

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, DECEMBER 5, 2019, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of November 21, 2019.

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

1. **VESTA INTERMEDIATE FUNDING INC. (OWNED BY THE LUBRIZOL CORPORATION, A BERKSHIRE HATHAWAY COMPANY) ENCROACHMENT OF A DEHUMIDIFIER EQUIPMENT PLATFORM INTO MINIMUM REQUIRED REAR YARD [recommendation to Board of Zoning and Building Appeals].** Application by Vesta Intermediate Funding Inc. (owned by The Lubrizol Corporation, a Berkshire Hathaway Company) for an Area Exception from §12.10(10)(b) of Planned Development District No. 7 (Franklin Industrial Park Phase II) Ordinance No. 85-864, to allow for the encroachment of a dehumidifier equipment platform into the minimum required rear yard. Pursuant to §12.10(10)(b), the minimum building rear setback is 25 feet, while the requested rear setback is approximately 16 feet and 8 inches, for placement of the support posts of the equipment platform of a dehumidification unit required for the manufacturing facility (the proposed platform is 8 feet 4 inches wide and 22 feet long), in the rear yard of the facility, property located at 9900 South 57th Street, zoned Planned Development District No. 7 (Franklin Industrial Park); Tax Key No. 899-0006-002. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**
2. **MATT TALBOT RECOVERY SERVICES, INC. RESIDENTIAL HOME CONSTRUCTION.** Rezoning application by Matt Talbot Recovery Services, Inc., to amend the City's Zoning Map for a portion of a property located at 9132 South 92nd Street from C-1 Conservancy District to R-3 Suburban/Estate Single-Family Residence District, to comply with condition number 8 of Resolution 2019-7498, which conditionally approved a 2 lot Certified Survey Map ("The applicant shall apply for a Rezoning from the City to remove the existing C-1 Conservancy District" (approximately 1.94 acres)); Tax Key No. 886-9987-000. [The area to be rezoned is subject to a conservation easement per the conditionally approved Certified Survey Map, therefore, it is intended for protection of the existing wetlands. The applicant is not proposing to develop this

area within conservation easements.] **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

3. **BEAR DEVELOPMENT RECONFIGURATION OF TWO LOTS FOR POTENTIAL FUTURE INDUSTRIAL DEVELOPMENT.** Rezoning, Certified Survey Map and Land Division Variance applications by Bear Development, LLC (Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, property owners), to:
Rezoning: change the zoning of the proposed Lot 1 from R-2 Estate Single-Family Residence District to M-2 General Industrial District [the applicant is not proposing to rezone the proposed Lot 2 (it will remain as currently zoned, R-8 Multiple-Family Residence District, R-2 Estate Single-Family Residence District and C-1 Conservancy District)] [rezoning of entire property bearing Tax Key No. 939-9995-000 and a portion (13 acres) of the property bearing Tax Key No. 939-9994-000 (10082 South 124th Street)];
Certified Survey Map: reconfigure two subject lots: the southernmost lot abutting South North Cape Road (10082 South 124th Street) is approximately 41.24 acres and is owned by Daniel L. and Virginia K. Mathson (Tax Key No. 939-9994-000) and the lot to the north (property generally located south of Loomis Court and east of South North Cape Road, is 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 is owned by Franklin Mills, LLC (Tax Key No. 939-9995-000) [the Certified Survey Map 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 approximately 28.408 acres (to remain owned by Daniel L. and Virginia K. Mathson);
Land Division Variance: (in conjunction with the proposed Certified Survey Map) to allow Franklin Mills, LLC to purchase approximately 13 acres of land from Daniel L. and Virginia K. Mathson to combine to their existing parcel, 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 [this property does have access through a 60-foot wide ingress/egress easement on the property to the west, which was designated on Certified Survey Map No. 11704 and, in part, for the specific benefit of this parcel]; properties located at 10082 South 124th Street (Tax Key No. 939-9994-000, zoned R-8 Multiple-Family Residence District, R-2 Estate Single-Family Residence District and C-1 Conservancy District) and property generally located south of Loomis Court and east of South North Cape Road (Tax Key No. 939-9995-000, zoned R-2 Estate Single-Family Residence District). **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE REZONING APPLICATION OF THIS MATTER.**

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

E. **Adjournment**

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

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

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

REMINDERS:

Next Regular Plan Commission Meeting: December 19, 2019

**City of Franklin
Plan Commission Meeting
November 21, 2019
Minutes**

unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the November 21, 2019 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Commissioners Adam Burckhardt and Patricia Hogan and Alderman Mark Dandrea and City Engineer Glen Morrow. Excused were Commissioner David Fowler and Commissioner Kevin Haley. Also present were Planning Manager Joel Dietl, Assistant Planner Marion Ecks and City Attorney Jesse Wesolowski.

B. Approval of Minutes

1. Regular Meeting of November 7, 2019. Commissioner Hogan moved and Commissioner Burckhardt seconded approval of the November 7, 2019, minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (4-0-2).

C. Public Hearing Business Matters

**1. THE LEARNING
EXPERIENCE DAYCARE
FACILITY CONSTRUCTION.**

Special Use and Site Plan applications by Steve Pagnota, Managing Member of Bradford Franklin LLC, to allow for construction of a 10,000 square foot one-story daycare building (The Learning Experience), 4,463 square foot playground and parking lot (35 parking spaces), with associated landscaping, fencing and lighting, upon property located at 7760 South Lovers Lane Road (approximately 1.13 acres of vacant land), zoned CC City Civic Center District; Tax Key No. 794-9999-009.

Planning Manager Joel Dietl presented the request by Steve Pagnota, Managing Member of Bradford Franklin LLC, to allow for construction of a 10,000 square foot one-story daycare building (The Learning Experience), 4,463 square foot playground and parking lot (35 parking spaces), with associated landscaping, fencing and lighting, upon property located at 7760 South Lovers Lane Road (approximately 1.13 acres of vacant land), zoned CC City Civic Center District; Tax Key No. 794-9999-009.

The Official Notice of Public Hearing was read into the record by Assistant Planner Marion Ecks and the Public Hearing was opened at 7:05 pm and closed at 7:19 pm.

Special Use

City Engineer Morrow moved and Alderman Dandrea seconded a motion to amend Condition #4 to state that: the Applicant shall obtain City approval of a UDO Text Amendment removing or revising requirements for cross access, or obtain a waiver of such requirement by the Common Council if such waiver is available as determined by the City Attorney, prior to issuance of Building Permit. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Alderman Dandrea moved and City Engineer Morrow seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a daycare facility use upon property located at 7760 South Lovers Lane Road. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Site Plan

City Engineer Morrow moved and Alderman Dandrea seconded a motion to amend the first sentence of Condition #5 to state that: The applicant shall submit a cross-access easement to the City for staff review, Common Council approval, and recording with the Milwaukee County Register of Deeds Office, or obtain a waiver of such requirement by the Common Council if such waiver is available as determined by the City Attorney, prior to issuance of Building Permits. On voice vote, all voted 'aye'; motion carried. (4-0-2).

City Engineer Morrow moved and Alderman Dandrea seconded a motion to amend Condition #6 to allow for an irregular landscape bufferyard easement, 30' where possible, to accommodate the building. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Alderman Dandrea moved and Commissioner Hogan seconded a motion to delete Condition #7 from the draft Resolution. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Alderman Dandrea moved and Commissioner Burckhardt seconded a motion to delete Condition #8 from the draft Resolution. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Alderman Dandrea moved and Commissioner Burkhardt seconded a motion to revise condition #9 to state that: the applicant shall revise the Architectural Plan and Building elevations so that the three (3) sides of the main entrance include cementitious material, and to add brick to the gables on the east and south elevations, for City staff review and approval prior to issuance of any Building Permits. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Alderman Dandrea moved and City Engineer Morrow seconded a motion to recommend approval of a Resolution approving a Site Plan for construction of a daycare building, playground and parking lot with associated landscaping, fencing and lighting (7760 South Lovers Lane Road) subject to the actions of the Plan Commission on this item earlier this

evening. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

2. FRANKLIN MOBILE HOME PARK BRIDGE REPLACEMENT WITHIN A FLOODWAY. Special Use application by David Steinberger, President of Franklin Mobile, LLC, a residential mobile home park, for replacement of an existing failed bridge (approximately 18 feet long by 16 feet wide) with an approximately 25 foot long by 20 foot wide bridge and associated culvert over the East Branch of the Root River in the Franklin Mobile Home Park (the bridge is located within the shoreland, floodway and wetlands associated with the East Branch of the Root River), located on a private road referred to as West Westmoor Avenue, property zoned R-8 Multiple-Family Residence District, FW Floodway District and B-2 General Business District, located at 6361 South 27th Street; Tax Key No. 714-9993-004.

Planning Manager Joel Dietl presented the Special Use application by David Steinberger, President of Franklin Mobile, LLC, a residential mobile home park, for replacement of an existing failed bridge (approximately 18 feet long by 16 feet wide) with an approximately 25 foot long by 20 foot wide bridge and associated culvert over the East Branch of the Root River in the Franklin Mobile Home Park (the bridge is located within the shoreland, floodway and wetlands associated with the East Branch of the Root River), located on a private road referred to as West Westmoor Avenue, property zoned R-8 Multiple-Family Residence District, FW Floodway District and B-2 General Business District, located at 6361 South 27th Street; Tax Key No. 714-9993-004.

The Official Notice of Public Hearing was read into the record by Assistant Planner Marion Ecks and the Public Hearing was opened at 7:53 pm and closed at 8:12 pm.

Commission Hogan moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for replacement of an existing failed bridge and associated 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 Mobile Home Park, property located at 6361 South 27th Street, in the form and content as presented to the commission at this meeting, excepting that condition Nos. 4, 5 and 9 be deleted. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

D. Business Matters

1. None.

E. Adjournment

Commissioner Burckhardt moved and Commissioner Hogan seconded a motion to adjourn the Plan Commission meeting of November 21, 2019 at 8:13 p.m. On voice vote, all voted ‘aye’; motion carried. (4-0-2).



REPORT TO THE PLAN COMMISSION

Meeting of December 5, 2019

Area Exception

RECOMMENDATION: City Development Staff recommends review of the Findings and Factors and Standards and a decision be made based upon the applicant's recommended findings and consideration of any comments provided at the public hearing.

| | |
|---------------------------------------|--|
| Project Name: | Vesta/Lubrizol Area Exception Request |
| Project Address: | 9900 S. 57 th Street |
| Applicant: | Marc Periman, Vesta/Lubrizol |
| Property Owner: | Vesta/Lubrizol |
| Agent: | Michael Nuzzo, Southport Engineered Systems, LLC |
| Zoning: | PDD No. 7 - Franklin Industrial Park |
| Use of Surrounding Properties: | Industrial (Planned Development District No. 7) |
| Applicant's Action Requested: | Approval of the proposed Area Exception |

INTRODUCTION:

On October 9, 2019, the applicant submitted an application for an Area Exception from Section 12.10(10)(b) of the Ordinance 85-864, to allow for the encroachment of a dehumidifier equipment platform into the minimum required rear yard. Per said Ordinance, the minimum building rear setback is 25', while the requested rear setback is 16' 8". The proposed platform is 8' 4" wide and 22' long, with an area of 183 square feet. The total height to the top of the dehumidifier is 28 feet, while the principal building is approximately 19' 8" tall.

BACKGROUND:

The subject property constitutes the Vesta, Inc. development, which is located within Phase II of the Franklin Industrial Park. The property is zoned Planned Development District (PDD) No. 7. And is subject to Resolutions 1985-2585, 1988-3189 and 1990-3473, establishing and amending the Franklin Industrial Park Deed Restrictions and Protective Covenants/Architectural Controls.

On February 4, 1991, the Franklin Economic Development Commission (EDC) issued a Zoning Permit to Vesta, Inc. for the following operation or use: Extruding and molding of rubber silicone for the medical industry. The EDC approved a Site Plan Amendment for an approximately 56,772 square foot building addition on December 22, 2008. Per Resolution 2010-6629, certain areas of this property are subject to a conservation easement. However, the proposed platform is not encroaching into these protected areas.

The most recent improvement to this property is the installation of a new Regenerative Thermal

Oxidizer (RTO) with a 30-foot tall exhaust stack on the northeast side of the building, which was administratively approved by City Development staff as a Minor Site Plan Amendment on May 13, 2016.

PROJECT ANALYSIS:

Pursuant to the Unified Development ordinance (UDO) Section 15-10.0209.C, Area Exceptions include rear yard setbacks. The Board of Zoning and Building Appeals, upon review and recommendation of the Plan Commission, may grant or deny an application for area exception. Given the location of the subject property within PDD No. 7, Ordinance 85-864 Section 12.10(3) requires a hearing before the Economic Development Commission.

This dehumidifier equipment could be placed on the roof of the existing building without the need for an Area Exception. However, according to the applicant the existing structure is not capable of handling the additional weight of the dehumidifier without reinforcing the structural steel, which requires a massive shutdown of operations. Other alternative location is to place the platform in front of the building, this option would require compliance with the architectural standards of Ordinance 85-864 Section 12.10(11).

Per UDO Section 15-10.0209, the side or rear yard setback cannot be reduced to less than five (5) feet in non-residential districts. The proposed rear yard setback for the equipment platform is 16' 8", which complies with this section.

It is noted that per Ordinance 85-864 Section 12.10(21), no operation or process shall produce or create excessive noise, light, odors, smoke, dust, smoke, gas, vibration, heat, industrial waste, toxic matter or other excessive measurable external nuisance. According to the applicant, the unit will generate heat and emit some noise, heat would be directed at a high level and noise will be appropriately muffled.

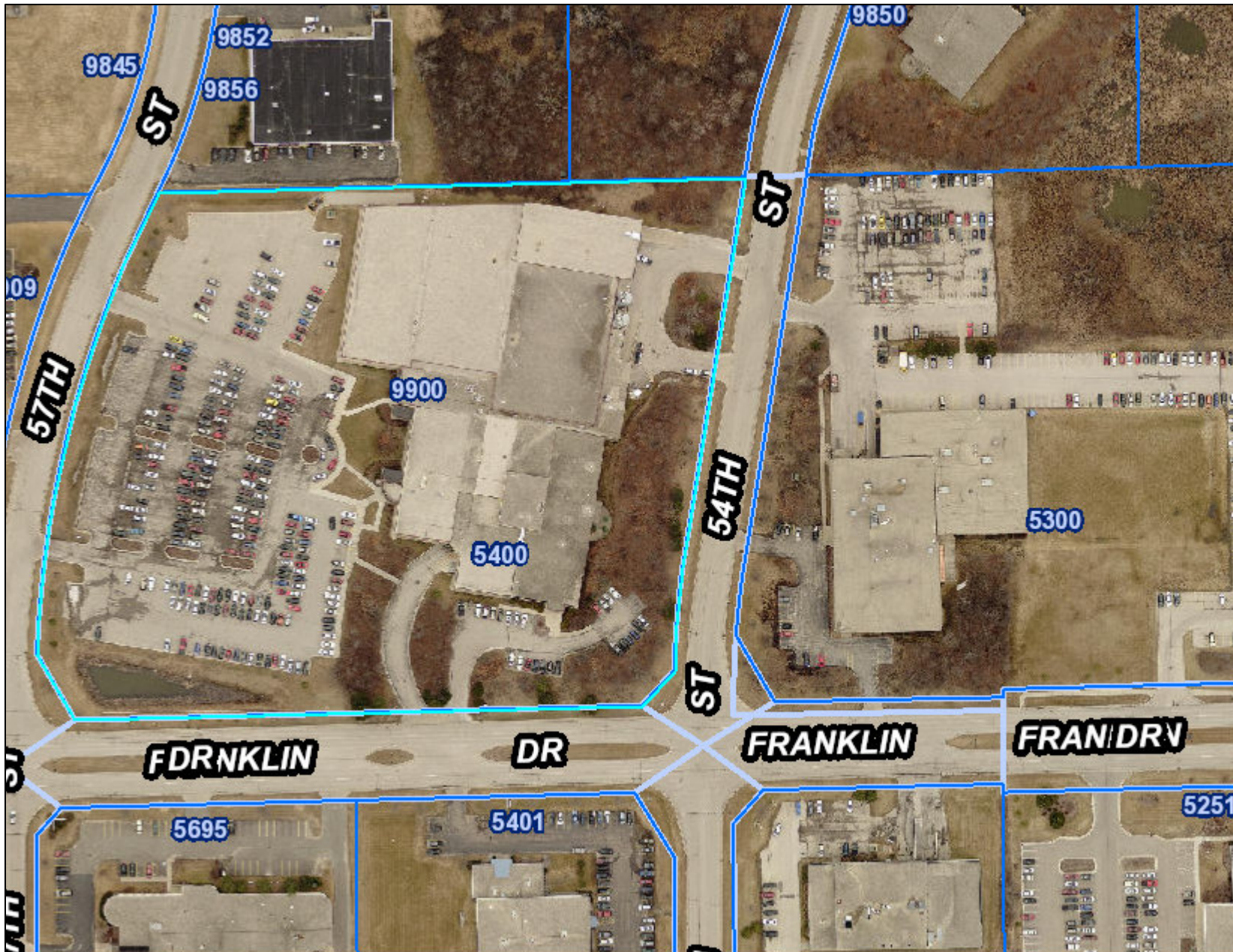
STAFF RECOMMENDATION

City Development Staff recommends review of the Findings and Factors and Standards and a decision be made based upon the applicant's recommended findings and consideration of any comments provided at the public hearing.

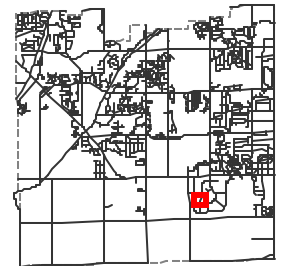
On the November 25, 2019, regular meeting, the Economic Development Commission recommended approval of this Area Exception application.

According to the UDO Section 15-10.0209.H the Board of Zoning and Building Appeals may impose conditions on the granting of an area exception, including but not limited to, landscaping, lighting and site plan changes.

9900 57th Street



Overview Map



- Aldermanic District
- Building
- City Boundary
- Condo
- CS M
- Easement
- Elementary District
- Environmental Corridor
- FEMA DFIRM Flood - Zone A
- FEMA DFIRM Flood - Zone AE
- FEMA - 0.2% Annual Chance
- Parcel
- Park
- Pavement
- County or State Hwy
- Local Road
- Road Right-of-Way
- School District
- Wetland

Zoning Districts

- | | | |
|-----|------|------|
| A-1 | FFO | R-2 |
| A-2 | FW | R-3 |
| B-1 | I-1 | R-3E |
| B-2 | I-I | R-4 |
| B-3 | M-1 | R-5 |
| B-4 | M-2 | R-6 |
| B-5 | M-3 | R-7 |
| B-6 | OL-1 | R-8 |
| B-7 | OL-2 | RC-1 |
| BP | P-1 | VB |
| CC | PDD | VR |
| C-1 | R-1 | R-1E |
| FC | | |

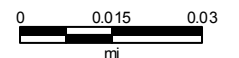
Legend includes all layers even if they are not visible in the map.

