergency medical services in their communities. The intent was to lay out a series of options for their consideration, but not to make recommendations on the future of those services in the respective communities.

We would like to thank Franklin, Greenfield, and Hales Corners for providing partial financial support of this research and the fire chiefs, mayors, and administrators of the four municipalities for providing information and patiently answering our questions.



GOT YOUR BACK

*Exploring fire and EMS service sharing
opportunities in Franklin, Greenfield, Greendale,
and Hales Corners*

December 2019

Report authors:

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BACKGROUND AND INTRODUCTION

In May 2012, the Wisconsin Policy Forum (then known as the Public Policy Forum) released a detailed analysis of possibilities for shared or consolidated fire and emergency medical services (EMS) in southern Milwaukee County. The report was undertaken at the request of municipal leaders from the five communities it covered: the cities of Franklin, Greenfield, and Oak Creek and the villages of Greendale and Hales Corners. It was precipitated by a variety of challenges facing those communities with regard to maintaining service levels and meeting increased demand, as well as a collective desire to explore the potential benefits of tackling those challenges together.

The report focused initially on consideration of enhanced cooperation and service sharing in various areas of fire department operations that could occur within existing administrative and operational frameworks. It then modeled three increasingly comprehensive approaches, which could be implemented either on a step-by-step basis or independently:

- A **Coordinated Support Services** model, which would have created unified bureaus to conduct training, vehicle maintenance, and fire inspection services for the five departments collectively.
- An **Operational Consolidation** model, which envisioned a unified operations framework under which the “closest unit responds” regardless of municipal boundary, but which retained the five departments as separate entities.
- A **Full Consolidation** model, under which the five departments would merge into a unified Southern Milwaukee County Fire Department with its own governance structure, budget, personnel, equipment, and operational framework.

While the report received considerable attention and deliberation by each of the five communities, no action was taken to implement any of the enhanced sharing/consolidation options. A primary factor was financial – while the Forum’s analysis estimated up to \$1 million of annual operations savings across the five communities and almost \$4 million in collective capital savings over five years, how those savings might be distributed was unclear. In the end, several of the communities determined that potential financial savings and other potential benefits were not attractive enough to justify a potential loss of local control over the precise nature and scope of fire and EMS operations in their communities.

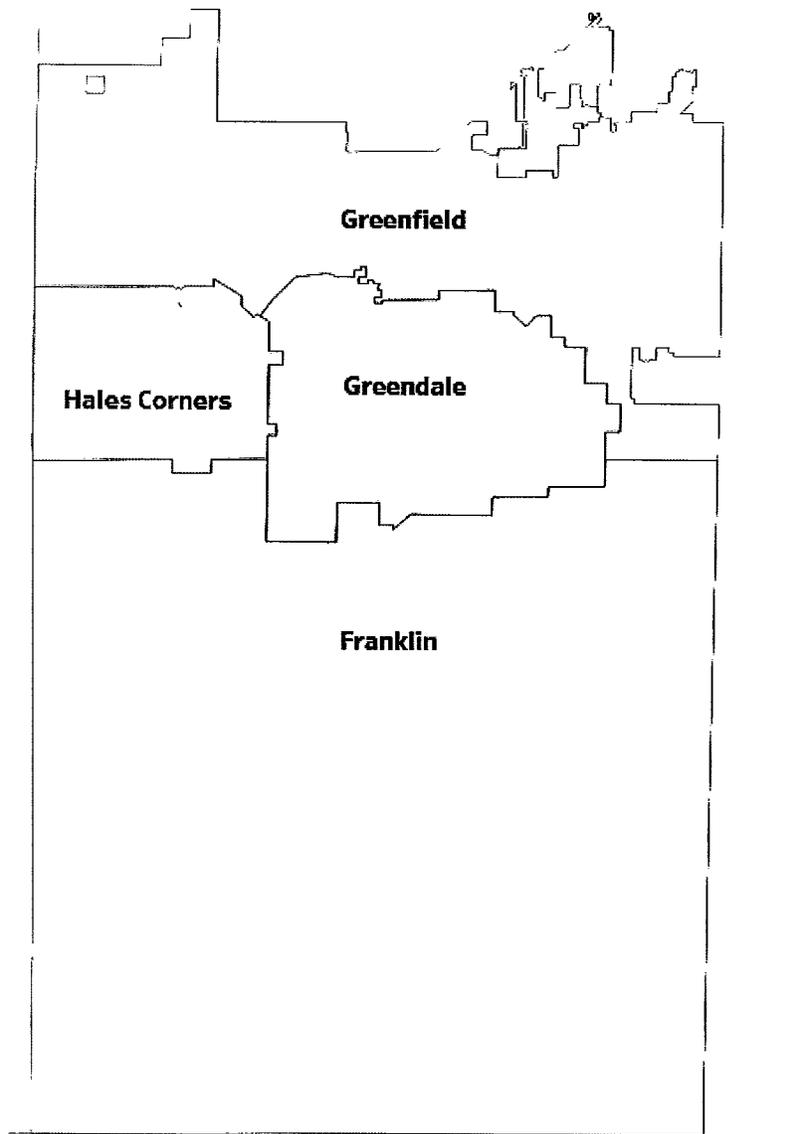
Seven years later, each of the five municipalities retains independent fire and rescue departments with roughly the same responsibilities and capacity as in 2012 (though Greendale has now become a full advanced life support (ALS) provider and handles public safety dispatching by contract for Hales Corners). Some of the staffing and service-level challenges that prompted the 2012 analysis have been addressed, but others have intensified. Meanwhile, new challenges have emerged as demand for EMS services in particular has increased.

In response to those challenges, voters in Greenfield approved a referendum in November 2018 that allows the city to exceed state-imposed property tax levy limits to hire a new battalion chief (to head up training) and a new EMS case manager. The referendum also allows the city to add five police officers. Officials in Franklin recently considered a similar referendum to add fire department staffing

but preliminary analysis indicated insufficient voter support. A referendum to add police personnel in that community was rejected by voters.

In the spring of 2019, the mayors of Greenfield and Franklin and their fire chiefs asked the Forum to update its 2012 analysis and consider anew the fire and EMS service sharing possibilities that may exist for those two communities. After subsequent discussion, it was determined that Greendale and Hales Corners also should be part of the analysis given their geographic location between the two larger cities (see **Map 1**) and the fact that the four communities comprise Emergency Management Zone D in Milwaukee County. The legislative bodies in each of the four communities agreed to participate in the study, with three of the four (Greenfield, Franklin, and Hales Corners) providing financial support. Oak Creek was not approached given its lack of interest in pursuing recommendations from the previous study.

Map 1: Franklin, Greendale, Greenfield, and Hales Corners



The Forum launched the analysis in April 2019. It was conducted with the participation of the fire chiefs from the four municipalities and input from their administrators. While not endorsing any specific approach, the chiefs met several times with Forum researchers to share information and discuss operational details of various service sharing options.

In the pages that follow, we lay out the results of our analysis. It is important to note that its purpose was not to recommend a specific service sharing or consolidation approach and implementation plan. Instead, the intent was to develop a range of potential options and to provide sufficient fiscal and programmatic analysis to allow decision-makers to determine which (if any) paths they believe are most viable for more detailed analysis and implementation.

Early in our research process, it became apparent that a consolidation of the four municipal departments into a single department would not be supported by some municipalities. Nevertheless, we believed it was important to include such a consolidation model in our “menu” of potential options as a means of illustrating the potential costs and benefits and allowing readers to benchmark less comprehensive options against that approach. In addition, given that Franklin and Greenfield initiated the analysis and expressed the most interest in collaboration, we include a series of options that would apply only to those two municipalities.

Finally, it is important to point out that while this report provides useful context for local leaders to understand the strengths and weaknesses of their current service models, it does not suggest there is an immediate need for action. On the other hand, the report details some significant challenges that likely will impact all four departments in both the near term and long term, including enhanced growth and demand for fire and rescue services and a more competitive labor market. This study offers an opportunity to consider how each department might respond to those challenges on its own versus in a collaborative manner with its Zone D neighbors.

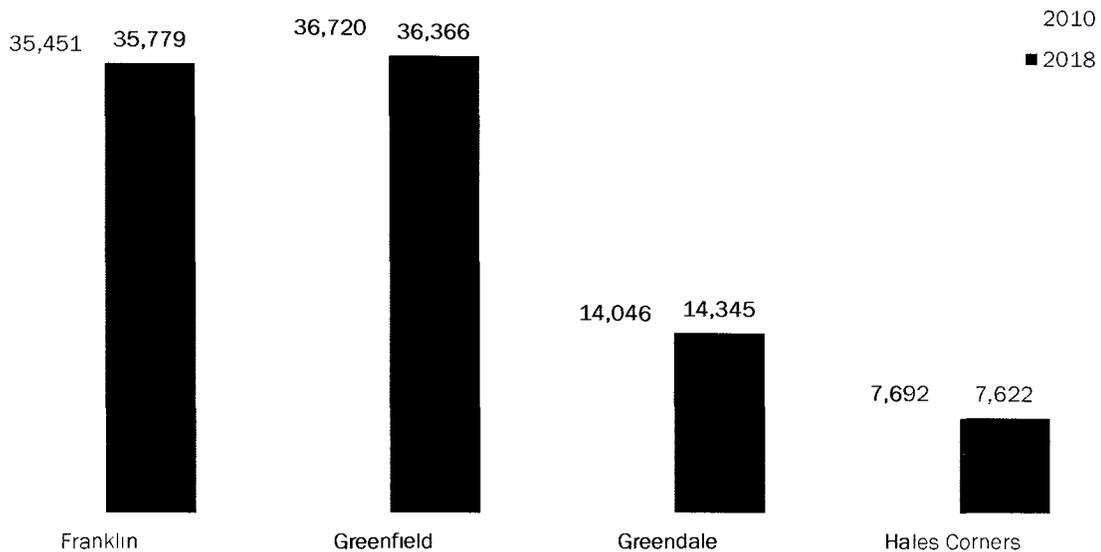
DEMOGRAPHICS

An initial glimpse of the characteristics of the four communities shows that the two cities – while roughly equal in population – have noticeable demographic differences. Greenfield has much higher population density, while Franklin is far less dense with significant room for future growth and development. The villages of Greendale and Hales Corners are more typical suburban areas, and they fall somewhere between Greenfield and Franklin on some demographic indicators

GENERAL DEMOGRAPHIC CHARACTERISTICS

Chart 1 shows population trends between 2010 and 2018 for each municipality. Population has been relatively steady during this period, with change at one percent or less in Franklin, Greenfield, and Hales Corners. Greendale has shown slightly more growth in population, at 2.1% since 2010.

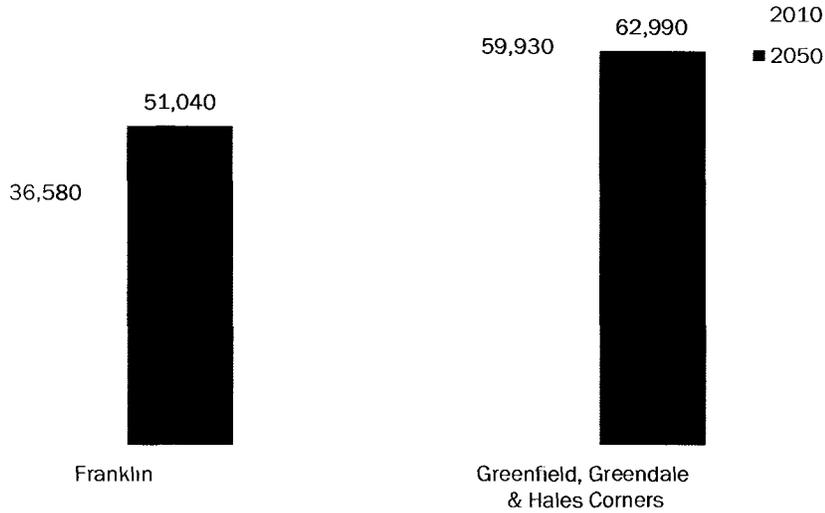
Chart 1: Population trends, 2010 to 2018



Source: Wisconsin Department of Administration, Historical Population Estimates

The Southeastern Wisconsin Regional Planning Commission (SEWRPC) develops population projections for planning purposes. Updated projections after the announcement of the Foxconn development in nearby Racine County anticipated a substantial increase in population and employment in nearby communities, although these projections may be revisited given changes to the Foxconn project scope. As shown in **Chart 2**, Franklin was forecast to experience a 40% increase in population between 2010 and 2050. The other three more densely developed and northern communities together are forecast to grow by 5%.

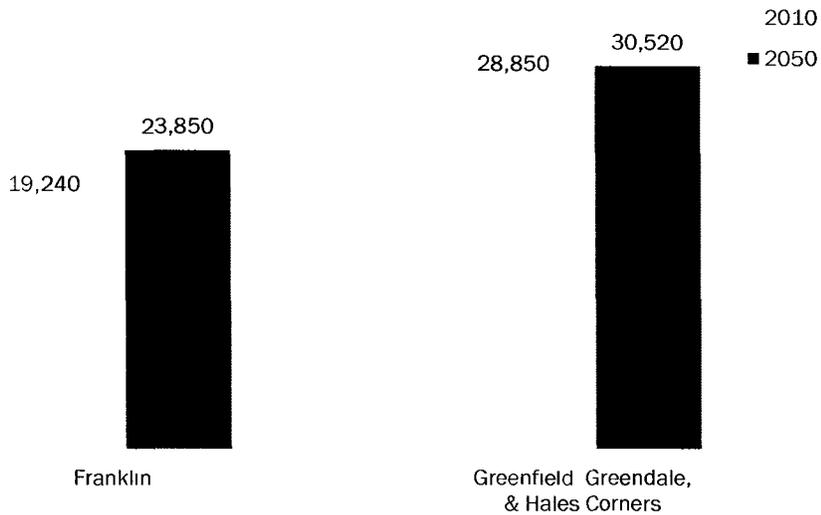
Chart 2: SEWRPC population projections, 2010 to 2050



Source: Second Amendment to Vision 2050, Land use Changes and Transportation Improvements Related to the Planned Foxconn Manufacturing Campus, SEWRPC

Franklin also is expected to add more than twice the number of jobs by 2050 than the other three municipalities combined, although the 24% growth in employment in Franklin is expected to lag the 40% growth in population (see **Chart 3**). The growth in employment in the other three municipalities is projected to be more in line with population growth.

Chart 3: SEWRPC employment projections, 2010 to 2050



Source: Second Amendment to Vision 2050, Land use Changes and Transportation Improvements Related to the Planned Foxconn Manufacturing Campus, SEWRPC

In addition to population and employment numbers and trends, population density is a consideration in determining appropriate levels of fire and EMS capacity. Density is one factor that may affect calls for service, resulting in a need for higher staffing levels and more apparatus at station locations. On the other hand, more densely populated communities may be able to effectively serve their populations with fewer stations.

Table 1 shows that Greenfield has the highest density while Greendale and Hales Corners have somewhat lower and similar densities. Franklin has the lowest density by far, indicating large undeveloped areas that may be ripe for future development

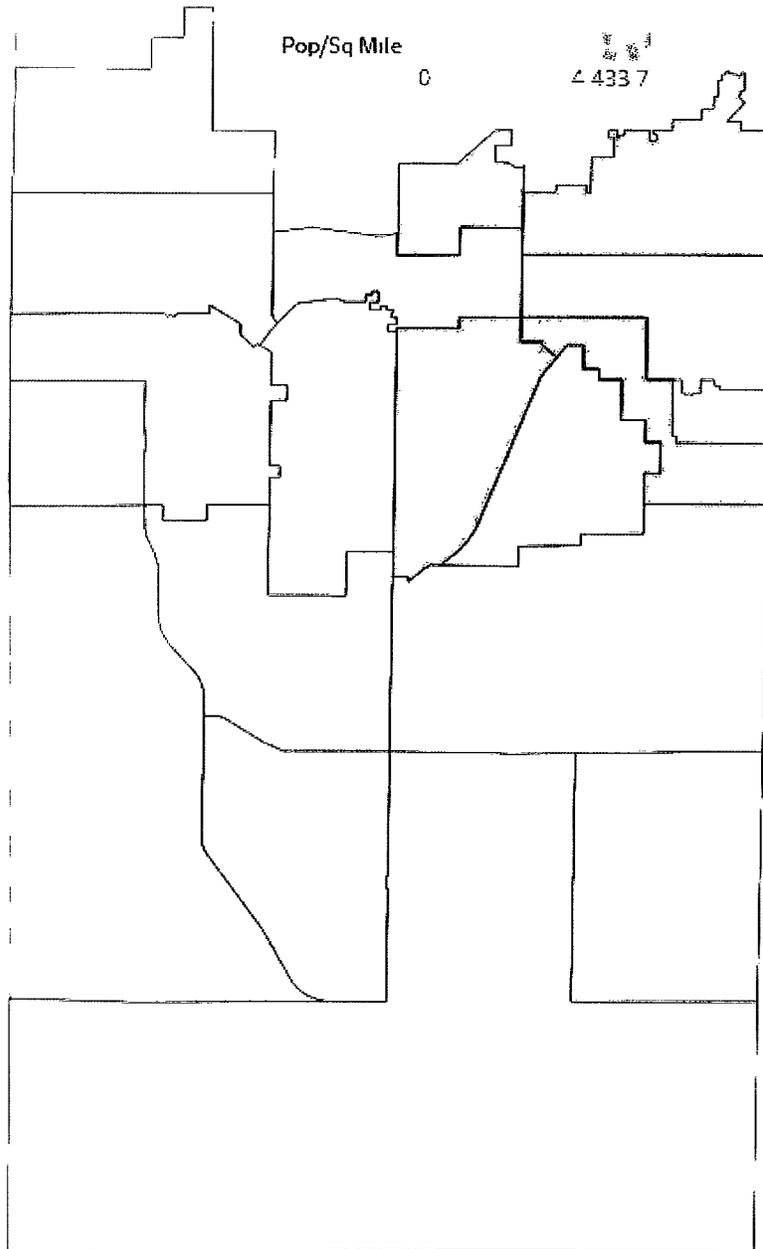
Table 1: Population density, 2017

| | Square Miles | Population (1,000)/Sq Miles |
|---------------|--------------|--------------------------------|
| Franklin | 34.68 | 1.05 |
| Greenfield | 11.52 | 3.22 |
| Greendale | 5.57 | 2.57 |
| Hales Corners | 3.20 | 2.41 |

Source: Wisconsin Policy Forum calculations

Map 2 shows population by square mile by census tract for the study area. Greenfield and Greendale have the areas with the highest population densities, although average densities for Greendale, at 2,570 persons/square mile, are closer to Hales Corners (2,410/square mile) than to Greenfield (3,220/square mile). The southern portion of the study area, including much of Franklin, is basically a rural density at 1,050/square mile.

Map 2: Population density by census tract



Another significant demographic indicator, specifically in relation to EMS services, is the percentage of the population older than age 65. **Table 2** shows that while the four communities do not show large differences in median age, Greenfield and Greendale have higher percentages of residents who exceed 65 years of age.

Table 2: Median age and population age 65+

| | Total Population | | % 65+ | Median Age |
|---------------|------------------|-------|-------|------------|
| | 2017 | 65+ | | |
| Franklin | 36,295 | 5,902 | 16.3% | 42.4 |
| Greenfield | 37,082 | 7,690 | 20.7% | 43.3 |
| Greendale | 14,293 | 3,337 | 23.3% | 43.8 |
| Hales Corners | 7,704 | 1,313 | 17.0% | 43.9 |

Source: US Census, American Community Survey 2017

Similarly, EMS services are impacted by the number of nursing homes and senior residential complexes housed within a community (including residential care facilities and apartment complexes). **Table 3** shows a breakdown of such facilities in each of the four municipalities.¹

Table 3: Nursing homes and senior residential care facilities

| | Nursing Homes | Other Senior Residential Care Facilities |
|---------------|---------------|--|
| Franklin | 0 | 15 |
| Greenfield | 2 | 18 |
| Greendale | 1 | 6 |
| Hales Corners | 1 | 4 |

Source: Wisconsin Department of Health Services

RELEVANT HOUSING AND OTHER CHARACTERISTICS

In considering fire protection, the prevalence of medium and high rise apartment buildings is an important factor and especially affects the need for a department to maintain a ladder truck. **Table 4** shows the number of residential buildings in each community that exceed both three and 20 units, as well as the percentage of housing that is comprised of three or more units in each. Greenfield has by far the highest percentage of multifamily housing, followed by Hales Corners.

Table 4: Type of housing, 2017

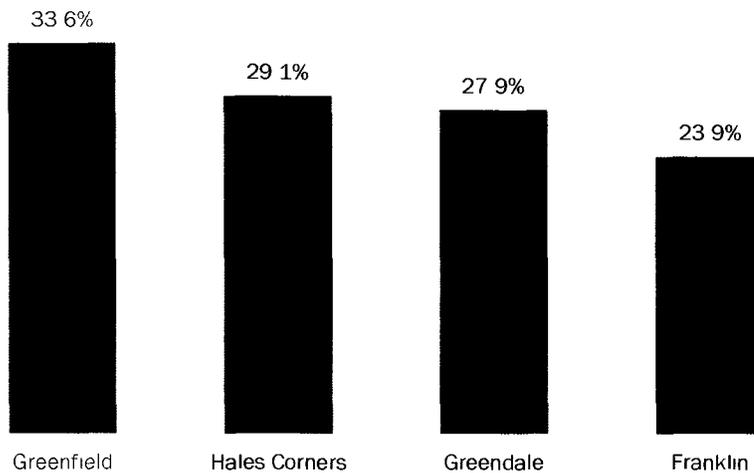
| | Total | 3 to 19 units | 20+ units | Total 3+ | 3+ as a % of total |
|---------------|--------|---------------|-----------|----------|--------------------|
| Franklin | 13,951 | 1,979 | 1,638 | 3,617 | 25.9% |
| Greenfield | 17,737 | 4,329 | 2,832 | 7,161 | 40.4% |
| Greendale | 6,232 | 1,171 | 391 | 1,562 | 25.1% |
| Hales Corners | 3,360 | 691 | 417 | 1,108 | 33.0% |

Source: US Census, American Community Survey, Housing Characteristics, 2017

¹ While the number of nursing homes and senior residential facilities impacts the volume of EMS calls, the number of beds in such facilities also plays a role. Unfortunately, data on numbers of beds were not readily available.

Commercial buildings also can present unique challenges in terms of fire protection. **Table 8** shows commercial property value as a percentage of each community's total assessed value to give a sense of the relative presence of commercial properties in each municipality. Greenfield has the highest percentage of commercial property value, while Franklin has the lowest.

