

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>March 19, 2019</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>A Resolution to Amend Resolution No. 2017-7291, A Resolution Conditionally Approving a Condominium Plat for Park Circle Condominiums at Approximately 9733 South 76th Street (Neumann Developments, Inc., Applicant), to Include and Depict All Proposed 54 Condominium Units upon the Plat, Including in the Wis. Stat. § 703.26 Expanding Condominiums Areas; to Ratify and Approve <i>Nunc Pro Tunc</i> the Recording of the Plat on February 21, 2019 as Document # 10849951; to Waive any Prior Regulatory Time Limits for the Recording of the Plat; to Authorize Department of City Development and Engineering Department Staff to Review for Approval All Forthcoming Addendums to the Plat in the Wis. Stat. § 703.26 Expanding Condominiums Areas, and to Rename the Development The Glen at Park Circle Condominium</p>	<p>ITEM NUMBER</p> <p><i>G.6.</i></p>

Attached is a draft Resolution, within which the facts and circumstances of its purpose are set forth. Attached are the Common Council meeting agenda packet materials from the August 15, 2017 meeting at which Resolution No. 2017-7291 approving the Condominium Plat was adopted, the recorded Plat, the recorded Correction Instrument for the Plat, the recorded Plat Addendum No. 1 and the recorded Correction Instrument for Plat Addendum No. 1, all of which are described and referenced in the attached draft Resolution. Also attached is a copy of the staff workproduct prepared with regard to condominium plats and expanding condominiums plat, which supports the long-time City process of condominium plats review and approval requirements, but also notes Wis. Stat. § 703.26. Expanding condominiums, upon which staff review and recommendation for from at least a developer hypothetical point of view, a more efficient and expedient process for expanding condominiums addendums which add more units, where the buildings locations are depicted upon a previously approved plat in the expansion areas, are reviewed for approval by City staff.

COUNCIL ACTION REQUESTED

A motion to adopt A Resolution to Amend Resolution No. 2017-7291, A Resolution Conditionally Approving a Condominium Plat for Park Circle Condominiums at Approximately 9733 South 76th Street (Neumann Developments, Inc., Applicant), to Include and Depict All Proposed 54 Condominium Units upon the Plat, Including in the Wis. Stat. § 703.26 Expanding Condominiums Areas; to Ratify and Approve *Nunc Pro Tunc* the Recording of the Plat on February 21, 2019 as Document # 10849951; to Waive any Prior Regulatory Time Limits for the Recording of the Plat; to Authorize Department of City Development and Engineering Department Staff to Review for Approval All Forthcoming Addendums to the Plat in the Wis. Stat. § 703.26 Expanding Condominiums Areas, and to Rename the Development The Glen at Park Circle Condominium.

RESOLUTION NO. 2017-_____

A RESOLUTION TO AMEND RESOLUTION NO. 2017-7291, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS AT APPROXIMATELY 9733 SOUTH 76TH STREET (NEUMANN DEVELOPMENTS, INC., APPLICANT), TO INCLUDE AND DEPICT ALL PROPOSED 54 CONDOMINIUM UNITS UPON THE PLAT, INCLUDING IN THE WIS. STAT. § 703.26 EXPANDING CONDOMINIUMS AREAS; TO RATIFY AND APPROVE *NUNC PRO TUNC* THE RECORDING OF THE PLAT ON FEBRUARY 21, 2019 AS DOCUMENT # 10849951; TO WAIVE ANY PRIOR REGULATORY TIME LIMITS FOR THE RECORDING OF THE PLAT; TO AUTHORIZE DEPARTMENT OF CITY DEVELOPMENT AND ENGINEERING DEPARTMENT STAFF TO REVIEW FOR APPROVAL ALL FORTHCOMING ADDENDUMS TO THE PLAT IN THE WIS. STAT. § 703.26 EXPANDING CONDOMINIUMS AREAS, AND TO RENAME THE DEVELOPMENT THE GLEN AT PARK CIRCLE CONDOMINIUM