(C) City of Franklin, WI



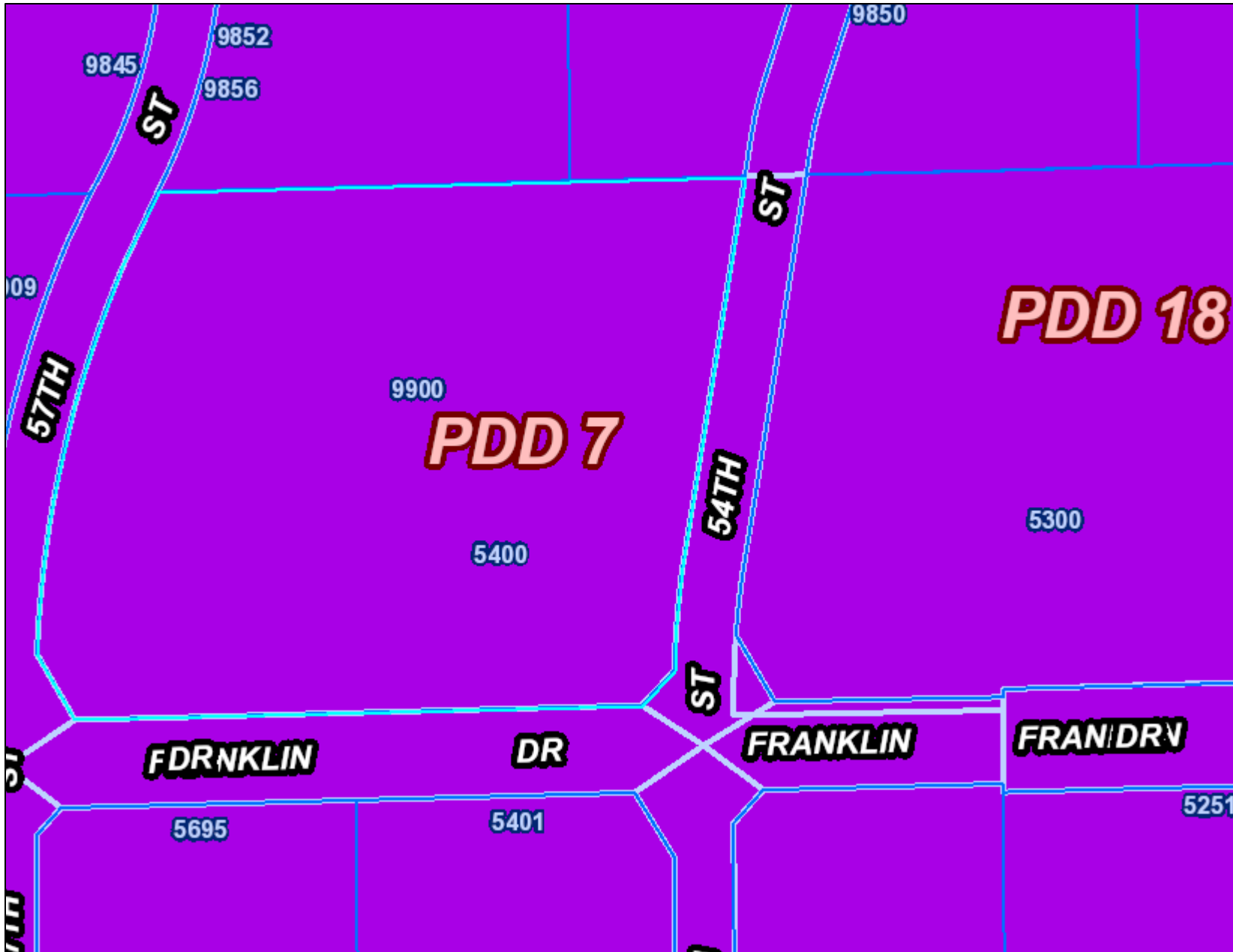
9229 W. Loomis Rd. Franklin, WI 53132
www.franklinwi.gov

The maps and information provided by the City of Franklin's Property Viewer are not legal instruments and are to be used for reference purposes only, not as a substitute for legally recorded maps, surveys or other documents. The City of Franklin assumes no liability for any damages or loss resulting from the use or misuse of the maps and information offered through this site. The maps and information provided here may have been compiled from various state, county, municipal, and private sources, and are maintained by their sources for a wide variety of purposes. Therefore, the City of Franklin cannot guarantee the quality, content, accuracy, completeness, or currency of the information transmitted by this site, and provides such information without expressed or implied warranties, subject to the terms and conditions stated in this Disclaimer and as otherwise provided for by law. While the City of Franklin makes every attempt to provide accurate, complete, and up-to-date information, it shall not be held responsible for any discrepancies contained herein. Each individual accesses and uses the information herein at their own risk. Use of the Property Viewer constitutes acceptance of all terms and conditions in this Disclaimer.

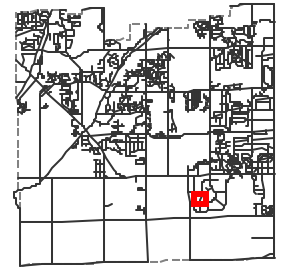


Map Printed: 9/17/2019

9900 57th Street



Overview Map



- Aldermanic District
- Building
- City Boundary
- Condo
- CS M
- Easement
- Elementary District
- Environmental Corridor
- FEMA DFIRM Flood - Zone A
- FEMA DFIRM Flood - Zone AE
- FEMA - 0.2% Annual Chance
- Parcel
- Park
- Pavement
- County or State Hwy
- Local Road
- Road Right-of-Way
- School District
- Wetland

Zoning Districts

- | | | |
|-----|------|------|
| A-1 | FFO | R-2 |
| A-2 | FW | R-3 |
| B-1 | I-1 | R-3E |
| B-2 | I-I | R-4 |
| B-3 | M-1 | R-5 |
| B-4 | M-2 | R-6 |
| B-5 | M-3 | R-7 |
| B-6 | OL-1 | R-8 |
| B-7 | OL-2 | RC-1 |
| BP | P-1 | VB |
| CC | PDD | VR |
| C-1 | R-1 | |
| FC | R-1E | |

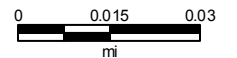
Legend includes all layers even if they are not visible in the map.

(C) City of Franklin, WI



9229 W. Loomis Rd. Franklin, WI 53132
www.franklinwi.gov

The maps and information provided by the City of Franklin's Property Viewer are not legal instruments and are to be used for reference purposes only, not as a substitute for legally recorded maps, surveys, or other documents. The City of Franklin assumes no liability for any damages or loss resulting from the use or misuse of the maps and information offered through this site. The maps and information provided here may have been compiled from various state, county, municipal, and private sources, and are maintained by their sources for a wide variety of purposes. Therefore, the City of Franklin cannot guarantee the quality, content, accuracy, completeness, or currency of the information transmitted by this site, and provides such information without expressed or implied warranties, subject to the terms and conditions stated in this Disclaimer and as otherwise provided for by law. While the City of Franklin makes every attempt to provide accurate, complete, and up-to-date information, it shall not be held responsible for any discrepancies contained herein. Each individual accesses and uses the information herein at their own risk. Use of the Property Viewer constitutes acceptance of all terms and conditions in this Disclaimer.



Map Printed: 9/17/2019

Date of Application: _____

AREA EXCEPTION APPLICATION

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

Applicant (Full Legal Name[s]):

Name: Marc Periman
Company: Lubrizol / Vesta
Mailing Address: 5400 W Franklin Drive
City / State: Franklin, WI Zip: 53132
Phone: 414-858-2116
Email Address: marc.periman@lubrizol.com

Project Property Information:

Property Address: 9900 57th Street
Property Owner(s): Vesta / Lubrizol

Mailing Address: 5400 W Franklin Drive
City / State: Franklin WI Zip: 53132
Email Address: marc.periman@lubrizol.com

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

Name: Michael NUZZO
Company: Southport Engineered Systems, LLC
Mailing Address: 1343 S 27th St
City / State: Caledonia, WI Zip: 53108
Phone: 262-898-3000
Email Address: mnuzzo@southportheating.com

Tax Key Nos: 899-0006-002

Existing Zoning: PBD#7
Existing Use: Manufacturing
Proposed Use: Same
Future Land Use Identification: N/A

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

Area Exception Application 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: ☐ \$300
- ☒ Legal Description for the subject property (WORD.doc or compatible electronic format).
- ☒ Seven (7) complete collated sets of Application materials to include:
 - ☒ One (1) original and six (6) copies of a written Project Narrative, including 1) Current use and improvements on the property; 2) Ordinance standard from which Area Exception is being sought (section number and text); 3) Description of the Area Exception, giving distances and dimensions where appropriate; 4) Statement of reason(s) for the request; and 5) Description and date of any prior petition for an Area Exception.
 - ☒ Seven (7) copies of the Plat of Survey, Site Plan, Building Elevations, and Outdoor Lighting Plans, as appropriate, and any other supporting documents, which illustrate the Area Exception request. ALL plans must be collated and folded into 9x12-inch sets.
- ☒ Two photographs of the subject structure from different views (when applicable). - ON PLANS
- ☒ Completed 'Standards in the Review of Area Exceptions' form (from Section 15-10.0209G. of the UDO).
- ☒ Three (3) Affidavit forms with original and notarized signatures (facsimiles and copies will not be accepted).
- ☒ Email (or CD ROM) with all plans/submittal materials. Plans must be submitted in both Adobe PDF or compatible format (where applicable).

*Upon receipt of a complete submittal, staff review will be conducted within ten business days.

*All Area Exceptions require a public hearing at Plan Commission, Plan Commission recommendation to BZBA, and BZBA review and approval.

*If a building permit is not issued within twelve (12) months of approval, the Area Exception will be null and void.

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).

M R SK
Signature - Property Owner
Name & Title (PRINT) MARK STUART, PLANT MANAGER
Date: 10/01/19

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

[Signature]
Signature - Applicant
Name & Title (PRINT) MICHAEL NUZZO - MEMBER
SOUTHPORT ENGINEERED SYSTEMS, LLC
Date: 10/9/19

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



Standards in the Review of Area Exceptions

Date: 9/26/19

Case No. _____

Property Owner: Lubrizol / Vesta

Property Address: 9900 57th Street

Section 15-10.0209G of the City of Franklin Unified Development Ordinance specifically lists Standards to be reviewed by the Board of Zoning and Building Appeals to grant or deny an Area Exception. The Standards are:

1. That the area exception will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The area in question is in the rear of the building and not accessible to the public

2. That the uses, values and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the area exception.

We are requesting this exception to maintain the intent of this standard.
All other options would be less desirable per this standard.

3. That the area exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

This will not impede any other development or improvements

4. That the area exception will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire within the neighborhood.

This will not impeded any of these concerns

5. That the area exception shall be in harmony with the general purpose and intent of this Unified Development Ordinance.

We believe this is in harmony with the ordinance.



Affidavit

I hereby depose and say that all the statements contained in any and all papers submitted herewith this Application are true.

Signature of Property Owner 1: Mark Stuart Signature of Property Owner 2: _____

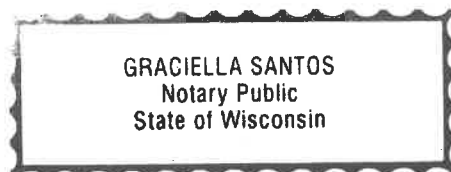
Name and Title: MARK STUART, PLANT MANAGER Name and Title: _____

STATE OF WISCONSIN)

) SS

MILWAUKEE COUNTY)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1st DAY OF October, 2019.



Graciella Santos

NOTARY PUBLIC

MILWAUKEE COUNTY, WISCONSIN

My Commission Expires: _____

**My Commission Expires
October 16, 2020**

STAFF USE ONLY: DISPOSITION BY BOARD OF ZONING AND BUILDING APPEALS

Application Received (Date): _____ Case No. _____

Property Owner(s) Name: _____

Property Address: _____

BZBA Meeting Date: _____

☐ Approved

☐ Denied

Signature of Board Members

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues



Affidavit

I hereby depose and say that all the statements contained in any and all papers submitted herewith this Application are true.

Signature of Property Owner 1: M. R. J. K. Signature of Property Owner 2: _____

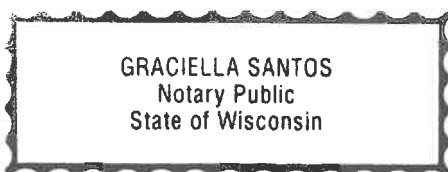
Name and Title: MARK STEWART, PLANT MANAGER Name and Title: _____

STATE OF WISCONSIN)

) SS

MILWAUKEE COUNTY)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1st DAY OF October, 2019.



Graciella Santos

NOTARY PUBLIC

MILWAUKEE COUNTY, WISCONSIN

My Commission Expires: _____

**My Commission Expires
October 16, 2020**

STAFF USE ONLY: DISPOSITION BY BOARD OF ZONING AND BUILDING APPEALS

Application Received (Date): _____ Case No. _____

Property Owner(s) Name: _____

Property Address: _____

BZBA Meeting Date: _____

☐ Approved

☐ Denied

Signature of Board Members

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ Yes No Abstain Recues

Print Name: _____ ☐ Yes ☐ No ☐ Abstain ☐ Recuses

MEMORANDUM

Date: October 25, 2019

To: Michael Nuzzo, Southport Engineered Systems, LLC

From: City of Franklin, Department of City Development

RE: Application for Area Exception. 9900 S 57th Street, Vesta/Lubrizol.

Please be advised that the Department of City Development has reviewed the above application. This Area Exception application is sought to allow for the encroachment of a dehumidifier equipment platform into the minimum required rear yard. Per Ordinance 85-864, the minimum building rear setback is 25', while the requested rear setback is 16' 8". Staff comments are as follows for the application submitted by Marc Periman, and date stamped by the City of Franklin on October 9, 2019.

Department of City Development Staff Comments

1. Please be aware that this Area Exception is sought to allow for a reduced rear setback. This setback requirement is set forth in Ordinance 85-864 Section 12.10(10)(b), not Section 15-3.0301 of the Unified Development Ordinance (UDO), as indicated in the project narrative. *Response: Thank you for the clarification. This has been corrected in the narrative*
2. Please indicate the distance between the platform footprint and the rear lot line. Is it 16' 8"? please confirm. *Response: This is correct. The distance will be no less than 16'-8"*
3. Please indicate the total height of the equipment platform, including the dehumidifier. *Response: The total height to the top of the dehumidifier is 28'*
4. Any proposed lighting associated with the equipment platform?
Response: No additional lighting is proposed
5. It is noted that per Ordinance 85-864 Section 12.10(21), no operation or process shall produce or create excessive noise, light, odors, dust, smoke, gas, vibration, heat, industrial waste, toxic matter or other excessive measurable external nuisance. Would the proposed dehumidifier create a nuisance to an extent greater than the allowable level? For more information, please refer to the above-referenced Ordinance. *Response: We do not believe there would be any nuisances from this installation. The unit will generate heat and emit some noise. Heat would be directed at a high level and should not be a nuisance. Noise from the unit has been calculated and will be appropriately muffled*
6. It should be noted that per UDO Section 15-10.0209.H the Board of Zoning and Building Appeals may impose conditions on the granting of an area exception, including but not limited to, landscaping, lighting and site plan changes. *Response: Understood. We have tried to place this platform in the most inconspicuous area to avoid any of these measures, but if they are deemed necessary we will comply.*



To: City of Franklin Planning Department
generalplanning@franklinwi.gov

Re: Project Narrative - Revised
Area Exception Application for Lubrizol / Vesta
5400 W Franklin Drive
Franklin, WI 53132

Legal Description of Property (per Chicago Title Company Policy 1244221 with an effective date of August 14, 2008)

Lots 2, 3, 4, 5, and 6, in Block 2, in Franklin Industrial Park, being a Redivision of Certified Survey Map No. 3226 and a Subdivision of land in part of the Southwest ¼ of the Northwest ¼, the Northwest ¼ and part of the Northeast ¼ of the Southwest ¼ of Section 26, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin.

EXCEPT THEREFROM part of Lots 4 and 5, in Block 2 of said subdivision conveyed to the City of Franklin in Warranty Deeds recorded as Document Numbers 6877035 and 6877036.

Tax Key No: 899-0006-002

1) **Current Use and Improvements on the Property:**

The current use is a silicone products manufacturing facility with related office and support areas.

2) **Ordinance Standard for which exception is being sought:**

We seek an exception from the rear yard setback (currently 25') from Ordinance 85-864 Section 12.10(10)(b)

3) **Description of the area exception:**

We would request to place the support posts for the equipment platform in this area. Platform will be at roof level so the only impediment into the rear yard area will be the structural columns. The distance between the platform footprint and the rear lot line would be no less than 16'-8".

4) **Reason for this request:**

A new dehumidification unit is required for their production. We looked at 4 other locations for this unit and the existing structure is not capable of handling the additional weight without reinforcing the structural steel. Since all of the steel is above a ceiling in a clean environment, the work required above these ceilings is impossible without a massive shutdown of operations. The only practical option we have right now is the proposed platform located in the rear yard (as proposed). Another option would be to place this platform in the front of the building, which would not be ideal for either the client or the city.

5) **Any prior petitions:** No

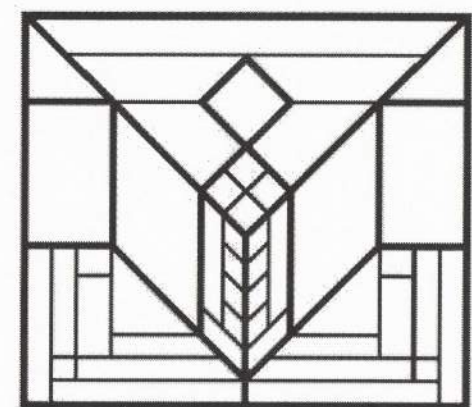
We trust this is the information you desire and hope to be of further service to you. If you have any questions, please call me at (262) 515-4836 or (262) 898-3000.

Sincerely,

Southport Engineered Systems, LLC

Michael Nuzzo, P.E.

Existing Site plan with
New Equipment platform location
8-19-19



STEPHEN PERRY SMITH
ARCHITECTS, INC.