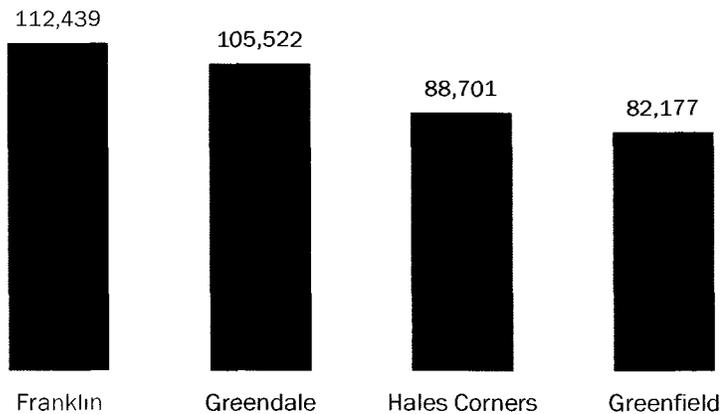
Chart 4: Commercial assessed value as a percentage of total value, 2018



Source: State of WI, Department of Revenue

Finally, a consideration in determining the compatibility of neighboring communities as service sharing partners is their property wealth, which can be an indicator of their capacity to equally partner in providing fire and EMS service. **Chart 5** shows that Franklin and Greendale have the highest per capita assessed values among the four municipalities. Ability to pay is not necessarily the same as willingness to pay, as demonstrated by the above-mentioned consideration and results of recent referendums in Greenfield and Franklin regarding police and fire services.

Chart 5: 2018 assessed property value per capita

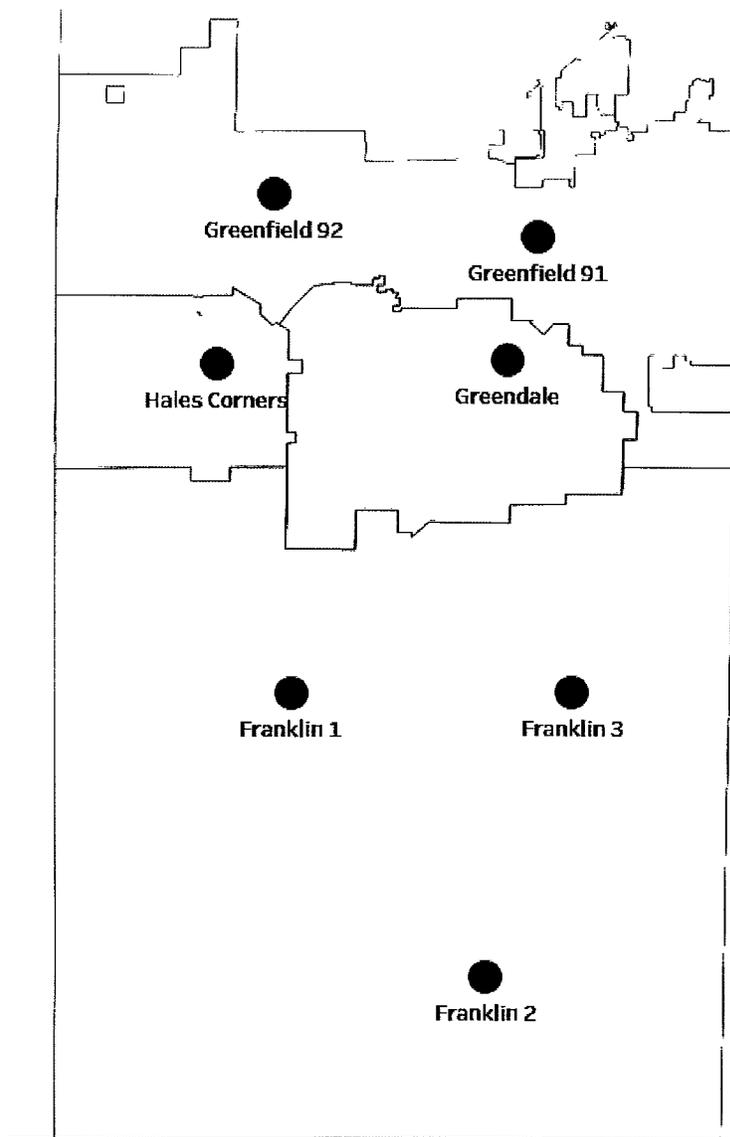


Source: State of WI, Department of Revenue

SERVICE AND WORKLOAD CHARACTERISTICS

In total, the four departments operate seven full-service stations (see **Map 3**). Each department generally responds to calls both with a fire engine that is capable of providing Basic Life Support (BLS) and a med unit (or ambulance) staffed with paramedics that provides ALS service. The departments respond to incidents in each other's service areas on an almost daily basis through mutual aid agreements (or automatic aid in the case of Greendale and Hales Corners), and they also jointly provide specialized rescue services such as dive rescue and confined space rescue, and educational programs such as the Survive Alive trailer.

Map 3: Zone D fire station locations



Franklin, with the largest area to cover, has three stations, although the southernmost station, Franklin 2, is essentially an EMS-only station with only two individuals manning a shift. Greenfield operates two stations. In addition to the chiefs, both the Franklin and Greenfield departments are staffed with assistant chiefs and battalion chiefs, who function as shift commanders. Both Franklin and Greenfield are career departments, meaning that their employees are regular, full-time municipal employees. With very few exceptions, firefighters in both Greenfield and Franklin are all certified as paramedics.

Greendale operates one station and is also a career department that is staffed primarily with paramedics. Hales Corners operates a single station but differs from the other three departments in that its staffing model relies heavily on hourly employees, also referred to as Paid on Premises (POP) employees, who complement the chief and three full-time captain positions (a fourth full-time position of Driver Operator/EMT will be added in 2020). Hales Corners also differs in that its EMS response is limited to BLS rather than ALS.² If an ALS ambulance is needed, Franklin dispatches a med unit from its nearest station, Franklin 1. While Franklin is the ALS resource for Hales Corners, the village has an automatic aid agreement with Greendale and is dispatched by Greendale. This means that for structure fires or other identified types of calls, both Greendale and Hales Corners are dispatched simultaneously.

Instead of battalion chiefs, Greendale and Hales Corners utilize captains for shift supervision. Captains are part of a four-person fire crew and participate in fire or EMS response at a scene. Battalion chiefs, on the other hand, generally are assigned a command function at the scene of a structure fire or other complex incident. Greendale and Hales Corners typically request a battalion chief from Franklin or Greenfield through mutual aid when confronting larger incidents.

It is important to note that while fire/EMS activity and effectiveness is most commonly measured by metrics like calls for service and response times (which we utilize here), there are many important fire department functions that happen outside of emergency response. These include training, fire inspections, plan review, fire prevention/public education, emergency planning, etc. While they are not as easy to measure, they are important to the overall functioning of each department and worth examining since each department handles these jobs in a different way.

SERVICE DEMANDS AND TRENDS

Table 5 shows trends in calls for service by department, which gives an indication of workload demands and the extent to which they are increasing or decreasing. It is important to note that because these totals reflect the number of calls received by each department, mutual aid calls may be counted in more than one department. Similarly, a single incident in Hales Corners may show up as a BLS call for Hales Corners and an ALS call for Franklin. The table shows that despite that coverage, Franklin's call volume still is significantly lower than Greenfield's even though the two cities have similar populations. That said, call volume in Franklin is growing more quickly than in

² Basic Life Support can be provided by an EMT rather than a paramedic. BLS generally includes non invasive procedures such as CPR, dealing with wounds, etc. Advanced Life Support is a more intensive level of care that is provided by paramedics and includes providing an airway, injection of medications, etc

Greenfield, which showed the lowest rate of increase since 2011. Hales Corners has seen a remarkable 40% increase in calls over the past seven years.

Table 5: Combined calls for service, EMS and fire

| | Franklin | Greenfield | Greendale | Hales Corners |
|-----------------------|--------------|--------------|--------------|---------------|
| 2011 | 3,261 | 4,911 | 1,625 | 937 |
| 2012 | 3,381 | 4,758 | 1,749 | 875 |
| 2013 | 3,556 | 4,821 | 1,897 | 967 |
| 2014 | 3,586 | 4,796 | 2,031 | 1048 |
| 2015 | 3,782 | 5,110 | 2,029 | 1060 |
| 2016 | 3,652 | 5,245 | 2,204 | 1216 |
| 2017 | 4,099 | 5,351 | 2,288 | 1356 |
| 2018 | 4,062 | 5,604 | 2,110 | 1312 |
| Change | 24.6% | 14.1% | 29.8% | 40.0% |
| 2018 calls/day | 11.13 | 15.35 | 5.78 | 3.59 |

Source Fire department data obtained by or provided to WPF

As is typical for most fire departments, the majority of calls in the four communities are for EMS response, not fires. For 2018, fire calls as a percentage of total calls range from 17% for Greenfield and Greendale to 25% of calls for Hales Corners.

Table 6 shows trends in EMS calls relative to population. As noted in the previous section on demographics, Franklin has a relatively younger population and this likely contributes to its comparatively lower per capita call volume.

Table 6: EMS calls per 1,000 population

| | Franklin | Greenfield | Greendale | Hales Corners |
|-----------------|--------------|--------------|--------------|---------------|
| 2011 | 86.22 | 118.73 | 99.81 | 92.00 |
| 2012 | 89.56 | 114.53 | 106.28 | 89.42 |
| 2013 | 93.72 | 116.86 | 116.63 | 97.13 |
| 2014 | 94.84 | 115.08 | 126.56 | 105.76 |
| 2015 | 100.46 | 124.69 | 128.69 | 109.13 |
| 2016 | 96.58 | 126.47 | 138.00 | 128.99 |
| 2017 | 108.17 | 127.27 | 138.40 | 143.72 |
| 2018 | 107.94 | 131.44 | 126.18 | 137.63 |
| % Change | 25.2% | 10.7% | 26.4% | 49.6% |

Source Fire department data obtained by or provided to WPF

Note 200 EMS calls per year are deducted from Franklin's call data to account for ALS calls to Hales Corners. It is assumed that Hales Corners is also responding to these calls with BLS service.

In combination, Tables 10 and 11 show not only that the number of calls is rising in each of these communities, but that the demand for EMS services, absent any change in population, also is rising. Hales Corners shows this trend to the largest extent. In a community that is gradually aging, we would expect the rate of EMS calls/1,000 population to increase. The location of nursing homes or other senior residences also could affect this rate since paramedics are frequently called to senior facilities. In fact, one chief estimated that 50% of his department's total calls are to senior residence facilities.

Another trend that may increase demand for EMS is higher levels of chronic disease and/or disability. Without active case management, many people with chronic conditions may rely on paramedics (and the emergency room) for their basic health care. This concern led the Greenfield Fire Department to recently create a case manager position to control factors that impact call volumes and connect patients to needed health care resources.

MUTUAL AID/AUTOMATIC AID

None of the four departments in this study has the resources to attack a major structure fire or other type of large incident on its own.³ Instead, each depends on surrounding departments through a system of mutual aid. Mutual aid requests are relatively common and exemplify how the four departments already are sharing services.

Mutual aid is designed to expand with the scale of an incident. When additional resources are needed at a scene, dispatchers have instructions that set out a predetermined order for mutual aid, depending on the type of resource that is needed. If the requested department is out on a call or otherwise unavailable, dispatchers go to the next department on the list to find the personnel or truck needed. If the scale of an incident exceeds the resources available in Zone D, then the requesting department will activate the larger MABAS mutual aid system, which reaches all fire departments throughout the county. Mutual aid continues to expand as necessary, even to fire departments outside of the state in the case of a disaster.

Each of the four also provides certain specialized response, such as dive rescue or confined space rescue. When those specialized rescue services are needed, they are provided throughout the region through mutual aid. By sharing these specialized resources, the four departments are able to more effectively manage both personnel and financial resources.

Greendale and Hales Corners go beyond mutual aid with an automatic aid agreement, which means that both departments are dispatched at the same time to larger incidents. The automatic aid agreement is only possible because dispatch services for both departments were recently consolidated in Greendale. Per its 2018 budget, Hales Corners paid \$216,600 to Greendale for dispatch of both police and fire services.⁴

As described above, because Greendale and Hales Corners use a staffing model that involves captains, they request a battalion chief from either Franklin or Greenfield in the case of a structure

³ According to a county-wide agreement that all Milwaukee County fire departments have joined, fire response for a full structure fire requires a minimum of 25 personnel, three engines, two trucks, three commanders, and one med unit.

⁴ 2018 Budget Presentation memo dated November 21, 2017, page iv.

fire or other major incident. Battalion chiefs are needed either to act as commander at the scene or to assist the commander by taking responsibility for safety. In some cases, battalion chiefs respond to a scene even when not formally requested (such as a recent two-car fire at Southridge Mall), especially if personnel from the home department are involved in the response.

Another important aspect of mutual aid is the need to backfill a station with additional staff when a crew is called out. Each time a department provides mutual aid, command staff must decide if there is a need to backfill the station. Larger departments have more personnel on duty and can sometimes reallocate resources between stations to cover a busy period, but the two smaller departments are more reliant on calling in full- or part-time staff to backfill a station. That approach may not result in timely backfilling and can be expensive. In cases where Greendale or Hales Corners receives simultaneous calls, they will generally call for mutual aid.

Table 7 shows the number of times each department received and provided mutual aid for the last year for which complete data are available.⁵ Because each department tracks mutual aid responses differently, the data in this table should not be viewed as providing precise comparisons, though they do give a sense of the extent of mutual aid received and provided by each department.

Table 7: Mutual aid given and received

| | MA Received | MA Given | Total Calls | MA Given as a % of Total Calls |
|---------------|-------------|----------|-------------|--------------------------------|
| Franklin | 100 | 96 | 4,062 | 2.4% |
| Greenfield | 196 | 210 | 5,604 | 3.7% |
| Greendale | 192 | 178 | 2,110 | 8.4% |
| Hales Corners | 123 | 198 | 1,312 | 15.1% |

Source: Fire department data provided to WPF

Mutual aid as a percentage of total calls is higher for Greendale and Hales Corners, in part because of their automatic aid agreement and their heavy reliance on each other for support. As we will discuss in a later section, while such cooperation is laudable, it may not result in the closest and most appropriate unit responding given that a station in Greenfield or Franklin may be able to provide a closer mutual aid response in certain parts of both villages.

RESPONSE TIMES

Table 8 shows average response times for each department measured from time of dispatch to arrival of unit on scene. Again, the departments do not measure response time in exactly the same way, so comparisons between them may not be fully accurate. The National Fire Protection Association suggests that career fire departments set an objective of a six-minute average response time for EMS calls and a 6:20 average response time for fire calls. Hales Corners narrowly exceeds

⁵ The data for Franklin, Greenfield, and Greendale are from 2018, while the data from Hales Corners are from 2017. Also, Greenfield provides mutual aid back up to West Allis and Milwaukee, while the other three departments do not.

the standard for EMS calls and Franklin slightly exceeds it for fire calls, but for the most part each of the departments meets or comes close to meeting these standards.⁶

Table 8: Average response times for EMS and fire

| | EMS | Fire |
|---------------|------|------|
| Greenfield | 5:57 | 6 01 |
| Franklin | 5:28 | 6:23 |
| Greendale | 5 01 | 6 12 |
| Hales Corners | 6:20 | 6:20 |

Source: Fire department data provided to WPF

⁶ National Fire Protection Association, Standard 1710

FIRE DEPARTMENT STAFFING AND BUDGETS

In total, the four departments employ about 133 people. That includes 120 individuals who work on 24-hour shifts (one shift every three days). Each department also employs individuals who work regular eight-hour days and generally do not respond to calls.

Shift staffing refers to the number of firefighters on shift duty at any one time. It is a good indicator of the amount of resources available to respond to emergencies around the clock. Firefighters have time off for vacation, sick leave, disability, family leave, etc., as well as for training. Consequently, departments must employ more than three firefighters to staff a single shift (i.e. a single on-duty position on a 24/7, 365-days per year basis). In general, the number of full-time, career employees required to staff a single shift ranges from 3.75 to 4.0. When departments use hourly employees or paid on premises firefighters to staff shifts, this ratio can be considerably lower since those employees are paid only for hours they work and do not accrue paid time off.

Map 4 shows shift staffing at each station in the region, or the number of firefighters/paramedics ready to mobilize in response to calls for service at any time.⁷ Combined, under normal working conditions, Zone D is served by 33 individuals on shifts.

⁷ In 2018, Hales Corners had lower shift staffing because of difficulty recruiting and other issues. The department has recently successfully recruited sufficient personnel to staff 4.0 shifts. Also, Greenfield classifies 15 of its firefighter/paramedics as heavy equipment operators or drivers, but for the sake of comparison in this analysis we classify all such positions as firefighter/paramedics.

Map 4: Station Shifts

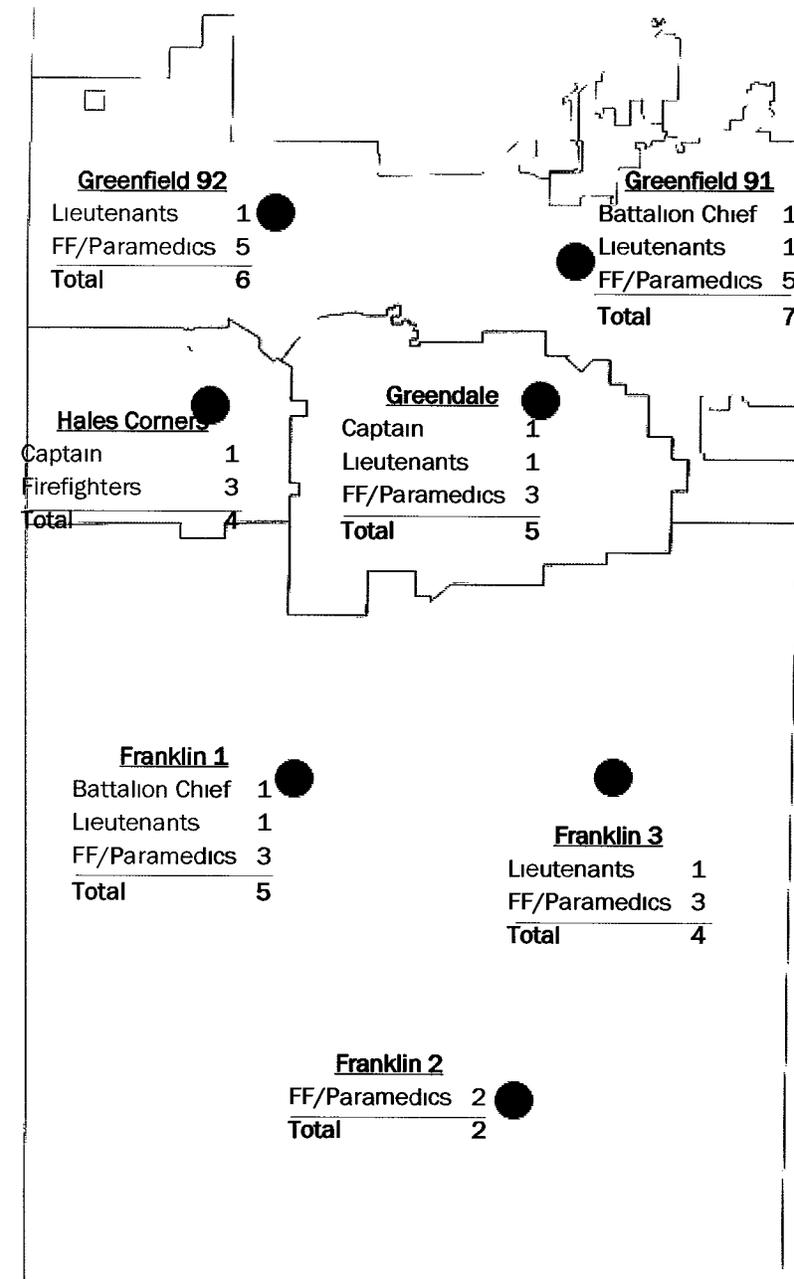


Table 9 shows non-shift staffing at the four departments. In the two smaller departments (Greendale and Hales Corners), the only non-shift staff are the chiefs. Non-fire and EMS response functions like fire inspections, training, fire prevention, etc. are handled by captains on their regular shifts.

In Franklin, the chief, assistant chief, and two other employees – an administrative assistant and community fire prevention specialist – do not work shifts. The fire prevention specialist covers all inspections and also is tasked with fire prevention and public education activities.

Greenfield has the largest contingent of non-shift staffing. In addition to the chief, the department employs a full-time code enforcer who manages two part-time civilian inspectors. As noted earlier, Greenfield also recently added a civilian case manager with the goal of connecting heavy utilizers of EMS to appropriate primary health care. Finally, Greenfield has two battalion chiefs who do not work regular shifts – one who focuses on community risk reduction/EMS and a second who manages and implements training.

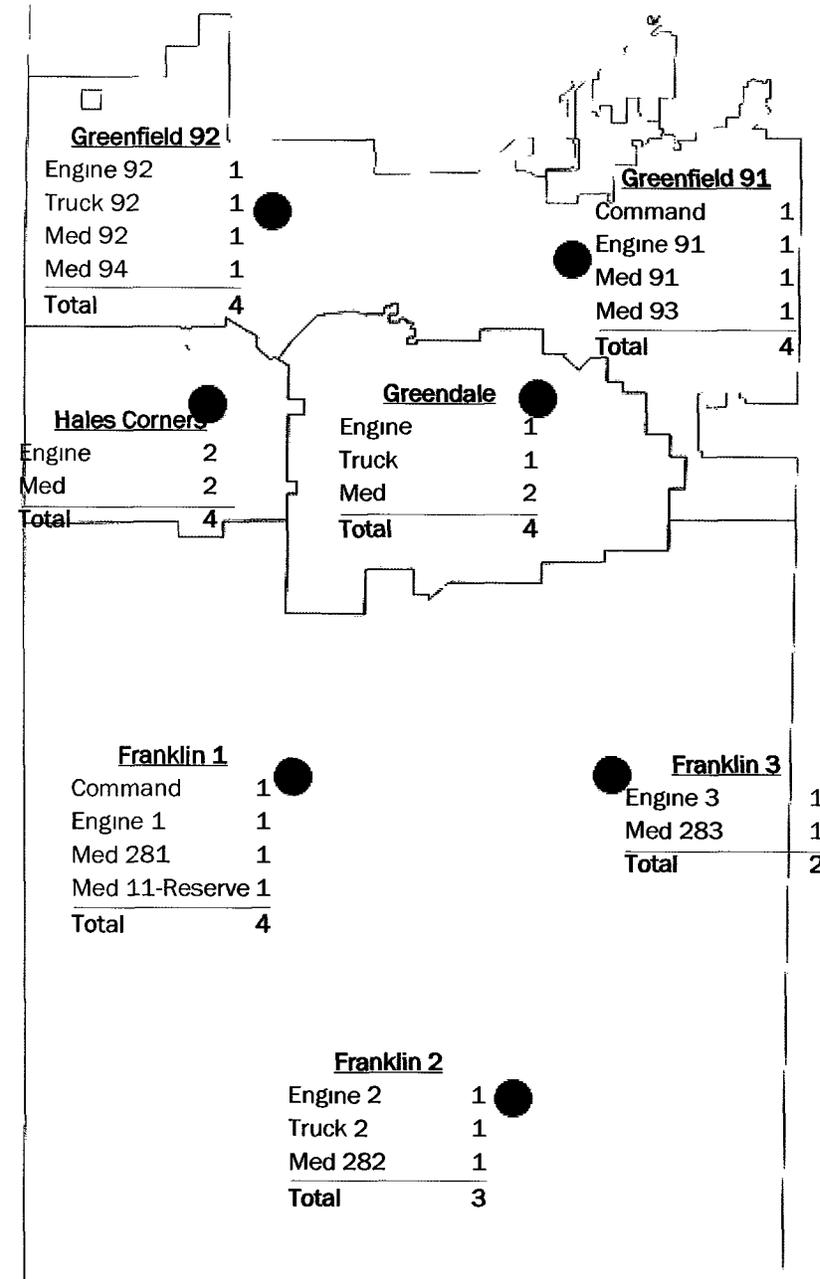
Table 9: Non-Shift staffing

| | Total | Franklin | Greenfield | Greendale | Hales Corners |
|-------------------------------------|--------------|-------------|-------------|-------------|---------------|
| Chief | 4.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Asst Chief | 2.00 | 1.00 | 1.00 | | |
| Battalion Chiefs (non-shift) | 2.00 | | 2.00 | | |
| Admin Asst | 1.00 | 1.00 | | | |
| FT Case Manager | 1.00 | | 1.00 | | |
| FT Fire Marshal - code & inspection | 1.00 | | 1.00 | | |
| PT Fire Marshal - code | 0.50 | | 0.50 | | |
| PT Fire Marshal - inspection | 0.50 | | 0.50 | | |
| Fire Prev Spec | 1.00 | 1.00 | | | |
| Total FTE | 13.00 | 4.00 | 7.00 | 1.00 | 1.00 |

APPARATUS

Map 5 shows the primary response vehicles housed at each station (specifically trucks, engines, med units, and command vehicles, which are also known as apparatus). Each station also garages several other vehicles, primarily pickup trucks and SUVs that are used for a variety of purposes. Specialty vehicles include those used for dive rescue and technical rescue units, Survive Alive Trailer, and similar vehicles.