WHEREAS, Resolution No. 2017-7291, A Resolution Conditionally Approving a Condominium Plat for Park Circle Condominiums at Approximately 9733 South 76th Street (Neumann Developments, Inc., Applicant) was adopted by the Common Council on August 15, 2017; and

WHEREAS, the Plat as then approved included three building pads for three 2-unit condominiums, with the remainder of the properties being expansion lands; and

WHEREAS, the materials in the August 15, 2017 Common Council meeting agenda packet included a "Site Plan", which did depict the outlines of the areas of the expanding condominiums area for buildings, which Site Plan was not technically part of the Plat, and which Site Plan was not included in the Plat recorded by the applicant on August 14, 2018 as Document # 10803255; the time of recording did not comply with Condition No. 5. of Resolution No. 2017-7291, requiring the applicant to obtain the recording of the Plat within 60 days of Common Council approval, and the recorded Plat renamed the development "The Glen at Park Circle"; and

WHEREAS, Department of City Development and Engineering Department staff having reviewed the aforesaid recorded Plat; an Addendum No. 1 to the Plat recorded on January 14, 2019 as Document # 10841530, which had not received City approval prior thereto; a Correction Instrument to the recorded Plat noting that "[t]he future building footprints on Expansion Land "A", "B" & "C" was omitted on Sheet 1 of 6", the Instrument then including same and being recorded by applicant on February 21, 2019 as Document # 10849951; and a Correction Instrument to the recorded Addendum No. 1 to the Plat noting that "[t]he future building footprints on Expansion Land "D" was omitted on Sheet 1 of 6",

A RESOLUTION TO AMEND RESOLUTION NO. 2017-7291, CONDITIONALLY RE-APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS, IN PART TO RENAME THE DEVELOPMENT THE GLEN AT PARK CIRCLE CONDOMINIUM

RESOLUTION NO. 2019-_____

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the Instrument then including same and being recorded by applicant on February 21, 2019 as Document # 10849950; and

WHEREAS, upon review and consideration by City staff with the applicant's representatives, including the determination that the recorded Plat as corrected included and depicted all proposed 54 condominium units upon the Plat, including in the Wis. Stat. § 703.26 expanding condominiums areas, the historical City process that all amendments and addendums to a plat, including a condominium plat, return upon application therefore to the Plan Commission and the Common Council for review and approval, the nature of expanding condominiums development and the relatively ministerial review required upon submissions of addendums to a condominium plat for expanding condominiums areas when such expanding areas are depicted upon the 'initial' plat, and the applicant's stated intent that the subject development proceed only through the plat process of addendums from time to time, staff recommends the adoption of this Resolution and the terms and provisions set forth herein; and

WHEREAS, the subject Plat being part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 00°15'12" East along the east line of said Northeast 1/4, 1554.02 feet to the Point of Beginning; Thence continuing South 00°15'12" East along said east line, 157.59 feet; thence South 88°30'36" West, 60.01 feet to the west right of way line of South 76th Street-County Trunk Highway "U"; thence South 00°15'12" East along said west right of way line, 285.15 feet to the north line of Parcel 1 of Certified Survey Map No. 7040; thence South 88°30'36" West along said north line, 1264.54 feet to the west line of the East 1/2 of said Northeast 1/4; thence North 00°22'22" West along said west line, 670.96 feet to the south line of Parcel 1 of Certified Survey Map No. 6114; thence North 88°31 '50" East along said south line, 933.85 feet to the west line of Parcel 1 of Certified Survey Map No. 4504; thence South 00°15'12" East along said west line, 219.45 feet to the south line of said Parcel 1; thence North 89°44'48" East along said south line, 392.00 feet to the Point of Beginning, more specifically, of the property located at approximately 9733 South 76th Street, bearing Tax Key No. 896-9999-007; and

WHEREAS, this Resolution and the terms and provisions set forth herein having been reviewed by the Plan Commission and the Commission having recommended approval thereof at its meeting on March 7, 2019; and

A RESOLUTION TO AMEND RESOLUTION NO. 2017-7291, CONDITIONALLY RE-APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS, IN PART TO RENAME THE DEVELOPMENT THE GLEN AT PARK CIRCLE CONDOMINIUM