N88 W16447 MAIN STREET, SUITE 400
MENOMONEE FALLS, WISCONSIN, 53051

T | 262.437.4000

F | 262.437.4001

www.spsarchitects.com

PROJECT

EXPANSION FOR:

VESTA

INCORPORATED

CONTRACTOR



BERGHAMMER
Construction Corporation

REVISIONS

INFORMATION

PROJECT ARCHITECT SPS

PROJECT MANAGER MAM

PROJECT NUMBER BRG-08-498

ISSUED FOR BID PACKAGE #2

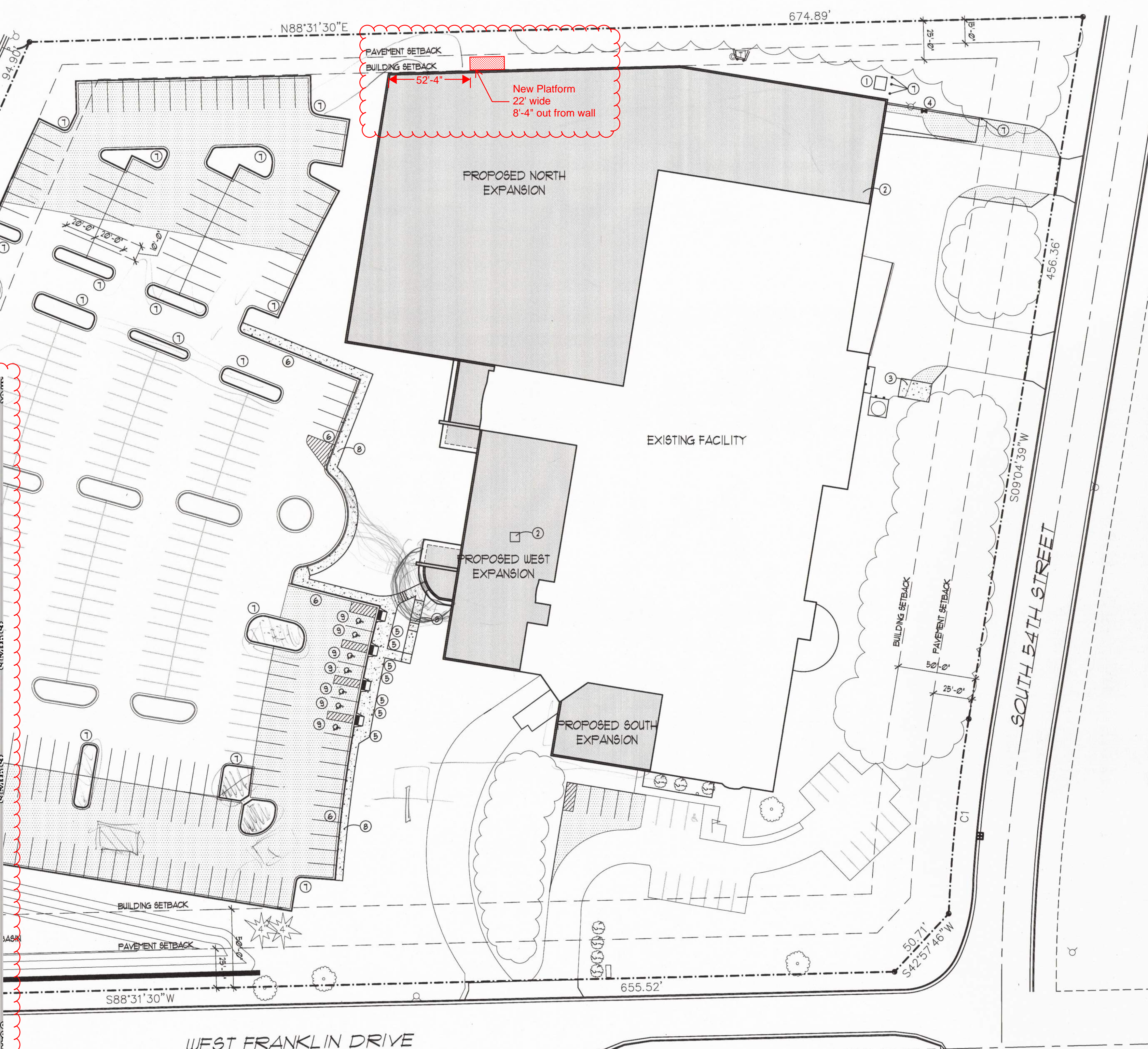
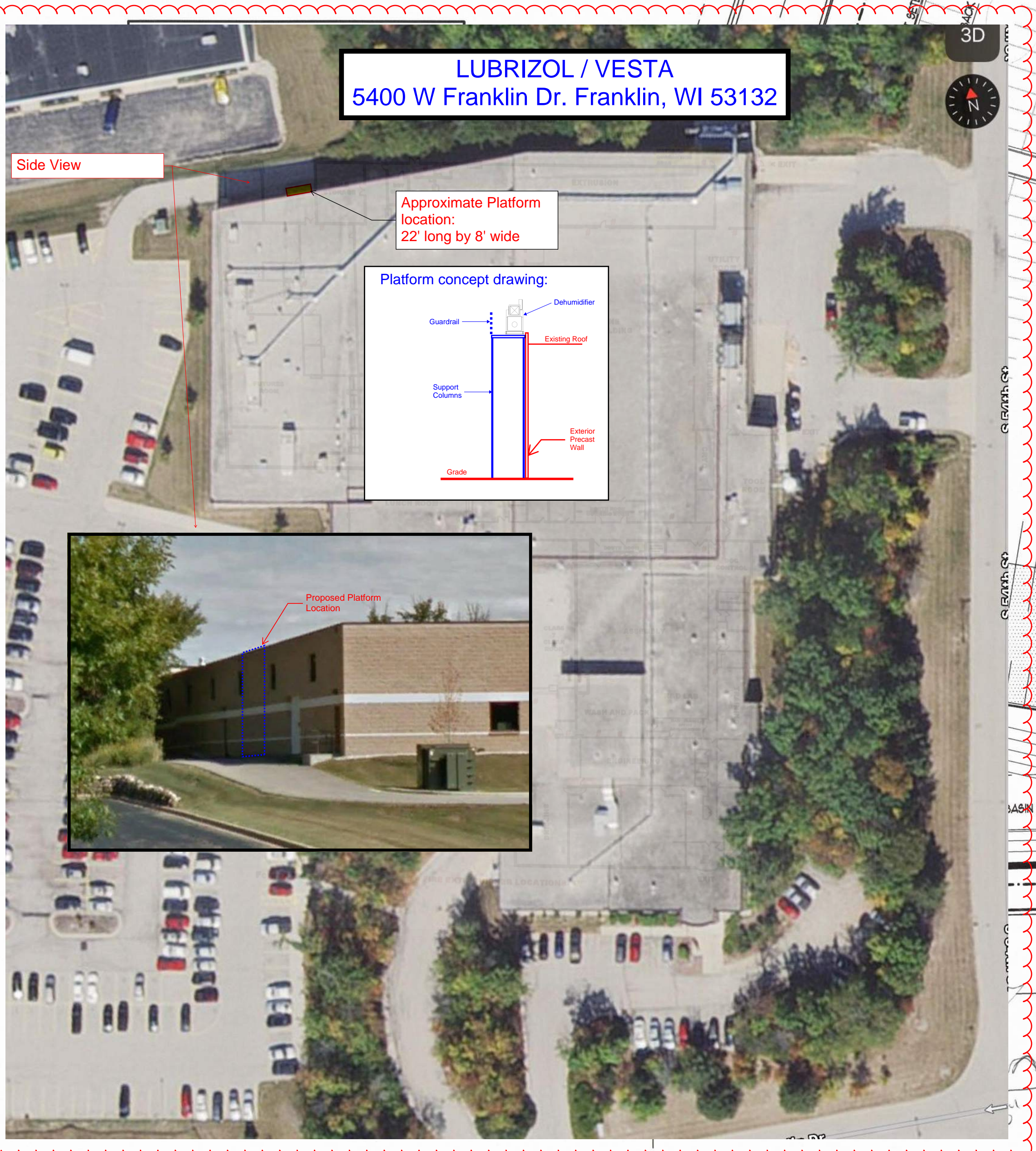
DATE DECEMBER 8, 2008

SHEET

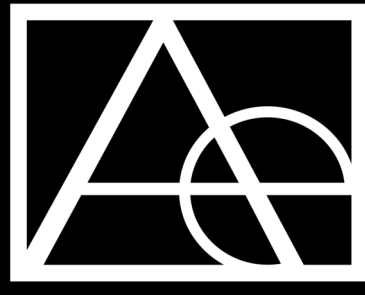
ARCHITECTURAL SITE PLAN

A0.1

| SITE SUMMARY | | | |
|--|-----------------------------------|------------|------------|
| | AREA | PERCENTAGE | PARKING |
| GROSS SITE AREA: | 10.09 ACRES (439,536 SF) | 100% | |
| EXISTING BUILDING FOOTPRINT: | 53,205 SF | 13.4% | |
| PROPOSED EXPANSION FOOTPRINT: | 56,112 SF | 13.0% | |
| TOTAL FOOTPRINT | 109,317 SF | 26.4% | |
| EXISTING PAVEMENT AREA: | 121,365 SF | 29.0% | 266 SPACES |
| NET PAVEMENT AREA: | 35,682 SF | 8.1% | 100 SPACES |
| TOTAL PAVEMENT AREA: | 163,041 SF | 37.1% | 366 SPACES |
| NET GREENSPACE AREA: | 16,050 SF | 3.6% | |
| MIN. LANDSCAPE SURFACE AREA: (MINIMUM GREENSPACE) | 13,628 SF | 25% | |
| EXISTING BUILDING AREA: | 53,205 SF | 13.4% | 248 SPACES |
| FIRST FLOOR MANF. EXPANSION: | 45,914 SF | 10.5% | 81 SPACES |
| OFFICE EXPANSION: | 10,198 SF | 2.3% | |
| TOTAL BUILDING AREA: | 109,317 SF | 26.4% | |
| MAX. FLOOR AREA RATIO: | 19,231 SF | 4.2% | 329 SPACES |
| PER PDD #1 COVENANTS | | | |
| 1 SPACE PER 2 EMPLOYEES ON TWO LARGEST SHIFTS | | | |
| CURRENT SHIFT 1 - | 173 PERSONS / SHIFT 2 - | 56 PERSONS | |
| EXPANSION SHIFT 1 - | 75 PERSONS (ESTIMATE) / SHIFT 2 - | 25 PERSONS | |
| TOTAL - | 329 PERSONS | | |
| *BUILDING AREA IS NOT LIMITED PER IBC 501.4. | | | |

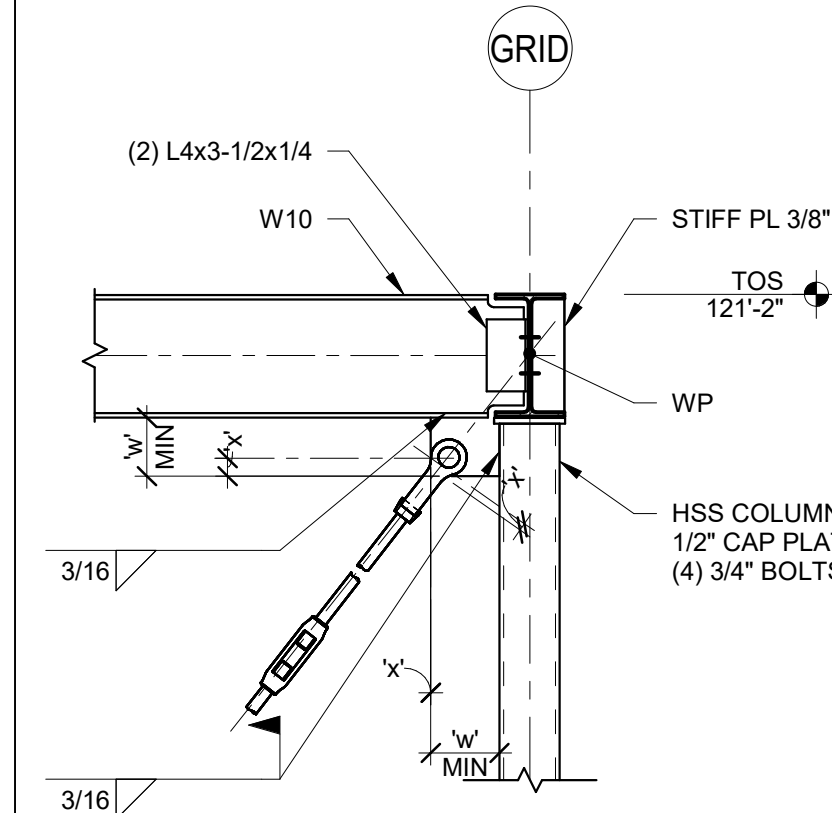


1 MASTER SITE PLAN
SCALE: 1" = 40'-0"



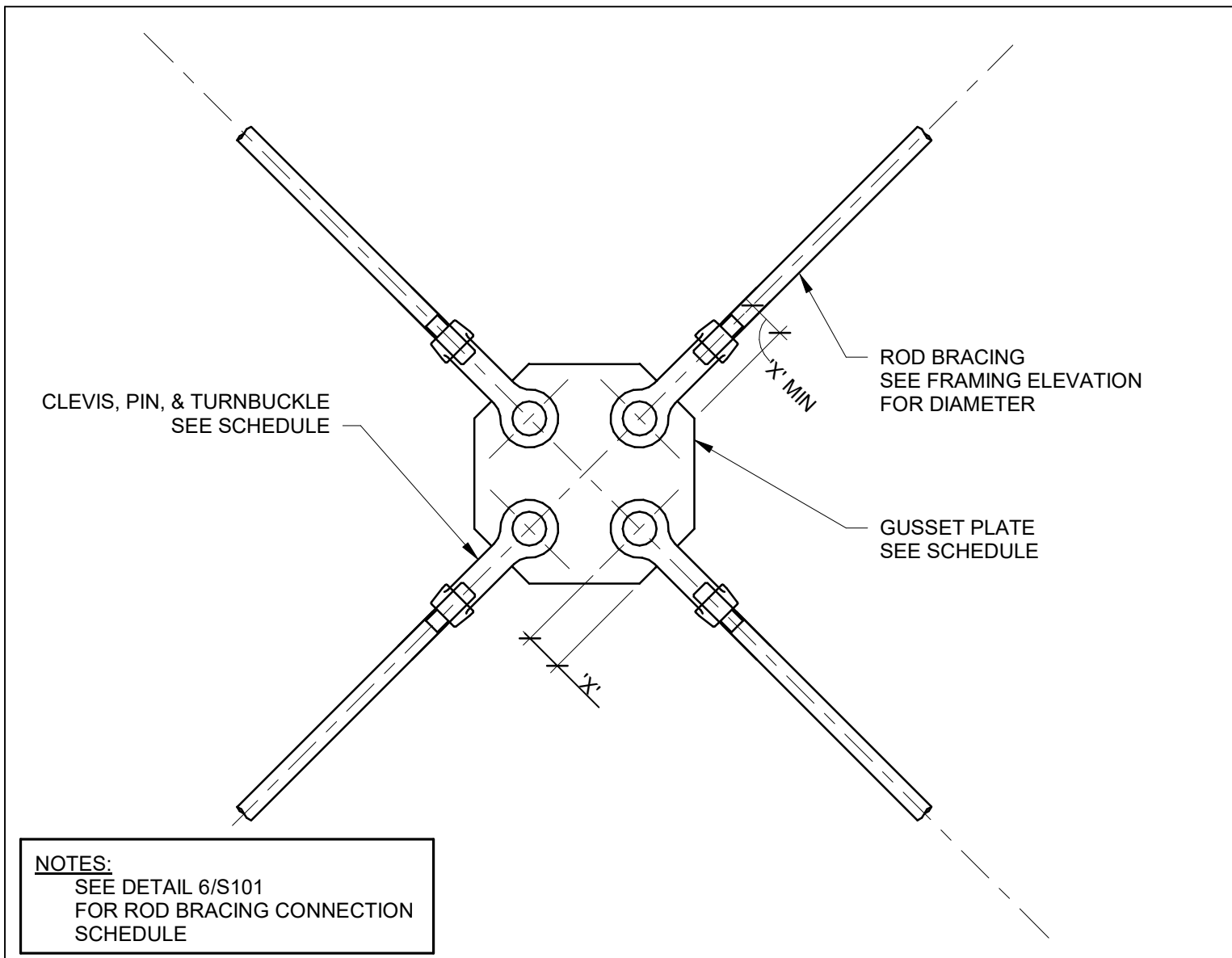
**AMBROSE
ENGINEERING**

W66 N215 COMMERCE CT.
CEDARBURG, WI 53012
PH [262] 377-7602
ambeng@ambeng.com



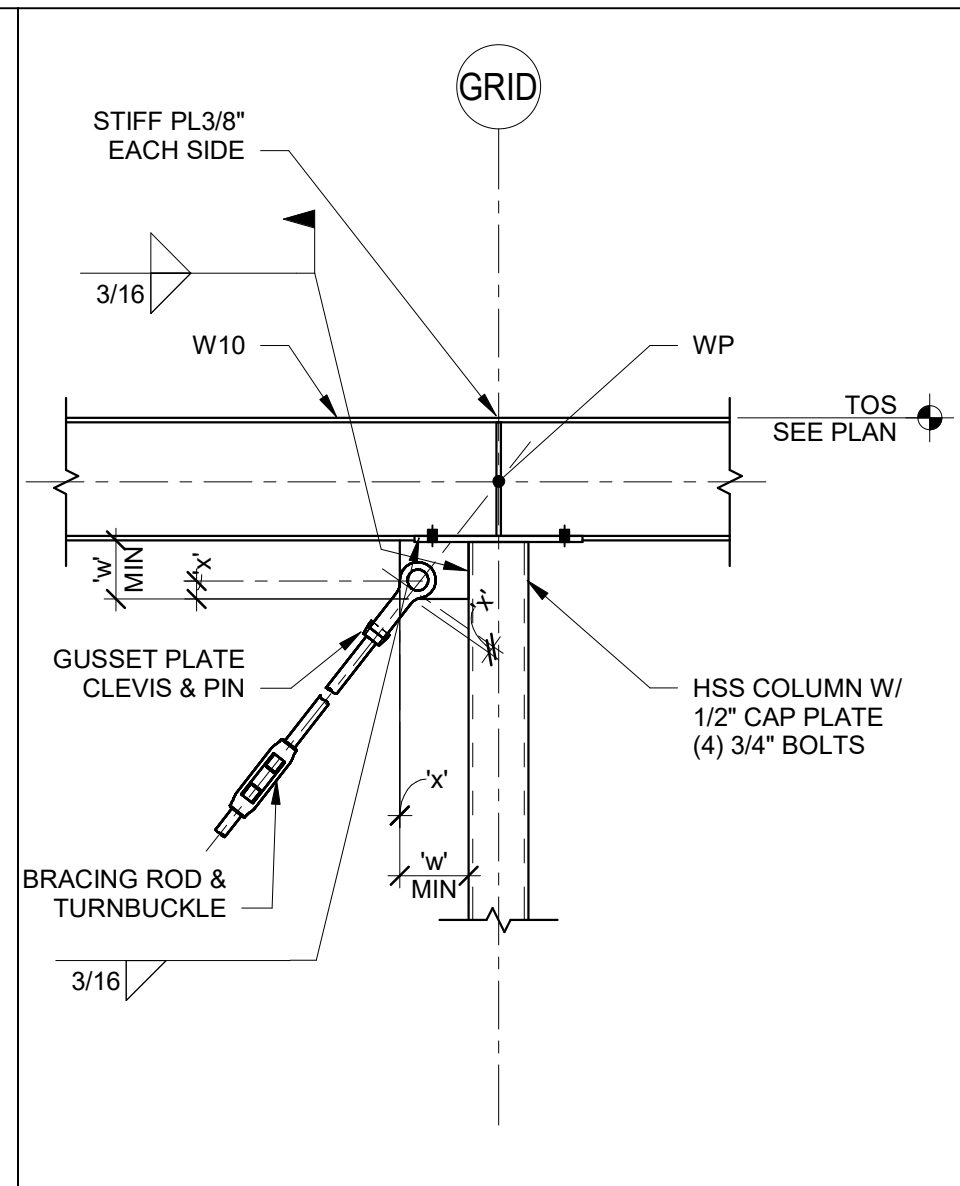
9 ROD BRACING AT ROOF

S101 SCALE: 3/4" = 1'-0"