Map 5: Station Apparatus



FIRE DEPARTMENT BUDGETS

Table 10 details 2018 operating budgets for each of the four fire departments. Because Hales Corners staffs its department mainly with hourly employees who do not receive benefits, it shows a much lower net expense per resident. In fact, the cost per shift in Hales Corners (net of revenue) is just under \$200,000, while the cost per shift of the three career departments averages \$412,000.

Similarly, Greenfield has the highest per capita cost, partially because it utilizes the largest number of non-shift personnel. These figures do not account for the impact of the recently passed referendum, which will result in additional investment in fire protection in Greenfield and further increase its per capita spending.

The divergence in per capita spending on fire and EMS between Hales Corners and the other three communities presents a significant barrier to potential consideration of service sharing and consolidation among the four Zone D communities. That is because consideration of options that would enhance service levels across the region to approximate those typically expected from a “career” department likely would require Hales Corners to substantially increase its fire and EMS spending. As we will discuss in greater detail below, an important question for Hales Corners officials is whether such spending increases will be desired or required to bring its department up to that level anyway; and if so, whether accomplishing that objective through a collaborative approach would be less expensive than going it alone.

Table 10: 2018 operating budgets⁸

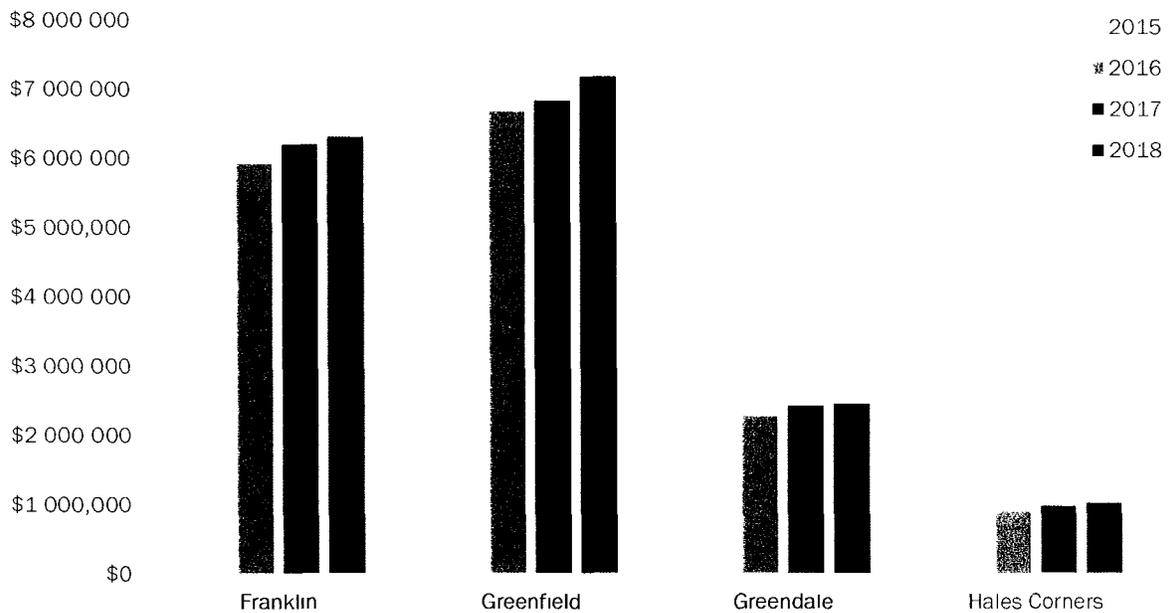
| | Franklin | Greenfield | Greendale | Hales Corners |
|--------------------------------|--------------------|--------------------|--------------------|--------------------|
| Expenses | | | | |
| Salaries | \$4,036,406 | \$4,585,639 | \$1,554,153 | \$628,516 |
| Benefits | \$1,792,280 | \$1,753,059 | \$734,749 | \$148,157 |
| Total Personnel | \$5,828,686 | \$6,338,699 | \$2,288,902 | \$776,673 |
| Services/Supplies | \$481,500 | \$839,339 | \$163,965 | \$248,426 |
| Total Operating Expense | \$6,310,186 | \$7,178,038 | \$2,452,867 | \$1,025,099 |
| Revenue | | | | |
| Ambulance Fees | \$1,175,000 | \$1,350,000 | \$518,000 | \$268,845 |
| Other Revenue | \$256,500 | \$319,846 | \$85,668 | \$59,442 |
| Total Revenue | \$1,431,500 | \$1,669,846 | \$603,668 | \$328,287 |
| Net Operating Expense | \$4,878,686 | \$5,508,192 | \$1,849,199 | \$696,813 |
| Revenue Offset | 22.7% | 23.3% | 24.6% | 32.0% |
| Net Expense per Capita | \$136.36 | \$151.47 | \$128.91 | \$91.42 |

⁸ These figures reflect 2018 budgeted amounts for Hales Corners, 2018 actual projections for Greendale based on mid year estimates, and 2018 actual amounts for Franklin and Greenfield. Also, it should be noted that unlike the other three departments, Greenfield does not include OPEB expenses in its fire department budget but instead budgets those costs centrally and that Worker's Compensation insurance is not included in Greendale's totals but is for the others. Finally, we have removed any equipment replacement and capital expenses included in operating budgets and instead show those in a subsequent table detailing capital expenses.

The revenue offset shown above represents the percentage of departmental expenditures that is offset by revenue, including ambulance fees (the single largest revenue source), inspection fees, and state grants. The revenue offset is relatively consistent between Greenfield, Franklin, and Greendale but is greater in Hales Corners, mainly because its costs are lower.

Chart 6 shows fire department operating expenditures for each community from 2015 through 2018. Franklin and Greendale saw expenditure increases of about 1% annually, which lagged the rate of inflation. Hales Corners' expenditures increased by almost 4% annually, which corresponds to its substantial increase in calls for service.

Chart 6: Fire department operating expenditures, 2015-2018



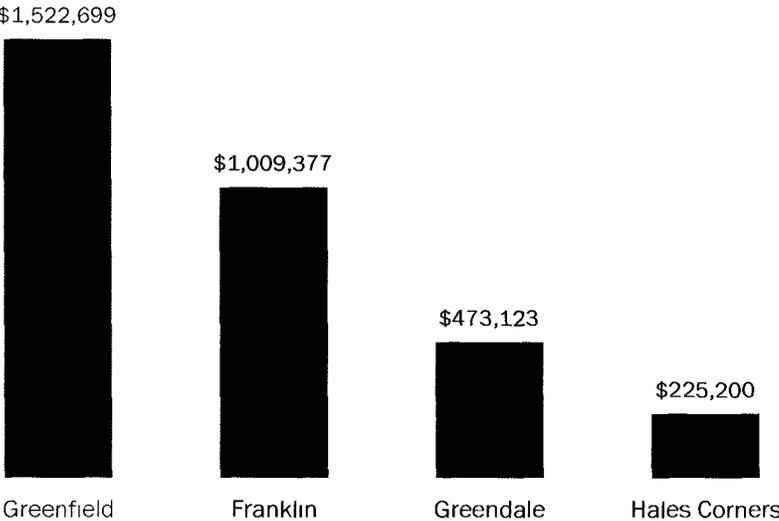
Capital expenditures on apparatus and other equipment also contribute significantly to the cost of fire and rescue services. Comparing capital expenditures between the four departments is difficult because each has a different method for funding apparatus and equipment replacement. Some appropriate dollars annually to special reserves for equipment replacement that are then used for major purchases when that need occurs, while others budget equipment and capital costs in the year the expense is incurred.

One of the largest categories of capital expense is the purchase of new vehicles. The four departments collectively purchased six new medical units in 2015 and 2016. Greendale also built a new fire station during this time period at a cost of \$6.3 million.

Because capital expenses can vary from year to year, **Chart 7** shows the total capital expenditures for 2015 through 2018. The expenditure for the Greendale fire station is not included since it is a

unique expense and not indicative of trends in capital spending. It is important to note that even four-year totals may provide a misleading picture, as a single large vehicle purchase during one of those four years could skew the total.

Chart 7: Total capital expenses, 2015 through 2018



SERVICE SHARING AND CONSOLIDATION OPTIONS

In this section, we probe how enhanced service sharing or consolidation may offer an opportunity to help manage rising demands for service, intensifying budget climates, and other fire and EMS challenges facing the four communities.

Both our original 2012 report and our updated analysis find that the four Zone D departments work well together to provide a relatively high level of fire/EMS service on a regional and municipal level. This cooperation is most evident in the system of mutual aid, as well as in the way the departments share specialized equipment, plan joint training sessions, and meet on service issues and strategic planning.

A larger question is how these departments will be able to weather changes that are anticipated in the next several years. Looking ahead, there are four general areas of concern:

- **Fiscal constraints.** All four are facing steady increases in the cost of services, which are coupled with strict state-imposed property tax levy and expenditure limits, as well as the potential of reduced funding from Milwaukee County for EMS. Thus far, funding challenges have been most prominently discussed in Franklin, as the chief has cited the need for additional resources to accommodate increased call volumes and a referendum to exceed property tax levy limits to hire more fire personnel was considered but not pursued. The chief also noted in the department's 2018 annual report that the issue is not just about *adding* resources to keep pace with increased demand, but also that "there is a point on the horizon where the current level of services are unsustainable with the resources provided."
- **Tightening labor market.** This has less of an impact on career departments as long as they continue to pay competitive salaries and benefits. On the other hand, while Hales Corners has recently had success recruiting for additional POP firefighters, this operating model may not be sustainable in the longer term. Southeast Wisconsin and the state as a whole are enjoying historically low unemployment rates and an aging workforce means that area employers' demand for workers is likely to remain strong well into the future. That, in turn, may negatively impact the pool of potential POP staff. In addition, several departments across the state that rely on hourly firefighters have told us they often see their recruits leave after a short period for career positions at other departments once they have garnered sufficient training as POP staff. Finally, some POP employees in Hales Corners also serve as career staff in neighboring departments, but the pool of those employees also is becoming limited.
- **Increased calls for service.** As the region grows and the population ages, calls for service are likely to continue to increase. As discussed earlier in this report, even with relatively little change in population, the demand for EMS has grown markedly. In addition, as discussed earlier, Franklin in particular faces the potential for considerable additional service demand from new development.
- **Mutual aid challenges.** These pressures ultimately may impact the ability of each department to support the current configuration of mutual aid in the region. For example, if the county phases

out its EMS subsidy and call volumes in Franklin continue to grow, then that department may need to re evaluate its ability to provide ALS primary response in Hales Corners. Even without that potential occurrence, if call volumes continue to grow in Franklin without a corresponding increase in staff capacity, then its neighbors may not be able to count on Franklin's mutual aid support at levels previously enjoyed.

Below we discuss three broad options for enhanced collaboration among the four departments. The number of options is limited, in part, because substantial service sharing and cooperation already is occurring.

OPTION 1: ENHANCED SHARING OF COMMAND/SPECIALIZED STAFF

In discussing with the chiefs how the four departments might benefit from enhanced coordination and/or capacity, two areas that emerged were training and EMS. Specifically, consideration of **jointly funding specialized battalion chief-level positions to coordinate training and enhance the capacity and quality of EMS for the Zone D region** as a whole was suggested.

Training is crucial to any fire department and is not just a once-a-year activity for fire personnel, instead, it is a continuous process that helps firefighters/paramedics improve their job performance and avoid injury or even death. While the departments occasionally schedule joint training, fully combining the training function under an experienced, dedicated training officer could be beneficial.

One benefit would be to relieve existing command staff or captains in each individual department from the responsibility of coordinating training activities and staying up to speed on new training requirements. Additionally, since the departments frequently work together at the scene of the most complex and challenging incidents, joint training would improve on-scene operations.

In discussing how a training officer position could be shared, the chiefs suggested that each department would still maintain its own staff to conduct training activities (possibly dedicated staff in larger departments but probably not dedicated in smaller departments). However, those individuals would work closely with the shared training officer to ensure the scheduling and coordination of training activities that are uniform and that keep pace with best practices. Because Greenfield has now filled a new battalion chief position for training, it was felt that there may be logic in simply jointly funding that position and having it serve all four departments.

A joint EMS officer could offer similar benefits. In light of the growing volume of EMS calls and frequent advances in EMS practice and technology, a jointly funded position to standardize protocols and training, gather and analyze data, and engage in quality control could benefit each of the four municipalities. A dedicated EMS officer also could help implement service level improvements – such as case management of individuals who make frequent calls for EMS – that could promote more efficient use of resources and could eliminate the need for multiple individuals from multiple departments to attend various meetings. Again, this is a function that the Greenfield department has pursued on its own that might plausibly be jointly funded and provided on a regional level.

The annual cost of either a training or EMS officer is approximately \$141,000, counting both salary and benefits **Table 12** shows how that cost might hypothetically be distributed by calls for service. It

is important to note, however, that other methodologies also could be used, including factors linked to population and/or equalized property values.

Table 12: Hypothetical distribution of cost of training officer or EMS officer by calls for service

| | 2018 Calls | % Distribution | Allocated Cost |
|---------------|---------------|----------------|------------------|
| Franklin | 4,062 | 31.0% | \$44,000 |
| Greenfield | 5,604 | 42.8% | \$60,000 |
| Greendale | 2,110 | 16.1% | \$23,000 |
| Hales Corners | 1,312 | 10.0% | \$14,000 |
| Total | 13,088 | 100.0% | \$141,000 |

One question to consider is how having a shared resource would affect current staffing and possibly the need for future staff. For example, Franklin’s assistant chief position is currently vacant and the department may soon request that a deputy chief position be restored. While these shared positions would not reduce the need for the assistant chief to be filled, the Franklin chief suggested that such sharing could eliminate the future need for the deputy chief

To Greendale and Hales Corners, the question is similar, namely what benefit would they derive from shared staff dedicated to training and EMS and is that benefit worth the additional cost? In the longer term, if a) these are positions that may need to be funded in each individual department; b) the shared positions free up existing staff time for other needed functions, or c) service level improvements (such as EMS case management) reduce future call volumes or improve service quality, then the investments may be deemed worthwhile.

Finally, irrespective of the options outlined above, **a more formal structure to recognize the sharing of battalion chief positions** could be considered. The preceding discussion of mutual aid described the current practice of calling in battalion chiefs from Greenfield or Franklin at major incidents anywhere in Zone D, which conveys additional responsibility and workload to the Franklin and Greenfield departments. For example, when one of the Greenfield department’s battalion chiefs is called to the scene of an incident in a neighboring community, it may need to call in another battalion chief. Also, the Franklin chief reports that his battalion chiefs have growing administrative responsibilities that impact other tasks. Given the growing call volume in the region, the ability of the two departments to provide this service may grow more challenging in the future and may not be as readily available to the other two communities.

An important point of future discussion could be whether formal cost sharing among all four communities for the existing two battalion chiefs who serve on shifts – accompanied by a formal commitment by Franklin and Greenfield to appropriately serve each of the four – would be in order. If such an arrangement were to be implemented, then a billing mechanism could be developed to charge the receiving community an hourly rate for the cost of battalion chiefs from a neighboring community when they are called to an incident.

OPTION 2: MODIFYING THE RESPONSE FRAMEWORK

While fire and rescue operations in Zone D generally occur at a relatively high level, a better coordinated operational framework could yield improvements. There are areas of Greendale, for example, that are closer to the Hales Corners station than the Greendale station, yet the initial response comes from Greendale. Similarly, there are parts of Greenfield, especially the southeastern corner, that are closer to the Greendale station than to Greenfield 91. Another challenge involves the growing call volume, which at times leaves some stations under-resourced when there are simultaneous calls, thus requiring staff to be called in and paid overtime.

A “**closest unit response**” framework could address these issues. Under that approach, the closest and most appropriate unit is dispatched to the scene, regardless of whether that unit is housed in the municipality in which the incident occurs. This can apply not only to the examples cited above, where a station in one municipality actually is geographically closest to parts of an adjacent municipality, but also to situations in Franklin or Greenfield where an engine or ambulance from their closest station is occupied, and a station with the appropriate capability from a neighboring community is closer to the incident than a different station from their own community.

Another higher level of coordination would involve **agreements to allow resources from the Zone D departments to be shared to backfill stations when all personnel are called out**. So, for example, if both medical units are dispatched from Greendale, then another department would automatically redeploy resources to cover Greendale’s station or would commit to covering the station from existing locations.

Finally, under the current mutual aid process, dispatchers follow a prescribed order for requesting support. For example, for an incident in Hales Corners, dispatchers first call Franklin, although in many situations a unit from Greenfield would be able to respond more quickly. This practice also could change under a “closest unit” type of approach.

These modifications to the current operational framework only would be possible if dispatch for all four departments is consolidated or at least linked in a virtual fashion to allow dispatchers in any one community to track the resources of all Zone D departments. Milwaukee County is currently working to implement new software that would allow for “virtual” consolidation of dispatch without the actual merger of dispatch operations. However, because dispatch is shared with police departments in each of the region’s three dispatch centers, virtual dispatch would require a change in dispatch operations and may require additional dispatchers.

While closest unit response holds great potential to improve area-wide operations, the fiscal and operational impacts on individual communities is difficult to predict. It is likely that the number of calls within one municipality that would be diverted to a different department would be small and that any redistribution would be relatively equal, but it is possible that some departments would see increased call volumes while those of others would shrink. If those gaining volume were either Hales Corners, which relies on POP staff, or Franklin, which is experiencing capacity challenges, then that may be problematic. In addition, sharing resources to backfill stations could be a more frequent occurrence, and it is difficult to determine how that may play out among the four departments based on their own capacity challenges.

On the fiscal side, significant changes in responses could impact the collection of ambulance fee revenue in individual municipalities, as the department making the transport typically collects the reimbursement revenue. It is possible, however, that agreements could be negotiated to allow for the fee revenue to flow back to the host community.

If there is a desire to seriously consider a closest unit response framework, then additional analysis of call volumes by individual station in Franklin and Greenfield or at the neighborhood level in Hales Corners and Greendale could answer these questions (provided such data are collected and available). Such analysis was beyond the scope of this study.

OPTION 3: CONSOLIDATED DEPARTMENT

As noted above, our discussions with the fire chiefs and administrators of the four municipalities found little interest in immediate consideration of a single consolidated Zone D fire department. That said, there was agreement that it would be instructive to sketch out the potential fiscal and operational impacts associated with such an approach.

It is also important to note that during the course of our analysis, the Greendale chief announced his retirement, while Hales Corners decided to appoint its interim chief as permanent chief. The interim chief – who has already spent 37 years with the department – was appointed after the abrupt resignation of the former chief in April. Also, both the Greenfield and Franklin chiefs are nearing retirement age and it is plausible that each may retire within the next three to five years.

It is unknown what impact the vacancy in Greendale and the appointment of a new chief in Hales Corners might have on the willingness to consider a consolidated department. Regardless, the current and near-term vacancies in chief positions is a new development that should encourage renewed consideration.

The potential benefits of a Zone D consolidated department were detailed in our 2012 report and remain largely the same. They include:

- A larger workforce that could reduce the need for overtime to cover for injury, illness, and vacation, and that might aid in recruitment and retention by providing greater opportunities for career ladders and possibly increased compensation.
- Consolidation of non-response tasks such as planning, finance, and inspections to produce greater cost efficiency.
- Consolidation of training and other specialized functions to produce greater cohesion at the scene of incidents.
- Opportunity to redeploy the existing workforce within Zone D based on actual demand, thus possibly eliminating the need to add staff to serve areas that are currently under resourced.
- Opportunity to reduce leadership positions while enhancing the effectiveness of command by allowing leaders to strategically manage and deploy staff and apparatus on a regional level.
- Potential cost savings through more efficient procurement and possible reduction of apparatus and backup apparatus.

The potential drawbacks also are the same as those cited seven years ago. Those include, most prominently, a partial loss of local control by each community over fire and EMS operational and financial decision-making; the possibility that some communities would benefit operationally and fiscally more than others; the possibility that some may need to pay more for fire and EMS than they are paying today; and the challenges involved in consolidating labor contracts, staffing frameworks, and other personnel issues.

In the end, both the benefits and drawbacks would be impacted greatly by the nature of any future negotiations and decisions on cost sharing and governance. While it is possible that those negotiations and decisions could appropriately address the concerns of each municipality and create a “win-win” scenario for each, it is also possible that such issues would not lend themselves to amicable resolution.

Our 2015 report, *Come Together: An Analysis of Fire Department Consolidation in Milwaukee County's North Shore*, documented the success of the North Shore Fire Department and the ways in which the differing concerns of the seven municipalities were resolved. In Zone D, however, there are two paramount issues that would make such resolution challenging:

- The first is the **wide divergence in staffing frameworks between Hales Corners and the other three departments**. As discussed above, Hales Corners pays considerably less per capita for its fire services and EMS in light of its use of a POP staffing model. Hales Corners' participation in a consolidated department that uses a career staffing model would inevitably require it to spend considerably more than it is currently spending. While it is clear that Hales Corners leaders have little interest in pursuing such a scenario today, the challenges we have cited with regard to the POP model may require them to consider a career approach at some point in the future. Should that be the case, then the question would become whether moving to a career staffing framework as part of a consolidated department would be more operationally and fiscally advantageous than pursuing that framework independently.
- The second is the **wide divergence in need for increased capacity between Franklin and the other three departments**. Franklin faces an immediate need for additional staffing at its southernmost station and staffing needs will continue to grow (including the possible need for a fourth station) should expected new development materialize. If Zone D was viewed as a region to be served by a single department, then analysis of call volumes and current staffing levels may reveal that it would be appropriate to shift resources from the north to the south in a way that would still allow all parts of the region to receive a high level of service. That might particularly be the case in the future as call volumes in the southern part of Zone D continue to increase at a faster pace than the rest of the region.