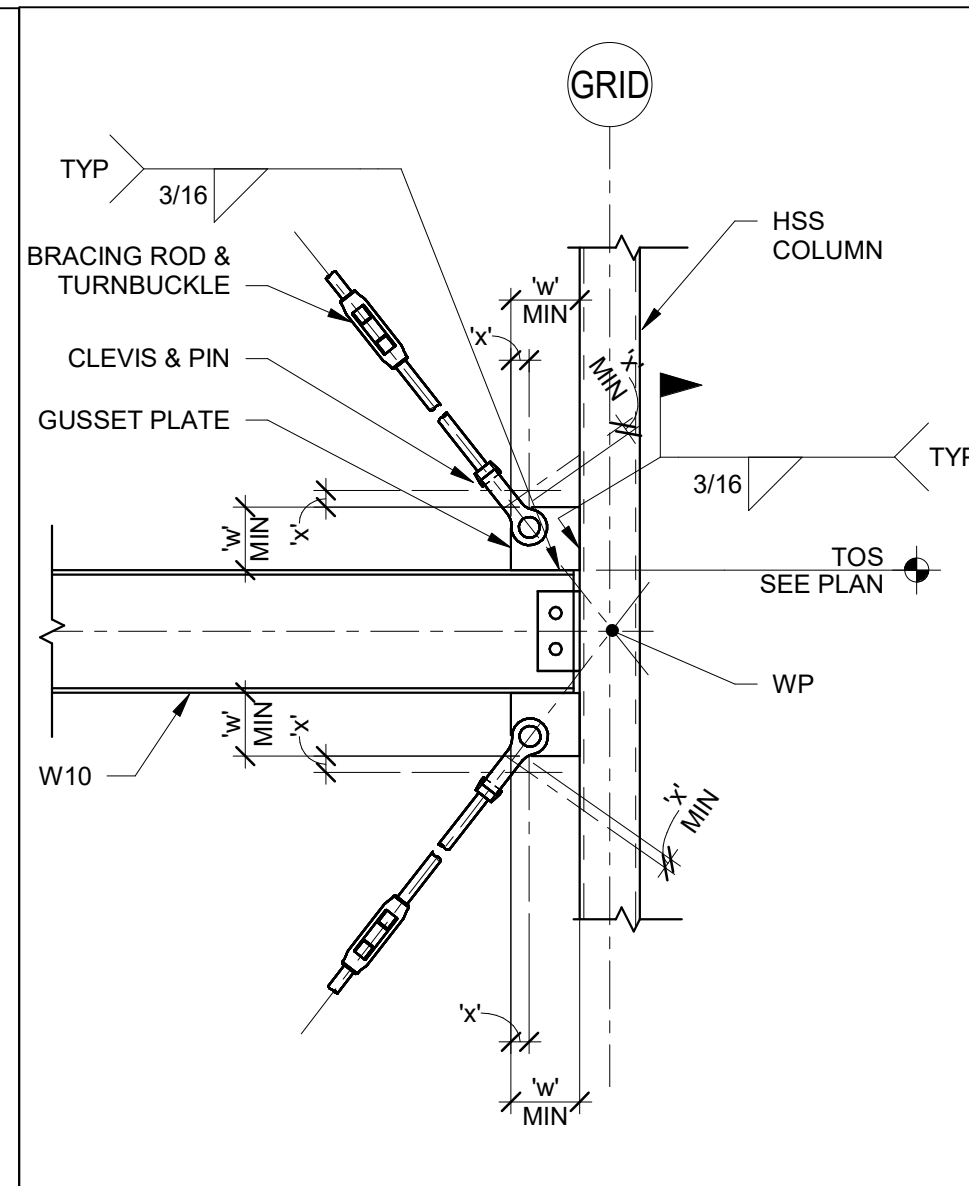
8 ROD BRACING DETAIL

S101 SCALE: 3/4" = 1'-0"



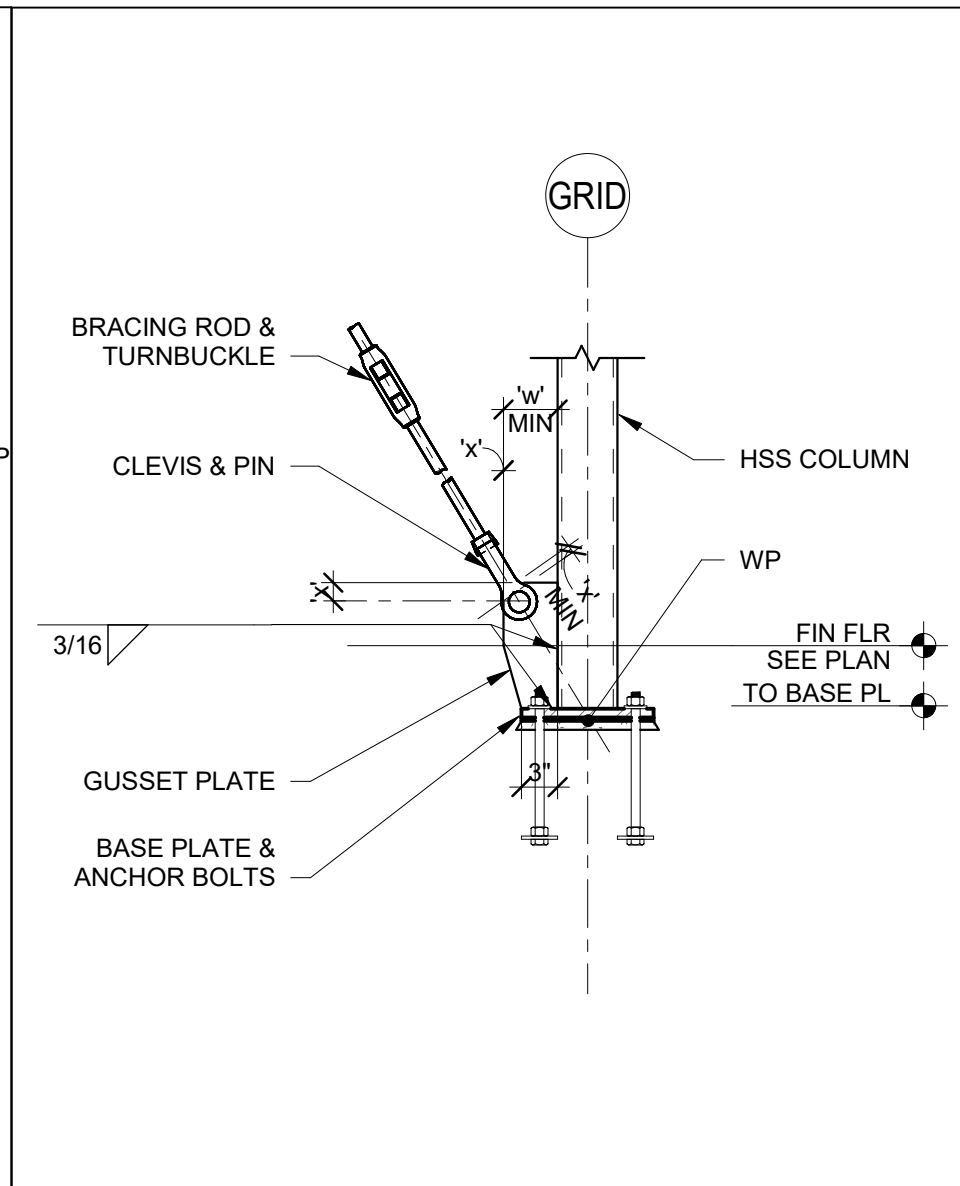
7 ROD BRACING AT ROOF

S101 SCALE: 3/4" = 1'-0"



6 ROD BRACING AT FLOOR

S101 SCALE: 3/4" = 1'-0"



5 ROD BRACING BASE

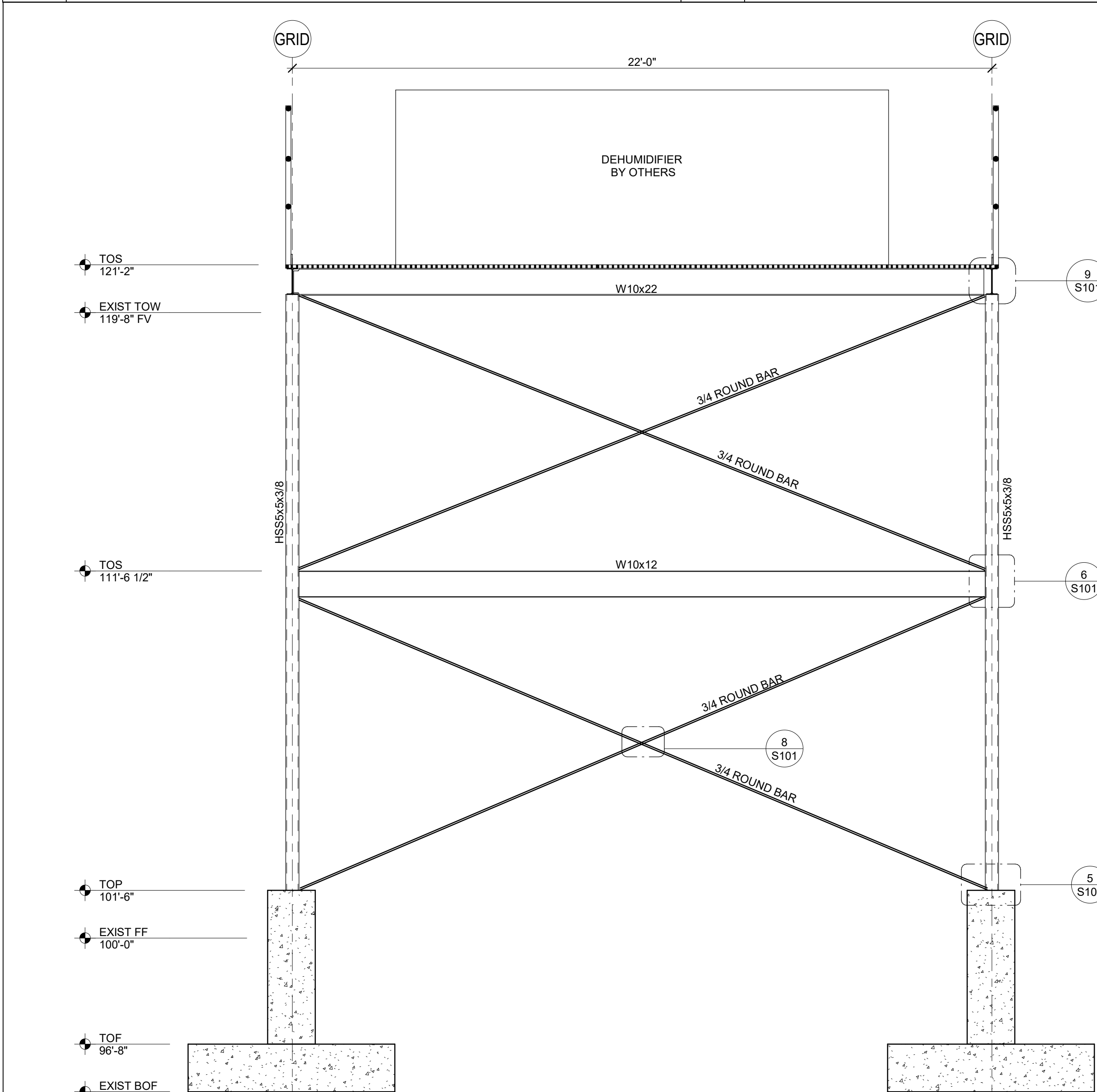
S101 SCALE: 3/4" = 1'-0"

| ROD BRACING - GUSSET PLATE SCHEDULE | | | | | |
|-------------------------------------|---------------|---------|---------------------|-------------------|-----------------|
| ROD DIA | CLEVIS NUMBER | PIN DIA | GUSSET PL THICKNESS | PLATE WIDTH W MIN | EDGE DIST X MIN |
| 3/4" | #2-1/2 | 3/4" | 3/8" | 3" | 1-1/2" |

| BRACING ASSEMBLY SCHEDULE | | | | |
|---------------------------|----------|----------------------------|------------------------|-------------------|
| ROD SIZE | PIN SIZE | TURNBUCKLE & CLEVIS NUMBER | GUSSET PLATE THICKNESS | "X" EDGE DISTANCE |
| 3/4" | 1-1/4" | #2-1/2 | 3/8" | 1-3/4" |

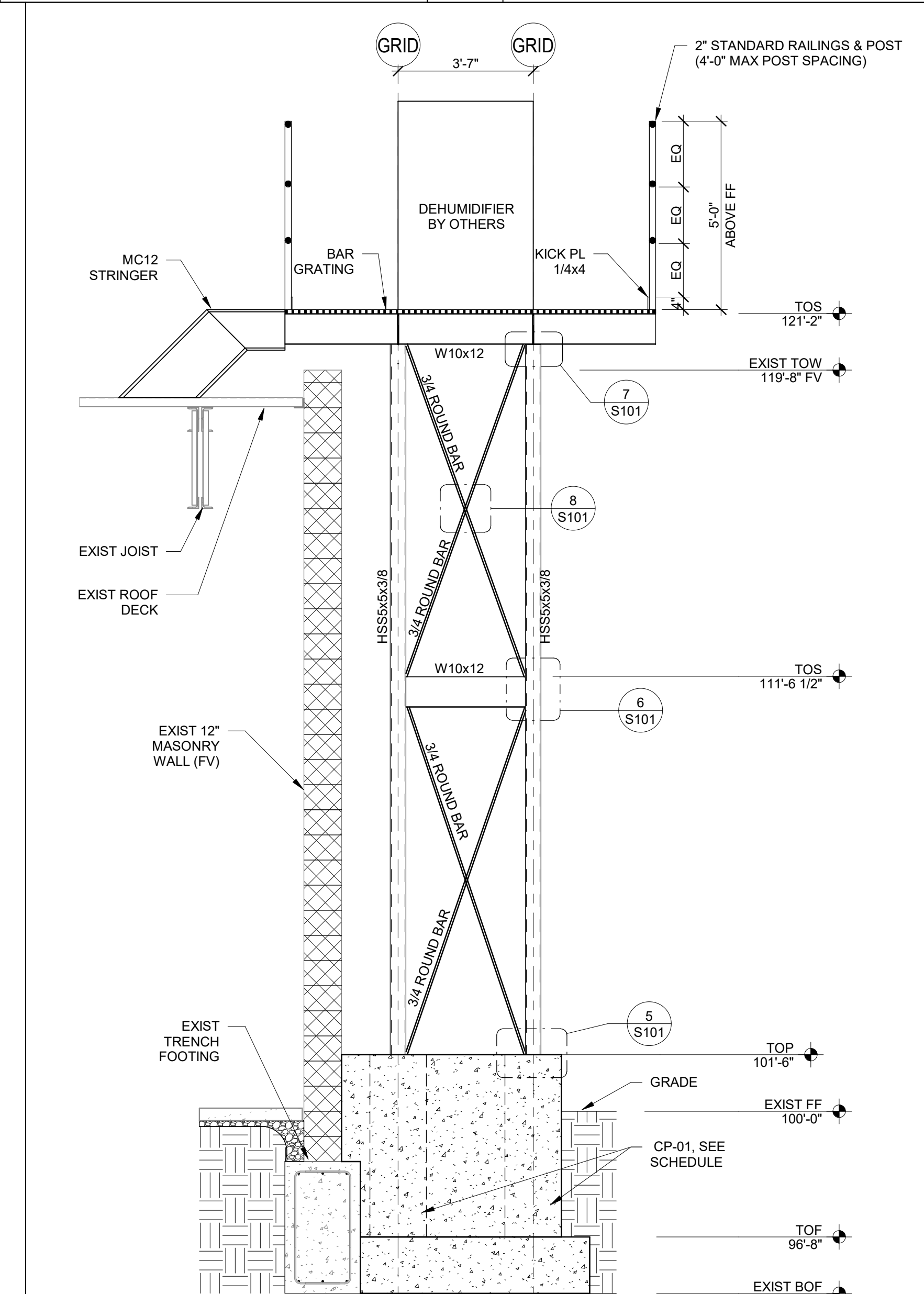
4 ROD BRACING SCHEDULES

S101 SCALE: NOT TO SCALE



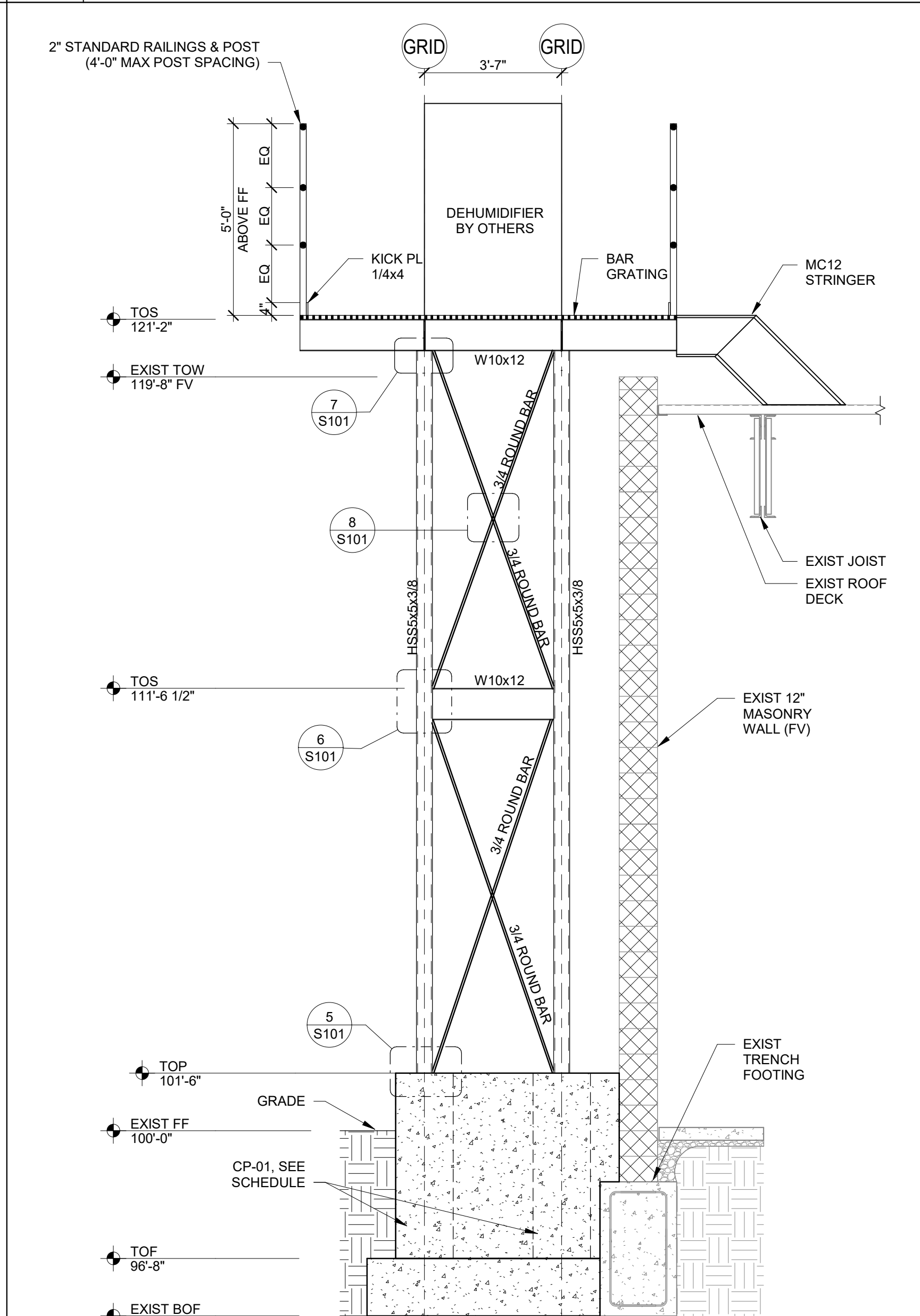
3 NORTH PLATFORM ELEVATION (2 FRAMES TOTAL)