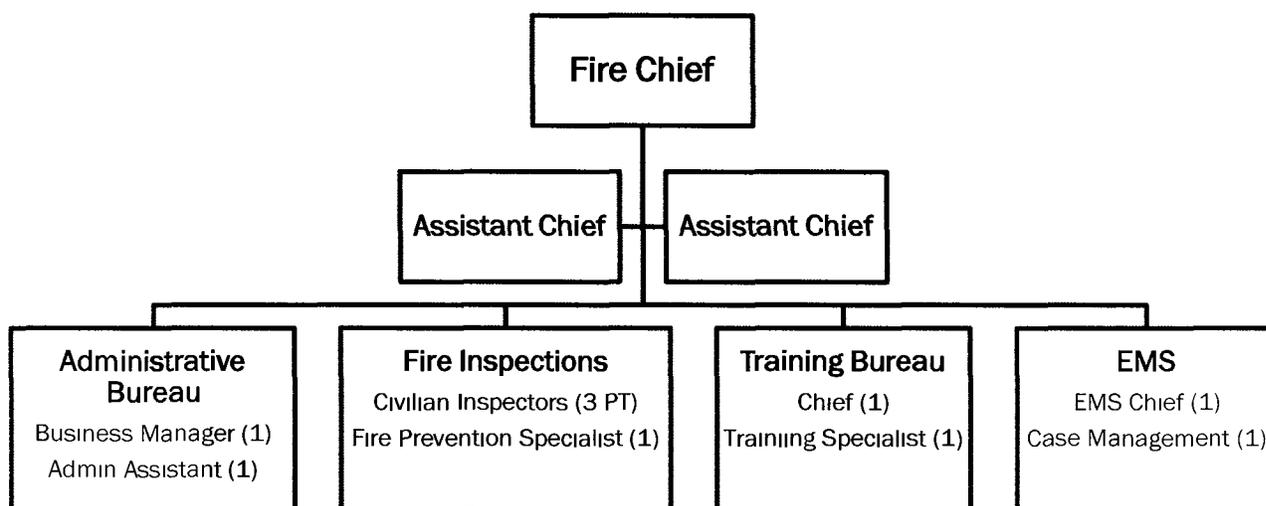
Of course, while being more efficient for the region as a whole, that potential benefit poses a challenge. For example, the other three communities would understandably be concerned about shifting resources from their communities to Franklin and the notion of having their residents subsidize one of the costs associated with Franklin's growth. A potential solution, however, would be to structure the cost sharing formula in a way that takes these factors into account.

Despite the challenging nature of these issues, we believe each of the four municipalities would benefit from considering the potential structure and staffing of a consolidated Zone D department and cost allocation options. We lay out the hypothetical characteristics of such a department below.

NON-SHIFT STAFFING

As described earlier, the four departments currently house a combined 13 positions that are not assigned to shifts. The combined salary and benefit cost of those positions was \$1,619,173 in 2018. We developed a hypothetical staffing model for a consolidated department that instead would house the equivalent of 11.5 non-shift positions, as shown in **Figure 1**. We estimate that the cost of this model would be \$1,380,538, for a **potential annual savings of about \$239,000**.

Figure 1: Hypothetical non-shift staffing for a consolidated department



The consolidated department would reduce the number of chiefs from four to one and retain two assistant chiefs. It would be organized around four bureaus covering administration, inspections, training, and EMS, with training and EMS headed by battalion chief-level positions similar to Option 1 above, and fire inspection/prevention activities overseen by one of the assistant chiefs.

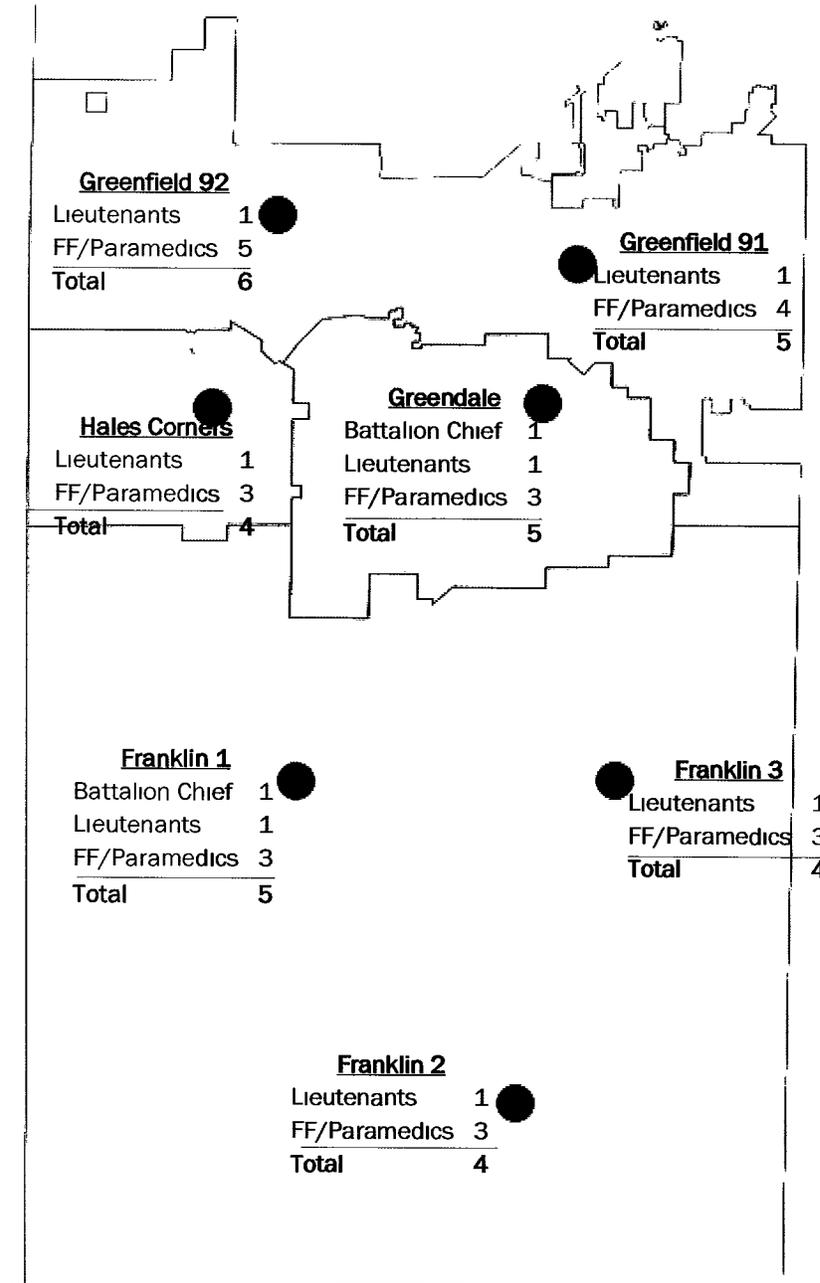
Essentially, **the consolidated department could achieve the goals of enhancing coordination and strategic management of training and EMS as discussed in the previous section but with reduced cost because of the ability to consolidate other administrative positions and tasks.** In addition, while not shown in the table, there could be some additional savings for each municipality by transferring fire department fiscal, human resources, and other administrative functions from the municipalities to the consolidated department’s administrative bureau.

SHIFT STAFFING

We model the consolidated department with no addition of shifts, which means that a combined total of 33 individuals would be serving in shifts at the seven stations under normal working conditions. However, as shown in **Map 6**, we assume some restructuring of shifts among the stations. Specifically, two positions would move from Greenfield 91 to Franklin 2 to better serve the

growing demand in that part of the region, while a battalion chief would replace a captain at the Greendale station, as that is the most centrally located station and would logically serve as the command headquarters. Consequently, the two battalion chiefs on shifts would be located in Greendale and Franklin, instead of Greenfield and Franklin.

Map 6: Hypothetical shift staffing for a consolidated department



Another significant change in the consolidated model is our assumption that it would exclusively employ career staff, thus ending the practice of using POP staff in Hales Corners. We estimate that converting the Hales Corners station from the current mix of career and POP staff exclusively to career staff would produce an **added cost of \$1,053,000**, as shown in **Table 13**.

Table 13: Added cost of converting Hales Corners POP staffing model to career model

| | Required FTE | Cost/FTE | Total |
|--------------------------|-----------------|-----------|--------------------|
| Captain | 3.0 | \$128,800 | \$386,400 |
| FF/paramedic | 12.0 | \$109,200 | \$1,310,400 |
| Total | 15.0 | | \$1,696,800 |
| Current Expense | | | \$644,124 |
| Increased Expense | | | \$1,052,676 |

When we combine the \$239,000 in non-shift staffing savings under our consolidated model with the \$1,053,000 in additional expenditures from a career shift staffing model, we see a **combined added cost of \$814,000**. However, this is a cost that is not attributed to consolidation, but to addressing a potential need for Hales Corners to shift to a career model. It is also important to note that increased ambulance fee revenues that will correspond with projected increases in EMS call volume are not included in our cost estimate.

While cost will be a primary consideration in any discussion of merging the four departments – and while any decision to bear the added cost cited above likely would be linked to a determination that a POP staffing model is no longer viable for Hales Corners – it is also important to consider the operational benefits that might be realized from a consolidated department:

- It would accomplish the transformation to a full career staffing model in all of Zone D, which not only could produce service-level improvements in Hales Corners, but which also could deliver improvements in the neighboring communities because the centrally located Hales Corners station would have enhanced ability to respond to incidents and provide critical back-up in all of Zone D.
- It would provide opportunity to shift some resources southward to more efficiently deploy combined resources in the region. Yet, at the same time, we anticipate that Greenfield (in the north) would not experience a noticeable reduction in service as its loss of shift personnel from Greenfield 91 would be offset by deployment of resources from the Hales Corners and Greendale stations to respond to calls in the southern portions of the city.
- It would create a unified structure for training, EMS case management, fire inspection, and administration to more efficiently coordinate and provide those functions.
- It would effectuate the principles of closest unit response and dynamic resource deployment across municipal boundaries.

- It would allow for substantial efficiencies in managing shift staffing and time off. Currently, each department struggles to accommodate instances where multiple firefighters who are scheduled for shifts are off duty from circumstances like vacation, illness, or family leave. A larger, consolidated department would allow greater flexibility to manage such time off and potentially enhance daily capacity across the seven stations without adding staff.

APPARATUS REPLACEMENT

Another benefit of consolidation is that it would allow for a more efficient use of apparatus by eliminating the need for each individual department to replace each piece of existing apparatus. In total, the four departments currently own 25 major vehicles (excluding miscellaneous vehicles and specialty vehicles). **Table 14** shows that under a consolidated model, the ability to maintain a smaller combined fleet would eliminate the need to replace one engine, one truck, and three med units. It should be noted that this is only one possible plan for apparatus discussed with the chiefs; further analysis on the size of the fleet under a consolidated department would need to occur should such an effort move forward.

Table 14: Current combined apparatus vs. apparatus under a consolidated department

| | Current | Consolidated |
|------------------|-----------|--------------|
| Command Vehicles | 2 | 2 |
| Engines | 8 | 7 |
| Trucks | 3 | 2 |
| Med Units | 12 | 9 |
| Total | 25 | 20 |

We estimate that to maintain the current levels of apparatus, the four departments in total would need to spend \$6.9 million between now and 2040. Franklin holds the largest share of that total liability based on the age of current apparatus. **With the reduction in the fleet shown above, the combined replacement liability could be reduced by about \$2.1 million.**

POTENTIAL COST ALLOCATION

Despite the operational and fleet-related benefits cited above, a scenario in which three other communities help finance Hales Corners' shift to a career model and three other communities also help finance Franklin's need for additional capacity would not be realistic or appropriate. That issue could be addressed through the cost allocation methodology, however.

We show one such methodology in **Table 15**. If Greenfield and Greendale were held harmless from paying for those needs by maintaining the same spending levels for the consolidated department that they are experiencing today, and if Hales Corners and Franklin split the added cost associated with our hypothetical model, **then per capita costs would be more comparable among the four municipalities and all four could experience a "win:"**

- Greenfield and Greendale would pay no more but would derive other benefits associated with a larger, consolidated department as outlined at the beginning of this section, including an overall higher level of service. That improved service would result from having some parts of Greenfield served by closest units in Hales Corners and Greendale, and some parts of Greendale served by closest units from stations in Greenfield and Franklin.
- Hales Corners would be served by a career department with superior response capabilities compared to current service levels at less than half the cost of transforming to a career model on its own.
- Franklin would have to pay an extra \$407,000 annually but would benefit from two additional positions (including a lieutenant) at Station 2 and the other benefits of being served by a consolidated department, while also eliminating its need to potentially restore a deputy chief position. By point of comparison, we estimate that adding two positions across three shifts on its own – which may be necessary in the near term – would cost \$824,000.
- Each department would benefit from a combined \$2.1 million in one time savings in apparatus replacement.

Table 15: Potential cost allocation for consolidated department

| | Current Operating Expense | Additional Cost Due to Consolidation | Total Future Operating Expense | Cost Per Capita |
|---------------|---------------------------|--------------------------------------|--------------------------------|-----------------|
| Franklin | \$4,878,686 | \$407,000 | \$5,285,686 | \$147.73 |
| Greenfield | \$5,508,192 | | \$5,508,192 | \$151.47 |
| Greendale | \$1,849,199 | | \$1,849,199 | \$128.91 |
| Hales Corners | \$696,813 | \$407,000 | \$1,103,813 | \$144.82 |

Another cost allocation issue may be the concern that anticipated growth in Franklin will require a further shift in resources to the south or even the addition of new resources in the future, which would need to be accommodated or financed by all four municipalities. That concern could be addressed, however, by a provision in the intergovernmental agreement that would allow the cost allocation formula to be re-adjusted regularly based on changes in call volumes.

In the end, the question of whether to consolidate the four departments also will be driven by issues like local control – which would be impacted by the composition of a governing board and other issues related to a potential governance agreement – and the extent to which each of the four communities perceives a pressing need to alter the status quo. As discussed at the beginning of this section, we do not detect a great deal of interest among the four communities in immediately pursuing this option, but the above analysis may prove useful if service-level challenges continue to grow and fiscal constraints intensify.

OPTIONS FOR FRANKLIN AND GREENFIELD ONLY

Because the mayors of Franklin and Greenfield approached the Forum to conduct this analysis and those cities have indicated greater interest in pursuing service sharing opportunities than the two villages, this section considers options that would apply only to the Franklin and Greenfield departments. Our range of options is limited to enhanced sharing and consolidation, as the geographical configuration of the region would preclude consideration of a closest unit response framework for just Franklin and Greenfield.

ENHANCED SERVICE SHARING

The primary opportunity for enhanced service sharing between the two cities would involve sharing of battalion chief and/or specialized positions. As noted above, Franklin has a chief and assistant chief position as well as three battalion chiefs who serve on shifts. The assistant chief position currently is vacant, which has required the battalion chiefs to take on considerable extra administrative duties. While the department is in the process of filling the assistant chief position, the chief says the department also could benefit from a deputy chief position that may be requested in a future budget.

Greenfield, on the other hand, has considerable battalion chief capacity. Like Franklin, it has three battalion chiefs who work on shifts, but it also has two battalion chiefs who do not work on shifts to handle community risk reduction/EMS and to coordinate training.

The question arises as to **whether the two departments might share the new battalion chief devoted to training** (as described in the earlier discussion of four-way service sharing), **or whether all of the battalion chiefs (including the two non-shift and six who work shifts) might function as a shared unit** who could back up one another during time off and be managed jointly by the two chiefs. It is possible that Greenfield's EMS case management position and perhaps fire prevention positions also could be part of such a shared unit.

For Franklin, there would be an added cost associated with sharing additional positions with Greenfield, but doing so likely could eliminate the need to add a deputy chief position and would relieve the existing battalion chiefs of administrative duties that – combined with growing call volume – are creating substantial capacity challenges. For Greenfield, sharing the positions would reduce costs, but a key question would be whether the benefits envisioned from new positions would be diluted too much by sharing them with another municipality. Any such dilution, however, could be offset by efficiencies gained from a larger overall command and specialty staff to serve the two communities.

An alternative consideration is whether a single battalion chief assigned to each shift could jointly serve the two cities, instead of the current two battalion chiefs on duty at all times (one in Greenfield and one in Franklin). Additional analysis of call volumes and need would be required to determine whether such an arrangement would be viable from an operational perspective. If it is, then this could offer an opportunity for Franklin to redirect the dollars saved by splitting the cost of a single battalion chief shift to at least partially pay for a new firefighter/paramedic shift. While Greenfield

does not have as great a need for the savings, it too could benefit from enhanced firefighter/paramedic capacity in Franklin given the frequency with which the two departments provide mutual aid for one another.

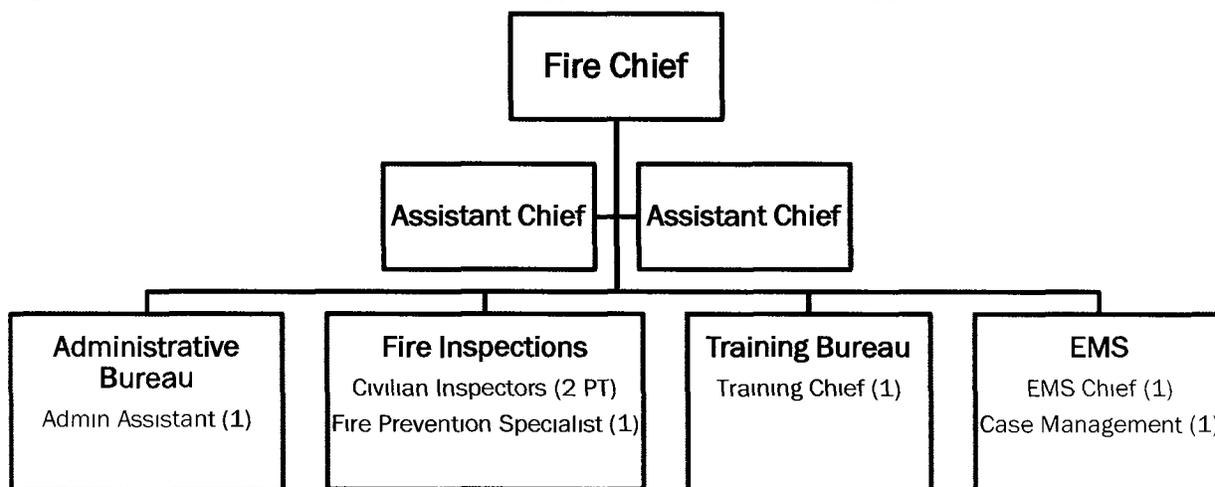
CONSOLIDATION OPTION

We also explored the potential benefits of consolidating the Franklin and Greenfield departments. Geography would be a significant barrier, as the advantages gained by eliminating municipal boundaries and strategically deploying resources across the five stations would be nullified by having two non-participants situated between the two (except in the small region where the two cities share a boundary). On the positive side, eliminating a chief and assistant chief position and consolidating command and specialty functions could produce a small financial savings and enhance departmental efficiency.

Figure 2 shows one option for non-shift staffing if Franklin and Greenfield were to consolidate operations. This staffing plan would reduce current combined non-shift staffing of 11 FTEs to 9 FTEs by eliminating one chief and one full-time fire inspection position while maintaining two assistant chiefs and the two non-shift battalion chiefs employed in Greenfield. It is assumed that one of the assistant chiefs would supervise fire inspection/prevention activities.

We estimate that the cost savings from such an approach would total about \$223,000 annually. It is important to note that this staffing framework also would eliminate the need for Franklin to consider creating a new deputy chief position; those costs savings are not included in our estimate.

Figure 2: Franklin/Greenfield consolidation hypothetical non-shift staffing plan



A Franklin/Greenfield consolidation potentially could address growing call volumes with no additional shift staffing. Instead, consolidation potentially could delay the need to add shifts in Franklin by moving a shift from Greenfield 91 to Franklin 2. Ostensibly, such a move would not harm response capacity in Greenfield because Franklin 3 could provide greater service to the southeast portion of that city. Of course, as was the case with the four-way consolidation option discussed above, such a

transfer of resources from north to south likely would need to be reflected by a higher payment by Franklin as part of the cost sharing formula.

Finally, we project that a consolidated department could allow for the reduction of two vehicles – a command unit and a med unit – from the existing fleet. This would result in a replacement savings of approximately \$221,000.

Despite these modest savings, both the geographical challenges and the vastly different needs of the two cities going forward – with Franklin needing to add staff to meet growing call volumes and Greenfield already having successfully accomplished that objective – would appear to call into question the efficacy of consolidation. The potential efficiencies to be gained from merging non-shift staffing could be achieved, in part, by sharing battalion chiefs and other specialized positions without consolidating. Meanwhile, other advantages typically gained from consolidation – such as the opportunity to share the cost of moving to a career staffing model and improve service through closest unit response – would not be relevant in this scenario.

Consequently, **unless Greendale and Hales Corners are interested in participating in a consolidation plan, it is questionable whether such a plan would be worthy of pursuit.** On the other hand, if Franklin and Greenfield initiate a two-way merger, then that might enhance interest in Hales Corners and Greendale to participate in a consolidated Zone D department, particularly in light of their respective changes in fire department leadership.

CONCLUSION

Our updated examination of fire and EMS capabilities and challenges in Franklin, Greenfield, Greendale, and Hales Corners finds some progress in addressing issues and concerns raised during our 2012 analysis, yet continued growth or emergence of other challenges.

On the positive side, Greenfield secured resources through a voter referendum to add two fire department positions while Greendale moved into a new fire station in 2017. Greendale and Hales Corners also merged their dispatch operations since our previous study, thus improving communications between the two communities and facilitating the implementation of an automatic aid agreement.

Still, important concerns remain. Fiscal pressures have intensified for each of the four municipalities in light of several successive years of flat state aids and the impacts of strict state-imposed property tax levy limits. Each of the four also faces growing EMS call volumes. These pressures have been most acute in Franklin, which is projected to grow but lacks the financial wherewithal to keep pace with its need to add firefighting positions.

Meanwhile, the Hales Corners department has experienced alarming challenges with its POP staffing model, though it has recently made several hires and, according to the new chief, has now put those challenges behind it. And, both Hales Corners and Greendale have recently seen chiefs resign or announce their retirement.

While some circumstances have changed, the key question remains the same: **by working more collaboratively, could the four individual departments address their mutual challenges in a more effective fashion than if they did so individually while providing a higher level of service to the region as a whole?**

We believe the answer is “yes.” Our analysis and discussion with the chiefs shows that possible benefits could emerge from a range of possibilities:

- Each of the departments could benefit from sharing with Greenfield the positions it has created for EMS case management and training; and from a more formal structure for sharing battalion chiefs that could improve operations and financial equity.
- A “closest unit response” framework and an agreement to deploy back-up resources across municipal boundaries could improve response times in parts of Zone D and enhance overall operational capacity and public safety.
- A fully consolidated department would deliver the benefits of sharing specialized positions and battalion chiefs and ensuring closest unit response/improved back-up while also reducing the cost of command, administration, and apparatus replacement and further enhancing operational efficiency, including more efficient allocation of shift staffing to accommodate time off.

Yet, moving forward with any of these options may not be appropriate in light of the different circumstances facing each municipality. The enhanced service sharing and (especially) consolidation options would require a willingness by Hales Corners to pay more for a higher level of service than it

may not feel it needs. Greendale's additional costs may be non-existent or not as significant but a change to the status quo similarly may be deemed unnecessary. Pursuit of certain options may allow Greenfield to reduce costs, but also may require the movement of fire and EMS resources to the south in a manner deemed undesirable by city leaders. Franklin would appear to have the most to gain in light of its need for enhanced service capacity, but it too may need to shoulder a cost it is not willing to pay.

Closest unit response and deployment of resources across municipal boundaries offer improved operations without clear fiscal impacts, but pursuit of those options also may pose challenges. Specifically, the two larger, better equipped departments may object to such a framework given a concern that they may find themselves more often on the giving end than the receiving end of such a reciprocal arrangement.

It is when we look further under the surface that a more compelling case for action emerges. For example, one could argue that Franklin's capacity challenges are a threat not only to its citizens, but also to the region as a whole given the prominent role it plays in providing mutual aid and battalion chief capacity. Similarly, while Greenfield recently secured additional resources through voter referendum, its growing EMS call volume and continued budget challenges may ultimately compromise its capacity or willingness to provide current levels of assistance to its neighbors. Consequently, a proactive, collaborative effort among the four communities to head off these issues – and to address the challenges posed by Hales Corners' reliance on part-time staff – would appear to be prudent.

In addition, the fiscal analysis presented in this study suggests that “going it alone” may have a much larger price tag for both Franklin and Hales Corners (assuming that Hales Corners eventually needs to implement a career staffing model) than joining in a consolidated department with Greenfield and Greendale.

Should local circumstances not justify such action at this time, then greater collaboration between Franklin and Greenfield would appear to be a logical starting point, both as a means of collectively addressing Franklin's near-term capacity concerns and as a mechanism for demonstrating the benefits of cooperation. While Franklin would appear to have much more to gain from such collaboration than Greenfield, the Greenfield chief recognizes that a joint effort to enhance fire and EMS response capability in Franklin also benefits his city in light of the extent to which the two communities rely on each other for back-up and coordination.

Overall, we hope this analysis sheds further light on the current state and future challenges associated with fire response and EMS in the Zone D region. Going forward, we would be pleased to support any efforts to implement the policy options cited in this report or otherwise assist the four municipalities in pursuing greater intergovernmental cooperation.

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| <p>APPROVAL</p> <p><i>slw</i></p> | <p>REQUEST FOR COUNCIL ACTION</p> | <p>MEETING DATE</p> <p>12/17/19</p> |
| <p>REPORTS & RECOMMENDATIONS</p> | <p>AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOT 1 OF CERTIFIED SURVEY MAP NO. _____ FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT (LOCATED AT 10082 SOUTH 124TH STREET AND PROPERTY GENERALLY LOCATED SOUTH OF LOOMIS COURT AND EAST OF SOUTH NORTH CAPE ROAD)</p> <p>(APPROXIMATELY 33.05 ACRES)</p> <p>(BEAR DEVELOPMENT, LLC, APPLICANT)</p> | <p>ITEM NUMBER</p> <p><i>B.1.</i></p> |

At the December 5, 2019, regular meeting, the Plan Commission carried a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone Lot 1 of Certified Survey Map no. _____ from R-2 Estate Single-Family Residence District to M-2 General Industrial District (located at 10082 South 124th Street and property generally located south of Loomis Court and east of South North Cape Road) (approximately 33.05 acres).

Per Section 5 of this Ordinance: "This zoning map amendment is conditional upon and no development shall occur prior to the submission and City review and approval of a Site Plan and/or Special Use".

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance 2019-_____, to amend the Unified Development Ordinance (zoning map) to rezone Lot 1 of Certified Survey Map no. _____ from R-2 Estate Single-family Residence District to M-2 General Industrial District (located at 10082 South 124th Street and property generally located south of Loomis Court and east of South North Cape Road) (approximately 33.05 acres) (Bear Development, LLC, applicant)

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE LOT 1 OF CERTIFIED
SURVEY MAP NO. _____ FROM R-2 ESTATE SINGLE-FAMILY
RESIDENCE DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT
(LOCATED AT 10082 SOUTH 124TH STREET AND PROPERTY
GENERALLY LOCATED SOUTH OF LOOMIS COURT
AND EAST OF SOUTH NORTH CAPE ROAD)
(APPROXIMATELY 33.05 ACRES)
(BEAR DEVELOPMENT, LLC, APPLICANT)

WHEREAS, Bear Development, LLC having petitioned for the rezoning of approximately 33.05 acres of land, Lot 1 of Certified Survey Map No. _____, from R-2 Estate Single-Family Residence District to M-2 General Industrial District, such land located at 10082 South 124th Street and property generally located south of Loomis Court and east of South North Cape Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 5th day of December, 2019, 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 Lot 1 of Certified Survey Map No. _____, described below, be changed from R-2 Estate Single-Family Residence District to M-2 General Industrial District:

Being a parcel of land located in the Fractional Northwest Quarter of the Southwest Quarter of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more fully

described as follows: Beginning at the West Quarter corner of Section 30; Thence S89°39'32"E coincident with the North line of the Fractional Northwest Quarter of the Southwest Quarter of Section 30 a distance of 996.25 feet; Thence S00°25'41"E a distance of 874.50 feet; Thence N89°39'32"W a distance 996.25 feet to its intersection with the West line of the Fractional Northwest Quarter of the Southwest Quarter of Section 30; Thence N00°25'41"W coincident with said West line a distance of 874.50 feet to the point of beginning. Said parcel contains 20.000 acres (871,221 square feet) more or less. Subject to all easements and restrictions of record; and, property being a parcel of land located in the Fractional Northwest Quarter of the Southwest Quarter and the West half of the Northeast Quarter of the Southwest Quarter of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more fully described as follows: Commencing at the West Quarter corner of Section 30; Thence S89°39'32"E coincident with the North line of the Fractional Northwest Quarter of the Southwest Quarter of Section 30 a distance of 996.25 feet to the point of beginning. Thence S89°39'32"E coincident with the North line of the Southwest Quarter of Section 30, a distance of 1012.48 feet to the Northeast corner of the West half of the Northeast Quarter of the Southwest Quarter of said Section 30; Thence S00°34'08"E coincident with the East line of the West half of the Northeast Quarter of the Southwest Quarter of said Section 30, a distance of 409.08 feet; Thence S61°45'56"W a distance of 504.80 feet; Thence S89°34'40"W a distance of 197.11 feet; Thence N57°48'56"W a distance of 290.15 feet; Thence S89°34'40"W a distance of 125.33 feet; Thence N00°25'41"W a distance of 501.74 feet to its intersection with the North line of the Fractional Northwest Quarter of the Southwest Quarter of Section 30 also being the point of beginning; Said parcel contains 13.052 acres (568,538 Square feet) more or less. Subject to all easements and restrictions of record. Tax Key Nos. 939-9994-000 and 939-9995-000.

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 its

passage and publication.

SECTION 5: This zoning map amendment is conditional upon and no development shall occur prior to the submission and City review and approval of a Site Plan and/or Special Use.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of December 5, 2019

Rezoning, Certified Survey Map and Land Division Variance

RECOMMENDATION: City Development Staff recommends approval of the Rezoning, Certified Survey Map (CSM) and Land Division Variance, applications submitted by Bear Development, LLC., subject to the conditions in the draft resolutions and draft ordinance.

| | |
|--------------------------------------|--|
| Project Name: | Bear Development Rezoning, Certified Survey Map, and Land Division Variance |
| Project Location: | 10082 124th Street/Tax Key No. 939 9994 000 and property generally located south of Loomis Court and east of South North Cape Road/Tax Key No. 939 9995 000 |
| Property Owner: | Franklin Mills, LLC (Tax Key No. 939 9995 000) and Daniel and Virginia Mathson (Tax Key No. 939 9994 000) |
| Applicant: | Daniel Szczap. Bear Development, LLC |
| Current Zoning: | 939 9994 000 /R-2 Estate Single-Family Residence District, R-8 Multiple-Family Residence District, and C-1 Conservancy District 939 9995 000 /R-2 Estate Single-Family Residence District |
| Proposed Zoning: | R-3 Suburban/Estate Single-Family Residence District. |
| 2025 Comprehensive Plan: | Business Park and Areas of Natural Resource Features |
| Applicant's Action Requested: | Recommendation of approval of the Rezoning and Certified Survey Map, and approval of the Land Division Variance request. |

Introduction

On October 10, 2019, the applicant, Bear Development, LLC, filed applications for a Rezoning and Certified Survey Map (CSM) for properties bearing Tax Key Nos. 939-9994-000 and 939-9995-000. City Development staff determined that a Land Division Variance is required for the proposed CSM, the applicant submitted such application on October 21, 2019.

All applications are related to the reconfiguration of two existing lots to allow Franklin Mills, LLC to purchase approximately 13 acres of land from the Mathson family.

The proposed Lot 1 is anticipated for Business Park/Industrial development; however, detailed plans have not yet been provided. The applicant does not have a specific development proposal for this land at this time. A general description of the proposed development, a site plan, a landscape plan, and architectural plans, as required by Section 15-9.0203 of the UDO, have not been provided. However, it can be noted that the City has not always required such information when specific development proposals were unknown at the time of the rezoning.

It should also be noted that any future development will require use and site plan approval by the City. Further, additional information related to the site plan, landscaping, lighting, signage, storm water, grading, etc. will be required at that time.

The applicant is requesting that the required Landscape Bufferyard Easement be 25' in depth rather than the typical 30'. It can be noted that the depth of the required landscape bufferyard easement is only specified in Section 15-5.0102 of the UDO, in regard to limited access highways. Staff recommends that the typical 30' bufferyard easement be provided.

The applicant is also requesting to defer, to the time of development, the requirement to place protected natural resource features within conservation easements. Staff recommends that the conservation easement be provided as part of, and recorded simultaneously with, the CSM as required by Section 15-7.0702P. of the UDO.

Project Description and Analysis

Certified Survey Map:

The proposed Certified Survey Map reconfigures the subject two lots. The southernmost lot abutting S. 124th Street is owned by Daniel & Virginia Mathson and Robert Mathson. The property is currently about 41.24 acres. The lot to the north is owned by Franklin Mills LLC and is approximately 20.01 acres.

The CSM creates two new lots with Lot 1 having an area of approximately 33.051 acres (to be owned by Franklin Mills LLC) and Lot 2 having an area of about 28.408 acres (to remain owned by Daniel & Virginia Mathson and Robert Mathson). Again, the land division request will allow Franklin Mills, LLC to purchase about 13 acres of land to combine to their existing parcel.

Land Division Variance:

The Land Division Variance request is necessary in conjunction with the CSM as the proposed Lot 1 does not abut 60-feet of frontage along a public right-of-way as required by Section 15-5.0101B.1. of the Unified Development Ordinance (UDO). This property has access to S. North Cape Road through a 60-foot wide ingress/egress easement on the property to the west, which was designated on CSM No. 11704 and, in part, is for the specific benefit of this parcel. It should be noted that this outlot is also owned by Franklin Mills, LLC.

Rezoning:

The Rezoning Application proposes to change the zoning of the proposed Lot 1 from R-2 Residence District to M-2 General Industrial District for potential future industrial development. The applicant is not proposing to rezone the proposed Lot 2; therefore, it will remain as currently zoned (R-8, R-2, and C-1 districts).

Section 15-3.0103 of the UDO states that split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed except for the AO, FW, FC, and SW Districts.

The applicant is requesting that Lot 2 remain as currently zoned as it already consists of split zoning. The applicant has further indicated that the Mathson family does not have plans at this time to develop the property. However, pursuant to Section 15-3.0103 of the UDO, staff recommends that the rezoning request be revised to eliminate the split lot zoning.

Comprehensive Master Plan:

The area to be rezoned is designated as Business Park and Areas of Natural Resource Features on the City's 2025 Future Land Use Map. The proposed rezoning to the M-2 District for the proposed Lot 1 is consistent with the City's Comprehensive Master Plan; therefore, an amendment is not required.

Recommendation

Staff recommends approval of the rezoning, Certified Survey Map, and Land Division Variance subject to the conditions in the draft resolutions and draft ordinance.

Staff suggestions include:

- That Monarch Drive (approved but not yet constructed as part of the adjacent Industrial Park) be extended through the proposed lot 1 (via reservation or dedication) to connect to S. 124th Street. It can be noted that Monarch Drive (from Chicory Street to its dead end at the northeastern corner of Lot 1 of the proposed CSM) is over 1,200 feet in length, which exceeds the UDO maximum cul-de-sac length of 800 feet.
- That the applicant prepare general description of the proposed development, a preliminary site plan, a preliminary landscape plan, and preliminary architectural plans, as required by Section 15-9.0203 of the UDO.

Recommended Motions

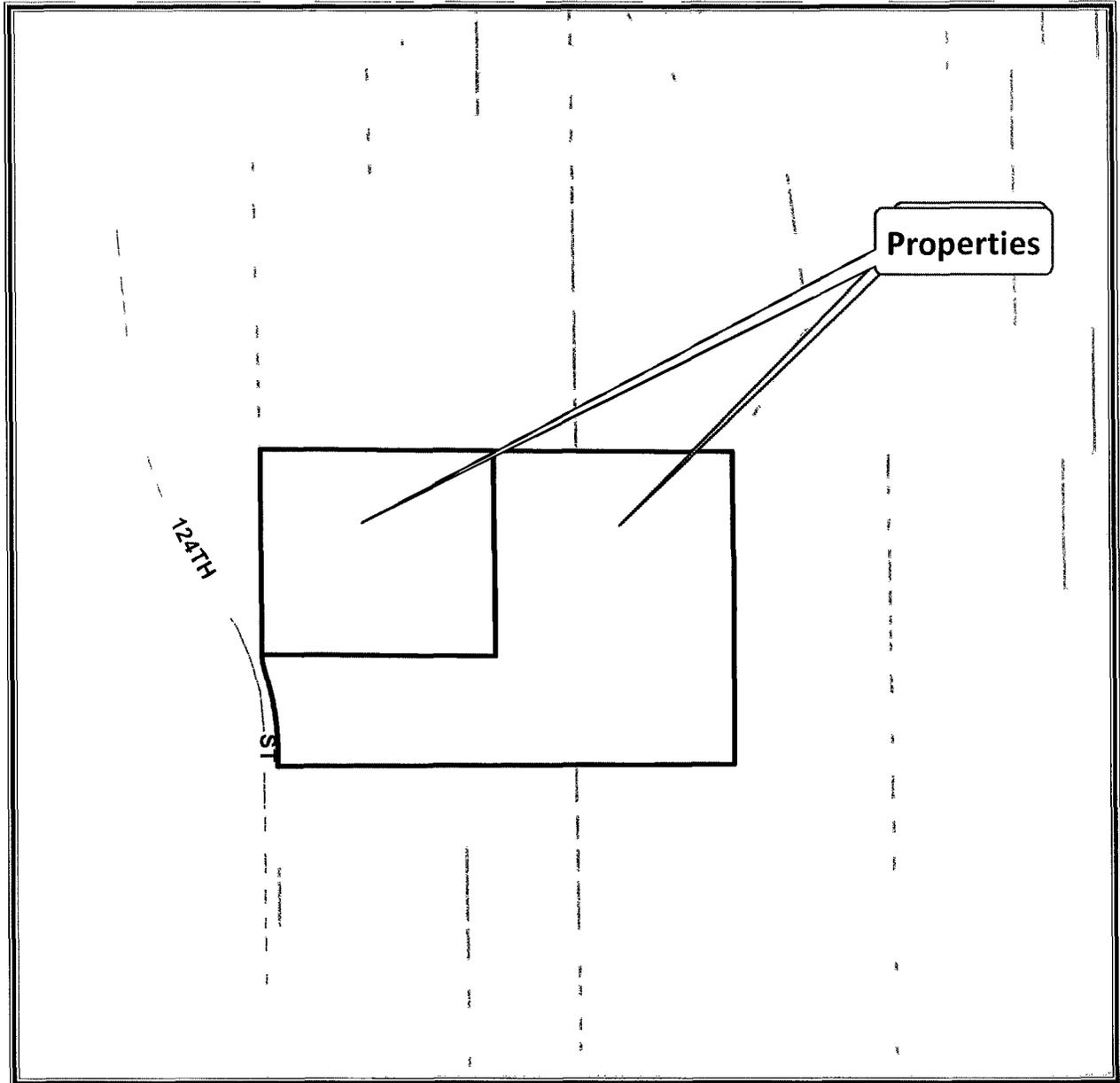
Motions to recommend approval of the Rezoning and Certified Survey Map Applications and a motion to approve the Land Division Variance request.

With regards to the conditions of approval for the Certified Survey Map Resolution, the applicant is requesting the following:

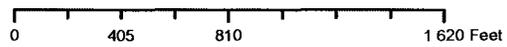
- Condition No. 6. The applicant is requesting to defer any rezoning classification of Lot 2 to the time of development.
- Conditions No. 7 and 8. The applicant is requesting to postpone the delineation of outlots and conservation easement to the time of development.
- Condition No. 9. The applicant is requesting to reduce the landscape buffer width from 30 feet to 25 feet. It is noted that the UDO Section 15-5.0302 does not regulate the width of buffers separating different zoning districts.



TKN: 939 9994 000
939 9995 000



Planning Department
(414) 425-4024



2017 Aerial Photo

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



DEVELOPMENT

4011 80th Street, Kenosha, WI 53142
Phone: (262) 842-0556 Fax: (262) 842-0557

November 19, 2019

Mr Regulo Martinez-Montilva
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Martinez-Montilva

Bear Development is in receipt of the City of Franklin Staff Review comments dated October 31, 2018 regarding our applications for Certified Survey Map and Rezoning We appreciate the thorough review of our submittal. We are pleased to submit this letter and the enclosed materials in preparation for the December 5, 2019 Plan Commission Meeting and the December 12, 2019 Common Council Meeting

Franklin Mills, LLC and the Mathson Family recently submitted applications for Certified Survey Map and Rezoning for approximately 33 acres located west of 124th Street The purpose of the applications is to create individual parcels in order to reclassify the zoning on the property shown as Lot 1.

We understand that this is the initial step in a series of entitlement/approvals required to develop the property. Please note that at this time, only the 33 acres as shown as Lot 1 of the Certified Survey Map is contemplated for development at this time.

Please find our responses to the City Staff comments, in order as they appear in the October 31, 2019 Memorandum

Certified Survey Map

- Comment 1.) (a) Revisions have been incorporated.
- Comment 1.) (b) Revisions have been incorporated.
- Comment 1.) (c) Revisions have been incorporated.
- Comment 1) (d) Per our September 26, 2019 Staff Meeting, Bear Development represented that a wetland fill permit is needed to accommodate development on Lot 1, specifically regarding the isolated, farmed wetlands on the eastern half of proposed Lot 1. We are respectfully requesting that a Conservation Easement not be required over these specific wetlands at this time Please see Note #4, Page 5 of the revised Certified Survey Map.

We understand that these wetlands are regulated by City, State and Federal regulations, and if the applicant is not granted a Wetland Impact permit by the

5

WDNR and Army Corps of Engineers, a Conservation Easement will be placed over these features. Please note that this process takes significant time.

Further, Lot 2 of the proposed CSM is not contemplated for development in the short term and will be retained by the Mathson Family. We request that a note be added to the Certified Survey Map stating that a detailed Natural Resource Protection Plan and Conservation Easements will be required prior to any further land division, zoning reclassification or any other municipal approval for Lot 2. Please note that a Certified Survey note, very similar to this was included during the Ryan Meadows proceedings. Please see Note # 3, Page 5 of the revised Certified Survey Map.

Comment 2.)

Upon researching the City of Franklin Unified Development Ordinance, specific reference to the width of the landscape bufferyard cannot be found. We respectfully request a 25' Landscape Bufferyard along the portions of property which abut Residential zoning districts.

Please note that the City of Franklin Comprehensive Plan designates the subject property and the adjacent lands as Business Park. Therefore, it is assumed that the adjacent lands which are zoned Residential will ultimately be rezoned to a zoning classification that is consistent with the Comprehensive Plan.

Comment 3.)

Lot 2 of the proposed Certified Survey Map is not contemplated for short term development. We respectfully request that restrictions to Lot 2 in form of easements or dedicated Outlots be deferred to such time that a development proposal for the subject property is brought forth. As indicated previously, Lot 2 is being retained by the Mathson Family and their intentions for the property are not known at this time. Please see response in Comment 1, above. Please see Note #5, Page 5 of the revised Certified Survey Map.

Comment 4.)

Dedication language has been removed.

Comment 5.)

There is not enough room on Page 1 of the Certified Survey Map to include the zoning language. Zoning information has been included on Page 5 of the Certified Survey Map.

Rezoning

Comment 6.)

The Boundary Exhibit has been revised.

Comment 7.)

The requested revisions have been incorporated.

Comment 8.)

Can the City of Franklin provide a Legal Description of the lands shown as C-1 District on the City Maps? The applicant requests clarification as to how this can be determined.

Comment 9.)

Please note that Lot 2 is not contemplated for development at this time and is being retained by the Mathson Family. The subject property currently exists with multiple zoning classifications. The Applicants respectfully request that any zoning reclassification for Lot 2 be deferred to such time as a development proposal is brought forward. Please see Note #5, Page 5 of the revised Certified Survey Map.

Land Division Variance

Comment 10.) Noted. The requested language will be added to the Certified Survey Map

Engineering Department Comments

Comment 11) Noted.
Comment 12) Noted. Comments have been addressed
Comment 13) The closure has been addressed
Comment 14) Noted

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

Thank you for your time and consideration We look forward to meeting with the City Plan Commission and Common Council in December

Sincerely,



Daniel Szczap
Bear Development, LLC

MEMORANDUM

Date: October 31, 2019
Responses on November 19, 2019

To: Daniel Szczap, Bear Development, LLC

From: City of Franklin, Department of City Development

RE: Bear Development Rezoning, Certified Survey Map, and Land Division Variance Applications - Comments and Recommendations

Below are comments and recommendations for the proposed Rezoning, Certified Survey Map, and Land Division Variance applications submitted by Bear Development for properties bearing Tax Key Nos. 939-9994-000 and 939-9995-000.