S101 SCALE: 3/8" = 1'-0"



2 EAST PLATFORM ELEVATION

S101 SCALE: 3/8" = 1'-0"



1 WEST PLATFORM ELEVATION

S101 SCALE: 3/8" = 1'-0"

VESTA, INC. DEHUMIDIFIERS

SIENTRA MECHANICAL PLATFORM

9900 S. 57TH ST., FRANKLIN, WI 53132

Seal / Signature

Revisions and Issue Dates
Rev # Date Description

AE Project Number
019-187.01

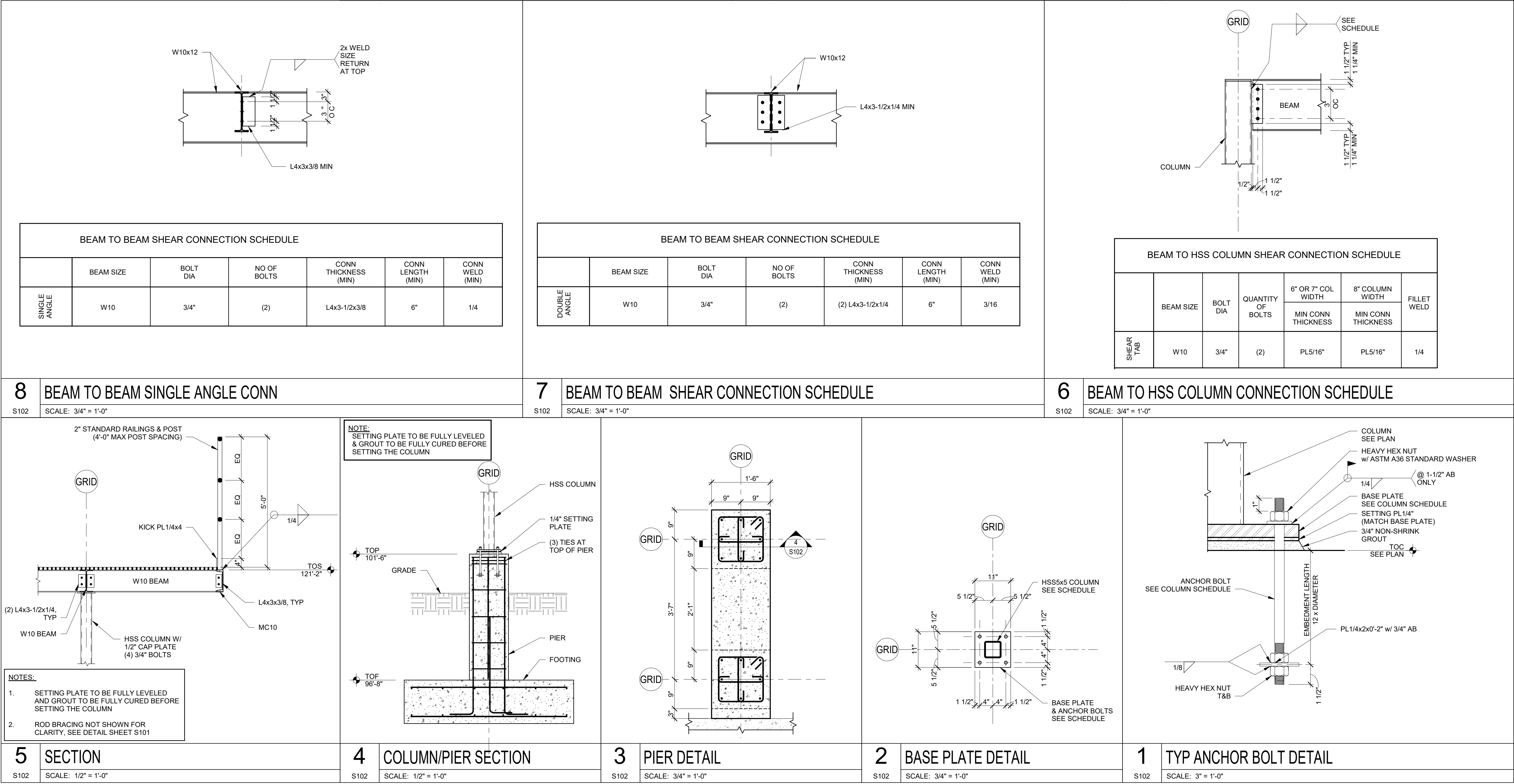
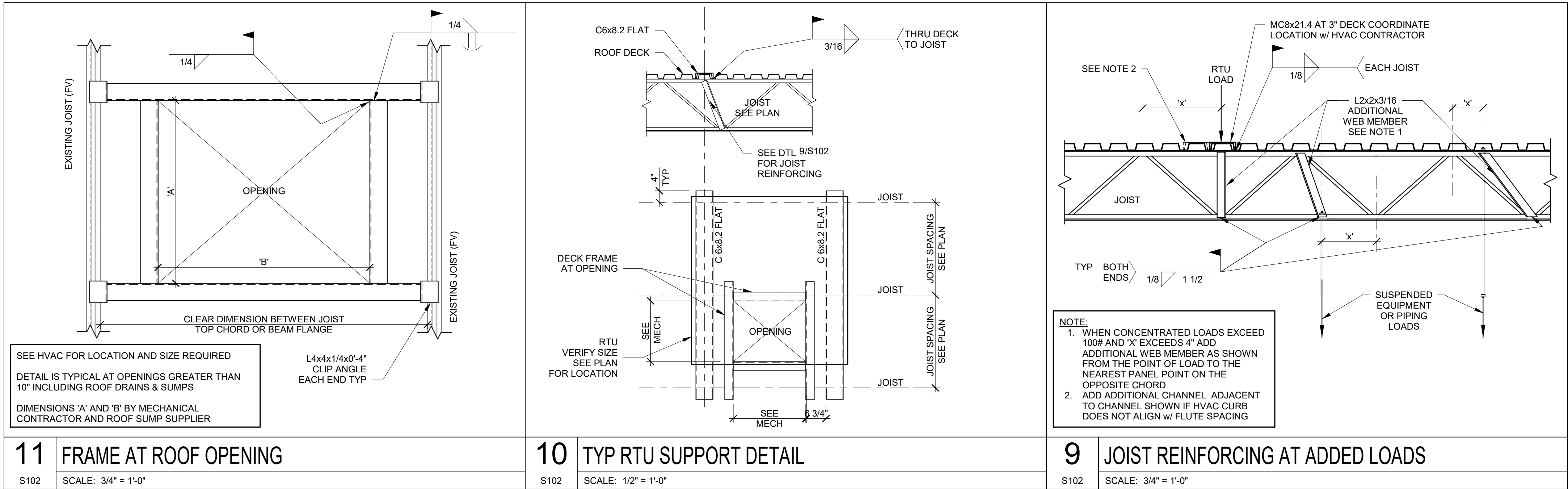
Issue Date
8/15/2019

Issued For
CONSTRUCTION DOCUMENTS

Sheet Name
SECTIONS AND DETAILS

Sheet Number

S101



| | | |
|--------------------------------------|------|-------------|
| Seal / Signature | | |
| Revisions and Issue Dates | | |
| Rev # | Date | Description |
| AE Project Number 019-187.01 | | |
| Issue Date 8/15/2019 | | |
| Issued For CONSTRUCTION DOCUMENTS | | |
| Sheet Name SECTIONS AND DETAILS | | |
| Sheet Number S102 | | |



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of December 5, 2019

Rezoning.

RECOMMENDATION: City Development Staff recommends approval of the Rezoning application submitted by Matt Talbot Recovery Services Inc.

| | |
|---------------------------------------|---|
| Project Name: | Matt Talbot Rezoning |
| Project Location: | 9132 S. 92 nd Street/Tax Key # 886 9987 000 |
| Property Owner: | Matt Talbot Recovery Services Inc. |
| Applicant: | Matt Talbot Recovery Services Inc. |
| Agent: | Lisa Kleiner Wood, Davis & Kuelthau, s.c. |
| Current Zoning: | R-3 Suburban/Estate Single-Family Residence District, C-1 Conservancy District. |
| Proposed Zoning: | R-3 Suburban/Estate Single-Family Residence District. |
| 2025 Comprehensive Plan: | Area of Natural Resource Features |
| Use of Surrounding Properties: | Residential, Institutional and Areas of Natural Resource Features |
| Applicant's Action Requested: | Recommendation of approval of Rezoning from C-1 to R-3 |

Introduction/Analysis

On August 7, 2019, the applicant filed an application for a Rezoning of a portion of a property located at 9132 S. 92nd Street, approximately 84,700 square feet. The rezoning request is to amend the City's Zoning Map from C-1 Conservancy District to R-3 Suburban/Estate Single-Family Residence District.

This application is sought to comply with condition no. 8 of Resolution 2019-7498, which approved a 2 lot Certified Survey Map (CSM). The condition states as follows, "The applicant shall apply for a Rezoning from the City to remove the existing C-1 Conservancy District. If said rezoning is approved, the applicant shall revise and record the Certified Survey Map according to City procedures and requirements."

It can be noted that the C-1 zoning text had been removed from the City's Unified Development Ordinance a number of years ago, in part because the data the C-1 zoning district boundaries were based upon had become inaccurate. However, the City's zoning map had not been revised at that time. Therefore, it has become common practice for the City to require rezoning to remove the C-1 district from the City's zoning map when a new project with more accurate information becomes available.

In this regard, the area to be rezoned is subject to a conservation easement per Document #10558809 recorded with the Milwaukee County Register of Deeds on 4/27/2016, which

accurately depicts the subject wetlands and associated setbacks and buffers. The applicant is not proposing to develop this area within conservation easements.

Comprehensive Master Plan Consistency

As noted, the City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject properties as ‘Areas of Natural Resource Features.’

Given the applicant is not proposing any development in the area to be rezoned, it can be noted that the proposed amendment to change the current zoning for the property to Residential is consistent with the following goals and objectives set forth within the Comprehensive Master Plan, which can be found in Chapter 2 Issues & Opportunities:

- *#1. Preserve and enhance the City’s community character, including individual planning area identities, while directing growth and development. (see Chapter 2).*
 - *Protect the City’s remaining natural resource features.*
Staff comment: The area to be rezoned is protected in perpetuity by a recorded conservation easement (#10558809) and the applicant is not proposing to develop this area.
- *#2. Protect environmental resources. (see Chapter 3)*
 - *Discourage incompatible development and alteration of floodplains, lakes, rivers and streams, wetlands, shorelands, steep slopes, and woodland areas so as to preserve the integrity of these resources and to promote the ecological value of these assets, and to minimize adverse impacts upon adjacent properties.*
Staff comment: The existing wetlands on the property will not be impacted with this rezoning application.

Recommendation:

A motion recommending approval of the proposed Rezoning as requested by Matt Talbot Recovery Services Inc.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 11-19-19]

ORDINANCE NO. 2019-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A PORTION OF A CERTAIN
PARCEL OF LAND FROM C-1 CONSERVANCY DISTRICT TO R-3
SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT
(9132 SOUTH 92ND STREET)
(APPROXIMATELY 1.94 ACRES)
(MATT TALBOT RECOVERY SERVICES, INC., APPLICANT)

WHEREAS, Matt Talbot Recovery Services, Inc. having petitioned for the rezoning of a portion of a certain parcel of land from C-1 Conservancy District to R-3 Suburban/Estate Single-Family Residence District to comply with condition number 8 of Resolution 2019-7498, which conditionally approved a 2 lot Certified Survey Map (“The applicant shall apply for a Rezoning from the City to remove the existing C-1 Conservancy District”) (approximately 1.94 acres) and the area to be rezoned is subject to a conservation easement per the conditionally approved Certified Survey Map, therefore, it is intended for protection of the existing wetlands (the applicant is not proposing to develop this area within conservation easements), such land being located at 9132 South 92nd Street ; 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 the property described below be changed from C-1 Conservancy District to R-3 Suburban/Estate Single-Family Residence District:

Part of the Northwest 1/4 of the Southwest 1/4 of Section 21, Township

5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin being approximately described as follows: Commencing at the Northwest corner of the Southwest 1/4, said Section 21; thence South 00°-31'-27" East along the West line of said Southwest 1/4, a distance of 456.82 feet; thence North 89°-28'-33" East, a distance of 170.85 feet more or less to the point of beginning of the approximate location of the portion of lands zoned C-1 (Conservancy District) as scaled from the City of Franklin GIS Property Viewer; thence Northeasterly 75 feet on a curve to the right, having a radius of 89 feet, the chord of said curve bears North 69°-22'-39" East, a chord distance of 73 feet; thence Southeasterly 75 feet on a curve to the right, having a radius of 159 feet, the chord of said curve bears South 72°-51'-30" East, a chord distance of 74 feet; thence Southeasterly 37 feet on a curve to the right, having a radius of 48 feet, the chord of said curve bears South 24°-41'-25" East, a chord distance of 36 feet; thence Southeasterly 50 feet on a curve to the left, having a radius of 80 feet, the chord of said curve bears South 14°-04'-16" East, a chord distance of 50 feet; thence Southeasterly 48 feet on a curve to the left, having a radius of 71 feet, the chord of said curve bears South 57°-04'-43" East, a chord distance of 48 feet; thence Southeasterly 62 feet on a curve to the right, having a radius of 57 feet, the chord of said curve bears South 45°-35'-19" East, a chord distance of 59 feet; thence Southeasterly 41 feet on a curve to the left, having a radius of 51 feet, the chord of said curve bears South 29°-54'-23" East, a chord distance of 40 feet; thence Southeasterly 50 feet on a curve to the right, having a radius of 50 feet, the chord of said curve bears South 30°-29'-19" East, a chord distance of 48 feet; thence South 01°-10'-18" East, a distance of 94 feet; thence Southwesterly 41 feet on a curve to the right, having a radius of 34 feet, the chord of said curve bears South 37°-42'-13" West, a chord distance of 39 feet; thence South 88°-13'-01" West, a distance of 83 feet; thence Northwesterly 93 feet on a curve to the right, having a radius of 421 feet, the chord of said curve bears North 80°-22'-03" West, a chord distance of 93 feet; thence North 45°-09'-20" West, a distance of 81 feet; thence North 29°-20'-32" West, a distance of 127 feet; thence Northwesterly 84 feet on a curve to the right, having a radius of 90 feet, the chord of said curve bears North 10°-29'-56" West, a chord distance of 81 feet; thence Northeasterly 93 feet on a curve to the right, having a radius of 259 feet, the chord of said curve bears North 22°-54'-53" East, a chord distance of 93 feet to the point of beginning (approximately 1.94 acres). Tax Key No. 886-9987-000.

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.

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:

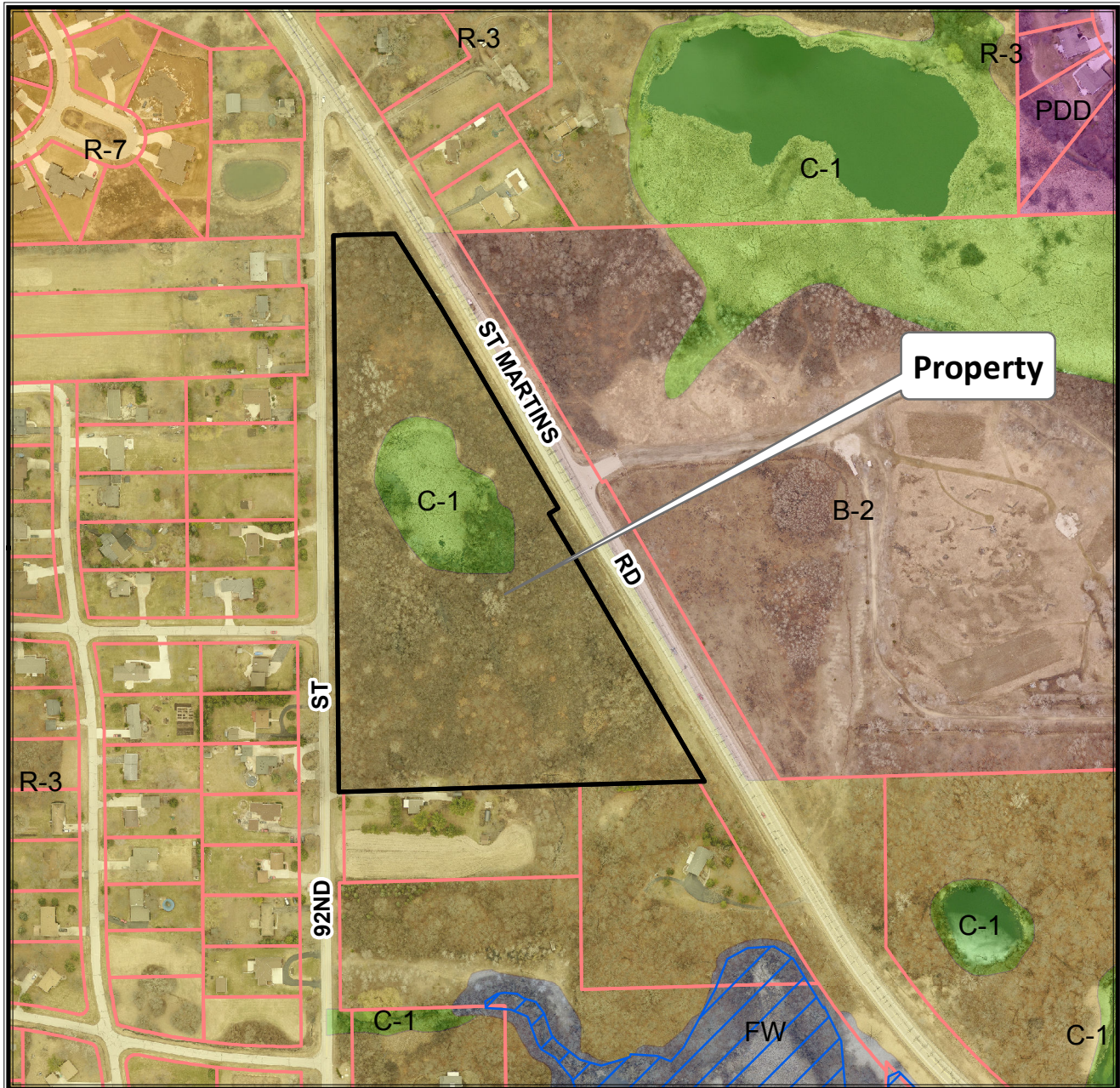
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

9132 S. 92nd Street
TKN: 886 9987 000



Planning Department
(414) 425-4024

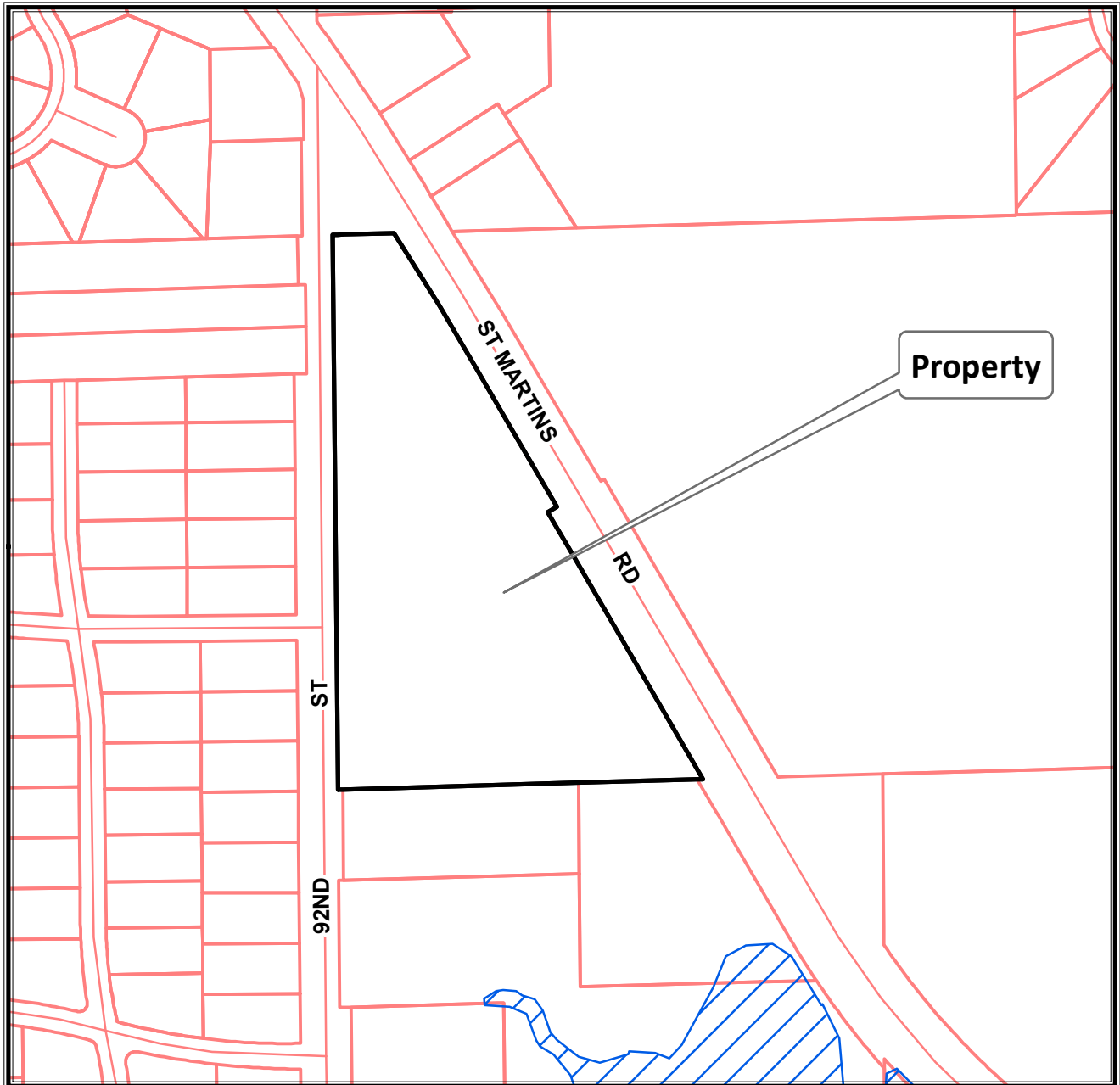
0 230 460 920 Feet

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


NORTH
2017 Aerial Photo



9132 S. 92nd Street
TKN: 886 9987 000

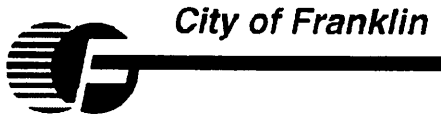


Planning Department
(414) 425-4024

0 230 460 920 Feet

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





Date of Application: _____

REZONING APPLICATION

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

Applicant (Full Legal Name[s]):

Name: _____
Company: Matt Talbot Recovery Services, Inc.
Mailing Address: 4650 South Howell Ave.
City / State: Milwaukee, WI Zip: 53207
Phone: _____
Email Address: karl@ghpwi.com

Project Property Information:

Property Address: 9132 S 92nd Street
Property Owner(s): Matt Talbot Recovery Services, Inc.
Mailing Address: 4650 South Howell Ave.
City / State: Milwaukee, WI Zip: 53207
Email Address: karl@ghpwi.com

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

Name: Lisa Wood
Company: Davis & Kuelthau, s.c.
Mailing Address: 111 E. Kilbourn Avenue, Suite 1400
City / State: Milwaukee, WI Zip: 53202
Phone: 414-225-1416
Email Address: lwood@dkattorneys.com

Tax Key Nos: 886-9987-000

Existing Zoning: XX C-1

Existing Use: Residential

Proposed Use: conservation easement area to be rezoned to R-3**

CMP Land Use Identification: _____

**C-1 zoning to be rezoned to R-3. The C-1 area remains subject to the conservation easement and therefore, cannot be developed.

*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
KARL RAJANI, PRESIDENT
Name & Title (PRINT)
Date: 5/28/19

Signature - Applicant
KARL RAJANI, PRESIDENT
Name & Title (PRINT)
Date: 5/28/19

Signature - Property Owner

Name & Title (PRINT)
Date: _____

Signature - Applicant's Representative

Name & Title (PRINT)
Date: _____

ATTACHMENT TO REZONING APPLICATION AND COMMENTS TO STAFF MEMO

In response to the staff memo, please see the comments below:

1. Per UDO §15-9.0200(C), “the petitioner shall provide a complete legal description of the property for which for which a change in zoning is requested”. Please provide legal description for the area to be rezoned.

The legal description is as follows:

Part of the Northwest 1/4 of the Southwest 1/4 of Section 21, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin being approximately described as follows:

Commencing at the Northwest corner of the Southwest 1/4, said Section 21; thence South 00°-31'-27" East along the West line of said Southwest 1/4, a distance of 456.82 feet; thence North 89°-28'-33" East, a distance of 170.85 feet more or less to the point of beginning of the approximate location of the portion of lands zoned C-1 (Conservancy District) as scaled from the City of Franklin GIS Property Viewer; thence Northeasterly 75 feet on a curve to the right, having a radius of 89 feet, the chord of said curve bears North 69°-22'-39" East, a chord distance of 73 feet; thence Southeasterly 75 feet on a curve to the right, having a radius of 159 feet, the chord of said curve bears South 72°-51'-30" East, a chord distance of 74 feet; thence Southeasterly 37 feet on a curve to the right, having a radius of 48 feet, the chord of said curve bears South 24°-41'-25" East, a chord distance of 36 feet; thence Southeasterly 50 feet on a curve to the left, having a radius of 80 feet, the chord of said curve bears South 14°-04'-16" East, a chord distance of 50 feet; thence Southeasterly 48 feet on a curve to the left, having a radius of 71 feet, the chord of said curve bears South 57°-04'-43" East, a chord distance of 48 feet; thence Southeasterly 62 feet on a curve to the right, having a radius of 57 feet, the chord of said curve bears South 45°-35'-19" East, a chord distance of 59 feet; thence Southeasterly 41 feet on a curve to the left, having a radius of 51 feet, the chord of said curve bears South 29°-54'-23" East, a chord distance of 40 feet; thence Southeasterly 50 feet on a curve to the right, having a radius of 50 feet, the chord of said curve bears South 30°-29'-19" East, a chord distance of 48 feet; thence South 01°-10'-18" East, a distance of 94 feet; thence Southwesterly 41 feet on a curve to the right, having a radius of 34 feet, the chord of said curve bears South 37°-42'-13" West, a chord distance of 39 feet; thence South 88°-13'-01" West, a distance of 83 feet; thence Northwesterly 93 feet on a curve to the right, having a radius of 421 feet, the chord of said curve bears North 80°-22'-03" West, a chord distance of 93 feet; thence North 45°-09'-20" West, a distance of 81 feet; thence North 29°-20'-32" West, a distance of 127 feet; thence Northwesterly 84 feet on a curve to the right, having a radius of 90 feet, the chord of said curve bears North 10°-29'-56" West, a chord distance of 81 feet; thence Northeasterly 93 feet on a curve to the right, having a radius of 259 feet, the chord of said curve bears North 22°-54'-53" East, a chord distance of 93 feet to the point of beginning.

2. Is the area to be rezoned approximately 84,700 square feet? Please confirm this area in the project summary and legal description.

The approximate area of the property to be rezoned is 84,700 square feet. There is no project summary as the property is subject to a conservation easement and therefore, the land must remain as is. The rezoning is only being requested at the direction of the City of Franklin as the City has eliminated the C-1 zoning currently assigned to a portion of the property and has requested that the C-1 portion of the property be rezoned to R-3 (the zoning of the surrounding property). The property will remain subject to the conservation easement.

3. Per Section 15-9.0203 of the Unified Development Ordinance, please provide the following information related to the proposed rezoning:

- a. Tax key numbers, names, and addresses of all property owners of all properties lying within 200 feet of the area proposed to be rezoned.

The following properties are located within 200 feet of the area to be rezoned:

9147 S. 92nd Street (tax Key No 887-0001-000), owner: Thomas M. and Anne M. Hareng, 9147 S. 92nd Street, Franklin, WI 53132

9161 S. 92nd Street (tax Key No 887-0002-000), owner: Thomas M. and Anne M. Hareng, 9147 S. 92nd Street, Franklin, WI 53132

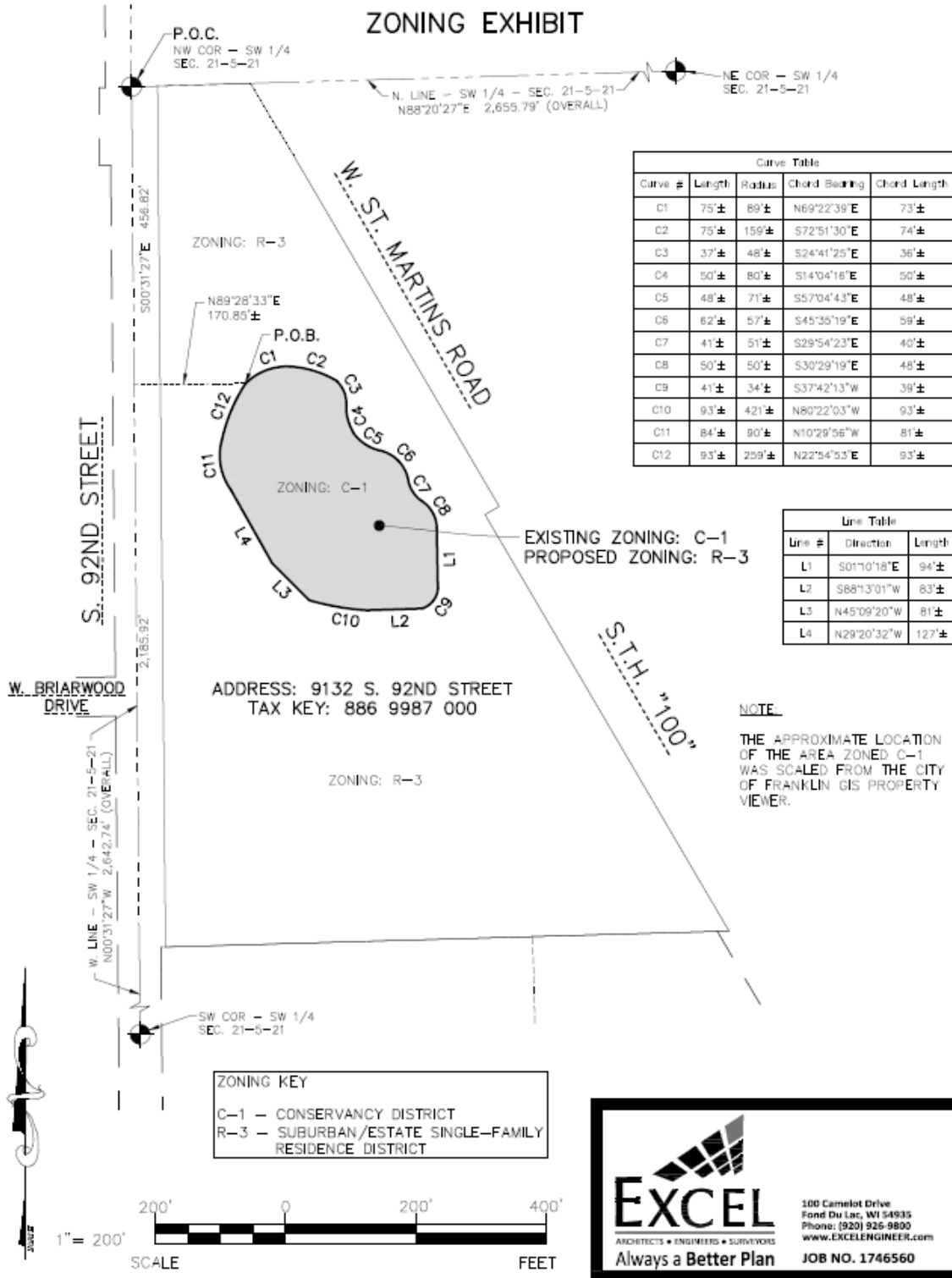
S. 92nd Street (tax Key No 887-0003-000) – vacant land – no address, owner: Paul J. and Christy M. Flees, 3083 Jodi Lane, Palm Harbor, FL 34684

9205 S. 92nd Street (tax Key No 887-0004-000), owner: Lucy Flees, 9205 S. 92nd Street, Franklin, WI 53132

- b. Plot Plan Required. Plot plan drawn to a reasonable scale 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.

The surrounding properties to the west, north and south are zoned R-3. The property to the east is zoned B-3, but is in excess of 200 feet from the area to be rezoned. The properties to the west, north and south are residential use.

SEE PLAN ON NEXT PAGE





EXCEL
ARCHITECTS • ENGINEERS • SURVEYORS
Always a Better Plan

100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com
JOB NO. 1746560

Engineering Department Comments

6. "We have no issue regarding the proposed rezoning. We are just concerned about the wetlands within the conservancy easements that they are trying to eliminate as shown on their proposal. Are they all zoned C-1? Please see below zoning map, showing the area C-1. Is this the area that they are trying to rezone?"

The area is being rezoned pursuant to the city's requirements. The conservation easement will remain in full force and effect which easement prohibits any alteration of the wetlands. The owner is not trying to eliminate the wetlands.



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.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 11-19-19]

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 _____

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 _____

RESOLUTION NO. 2019-_____

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE FOR 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 10475 WEST ST. MARTINS ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application from Bear Development, LLC, applicant, (Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, property owners) for a land division variance to allow for less than 60 feet of road frontage on a City of Franklin right-of-way (as required by Section 15-5.0101B.1. of the Unified Development Ordinance), such variance being necessary as a concurrent 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)), bearing Tax Key No. 939-9995-000; and

WHEREAS, §15-9.0310 of the Unified Development Ordinance allows for Land Division Variances in part from the provisions of Division 15-5.0100, §15-5.0101B.1. providing that 60 feet of frontage along a public right-of-way is required; and

WHEREAS, §15-9.0310 of the Unified Development Ordinance sets forth findings which must be made by the Plan Commission and approved by a majority vote of the entire membership of the Plan Commission (4 votes) for approval of a Land Division Variance application.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Commission makes the following findings upon the greater weight of the evidence that all the following facts and conditions exist:

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE
FOR BEAR DEVELOPMENT, LLC
RESOLUTION NO. 2019-_____

Page 2

1. There are exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship, to wit: the subject property currently exists within the City of Franklin without public road frontage. The condition is created by the existing section line that is also the City and County boundary. The situation is unique in the fact that Certified Survey Map No. 11704 has granted access to the City of Franklin via a recorded ingress/egress easement. If this Land Division Variance would not be granted, it would result in a severe hardship as the 20 acres could not be developed.
2. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed, to wit: the hardship is unique as the situation is caused by administrative boundaries outside the control of the land owner. The situation will not be recurrent as the situation is extraordinary and does not occur in other parcels within the City of Franklin .
3. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity, to wit: the Land Division Variance is necessary for the land owner to use and develop the property for the use contemplated in the Comprehensive Plan.
4. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest, to wit: the Land Division Variance will not create any detriment to the adjacent property owner and will not be contrary to the spirit of the Ordinance. The subject property benefits from a 60-foot wide ingress/egress easement. The property will function as a unified parcel, however 0.58 acres of land abutting South 124th Street is within the City of Muskego.