Certified Survey Map, as required by the Unified Development Ordinance (UDO)

1. Per Section 15-7.0702 of the Unified Development Ordinance (UDO), please show correctly on the face of the CSM, in addition to the information required by § 236.34 of the Wisconsin Statutes, the following:
 - a. **Map Date.** Date of the Certified Survey Map with all dates of revision.
Revisions have been incorporated.
 - b. **Owner, Subdivider, Land Surveyor.** Name and address of the owner, Subdivider, and Land Surveyor. – Property owners must be labeled (Franklin Mills, LLC and Mathson, Daniel L. & Virginia K (L/E) and Mathson, Robert ET AL.
Revisions have been incorporated.
 - c. **Existing Zoning.** The Certified Survey Map shall indicate on its face the current zoning and zoning boundary lines of all parcels, lots or outlots proposed to be created by the Certified Survey Map. – Please label the zoning districts of each parcel.
Revisions have been incorporated.
 - d. **Location of Proposed Deed Restrictions, Landscape Easements, and/or Conservation Easements.** The location of any proposed deed restrictions, landscape easements, and/or conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map. The location and extent of conservation easements should be directly related to the "Natural Resource Protection Plan." Deed restrictions and/or conservation easements as required by this Ordinance shall be filed with the Certified Survey Map or submitted for review as a condition of any approval thereof, in the manner and for the purposes as set forth under § 15-7.0603D. for final plats. – All protected natural resources on the proposed lots must be made part of a Conservation Easement. This boundary must be shown on the CSM. Please obtain a copy of the City of Franklin Conservation Easement and Landscape Bufferyard template from the Planning Department.

Per our September 26, 2019 Staff Meeting, Bear Development represented that a

wetland fill permit is needed to accommodate development on Lot 1, specifically regarding the isolated, farmed wetlands on the eastern half of proposed Lot 1. We are respectfully requesting that a Conservation Easement not be required over these specific wetlands at this time. Please see Note #4, Page 5 of the revised Certified Survey Map

We understand that these wetlands are regulated by City, State and Federal regulations, and if the applicant is not granted a Wetland Impact permit by the WDNR and Army Corps of Engineers, a Conservation Easement will be placed over these features. Please note that this process takes significant time.

Further, Lot 2 of the proposed CSM is not contemplated for development in the short term and will be retained by the Mathson Family. We request that a note be added to the Certified Survey Map stating that a detailed Natural Resource Protection Plan and Conservation Easements will be required prior to any further land division, zoning reclassification or any other municipal approval for Lot 2. Please note that a Certified Survey note, very similar to this was included during the Ryan Meadows proceedings. Please see Note # 3, Page 5 of the revised Certified Survey Map.

2. Per UDO Section 15-5.0302 landscape bufferyards are required to separate different zoning districts. Given the proposed zoning for Lot 1 is M-2 General Industrial District, the CSM should depict a landscape bufferyard easement where said lot abuts residential zoning districts, such as R-2 and R-8. For your convenience, a landscape bufferyard easement template is available at the Planning Department as previously noted. Upon researching the City of Franklin Unified Development Ordinance, specific reference to the width of the landscape bufferyard cannot be found. We respectfully request a 25' Landscape Bufferyard along the portions of property which abut Residential zoning districts.

Please note that the City of Franklin Comprehensive Plan designates the subject property and the adjacent lands as Business Park. Therefore, it is assumed that the adjacent lands which are zoned Residential will ultimately be rezoned to a zoning classification that is consistent with the Comprehensive Plan.

Additional staff comments

Certified Survey Map

3. It is recommended that all protected natural resource features should be located within outlots. Specifically, the wetlands and associated buffers and setbacks located on east central portion of the CSM and the mature woodlands located in the southeast corner.

Lot 2 of the proposed Certified Survey Map is not contemplated for short term development. We respectfully request that restrictions to Lot 2 in form of easements or dedicated Outlots be deferred to such time that a development proposal for the subject property is brought forth. As indicated previously, Lot 2 is being retained by the Mathson Family and their intentions for the property are not known at this time. Please see response in Comment 1, above. Please see Note #5, Page 5 of the revised Certified Survey Map.

4. Is any land being dedicated to the City? If not, "and dedication accepted" should be deleted on Sheet 5 under City of Franklin Common Council Approval.

Dedication language has been removed.

5. It is recommended that the zoning setback notes on Sheets 4 and 6 be moved to Sheet 1.

There is not enough room on Page 1 of the Certified Survey Map to include the zoning language. Zoning information has been included on Page 5 of the Certified Survey Map.

Rezoning

6. It is recommended that the Boundary Exhibit be revised or an additional exhibit provided to clearly illustrate the rezoning request.

It is recommended that an exhibit be labeled "Rezoning Exhibit," which clearly states the current zoning and proposed zoning.

This exhibit must only identify those lands to be rezoned. The Boundary Exhibit includes Outlot 1 of CSM 11704. This is recommended not to be shown in the same manner as the area to be rezoned as this outlot is not part of the rezoning request.

It is understood that this property is owned by Franklin Mills, LLC and that it contains the access easement to the proposed Lot 1. If shown for reference, it should just not be included within the boundary of the area to be rezoned.

The Boundary Exhibit has been revised.

7. It is also recommended that the property address and tax key be included on the Rezoning Exhibit for each parcel and that the outer boundary be labeled as the proposed lot 1.

The requested revisions have been incorporated.

8. Please confirm that no part of the existing C-1 District zoning extends onto the Proposed Lot 1/area to be rezoned.

Can the City of Franklin provide a Legal Description of the lands shown as C-1 District on the City Maps? The applicant requests clarification as to how this can be determined.

9. Per UDO Section 15-3.0103A.3 , it is recommended that the proposed Lot 2 be rezoned to a single zoning district in conjunction with the CSM Application.

Please note that Lot 2 is not contemplated for development at this time and is being retained by the Mathson Family. The subject property currently exists with multiple zoning classifications. The Applicants respectfully request that any zoning reclassification for Lot 2 be deferred to such time as a development proposal is brought forward. Please see Note #5, Page 5 of the revised Certified Survey Map.

Land Division Variance:

10. It is recommended that a note be added to the CSM stating that a Land Division Variance has been granted by the City of Franklin pertaining to the lack of access to a public street, subject to the allowed access via easement through Outlot 1 of CSM No. 11704, that such access shall be granted in perpetuity, and if at any time should such access be removed, that the subject lot shall become non-conforming in regard to such access.

The requested language has been added to the Certified Survey Map

Engineering Department comments

11. "Must approve the rezoning proposal by the Common Council before the approval of the proposed land division".

Noted.

12. "Must resolve the technical omissions and deficiencies identified by Milwaukee County. City comments may be revised to reflect changes required by Milwaukee County. Under the Engineering review the following must be addressed:

- a. On page 1 of 6, show the coordinates (Northing & Easting) of the reference section corners and add a note, "Lot 1 & 2 is not Served by Public Sanitary Sewer & Water". Also, show the location/vicinity map.
- b. On page 4 of 6, under the Surveyor's Certificate, at the end of the last paragraph, insert after Wisconsin Statutes "and the Unified Development Ordinance – Division 15 of the City of Franklin in surveying, dividing and mapping the same.
- c. On pages 4 to 6, change the description under the Certified Survey Map Number to reflect previous pages of this proposal.
- d. On page 5 of 6, under the City of Franklin Common Council Approval, remove the word "Dedication". At this point, no dedication is being proposed".

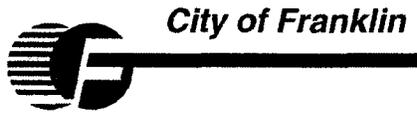
Noted. Comments have been addressed.

13. "Must check the closure of the internal land division of lot 1 & 2. The bearing S00D34'08" with the distance of 504.80 may need to be rectified"

The closure has been addressed.

14. In case the land division variance is not approved, "Lot 1 should be considered as Outlot 1 for lack of public road access".

Noted.



Date of Application: 8/27/2019

REZONING APPLICATION

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

| | |
|---|---|
| Applicant (Full Legal Name[s]) Name <u>Daniel Szczap</u> Company <u>Bear Development, LLC</u> Mailing Address <u>4011 80th Street</u> City / State <u>Kenosha, WI</u> Zip <u>53142</u> Phone <u>(262) 842-0556</u> Email Address <u>dan@beardevelopment.com</u> | Applicant is Represented by (contact person)(Full Legal Name[s]) Name _____ Company _____ Mailing Address _____ City / State _____ Zip _____ Phone _____ Email Address _____ |
| Project Property Information. Property Address <u>Vacant Land East of 124th Street, South of STH 36</u> Property Owner(s) <u>Daniel & Virginia Mathson, Etal</u> Mailing Address <u>19370 Killarney Way</u> City / State <u>Brookfield, WI</u> Zip <u>53045</u> Email Address _____ | Tax Key Nos <u>Part of 939-9994-000</u> Existing Zoning <u>R-2 Estate Single-Family Residence District</u> Existing Use <u>Vacant, Agrnculture</u> Proposed Use <u>M-2 General Industrial District</u> CMP Land Use Identification <u>Business Park</u> |

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

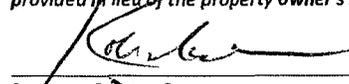
Rezoning submittals for review must include and be accompanied by the following:

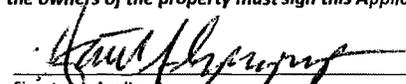
- This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- Application Filing Fee, payable to City of Franklin \$1,250 \$350 (One Parcel Residential)
- Legal Description for the subject property (WORD doc or compatible format)
- Seven (7) complete collated sets of Application materials to include
 - One (1) original and six (6) copies of a written Project Summary, including a general description of the proposed development of the property, proposal's intent, impacts, and consistency with the Comprehensive Master Plan
 - Seven (7) folded copies of a Plot Plan, or Site Plan, drawn to a reasonable scale (at least 11"x17" or as determined by the City Planner or City Engineer) and fully dimensioned showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned
- Email (or CD ROM) with all plans/submittal materials
- Additional Information as may be required

- Additional notice to and approval required for amendments or rezoning in the FW, FC, FFO, and SW Districts
- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- Requires a Class II Public Hearing notice at Plan Commission
- Rezoning requests require Plan Commission review and recommendation and Common Council approval

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

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


 Signature Property Owner
ROB MATHSON
 Name & Title (PRINT)
 Date 8-30-19


 Signature Applicant
DANIEL J. SZCZAP
 Name & Title (PRINT)
 Date August 30, 2019

Signature Property Owner
 Name & Title (PRINT)
 Date _____

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

BEAR
DEVELOPMENT
4011 80th Street, Kenosha, WI 53142
Phone: (262) 842-0556 Fax: (262) 842-0557

August 29, 2019

Mr. Joel Dietl
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Re: Rezoning Application- Planning Area G

Dear Mr. Dietl:

Please accept this letter and the enclosed submittal materials as formal application for zoning reclassification for lands owned and/or controlled by Bear Development in the City of Franklin. Bear Development is acting on behalf of the owners of record, Franklin Mills, LLC and the Mathson Family

Property Summary

Franklin Mills, LLC is the owner of record of approximately 20.58 acres of land in the City of Franklin. The land is located on the west side of STH 45 approximately 815 feet south of Loomis Court. The property is included in the area commonly known as Planning Area G. The property consists of 20 acres of land within the City limits of Franklin and 0.58 acres in the City of Muskego. The property bears Tax Key Number 939-9995-000.

Bear Development, LLC is under contract for an additional 13.05 acres directly west of the property described above. The record owner is the Mathson Family. The property is adjacent to the Ryan Meadows/Loomis Business Park project which has previously been approved. The 13.05 acres is part of Tax Key Number 939-9994-000.

Enclosed with this submittal are a boundary exhibit depicting the subject properties showing a total project area of 33.63 acres

Existing Zoning

The subject property is currently zoned R-2 Estate Single Family Residence District. An existing City of Franklin Zoning Map is included for your reference.

City of Franklin Comprehensive Plan

The subject properties are designated as Business Park on the City of Franklin Comprehensive Plan. Lands directly south of the subject property are designated as Manufacturing

Proposed Zoning Classification

The applicants are requesting a zoning reclassification to the M-2 General Industrial District. The proposed zoning is consistent with the planned Business Park designation. The proposed zoning is consistent with the adjacent M-1 Industrial zoning in the Loomis Road Business Park and with existing uses along STH 45.

Future Land Division

Upon favorable hearing of the proposed zoning, the Applicant's shall apply for a Land Division, either CSM or Land Combination, at the City of Franklin's direction.

We feel the proposed zoning is consistent with adjacent zoning, the City of Franklin Comprehensive Plan and the existing and planned land use in the general area . Our intention is to create a development opportunity for Planning Area G that meets the goals of the Comprehensive Plan while providing a diverse mix of land use.

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

Thank you for your time and consideration.

Sincerely,



Daniel Szczap
Bear Development, LLC

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| | | |
|---|---|--|
| <p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</i></p> | <p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p> | <p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">12/17/19</p> |
| <p style="text-align: center;">REPORTS & RECOMMENDATIONS</p> | <p style="text-align: center;">A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN</p> <p style="text-align: center;">(BEAR DEVELOPMENT, LLC, APPLICANT (FRANKLIN MILLS, LLC AND DANIEL L. MATHSON AND VIRGINIA K. MATHSON, PROPERTY OWNERS))</p> <p style="text-align: center;">(AT 10082 SOUTH 124TH STREET AND PROPERTY GENERALLY LOCATED SOUTH OF LOOMIS COURT AND EAST OF SOUTH NORTH CAPE ROAD)</p> | <p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.2.</i></p> |
| <p>At the December 5, 2019, regular meeting, the Plan Commission carried a motion to recommend approval of a Resolution conditionally approving a 2 lot Certified Survey Map incorporating the actions taken on conditions number 6, 7, 8 and 9.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Resolution 2019-_____, conditionally approving a 2 lot Certified Survey Map, being part of the fractional Northwest quarter of the Southwest quarter and the West half of the Northeast quarter of the Southwest quarter of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (Bear Development, LLC, applicant (Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, property owners)) (at 10082 South 124th Street and property generally located south of Loomis Court and east of South North Cape Road).</p> | | |

RESOLUTION NO. 2019-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BEAR DEVELOPMENT, LLC, APPLICANT (FRANKLIN MILLS, LLC AND DANIEL L. MATHSON AND VIRGINIA K. MATHSON, PROPERTY OWNERS)) (AT 10082 SOUTH 124TH STREET AND PROPERTY GENERALLY LOCATED SOUTH OF LOOMIS COURT AND EAST OF SOUTH NORTH CAPE ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being part of the fractional Northwest Quarter of the Southwest Quarter and the West half of the Northeast Quarter of the Southwest Quarter of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the properties located at 10082 South 124th Street (Tax Key No. 939-9994-000) and property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego)) (Tax Key No. 939-9995-000), Bear Development, LLC, applicant, Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, property owners; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

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

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2019-_____

Page 2

Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Bear Development, LLC, successors and assigns, and any developer of the Bear Development, LLC 2 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Bear Development, LLC and the 2 lot certified survey map project for the properties located at 10082 South 124th Street and property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego)): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. Notwithstanding any approval of the rezoning and certified survey map with regard to the entire parcel, Lot 2 is currently under split zoning which has not been permitted by the Unified Development Ordinance since 1998 but it was permitted under the 1968 zoning code. In the event of the loss or destruction of 50% or more of the existing single family residence structure upon the area zoned Multiple-Family Residence District R-8, the existing single-family residence structure shall not be allowed to be constructed/reconstructed without rezoning Lot 2 to a single zoning district.

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2019-_____

Page 3

7. The applicant shall add the following note on the face of the Certified Survey Map: 'For those wetlands deemed artificial by the Wisconsin Department of Natural Resources/US Army Corps of Engineers or outside their jurisdictions, the requirement of a conservation easement is void.'
8. The applicant shall submit a 25-foot wide landscape bufferyard easement for City staff review, Common Council approval, and recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map.
9. The applicant shall revise the Certified Survey Map to address the Engineering Department comments in the staff memorandum dated October 30, 2019, for review and approval by the Engineering Department, prior to recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Franklin Mills, LLC (property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego))) and Daniel L. Mathson and Virginia K. Mathson (10082 South 124th Street), be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, Franklin Mills, LLC (property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego))) and Daniel L. Mathson and Virginia K. Mathson (10082 South 124th Street), with the Office of the Register of Deeds for Milwaukee County.

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2019-_____

Page 4

Introduced at a regular meeting of the Common Council of the City of Franklin this
_____ day of _____, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of
Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2019-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BEAR DEVELOPMENT, LLC, APPLICANT (FRANKLIN MILLS, LLC AND DANIEL L. MATHSON AND VIRGINIA K. MATHSON, PROPERTY OWNERS)) (AT 10082 SOUTH 124TH STREET AND PROPERTY GENERALLY LOCATED SOUTH OF LOOMIS COURT AND EAST OF SOUTH NORTH CAPE ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being part of the fractional Northwest Quarter of the Southwest Quarter and the West half of the Northeast Quarter of the Southwest Quarter of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the properties located at 10082 South 124th Street (Tax Key No. 939-9994-000) and property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego)) (Tax Key No. 939-9995-000), Bear Development, LLC, applicant, Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, property owners; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

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

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2019-_____

Page 2

Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Bear Development, LLC, successors and assigns, and any developer of the Bear Development, LLC 2 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Bear Development, LLC and the 2 lot certified survey map project for the properties located at 10082 South 124th Street and property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego)): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. The applicant shall apply for a Rezoning from the City to rezone the proposed Lot 2 to a single zoning district, and to remove the C-1 Conservancy District, prior to recording of the subject Certified Survey Map. If said rezoning is approved, the applicant shall revise the Certified Survey Map according to City procedures and requirements.
7. The applicant shall submit a written conservation easement document and a conservation easement restriction note on the face of the Certified Survey Map in conjunction with the “Natural Resource Protection Plan”, subject to review and

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2019-_____

Page 3

approval by the Department of City Development, prior to recording the Certified Survey Map. The Conservation Easement shall be reviewed by City staff, and approved by the Common Council, for recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map.

8. The applicant shall revise the Certified Survey Map to create outlot(s) to encompass all protected natural resource features, for Department of City Development review and approval, prior to recording of the Certified Survey Map.
9. The applicant shall revise the landscape bufferyard easement to depict a minimum width of 30 feet, and shall submit the easement documents for City staff review, Common Council approval, and recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map.
10. The applicant shall revise the Certified Survey Map to address the Engineering Department comments in the staff memorandum dated October 30, 2019, for review and approval by the Engineering Department, prior to recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Franklin Mills, LLC (property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego))) and Daniel L. Mathson and Virginia K. Mathson (10082 South 124th Street), be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, Franklin Mills, LLC (property generally located south of Loomis Court and east of South North Cape Road (approximately 20.58 acres of land located on the west side of State Highway 45, approximately 815 feet south of Loomis Court (20.01 acres of land within the City of Franklin and 0.58 acres in the City of Muskego))) and Daniel L. Mathson and Virginia K. Mathson (10082 South 124th Street), with the Office of the Register of Deeds for Milwaukee County.

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2019-_____

Page 4

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of December 5, 2019

Rezoning, Certified Survey Map and Land Division Variance

RECOMMENDATION: City Development Staff recommends approval of the Rezoning, Certified Survey Map (CSM) and Land Division Variance, applications submitted by Bear Development, LLC., subject to the conditions in the draft resolutions and draft ordinance.

| | |
|--------------------------------------|--|
| Project Name: | Bear Development Rezoning, Certified Survey Map, and Land Division Variance |
| Project Location: | 10082 124th Street/Tax Key No. 939 9994 000 and property generally located south of Loomis Court and east of South North Cape Road/Tax Key No. 939 9995 000 |
| Property Owner: | Franklin Mills, LLC (Tax Key No. 939 9995 000) and Daniel and Virginia Mathson (Tax Key No. 939 9994 000) |
| Applicant: | Daniel Szczap. Bear Development, LLC |
| Current Zoning: | 939 9994 000 /R-2 Estate Single-Family Residence District, R-8 Multiple-Family Residence District, and C-1 Conservancy District 939 9995 000 /R-2 Estate Single-Family Residence District |
| Proposed Zoning: | R-3 Suburban/Estate Single-Family Residence District. |
| 2025 Comprehensive Plan: | Business Park and Areas of Natural Resource Features |
| Applicant's Action Requested: | Recommendation of approval of the Rezoning and Certified Survey Map, and approval of the Land Division Variance request. |

Introduction

On October 10, 2019, the applicant, Bear Development, LLC, filed applications for a Rezoning and Certified Survey Map (CSM) for properties bearing Tax Key Nos. 939-9994-000 and 939-9995-000. City Development staff determined that a Land Division Variance is required for the proposed CSM, the applicant submitted such application on October 21, 2019.

All applications are related to the reconfiguration of two existing lots to allow Franklin Mills, LLC to purchase approximately 13 acres of land from the Mathson family.

The proposed Lot 1 is anticipated for Business Park/Industrial development; however, detailed plans have not yet been provided. The applicant does not have a specific development proposal for this land at this time. A general description of the proposed development, a site plan, a landscape plan, and architectural plans, as required by Section 15-9.0203 of the UDO, have not been provided. However, it can be noted that the City has not always required such information when specific development proposals were unknown at the time of the rezoning.

It should also be noted that any future development will require use and site plan approval by the City. Further, additional information related to the site plan, landscaping, lighting, signage, storm water, grading, etc. will be required at that time.

The applicant is requesting that the required Landscape Bufferyard Easement be 25' in depth rather than the typical 30'. It can be noted that the depth of the required landscape bufferyard easement is only specified in Section 15-5.0102 of the UDO, in regard to limited access highways. Staff recommends that the typical 30' bufferyard easement be provided.

The applicant is also requesting to defer, to the time of development, the requirement to place protected natural resource features within conservation easements. Staff recommends that the conservation easement be provided as part of, and recorded simultaneously with, the CSM as required by Section 15-7.0702P. of the UDO.

Project Description and Analysis

Certified Survey Map:

The proposed Certified Survey Map reconfigures the subject two lots. The southernmost lot abutting S. 124th Street is owned by Daniel & Virginia Mathson and Robert Mathson. The property is currently about 41.24 acres. The lot to the north is owned by Franklin Mills LLC and is approximately 20.01 acres.

The CSM creates two new lots with Lot 1 having an area of approximately 33.051 acres (to be owned by Franklin Mills LLC) and Lot 2 having an area of about 28.408 acres (to remain owned by Daniel & Virginia Mathson and Robert Mathson). Again, the land division request will allow Franklin Mills, LLC to purchase about 13 acres of land to combine to their existing parcel.

Land Division Variance:

The Land Division Variance request is necessary in conjunction with the CSM as the proposed Lot 1 does not abut 60-feet of frontage along a public right-of-way as required by Section 15-5.0101B.1. of the Unified Development Ordinance (UDO). This property has access to S. North Cape Road through a 60-foot wide ingress/egress easement on the property to the west, which was designated on CSM No. 11704 and, in part, is for the specific benefit of this parcel. It should be noted that this outlot is also owned by Franklin Mills, LLC.

Rezoning:

The Rezoning Application proposes to change the zoning of the proposed Lot 1 from R-2 Residence District to M-2 General Industrial District for potential future industrial development. The applicant is not proposing to rezone the proposed Lot 2; therefore, it will remain as currently zoned (R-8, R-2, and C-1 districts).

Section 15-3.0103 of the UDO states that split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed except for the AO, FW, FC, and SW Districts.

The applicant is requesting that Lot 2 remain as currently zoned as it already consists of split zoning. The applicant has further indicated that the Mathson family does not have plans at this time to develop the property. However, pursuant to Section 15-3.0103 of the UDO, staff recommends that the rezoning request be revised to eliminate the split lot zoning.