BE IT FINALLY RESOLVED, that the application by Bear Development, LLC, applicant, (Franklin Mills, LLC and Daniel L. Mathson and Virginia K. Mathson, property owners), for a Land Division Variance, upon the above findings, be and the same is hereby approved, subject to the approval of the aforesaid certified survey map application by Bear Development, LLC and the foregoing condition.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2019.

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

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE
FOR BEAR DEVELOPMENT, LLC
RESOLUTION NO. 2019-_____

Page 3

APPROVED:

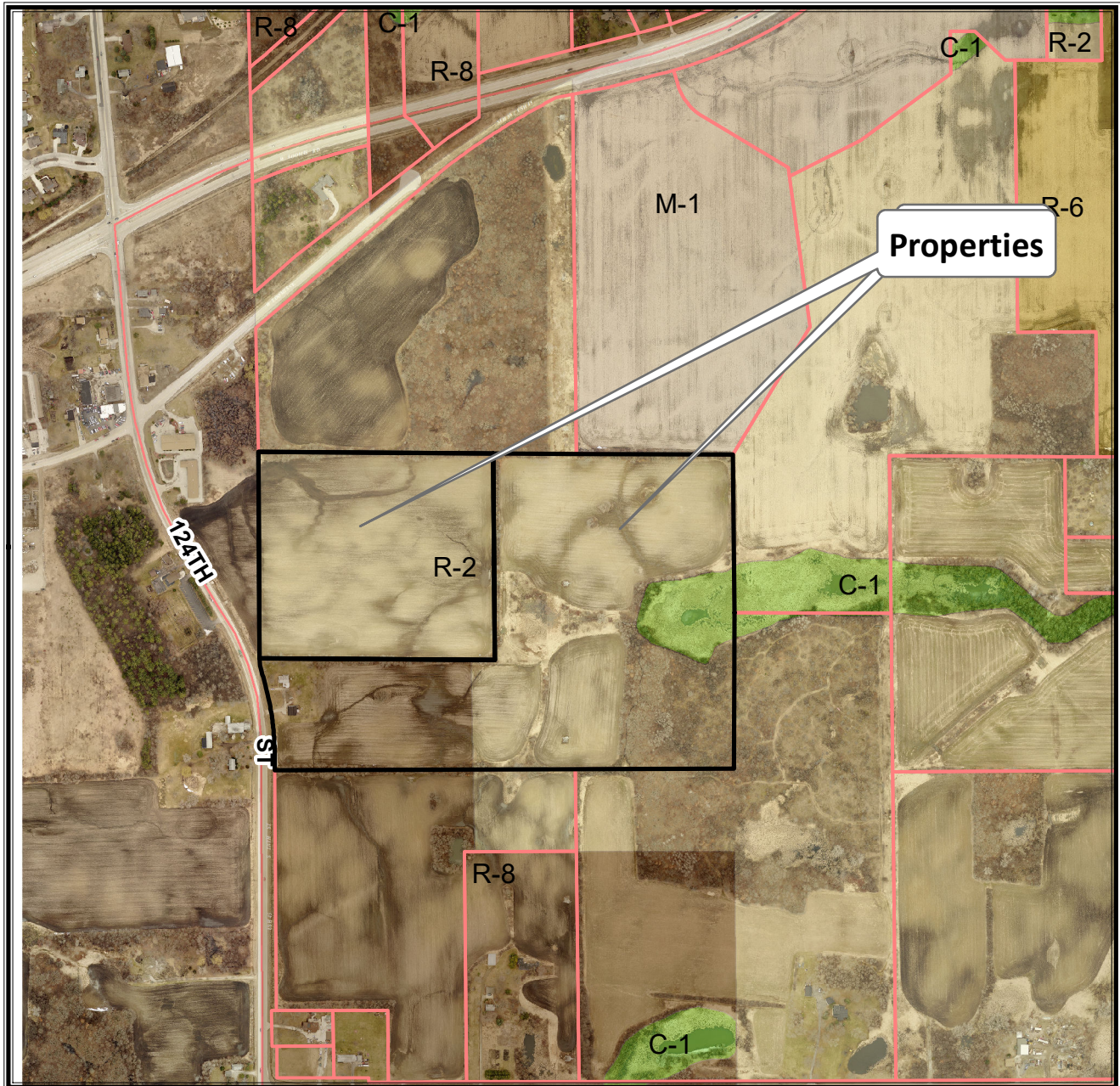
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

TKN: 939 9994 000
939 9995 000



Planning Department
(414) 425-4024

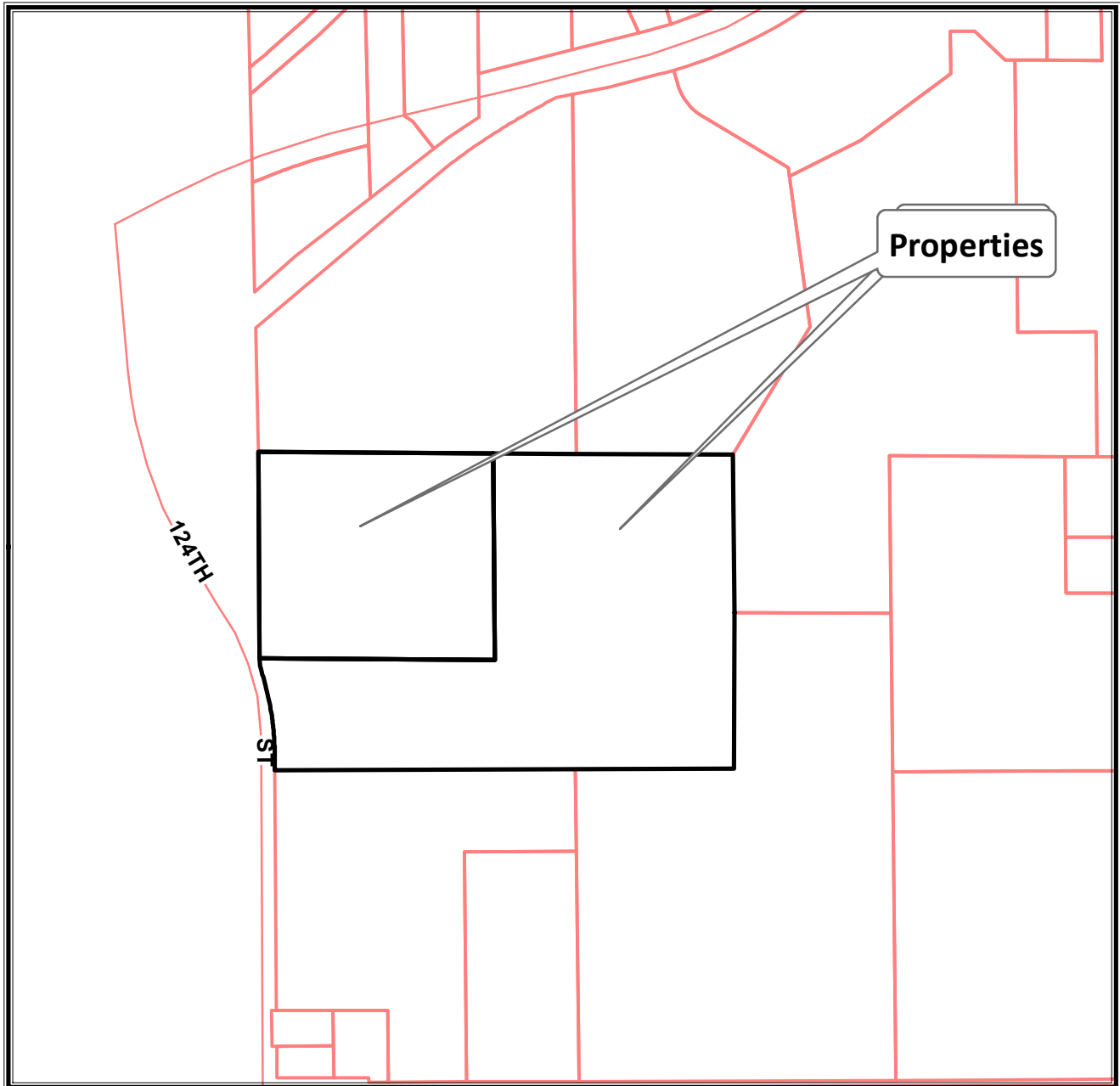
0 405 810 1,620 Feet

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


NORTH
2017 Aerial Photo



TKN: 939 9994 000
939 9995 000



Planning Department
(414) 425-4024

0 405 810 1,620 Feet

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





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

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 t 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,

A handwritten signature in blue ink, appearing to read "Daniel Szczap", with a long horizontal flourish extending to the right.

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 t 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: Daniel Szczap
Company: Bear Development, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dan@beardevelopment.com

Project Property Information:

Property Address: Vacant Land. East of 124th Street, South of STH 36
Property Owner(s): Daniel & Virginia Mathson, Etal

Mailing Address: 19370 Killarney Way
City / State: Brookfield, WI Zip: 53045
Email Address: _____

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

Name: _____
Company: _____
Mailing Address: _____
City / State: _____ Zip: _____
Phone: _____
Email Address: _____

Tax Key Nos: Part of 939-9994-000

Existing Zoning: R-2 Estate Single-Family Residence District

Existing Use: Vacant, Agriculture

Proposed Use: M-2 General Industrial District

CMP Land Use Identification: Business Park

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

Name & Title (PRINT)

Date: 8-30-19

Signature - Applicant

Name & Title (PRINT)

Date: August 30, 2019

Signature - Property Owner

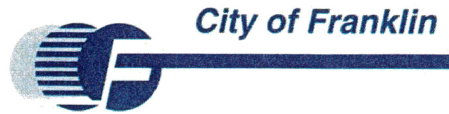
Name & Title (PRINT)

Date: _____

Signature - Applicant's Representative

Name & Title (PRINT)

Date: _____



Date of Application: _____

REZONING APPLICATION

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

Applicant (Full Legal Name[s]):

Name: Daniel Szczap
Company: Bear Development, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dan@beardevelopment.com

Project Property Information:

Property Address: Vacant Land. East of 124th Street, South of STH 36
Property Owner(s): Franklin Mills, LLC

Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Email Address: dan@beardevelopment.com

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

Name: _____
Company: _____
Mailing Address: _____
City / State: _____ Zip: _____
Phone: _____
Email Address: _____

Tax Key Nos: 939-9995-0000

Existing Zoning: R-2 Estate Single-Family Residence District

Existing Use: Vacant, Agriculture

Proposed Use: M-2 General Industrial District

CMP Land Use Identification: Business Park

*The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/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
S.R. Mills, owner
Name & Title (PRINT)
Date: 8/26/2019

Signature - Applicant
DANIEL SZCZAP, Project Mgr.
Name & Title (PRINT)
Date: 8/27/2019

Signature - Property Owner

Name & Title (PRINT)
Date: _____

Signature - Applicant's Representative

Name & Title (PRINT)
Date: _____



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.

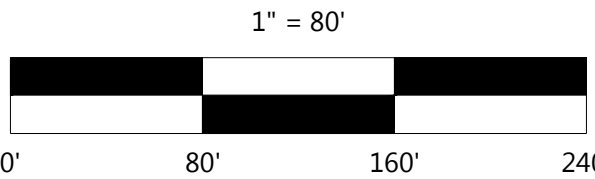
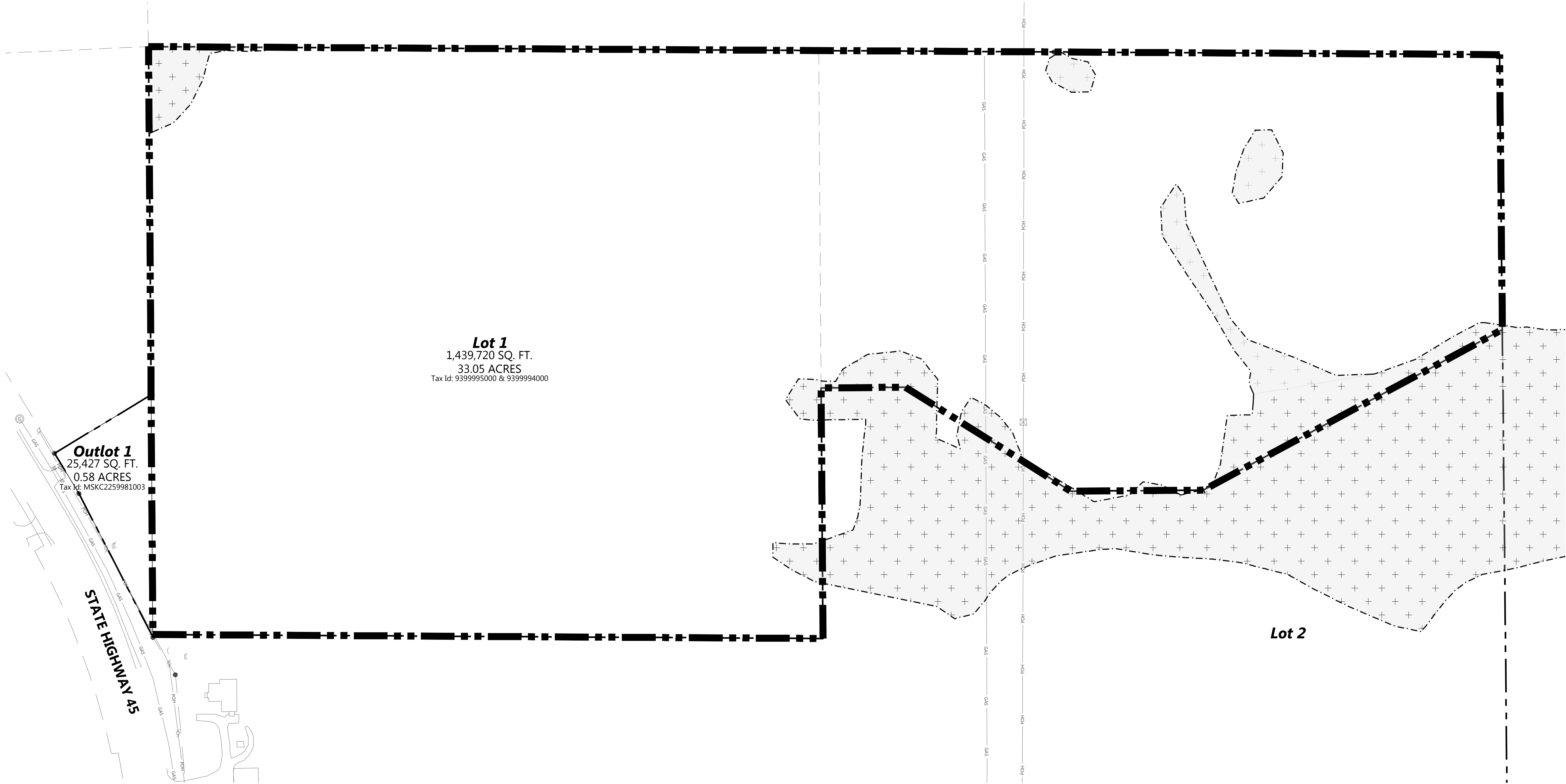
Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Szczap', with a long horizontal flourish extending to the right.

Daniel Szczap
Bear Development, LLC



| | |
|-------------------|-----------|
| DESIGNED: | JSB |
| CHECKED: | BCW |
| DRAWN: | JSB |
| HORIZONTAL SCALE: | 80' |
| VERTICAL SCALE: | 16' OR 8' |

| | |
|----------------|---|
| INITIAL ISSUE: | |
| REVISIONS: | |
| △ | - |
| △ | - |
| △ | - |
| △ | - |
| △ | - |

Westwood

Phone (320) 253-9495 3701 12th Street North, Suite 206
Fax (320) 358-2001 St. Cloud, MN 56303
Toll Free (800) 270-9495 westwoodps.com
Westwood Professional Services, Inc.

REZONING EXHIBIT

PROJECT NUMBER: 0023687.00

SHEET NUMBER:

1

OF

1

DATE: 11/05/19

Date of Application: _____

VARIANCE AND APPEALS APPLICATION

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

Property Owner/Legal Entity (Full Legal Name[s]):

Name: Franklin Mills, LLC
Name: S.R. Mills
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dan@beardevelopment.com

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

Name: Daniel Szczap
Company: Bear Development, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dan@beardevelopment.com

Project Property Information:

Property Address: Vacant Land, 124th Street
Tax Key Nos: 939-9995-000
Existing Zoning: R2
Existing Use: Agriculture
Proposed Use: Industrial
Future Land Use Identification: Business Park

Variance Type Requested:

- ☐ Administrative Appeal * UDO Section 15-10.0205
☐ Area Variance * UDO Section 15-10.0206
☐ Use Variance * UDO Section 15-10.0207
☐ Non-Conforming Use(s) UDO Section 15-3.1010E
☒ Land Division Variance** UDO Section 15-9.0310

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

The Unified Development Ordinance is available at the City's website: www.franklinwi.gov

Variance and Appeals Application submittals for review must include and be accompanied by the following:

(See Section 15-10.0206 of the Unified Development Ordinance for additional Variance requirements and procedures.)

- ☒ This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- ☒ Application Filing Fee, payable to City of Franklin: ☐ \$250
- ☒ 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 describing the project and including the information requested in Sections 15-9.0105C. (Administrative Appeal) or 15-9.0106C. (Variance) of the Unified Development Ordinance.
 - ☒ Three (3) **folded** full size, drawn to scale copies of the Plat of Survey, Site Plan, Building Elevations, Landscape Plan and Outdoor Lighting Plan, as appropriate, Photographs and any other supporting documents, which illustrate the Variance request.
 - ☒ Four (4) **folded** reduced size (11"x17") copies of the above stated submittal materials.
- ☐ Three (3) Affidavit Forms with original and notarized signatures (facsimiles and copies will not be accepted).
- ☐ *Completed "Findings and Factors in the Review of Variances" Form (from Sections 15-10.0206C.1. and 15-10.0211 of the UDO).
- ☒ **Completed "Findings and Factors in the Review of Land Division Variances" Form (from Sections 15-9.0310B.1 of the UDO).
- ☐ Email (or CD ROM) with all plans/submittal materials (where applicable). *Plans must be submitted in both Adobe PDF and AutoCAD compatible format.*

•Upon receipt of a complete submittal, staff review will be conducted within ten business days.

•Most Variance and Appeal requests require a public hearing prior to Board or Commission 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

S.R. Mills, President
Name & Title (PRINT)

Date: 10/19/2019

Signature - Property Owner

Name & Title (PRINT)

Date: _____

Signature - Applicant's Representative

DANIEL SZCZAP, Project Manager
Name & Title (PRINT)

Date: 10/19/2019



October 21, 2019

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

Re: Land Division Variance Narrative and Findings

Dear Mr. Dietl:

Please accept this letter and the enclosed submittal materials as formal application for a Land Division Variance per Section 15.5.0101B.1 of the City of Franklin Unified Development Ordinance. Bear Development is acting on behalf of the owners of record, Franklin Mills, LLC.

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 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.