Comprehensive Master Plan:

The area to be rezoned is designated as Business Park and Areas of Natural Resource Features on the City's 2025 Future Land Use Map. The proposed rezoning to the M-2 District for the proposed Lot 1 is consistent with the City's Comprehensive Master Plan; therefore, an amendment is not required.

Recommendation

Staff recommends approval of the rezoning, Certified Survey Map, and Land Division Variance subject to the conditions in the draft resolutions and draft ordinance.

Staff suggestions include:

- That Monarch Drive (approved but not yet constructed as part of the adjacent Industrial Park) be extended through the proposed lot 1 (via reservation or dedication) to connect to S. 124th Street. It can be noted that Monarch Drive (from Chicory Street to its dead end at the northeastern corner of Lot 1 of the proposed CSM) is over 1,200 feet in length, which exceeds the UDO maximum cul-de-sac length of 800 feet.
- That the applicant prepare general description of the proposed development, a preliminary site plan, a preliminary landscape plan, and preliminary architectural plans, as required by Section 15-9.0203 of the UDO.

Recommended Motions

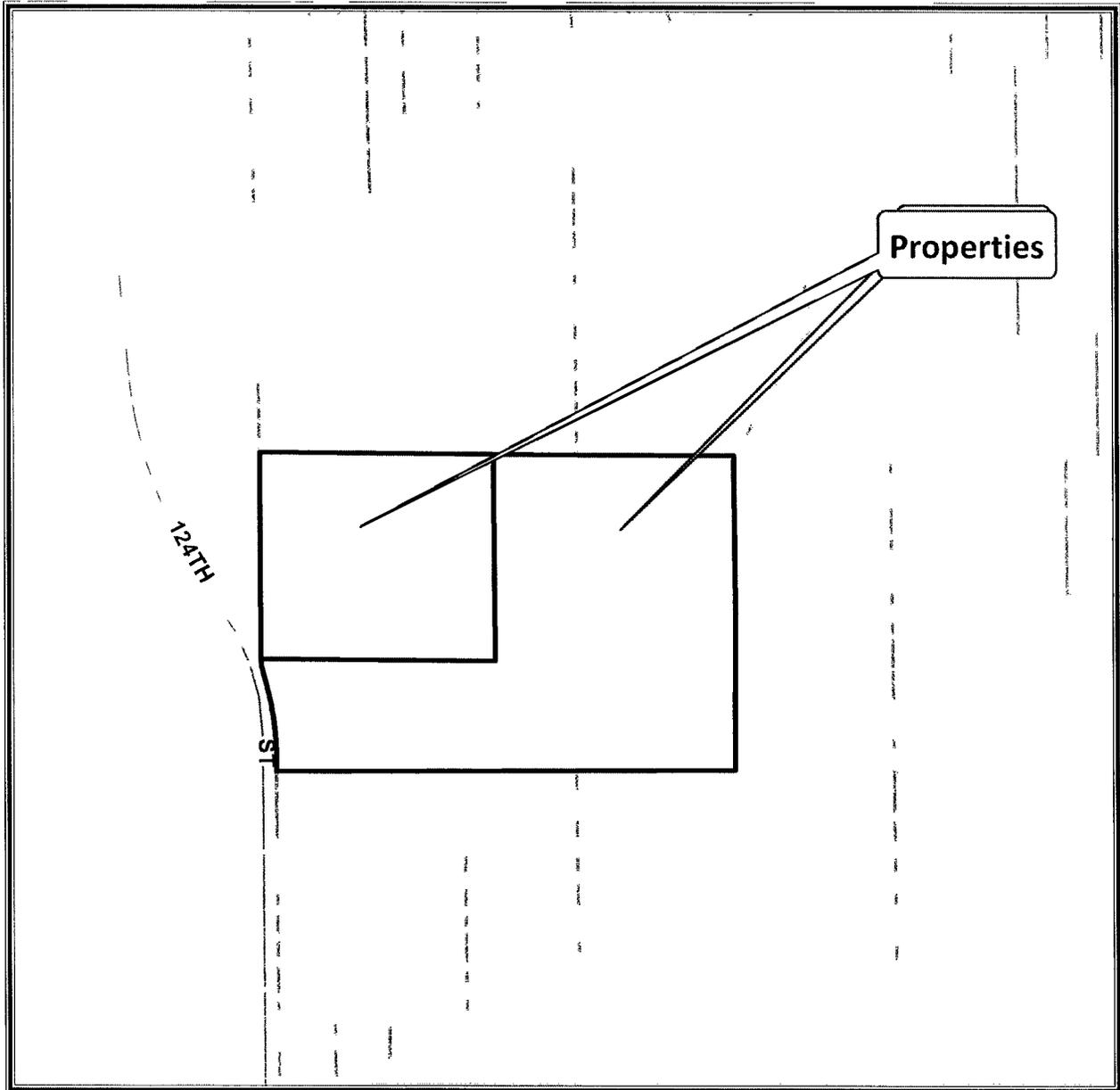
Motions to recommend approval of the Rezoning and Certified Survey Map Applications and a motion to approve the Land Division Variance request.

With regards to the conditions of approval for the Certified Survey Map Resolution, the applicant is requesting the following:

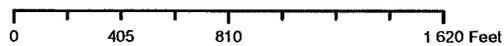
- Condition No. 6. The applicant is requesting to defer any rezoning classification of Lot 2 to the time of development.
- Conditions No. 7 and 8. The applicant is requesting to postpone the delineation of outlots and conservation easement to the time of development.
- Condition No. 9. The applicant is requesting to reduce the landscape buffer width from 30 feet to 25 feet. It is noted that the UDO Section 15-5.0302 does not regulate the width of buffers separating different zoning districts.



TKN: 939 9994 000
939 9995 000



Planning Department
(414) 425-4024



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



DEVELOPMENT

4011 80th Street, Kenosha, WI 53142
Phone: (262) 842-0556 Fax: (262) 842-0557

November 19, 2019

Mr. Regulo Martinez-Montilva
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Martinez-Montilva

Bear Development is in receipt of the City of Franklin Staff Review comments dated October 31, 2018 regarding our applications for Certified Survey Map and Rezoning. We appreciate the thorough review of our submittal. We are pleased to submit this letter and the enclosed materials in preparation for the December 5, 2019 Plan Commission Meeting and the December 12, 2019 Common Council Meeting.

Franklin Mills, LLC and the Mathson Family recently submitted applications for Certified Survey Map and Rezoning for approximately 33 acres located west of 124th Street. The purpose of the applications is to create individual parcels in order to reclassify the zoning on the property shown as Lot 1.

We understand that this is the initial step in a series of entitlement/approvals required to develop the property. Please note that at this time, only the 33 acres as shown as Lot 1 of the Certified Survey Map is contemplated for development at this time.

Please find our responses to the City Staff comments, in order as they appear in the October 31, 2019 Memorandum.

Certified Survey Map

- Comment 1.) (a) Revisions have been incorporated.
- Comment 1.) (b) Revisions have been incorporated.
- Comment 1.) (c) Revisions have been incorporated.
- Comment 1.) (d) Per our September 26, 2019 Staff Meeting, Bear Development represented that a wetland fill permit is needed to accommodate development on Lot 1, specifically regarding the isolated, farmed wetlands on the eastern half of proposed Lot 1. We are respectfully requesting that a Conservation Easement not be required over these specific wetlands at this time. Please see Note #4, Page 5 of the revised Certified Survey Map.

We understand that these wetlands are regulated by City, State and Federal regulations, and if the applicant is not granted a Wetland Impact permit by the

5

WDNR and Army Corps of Engineers, a Conservation Easement will be placed over these features. Please note that this process takes significant time.

Further, Lot 2 of the proposed CSM is not contemplated for development in the short term and will be retained by the Mathson Family. We request that a note be added to the Certified Survey Map stating that a detailed Natural Resource Protection Plan and Conservation Easements will be required prior to any further land division, zoning reclassification or any other municipal approval for Lot 2. Please note that a Certified Survey note, very similar to this was included during the Ryan Meadows proceedings. Please see Note # 3, Page 5 of the revised Certified Survey Map.

Comment 2.) Upon researching the City of Franklin Unified Development Ordinance, specific reference to the width of the landscape bufferyard cannot be found. We respectfully request a 25' Landscape Bufferyard along the portions of property which abut Residential zoning districts.

Please note that the City of Franklin Comprehensive Plan designates the subject property and the adjacent lands as Business Park. Therefore, it is assumed that the adjacent lands which are zoned Residential will ultimately be rezoned to a zoning classification that is consistent with the Comprehensive Plan.

Comment 3.) Lot 2 of the proposed Certified Survey Map is not contemplated for short term development. We respectfully request that restrictions to Lot 2 in form of easements or dedicated Outlots be deferred to such time that a development proposal for the subject property is brought forth. As indicated previously, Lot 2 is being retained by the Mathson Family and their intentions for the property are not known at this time. Please see response in Comment 1, above. Please see Note #5, Page 5 of the revised Certified Survey Map.

Comment 4.) Dedication language has been removed.

Comment 5.) There is not enough room on Page 1 of the Certified Survey Map to include the zoning language. Zoning information has been included on Page 5 of the Certified Survey Map.

Rezoning

Comment 6.) The Boundary Exhibit has been revised.

Comment 7.) The requested revisions have been incorporated.

Comment 8.) Can the City of Franklin provide a Legal Description of the lands shown as C-1 District on the City Maps? The applicant requests clarification as to how this can be determined.

Comment 9.) Please note that Lot 2 is not contemplated for development at this time and is being retained by the Mathson Family. The subject property currently exists with multiple zoning classifications. The Applicants respectfully request that any zoning reclassification for Lot 2 be deferred to such time as a development proposal is brought forward. Please see Note #5, Page 5 of the revised Certified Survey Map.

Land Division Variance

Comment 10.) Noted. The requested language will be added to the Certified Survey Map

Engineering Department Comments

Comment 11) Noted
Comment 12) Noted. Comments have been addressed
Comment 13) The closure has been addressed.
Comment 14) Noted.

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

Thank you for your time and consideration We look forward to meeting with the City Plan Commission and Common Council in December

Sincerely,



Daniel Szczap
Bear Development, LLC

MEMORANDUM

Date: October 31, 2019
Responses on November 19, 2019

To: Daniel Szczap, Bear Development, LLC

From: City of Franklin, Department of City Development

RE: Bear Development Rezoning, Certified Survey Map, and Land Division Variance Applications - Comments and Recommendations

Below are comments and recommendations for the proposed Rezoning, Certified Survey Map, and Land Division Variance applications submitted by Bear Development for properties bearing Tax Key Nos. 939-9994-000 and 939-9995-000.

Certified Survey Map, as required by the Unified Development Ordinance (UDO)

1. Per Section 15-7.0702 of the Unified Development Ordinance (UDO), please show correctly on the face of the CSM, in addition to the information required by § 236.34 of the Wisconsin Statutes, the following:
 - a. Map Date. Date of the Certified Survey Map with all dates of revision.
Revisions have been incorporated.
 - b. Owner, Subdivider, Land Surveyor. Name and address of the owner, Subdivider, and Land Surveyor. – Property owners must be labeled (Franklin Mills, LLC and Mathson, Daniel L. & Virginia K (L/E) and Mathson, Robert ET AL.
Revisions have been incorporated.
 - c. Existing Zoning. The Certified Survey Map shall indicate on its face the current zoning and zoning boundary lines of all parcels, lots or outlots proposed to be created by the Certified Survey Map. – Please label the zoning districts of each parcel.
Revisions have been incorporated.
 - d. Location of Proposed Deed Restrictions, Landscape Easements, and/or Conservation Easements. The location of any proposed deed restrictions, landscape easements, and/or conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map. The location and extent of conservation easements should be directly related to the "Natural Resource Protection Plan." Deed restrictions and/or conservation easements as required by this Ordinance shall be filed with the Certified Survey Map or submitted for review as a condition of any approval thereof, in the manner and for the purposes as set forth under § 15-7.0603D. for final plats. – All protected natural resources on the proposed lots must be made part of a Conservation Easement. This boundary must be shown on the CSM. Please obtain a copy of the City of Franklin Conservation Easement and Landscape Bufferyard template from the Planning Department.

Per our September 26, 2019 Staff Meeting, Bear Development represented that a

wetland fill permit is needed to accommodate development on Lot 1, specifically regarding the isolated, farmed wetlands on the eastern half of proposed Lot 1. We are respectfully requesting that a Conservation Easement not be required over these specific wetlands at this time. Please see Note #4, Page 5 of the revised Certified Survey Map.

We understand that these wetlands are regulated by City, State and Federal regulations, and if the applicant is not granted a Wetland Impact permit by the WDNR and Army Corps of Engineers, a Conservation Easement will be placed over these features. Please note that this process takes significant time.

Further, Lot 2 of the proposed CSM is not contemplated for development in the short term and will be retained by the Mathson Family. We request that a note be added to the Certified Survey Map stating that a detailed Natural Resource Protection Plan and Conservation Easements will be required prior to any further land division, zoning reclassification or any other municipal approval for Lot 2. Please note that a Certified Survey note, very similar to this was included during the Ryan Meadows proceedings. Please see Note # 3, Page 5 of the revised Certified Survey Map.

2. Per UDO Section 15-5.0302 landscape bufferyards are required to separate different zoning districts. Given the proposed zoning for Lot 1 is M-2 General Industrial District, the CSM should depict a landscape bufferyard easement where said lot abuts residential zoning districts, such as R-2 and R-8. For your convenience, a landscape bufferyard easement template is available at the Planning Department as previously noted. Upon researching the City of Franklin Unified Development Ordinance, specific reference to the width of the landscape bufferyard cannot be found. We respectfully request a 25' Landscape Bufferyard along the portions of property which abut Residential zoning districts.

Please note that the City of Franklin Comprehensive Plan designates the subject property and the adjacent lands as Business Park. Therefore, it is assumed that the adjacent lands which are zoned Residential will ultimately be rezoned to a zoning classification that is consistent with the Comprehensive Plan.

Additional staff comments

Certified Survey Map

3. It is recommended that all protected natural resource features should be located within outlots. Specifically, the wetlands and associated buffers and setbacks located on east central portion of the CSM and the mature woodlands located in the southeast corner.

Lot 2 of the proposed Certified Survey Map is not contemplated for short term development. We respectfully request that restrictions to Lot 2 in form of easements or dedicated Outlots be deferred to such time that a development proposal for the subject property is brought forth. As indicated previously, Lot 2 is being retained by the Mathson Family and their intentions for the property are not known at this time. Please see response in Comment 1, above. Please see Note #5, Page 5 of the revised Certified Survey Map.

4. Is any land being dedicated to the City? If not, “and dedication accepted” should be deleted on Sheet 5 under City of Franklin Common Council Approval.

Dedication language has been removed.

5. It is recommended that the zoning setback notes on Sheets 4 and 6 be moved to Sheet 1.

There is not enough room on Page 1 of the Certified Survey Map to include the zoning language. Zoning information has been included on Page 5 of the Certified Survey Map.

Rezoning

6. It is recommended that the Boundary Exhibit be revised or an additional exhibit provided to clearly illustrate the rezoning request.

It is recommended that an exhibit be labeled “Rezoning Exhibit,” which clearly states the current zoning and proposed zoning.

This exhibit must only identify those lands to be rezoned. The Boundary Exhibit includes Outlot 1 of CSM 11704. This is recommended not to be shown in the same manner as the area to be rezoned as this outlot is not part of the rezoning request.

It is understood that this property is owned by Franklin Mills, LLC and that it contains the access easement to the proposed Lot 1. If shown for reference, it should just not be included within the boundary of the area to be rezoned.

The Boundary Exhibit has been revised.

7. It is also recommended that the property address and tax key be included on the Rezoning Exhibit for each parcel and that the outer boundary be labeled as the proposed lot 1.

The requested revisions have been incorporated.

8. Please confirm that no part of the existing C-1 District zoning extends onto the Proposed Lot 1/area to be rezoned.

Can the City of Franklin provide a Legal Description of the lands shown as C-1 District on the City Maps? The applicant requests clarification as to how this can be determined.

9. Per UDO Section 15-3.0103A.3 , it is recommended that the proposed Lot 2 be rezoned to a single zoning district in conjunction with the CSM Application

Please note that Lot 2 is not contemplated for development at this time and is being retained by the Mathson Family. The subject property currently exists with multiple zoning classifications. The Applicants respectfully request that any zoning reclassification for Lot 2 be deferred to such time as a development proposal is brought forward. Please see Note #5, Page 5 of the revised Certified Survey Map.

Land Division Variance

10. It is recommended that a note be added to the CSM stating that a Land Division Variance has been granted by the City of Franklin pertaining to the lack of access to a public street, subject to the allowed access via easement through Outlot 1 of CSM No. 11704, that such access shall be granted in perpetuity, and if at any time should such access be removed, that the subject lot shall become non-conforming in regard to such access.

The requested language has been added to the Certified Survey Map

Engineering Department comments

11. “Must approve the rezoning proposal by the Common Council before the approval of the proposed land division”.

Noted.

12. “Must resolve the technical omissions and deficiencies identified by Milwaukee County. City comments may be revised to reflect changes required by Milwaukee County. Under the Engineering review the following must be addressed:

- a. On page 1 of 6, show the coordinates (Northing & Easting) of the reference section corners and add a note, “Lot 1 & 2 is not Served by Public Sanitary Sewer & Water”. Also, show the location/vicinity map.
- b. On page 4 of 6, under the Surveyor’s Certificate, at the end of the last paragraph, insert after Wisconsin Statutes “and the Unified Development Ordinance – Division 15 of the City of Franklin in surveying, dividing and mapping the same.
- c. On pages 4 to 6, change the description under the Certified Survey Map Number to reflect previous pages of this proposal.
- d. On page 5 of 6, under the City of Franklin Common Council Approval, remove the word “Dedication”. At this point, no dedication is being proposed”.

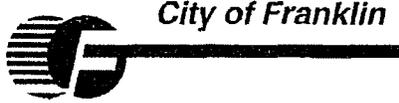
Noted. Comments have been addressed.

13. “Must check the closure of the internal land division of lot 1 & 2. The bearing S00D34’08” with the distance of 504.80 may need to be rectified”

The closure has been addressed.

14. In case the land division variance is not approved, “Lot 1 should be considered as Outlot 1 for lack of public road access”.

Noted.



Date of Application: _____

CERTIFIED SURVEY MAP (CSM) APPLICATION

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

| | | | |
|--|--|--|--|
| Applicant (Full Legal Name[s]) Name <u>SR Mills</u> Company <u>Bear Development, LLC</u> Mailing Address <u>4011 82nd Street</u> City/State <u>Kenosha, WI</u> Zip <u>53142</u> Phone <u>(262) 842-0556</u> Email Address <u>dane@beardevelopment.com</u> | | Applicant is Represented by: (contact person)(Full Legal Name[s]) Name <u>Daniel Stezey</u> Company <u>Bear Development, LLC</u> Mailing Address <u>4011 82nd Street</u> City/State <u>Kenosha, WI</u> Zip <u>53142</u> Phone <u>(262) 842-0556</u> Email Address <u>dane@beardevelopment.com</u> | |
| Project Property Information Property Address <u>10082 124th Street</u> Property Owner(s) <u>Mathson Family</u> Mailing Address <u>19370 Killbuck Way</u> City/State <u>Brookfield, WI</u> Zip <u>53045</u> Email Address _____ | | Tax Key Nos <u>939-9994-000</u> Existing Zoning <u>R8, R2, C1</u> Existing Use <u>Agriculture</u> Proposed Use <u>Agriculture, Industrial</u> CMP Land Use Identification <u>Business Park</u> | |
| *The 2025 Comprehensive Master Plan Future Land Use Map is available at: http://www.franklinwi.gov/Home/Resources/Documents/Maps.htm | | | |

Certified Survey Maps shall be prepared as provided in § 236.34 (1m) (c) Wis. Stats. and Division 15-7.0700 of the Unified Development Ordinance.

Certified Survey Map submittals for review must include and be accompanied by the following:

- Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds \$75
 - Two (2) original map copies for Milwaukee County review, prepared at 8-1/2" wide by 14" long on durable white paper
- This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- Application Filing Fee, payable to City of Franklin \$1,500
- Seven (7) complete sets of Application materials, for City of Franklin review to include.
 - Project Summary a written detailed description of the project One (1) original and six (6) copies
 - Map Copies One (1) original map copy and six (6) map copies prepared at 8-1/2" wide by 14" long and must be clearly legible
- As may be required, seven (7) copies of a "Natural Resource Protection Plan and "Landscape Plan" for any landscape bufferyard easement areas
- If applicable, three (3) copies of the Natural Resource Protection report (see Division 15-9 0309D of the UDO)
- If applicable, one copy of the Site Intensity and Capacity Calculations (see Division 15-3 0500 of the UDO)
- Email (or CD ROM) with all plans and submittal materials in Adobe PDF (May be waived by City Planner)

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- All Certified Survey Map requests require Plan Commission review and Common Council approval
- All Certified Survey Map requests shall comply with Chapter 236 of the Wisconsin State Statutes

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

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

Signature [Signature]
 Name & Title (PRINT) ROBERT D MATHSON
 Date 10/9/2019

Signature _____
 Name & Title (PRINT) _____
 Date _____

Signature Applicant [Signature]
 Name & Title (PRINT) SR Mills Pres
 Date 10/4/2019

Signature Applicant's Representative [Signature]
 Name & Title (PRINT) DANIEL STEZEY
 Date 10/14/2019

BEAR
DEVELOPMENT
4011 80th Street, Kenosha, WI 53142
Phone: (262) 842-0556 Fax: (262) 842-0557

October 4, 2019

Mr. Joel Dietl
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Dietl:

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

Project Summary

Franklin Mills, LLC is the owner of record of approximately 20.58 acres of land in the City of Franklin. The property is located on the east side of 124th Street approximately 900' south of Loomis Court. The property is vacant and is used for agricultural purposes.

The Mathson Family is the owner of record of 41.24 acres in the City of Franklin. The property is located on 124th Street approximately 1200 feet south of Loomis Court. The existing farmhouse carries an address of 10082 124th Street. Bear Development is under contract for approximately 13 acres of the parcel, which provides a physical connection with the Ryan Meadows/Loomis Business Park property. Upon successful land division, the Mathson Family will retain 29 acres.

The purpose of the Certified Survey Map is to create parcels which can be legally transferred and properly zoned. The proposed land division would create the following lots:

Lot 1: 33.051 Acres

The parcel gains access by way of Lot 1 of Certified Survey Map 11704. This access driveway has been recorded as an easement and has been approved by the Wisconsin Department of Transportation. Lot 1 will have a total frontage of 310' along 124th Street.

Proposed Lot II: 28.408 Acres

The parcel will include 450 feet of frontage along 124th Street.

In accordance with City of Franklin requirements, we have completed a Natural Resource Protection Plan for the property in question. A copy has been included in this submittal.

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

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

Thank you for your time and consideration.

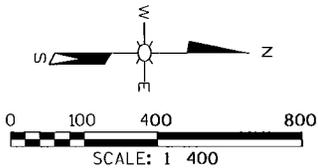
Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Szczap". The signature is fluid and cursive, with a long horizontal stroke at the end.

Daniel Szczap
Bear Development, LLC

CERTIFIED SURVEY MAP NUMBER

BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER
OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE
21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



NORTH REFERENCE

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 27) (JAN. 2016) WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, T5N, R21E ASSUMED TO BEAR S89°39'32" E



LEGEND

- MILWAUKEE COUNTY SECTION CORNER MONUMENT
- 3/4 x 24 STEEL REBAR SET WEIGHING 1 502 LBS/LIN FT
- 3/4 STEEL REBAR FOUND
- 1 IRON PIPE FOUND
- 1 DOT CAP PIPE FOUND
- FENCE
- P.O.B. POINT OF BEGINNING
- BUILDING
- RECORDED AS
- WETLANDS
- MUNICIPAL BOUNDARY

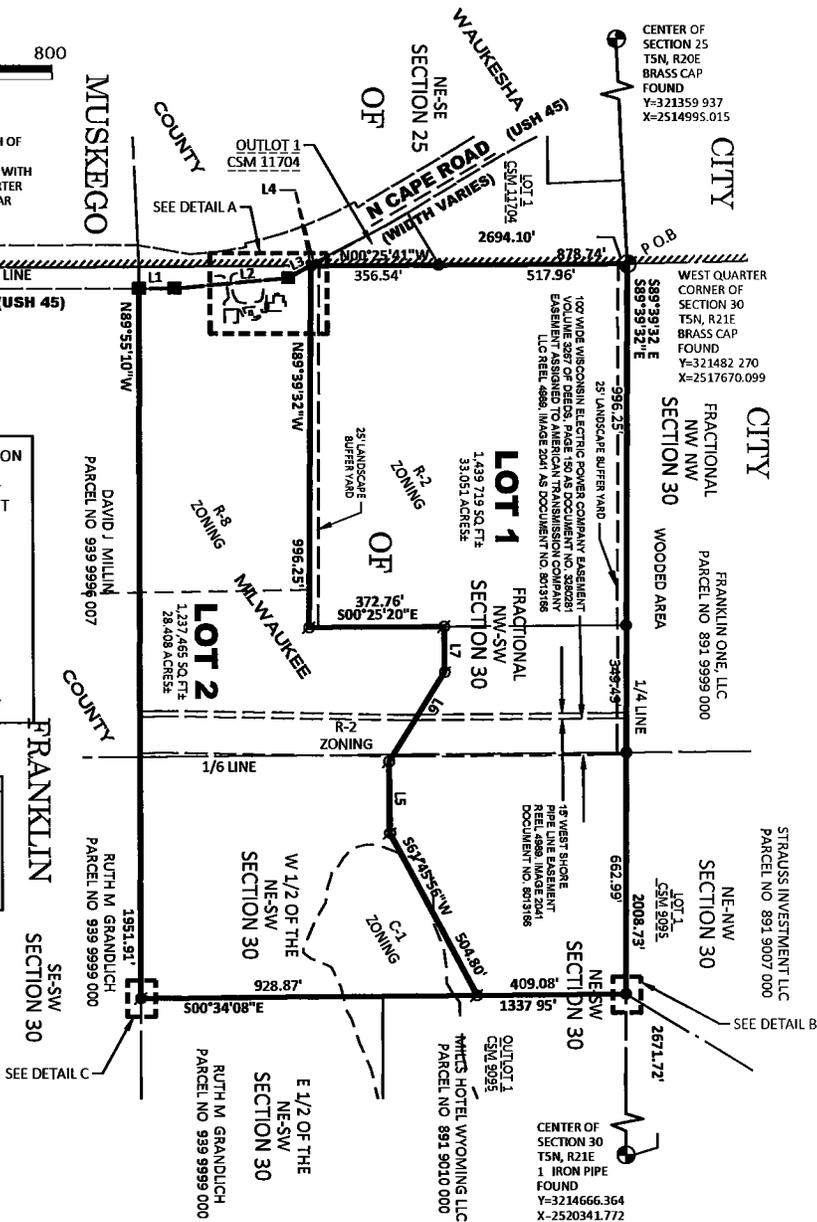
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| L1 | N00°25'41"W | 98.27' |
| L2 | N05°19'24 W | 316.37' |
| L3 | N31°14'00"W | 64.44' |
| L4 | N00°25'41" W | 4.24' |
| L5 | S89°34'40"W | 197.11 |
| L6 | N57°48'56"W | 290.15 |
| L7 | S89°34'40"W | 125.34 |

SUBDIVIDER: BEAR DEVELOPMENT LLC
4011 80TH STREET
KENOSHA, WI 53140

OWNER: FRANKLIN MILLS, LLC
4011 80TH STREET
KENOSHA, WI 53140

OWNER: MATHSON, DANIEL L. &
VIRGINIA K (L/E) AND
MATHSON, ROBERT ET AL
19370 KILLARNEY WAY
BROOKFIELD, WI 53045



| | |
|-------------------------|---------------------|
| DATE 10-8-19 | DIRECTORY NO. |
| PROJECT NO. S3399A19 | DRAFTED BY JBM |
| SHEET 1 OF 7 | DRAWING NAME CSM |

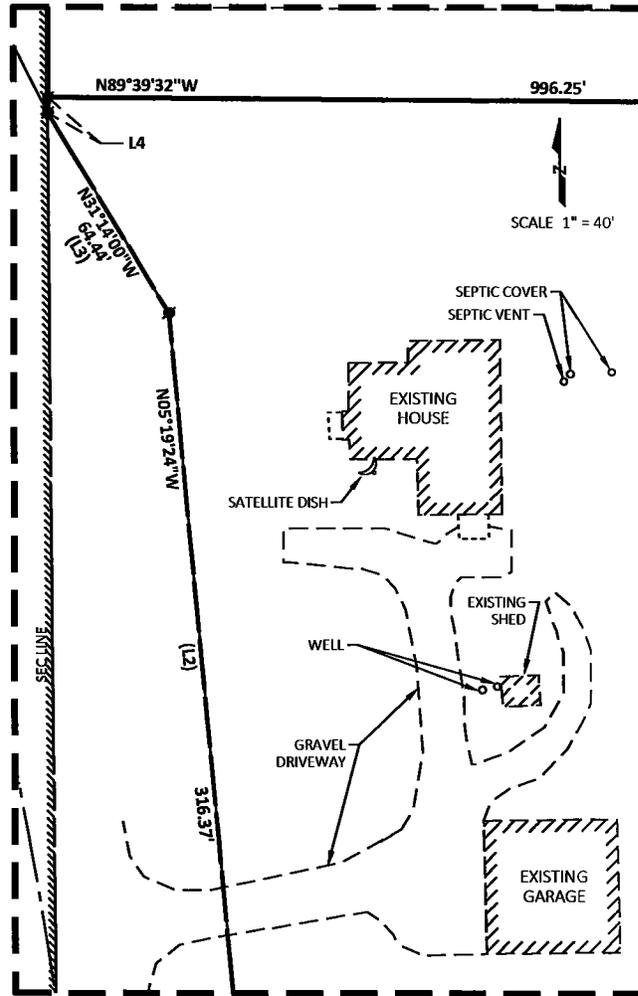
SURVEY FOR: CITY OF FRANKLIN CSM
SECTION 30, T5N, R21E
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

OMNI ASSOCIATES
OWNER ASSOCIATES
ONE SYSTEMS DRIVE
APPLETON, WI 54914
PHONE (920) 755-8900
FAX (920) 830-8100

CERTIFIED SURVEY MAP NUMBER

BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

DETAIL A



NORTH REFERENCE

BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE (NAD 27) (JAN. 2016) WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, T5N, R21E ASSUMED TO BEAR S89°39'32" E

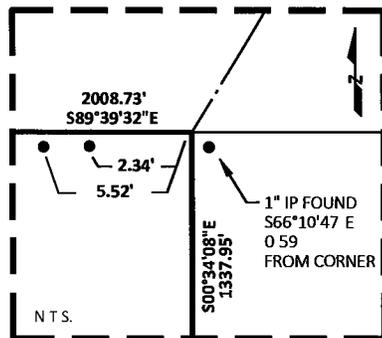
LEGEND

- ⊕ MILWAUKEE COUNTY SECTION CORNER MONUMENT
- ∅ 3/4" x 24" STEEL REBAR SET WEIGHING 1 502 LBS/LIN FT
- 3/4" STEEL REBAR FOUND
- 1" IRON PIPE FOUND
- 1" DOT CAP PIPE FOUND
- FENCE
- P O B POINT OF BEGINNING
- ▨ BUILDING
- () RECORDED AS
- W WETLANDS

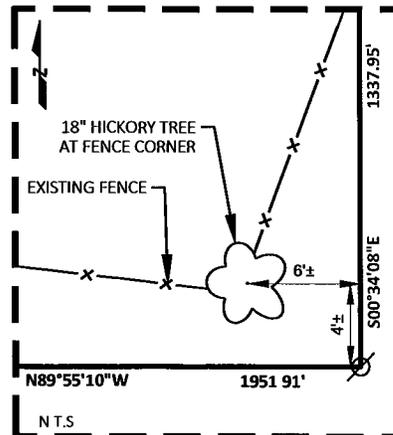
LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L4 | N00°25'41"W | 4.24' |

DETAIL B



DETAIL C



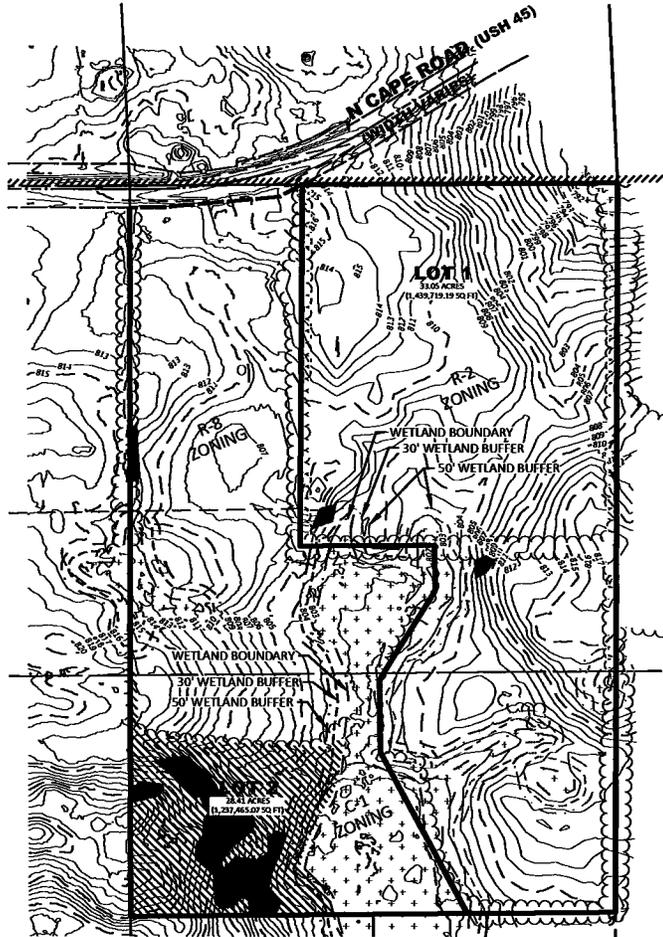
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|-------------------------|---------------------|
| DATE 10-8-19 | DIRECTORY NO. |
| PROJECT NO. S3398A19 | DRAFTED BY JBM |
| SHEET 2 OF 7 | DRAWING NAME CSM |

SURVEY FOR: CITY OF FRANKLIN CSM
SECTION 30, T5N, R21E
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

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CERTIFIED SURVEY MAP NUMBER

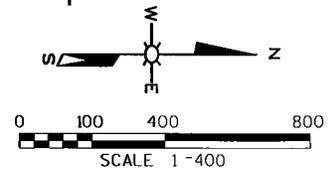
BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



NATURAL RESOURCE FEATURE AREAS

| RESOURCE TYPE | LOT 1 | LOT 2 |
|---|----------------------|----------------------|
| STEEP SLOPES (10%-20%) | 0.11 AC (4,748 SF) | 1.48 AC (64,629 SF) |
| DELINEATED WETLAND* | 1.62 AC (70,687 SF) | 0 AC (0 SF) |
| DELINEATED WETLAND BUFFER (30' OFFSET) | 2.29 AC (99,539 SF) | 0 AC (0 SF) |
| DELINEATED WETLAND SETBACK (50' OFFSET) | 3.99 AC (174,009 SF) | 0 AC (0 SF) |
| NWI WETLAND** | 0 AC (0 SF) | 5.46 AC (237,966 SF) |
| NWI WETLAND BUFFER (30' OFFSET) | 0 AC (0 SF) | 1.43 AC (62,387 SF) |
| NWI WETLAND SETBACK (50' OFFSET) | 0 AC (0 SF) | 2.34 AC (102,019 SF) |
| MATURE WOODLAND*** | 0 AC (0 SF) | 5.93 AC (258,211 SF) |

*BASED ON FIELD DELINEATION COMPLETED BY HEARTLAND ECOLOGICAL GROUP INC. ON 11/8/18 & 11/9/18. SEE "ASSURED WETLAND DELINEATION REPORT" DATED 4/24/19.
 **BASED ON NATIONAL WETLAND INVENTORY DATABASE ACCESSED ON 7/1/19.
 ***BASED ON AERIAL PHOTOGRAPHY AND TO BE VERIFIED WITH FUTURE DEVELOPMENT PROPOSAL.



NOTES:
 TREE LINE PER FIELD LOCATION BY
 OMNI ASSOCIATED
 CONTOURS PER TOPOGRAPHIC SURVEY
 OMNI ASSOCIATES
 WETLANDS LINE PER HEARTLAND ECOLOGICAL GROUP INC
 FIELD WORK

| | |
|-------------------------|------------------------|
| DATE 10-8-19 | DIRECTORY NO. ***** |
| PROJECT NO. S3399A19 | DRAFTED BY JBM |
| SHEET 3 OF 7 | DRAWING NAME CSM |

SURVEY FOR: **CITY OF FRANKLIN CSM**
 SECTION 30, T5N, R21E
 CITY OF FRANKLIN
 MILWAUKEE COUNTY, WISCONSIN

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CERTIFIED SURVEY MAP NUMBER

BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I DAVID YURK, STATE OF WISCONSIN PROFESSIONAL LAND SURVEYOR S-2648, DO HEREBY CERTIFY THAT BY ORDERS OF THE OWNER, THAT I HAVE SURVEYED, DIVIDED AND MAPPED A PARCEL OF LAND LOCATED IN THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30 TOWNSHIP 5 NORTH, RANGE 21 EAST CITY OF FRANKLIN MILWAUKEE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 30,
THENCE S89°39'32"E COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, A DISTANCE OF 2008 73 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30,
THENCE S00°34'08"E COINCIDENT WITH THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 1337 95 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF,
THENCE N89°55'10" W COINCIDENT WITH THE SOUTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 1951 91 FEET TO THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF S 124TH STREET (U S H 45),
THENCE N00°25'41"W COINCIDENT WITH SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 98 27 FEET,
THENCE N05°19'24"W COINCIDENT WITH SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 316 37 FEET,
THENCE N31°14'00"W COINCIDENT WITH SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 64 44 FEET TO A POINT ON WEST LINE OF THE FRACTIONAL NORTHWEST OF THE SOUTHWEST QUARTER OF SECTION 30
THENCE N00°25'41"W COINCIDENT WITH SAID WEST LINE A DISTANCE OF 878 74 FEET TO THE POINT OF BEGINNING

SAID PARCEL OF LAND CONTAINS 61 460 ACRES (2,677,184 SQUARE FEET) MORE OR LESS

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236 34 OF THE WISCONSIN STATUTES AND THE UNIFIED DEVELOPMENT ORDINANCE DIVISION 15 OF THE CITY OF FRANKLIN IN SURVEYING DIVIDING AND MAPPING THE SAME

DAVID A. YURK PLS, S-2648

DATED

| | |
|-------------------------|---------------------|
| DATE 10-8-19 | DIRECTORY NO. - |
| PROJECT NO. S3389A19 | DRAFTED BY JEM |
| SHEET 4 OF 7 | DRAWING NAME CSM |

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| SURVEY FOR: CITY OF FRANKLIN CSM |
| SECTION 30, T5N, R21E |
| CITY OF FRANKLIN |
| MILWAUKEE COUNTY WISCONSIN |



CERTIFIED SURVEY MAP NUMBER

BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

NOTES:

- 1 HORIZONTAL DATUM IS BASE ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM GRID SOUTH ZONE (NAD-27) BEARINGS AND DISTANCES ARE GROUND VALUES
- 2 A LAND DIVISION VARIANCE HAS BEEN GRANTED BY THE CITY OF FRANKLIN PERTAINING TO THE LACK OF ACCESS TO A PUBLIC STREET, SUBJECT TO THE ALLOWED ACCESS VIA EASEMENT THROUGH OUTLOT 1 OF CSM NO 11704, THAT SUCH ACCESS SHALL BE GRANTED IN PERPETUITY, AND IF AT ANY TIME SHOULD SUCH ACCESS BE REMOVED, THAT THE SUBJECT LOT SHALL BECOME NON-CONFORMING IN REGARD TO SUCH ACCESS
- 3 UPON FURTHER LAND DIVISION OR DEVELOPMENT OF LOT 2 A COMPLETE NATURAL RESOURCE PROTECTION PLAN IN COMPLIANCE WITH DIVISION 15 7 0200 OF THE UNIFIED DEVELOPMENT ORDINANCE SHALL BE SUBMITTED TO THE DEPARTMENT OF CITY DEVELOPMENT FOR REVIEW AND APPROVAL ANY CONSERVATION EASEMENTS SHALL BE DETERMINED THEREAFTER
- 4 C 1 ZONING OCCURRING ON LOT 1 AND LOT 2 SHALL BE REZONED WITH ALL PROTECTED NATURAL RESOURCES BEING PROTECTED BY A CONSERVATION EASEMENT UPON FUTURE DEVELOPMENT OF FURTHER LAND DIVISION
- 5 UPON FURTHER LAND DIVISION OR DEVELOPMENT OF LOT 2, THE PROPERTY SHALL BE REZONED TO A SINGLE ZONING DISTRICT
- 6 SECTION 15 5 0108 BUILDING SETBACK LINES NOTES BELOW
 - A. PLAN COMMISSION MAY INCREASE MINIMUM REQUIRED SETBACK LINES BUILDING SETBACK LINES APPROPRIATE TO THE LOCATION AND TYPE OF DEVELOPMENT CONTEMPLATED, WHICH ARE MORE RESTRICTIVE THAN THE REGULATION OF THE ZONING DISTRICT IN WHICH THE SUBDIVISION, CERTIFIED SURVEY MAP, OR CONDOMINIUM IS LOCATED, MAY BE REQUIRED BY THE PLAN COMMISSION
 - B. MINIMUM REQUIRED BUILDING SETBACKS FROM ARTERIAL STREETS AND HIGHWAYS UNLESS A GREATER SETBACK DISTANCE IS SPECIFIED IN DIVISIONS 15 3 0300, DIVISION 15 3 0400, OR ELSEWHERE IN THIS ORDINANCE, THE MINIMUM REQUIRED SETBACK FROM THE ULTIMATE RIGHT-OF WAY LINE OF ALL ARTERIAL STREETS AND HIGHWAYS (AS SPECIFIED BY THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN, OR COMPONENTS AND/OR AMENDMENTS THERETO) SHALL BE FORTY (40) FEET AN EXCEPTION TO THIS REQUIREMENT, HOWEVER, SHALL BE THAT SEGMENT OF W ST MARTINS ROAD (CTH MM) WITHIN THAT AREA DEFINED AS THE "VILLAGE OF ST MARTINS" IN THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN
- 7 MUNICIPAL ZONING REQUIREMENTS BELOW
 - SITE IS ZONED C 1 CONSERVANCY DISTRICT
 - SITE IS ZONED R 2 ESTATE SINGLE FAMILY RESIDENCE DISTRICT
MUNICIPAL CODE SEC 15-3 0202
SPECIAL USE PERMITTED USE "CONVENTIONAL SUBDIVISION"
MINIMUM FRONT YARD 60 FEET
MINIMUM SIDE YARD 20 FEET (c)
MINIMUM REAR YARD 30 FEET (c)
 - SITE IS ZONED R-8 MULTIPLE FAMILY RESIDENCE DISTRICT
MUNICIPAL CODE SEC 15 3 0209
SPECIAL USE SINGLE-FAMILY DETACHED D U s AND
MAXIMUM TWO ATTACHED D U s (TWO FAMILY STRUCTURES)
FRONT SETBACK 25 FEET (e)
SIDE SETBACK 5 FEET (e)
REAR SETBACK 25 FEET D U & 10 GARAGE (e)
 - SITE IS ZONED R-8 MULTIPLE FAMILY RESIDENCE DISTRICT
MUNICIPAL CODE SEC 15 3 0209
SPECIAL USE MULTIPLE FAMILY ATTACHED DWELLING UNITS
WITH MORE THAN TWO D U s PER STRUCTURE
FRONT SETBACK 30 FEET (c)(e)
SIDE SETBACK 20 FEET (d)(e)
REAR SETBACK 30 FEET (e)
 - (c) PLUS ONE (1) ADDITIONAL FOOT FOR EACH TWO (2) FEET OVER THIRTY FIVE (35) FEET OF BUILDING HEIGHT
 - (d) PLUS FIVE (5) ADDITIONAL FEET FOR EACH ADDITIONAL STORY ABOVE TWO (2) STORIES OF BUILDING HEIGHT
 - (e) SEE SECTION 15 5 0108 FOR INCREASED SETBACK REQUIREMENTS ALONG ARTERIAL STREETS AND HIGHWAYS

| | |
|-------------------------|---------------------|
| DATE XX-XX XX | DIRECTORY NO. |
| PROJECT NO. S3399A19 | DRAFTED BY JBM |
| SHEET 5 OF 7 | DRAWING NAME CSM |

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| SURVEY FOR: CITY OF FRANKLIN CSM |
| SECTION 30, T5N R21E |
| CITY OF FRANKLIN |
| MILWAUKEE COUNTY, WISCONSIN |



OMNI ASSOCIATES
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CERTIFIED SURVEY MAP NUMBER

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OWNER'S CERTIFICATE:

AS OWNER, FRANKLIN MILLS, LLC, DOES HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED, AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP. I ALSO CERTIFY THAT THIS CSM IS REQUIRED BY S. 236.10 OR 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF FRANKLIN

MEMBER _____ DATE _____

STATE OF WISCONSIN:

SS _____
COUNTY OF _____ :

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2019,
THE ABOVE NAMED TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING
INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC _____ COUNTY, WISCONSIN

MY COMMISSION EXPIRES _____

| | |
|-------------------------|------------------------|
| DATE 10-8-19 | DIRECTORY NO. ----- |
| PROJECT NO. S3399A19 | DRAFTED BY JBM |
| SHEET 7 OF 7 | DRAWING NAME CSM |

SURVEY FOR: CITY OF FRANKLIN CSM
SECTION 30, T5N, R21E
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