The property is bisected by the Waukesha/Milwaukee County boundary and the City of Franklin/City of Muskego boundary. Because of this political boundary, the City of Franklin property does not have public road frontage on STH 45.

The property gains access to STH 45 via CSM #11704 which was granted by the City of Muskego and recorded in Waukesha County. CSM #11704 includes a recorded 60' access easement which provides access to the 20.00 acres lying within the municipal boundaries of the City of Franklin. Further, the Wisconsin Department of Transportation has granted an Controlled-Access Highway Authorization, Document # 10903954 (enclosed). This document recognizes access to the property in question.

Request

Franklin Mills, LLC is respectfully requesting a Land Division Variance to allow a Certified Survey Map with less than 60' of road frontage on a City of Franklin right of way. Please note that the resulting CSM

Franklin

NOV 22 2019

City Development

would result in a parcel with authorized access via CSM #11704, which provides 357 feet of frontage on STH 45.

This is a unique situation whereby a municipal/county boundary separates the majority of our property from a public right of way. However, the resulting land division would result in permitted and functional access to STH 45.

Findings and Factors in the Review of Land Division Variances

1. *There is exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in a severe hardship.*

The need and purpose of the Land Division Variance is exceptional, extraordinary and unusual as the existing parcel within the City of Franklin currently exists without public road frontage. The condition is created by the existing Section line that is also the City/County boundary. The situation is unique in the fact that an existing CSM has granted access to the City of Franklin parcel via a recorded access easement. The vast majority of the parcel is within the City of Franklin, however, access is provided via a small parcel located in an adjacent municipality/County.

If the Land Division Variance would not be granted, it would result in a severe hardship as the 20 acres could not be developed per the City Comprehensive Plan.

2. *Such hardships should not apply generally to other properties or be such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed.*

The hardship is unique as the situation is caused by political boundaries outside the control of the landowner. The situation will not be recurrent as the situation is extraordinary and does not occur in other parcels within the City of Franklin.

3. *Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.*

The Land Division Variance is necessary for the landowner to use and develop the property for the use contemplated in the City of Franklin Comprehensive Plan.

4. *That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of the Ordinance or the public interest.*

The Land Division variance will not create any detriment to the adjacent property and will not be contrary to the spirit of the Ordinance. The property assemblage of 20.58 acres does benefit from a recorded access easement and has been granted a Controlled Access Authorization from the WDOT. The property will function as a unified parcel, however 0.58 acres of land abutting STH 45 is within the City of Muskego.

We feel the proposed Land Variance 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,

A handwritten signature in black ink, appearing to read "Daniel Szczap", written in a cursive style.

Daniel Szczap
Bear Development, LLC



Date of Application: _____

CERTIFIED SURVEY MAP (CSM) APPLICATION

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

Applicant (Full Legal Name[s]):

Name: S.P. Mills
Company: Bear Development, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dane@beardevelopment.com

Project Property Information:

Property Address: 10082 14th Street
Property Owner(s): Mathison Family
Mailing Address: 19370 K. Larney Way
City / State: Brookfield, WI Zip: 53045
Email Address: _____

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

Name: Daniel Stetzer
Company: Bear Development, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dane@beardevelopment.com

Tax Key Nos: 939-9994-000
Existing Zoning: R8, R2, C1
Existing Use: Agriculture
Proposed Use: Agriculture, Industrial
CMP Land Use Identification: Business Park

*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 - Property Owner
ROBERT D MATHISON
Name & Title (PRINT)

Date: 10/4/2019

Signature - Property Owner

Name & Title (PRINT)

Date: _____

Signature - Applicant
S.P. Mills Pres.
Name & Title (PRINT)

Date: 10/4/2019

Signature - Applicant's Representative
DANIEL STETZER
Name & Title (PRINT)

Date: 10/4/2019

Date of Application: _____

CERTIFIED SURVEY MAP (CSM) APPLICATION

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

Applicant (Full Legal Name[s]):

Name: S.R. Mills
Company: Bear Development, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dan@beardevelopment.com

Project Property Information:

Property Address: 129th Street
Property Owner(s): Franklin Mills, LLC

Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Email Address: dan@beardevelopment.com

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

Name: DANIEL SEZAR
Company: BEAR DEVELOPMENT, LLC
Mailing Address: 4011 80th Street
City / State: Kenosha, WI Zip: 53142
Phone: (262) 842-0556
Email Address: dan@beardevelopment.com

Tax Key Nos: 939-9995-000

Existing Zoning: R2

Existing Use: Agriculture

Proposed Use: Industrial

CMP Land Use Identification: Business Park

*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 - Property Owner
S.R. Mills, Pres.
Name & Title (PRINT)

Date: 10/4/2019

Signature - Property Owner

Name & Title (PRINT)

Date: _____

Signature - Applicant
DANIEL J. SEZAR
Name & Title (PRINT)

Date: 10/4/2019

Signature - Applicant's Representative
S.R. Mills, President
Name & Title (PRINT)

Date: 10/4/2019



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

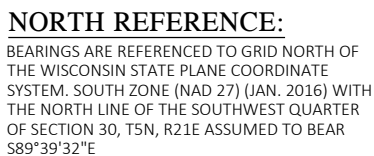
Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Szczap", with a stylized flourish at the end.

Daniel Szczap
Bear Development, LLC

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



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

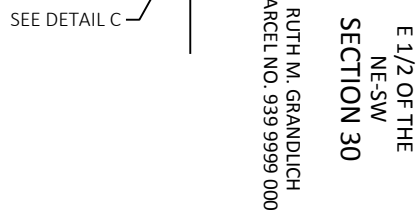


- | LINE | BEARING | DISTANCE |
|------|-------------|----------|
| L1 | N00°25'41"W | 98.27' |
| L2 | N05°19'24"W | 316.37' |
| L3 | N31°14'00"W | 64.44' |
| L4 | N00°25'41"W | 4.24' |
| L5 | S89°34'40"W | 197.11' |
| L6 | S87°48'56"W | 290.15' |
| L7 | N59°34'40"W | 125.34' |

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



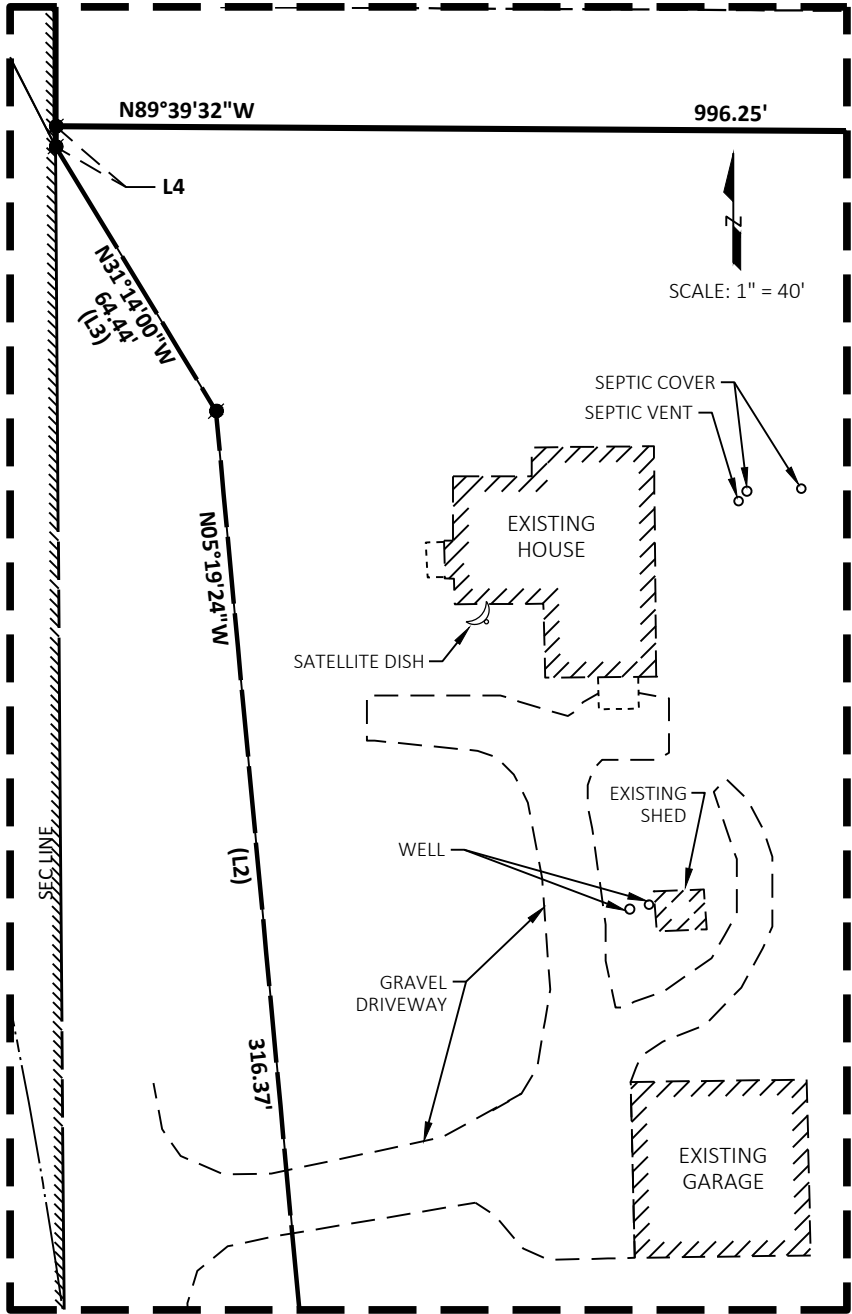
SURVEY FOR: CITY OF FRANKLIN CSM
SECTION 30, T5N, R21E
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN



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

DETAIL A



NORTH REFERENCE:

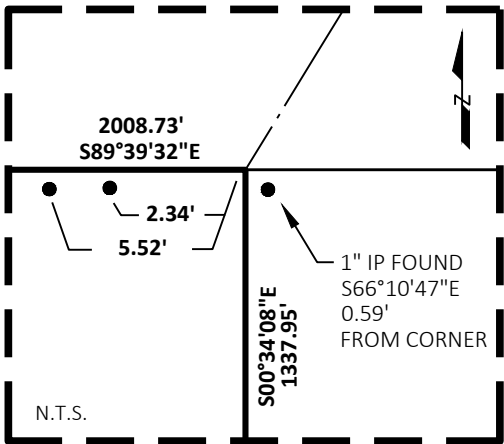
BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM. SOUTH ZONE (NAD 27) (JAN. 2016) WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, T5N, R21E ASSUMED TO BEAR S89°39'32"E

LEGEND:

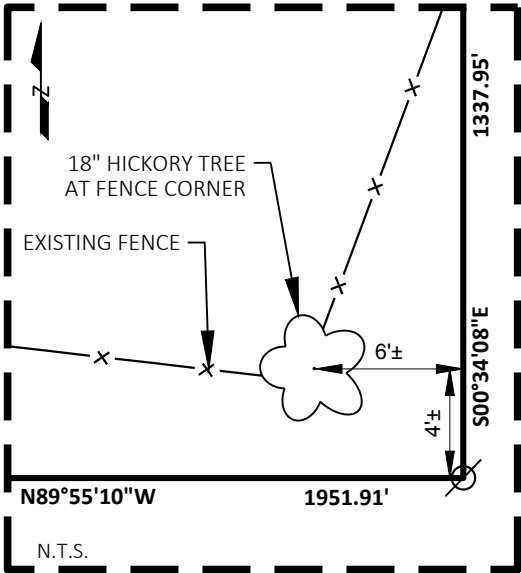
- MILWAUKEE COUNTY SECTION CORNER MONUMENT
- 3/4" x 24" STEEL REBAR SET WEIGHING 1.502 LBS/LIN. FT.
- 3/4" STEEL REBAR FOUND
- 1" IRON PIPE FOUND
- 1" DOT CAP PIPE FOUND
- FENCE
- P.O.B. POINT OF BEGINNING
- BUILDING
- RECORDED AS
- WETLANDS

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

DETAIL B



DETAIL C



| | |
|-------------------------|------------------------|
| DATE 10-8-19 | DIRECTORY NO. ----- |
| PROJECT NO. S3399A19 | DRAFTED BY JBM |
| SHEET 2 OF 7 | DRAWING NAME CSM |

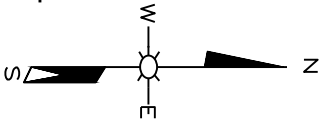
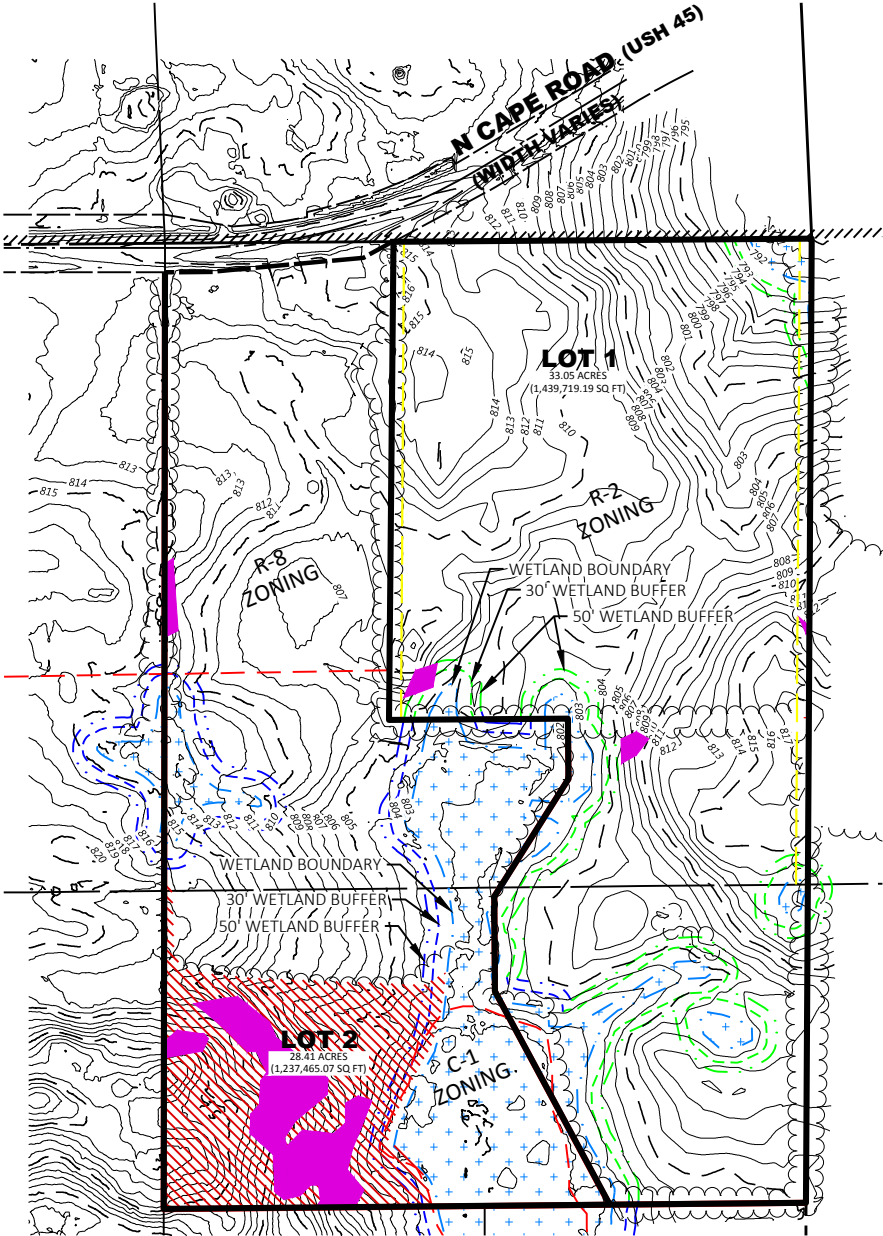
SURVEY FOR: CITY OF FRANKLIN CSM
SECTION 30, T5N, R21E
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

OMNI ASSOCIATES

OMNI ASSOCIATES
ONE SYSTEMS DRIVE
APPLETON, WI 54914
PHONE (920) 735-6900
FAX (920) 830-6100

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 OMNNI ASSOCIATED
CONTOURS PER TOPOGRAPHIC SURVEY
OMNNI 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



OMNNI ASSOCIATES
ONE SYSTEMS DRIVE
APPLETON, WI 54914
PHONE (920) 735-6900
FAX (920) 830-6100

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. ----- | SURVEY FOR: CITY OF FRANKLIN CSM SECTION 30, T5N, R21E CITY OF FRANKLIN MILWAUKEE COUNTY, WISCONSIN |  <div>OMNI ASSOCIATES ONE SYSTEMS DRIVE APPLETON, WI 54914 PHONE (920) 735-6900 FAX (920) 830-6100</div> |
| PROJECT NO. S3399A19 | DRAFTED BY JBM | | |
| SHEET 4 OF 7 | DRAWING NAME CSM | | |

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 |

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

| | |
|--|--|
|  | OMNI ASSOCIATES ONE SYSTEMS DRIVE APPLETON, WI 54914 PHONE (920) 735-6900 FAX (920) 830-6100 |
|--|--|

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

OWNER'S CERTIFICATE:

AS OWNERS, DANIEL L. MATHSON AND VIRGINIA K. MATHSON, AS LIFE TENANT AND ROBERT MATHSON, LESLIE MATHSON AND THOMAS P. POBEREZNY AND SHARON M. POBEREZNY, AS CO-TRUSTEE'S OF THE POBEREZNY REVOCABLE TRUST. WE DO 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

DANIEL L. MATHSON
DATE

LESLIE MATHSON
DATE

VIRGINIA K. MATHSON
DATE

THOMAS P. POBEREZNÝ
DATE

ROBERT MATHSON
DATE _____

SHARON M. POBEREZNYY _____ 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 _____

CITY OF FRANKLIN COMMON COUNCIL APPROVAL:

APPROVED ACCEPTED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN BY RESOLUTION NO.,

SIGNED THIS _____ DAY OF _____, 2019

STEPHEN OLSON, MAYOR _____ DATE _____

SANDRA L. WESOLOWSKI, CITY CLERK DATE

| | | | |
|-------------------------|------------------------|--|--|
| DATE 10-8-19 | DIRECTORY NO. ----- | SURVEY FOR: CITY OF FRANKLIN CSM SECTION 30, T5N, R21E CITY OF FRANKLIN MILWAUKEE COUNTY, WISCONSIN |  OMNI ASSOCIATES ONE SYSTEMS DRIVE APPLETON, WI 54914 PHONE (920) 735-6900 FAX (920) 830-6100 |
| PROJECT NO. S3399A19 | DRAFTED BY JBM | | |
| SHEET 6 OF 7 | DRAWING NAME CSM | | |

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

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 |



OMNI ASSOCIATES
ONE SYSTEMS DRIVE
APPLETON, WI 54914
PHONE (920) 735-6900
FAX (920) 830-6100