RESOLUTION NO. 2019-_____

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WHEREAS, the Common Council having reviewed this Resolution and Plan Commission and Department of City Development and Engineering Department recommendations and the Common Council having determined that such proposed Condominium Plat as has been processed is appropriate for approval pursuant to law upon certain conditions and is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Resolution No. 2017-7291, A Resolution Conditionally Approving a Condominium Plat for Park Circle Condominiums at Approximately 9733 South 76th Street, be and the same is hereby amended as set forth below, and The Glen at Park Circle Condominium Plat, as described above, be and the same is hereby ratified and approved *nunc pro tunc*, subject to the following conditions:

1. The Plat ratified and approved hereunder is The Glen at Park Circle Condominium Plat Correction Instrument recorded with the Milwaukee County Register of Deeds by applicant on February 21, 2019 as Document # 10849951, excepting that any and all notes thereon stating "Declarant has the sole right to determine the location, size and other similar features within the Land Expansion Areas" or anything akin thereto, shall not apply to the City of Franklin, its public officers, staff and consults.
2. Neumann Developments, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for The Glen at Park Circle Condominium development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Neumann Developments, Inc., and The Glen at Park Circle Condominium development for the property located at approximately 9733 South 76th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

A RESOLUTION TO AMEND RESOLUTION NO. 2017-7291, CONDITIONALLY RE-APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS, IN PART TO RENAME THE DEVELOPMENT THE GLEN AT PARK CIRCLE CONDOMINIUM

RESOLUTION NO. 2019-_____

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4. The Glen at Park Circle Condominium development project shall be developed in substantial compliance with the terms and provisions of this Resolution, Resolution No. 2017-7291 as amended hereunder, and Resolution No. 2017-7305, A Resolution Imposing Conditions and Restrictions for the Approval of A Special Use for a Condominiums Development Use upon Property Located At 9733 South 76th Street (Neumann Developments, Inc., Applicant).
5. Department of City Development and Engineering Department staff, with the assistance of any engaged City consultants, are hereby authorized to review for approval, and Neumann Developments, Inc., successors and assigns, are hereby required to submit to the City for such staff review for approval any and all Addendum(s) to The Glen at Park Circle Condominium Plat ratified and approved hereunder, prior to any recording of the Addendum(s); no Addendum shall be recorded prior to obtaining staff approval in writing. Such staff approval authority shall be limited to Addendum(s) which do not alter the number or location of building sites as approved in Special Use Resolution No. 2017-7305 or alter easements as depicted on the Plat ratified and approved hereunder, and such Addendum(s) may, with such staff approval, alter such elements as but not limited to the location and distribution of the building types as approved by the Architectural Review Board, the location and distribution of front versus side entry garages, the distance between buildings (but not to be less than 10 feet of separation), minor land disturbing activities associated with such changes, etc.
6. The City of Franklin hereby waives prior regulatory time limits not met related to the recording of the Plat ratified and approved hereunder.
7. The Condominium Plat for Park Circle Condominiums name as approved pursuant to Resolution No. 2017-7291, is hereby changed to "The Glen at Park Circle Condominium Plat" and the development shall be known as "The Glen at Park Circle Condominium".
8. All of the terms and provisions of Resolution No. 2017-7291 not specifically and expressly amended by or in direct conflict with the terms and provisions of this Resolution, shall remain in full force and effect.
9. [other conditions, etc.]

A RESOLUTION TO AMEND RESOLUTION NO. 2017-7291, CONDITIONALLY RE-
APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS, IN
PART TO RENAME THE DEVELOPMENT THE GLEN AT PARK CIRCLE
CONDOMINIUM

RESOLUTION NO. 2019-_____

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BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to obtain the recording
of this Resolution with the Office of the Register of Deeds for Milwaukee County.

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

APPROVAL <i>Slur</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 08/15/17
REPORTS & RECOMMENDATIONS	RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS AT APPROXIMATELY 9733 SOUTH 76TH STREET (NEUMANN DEVELOPMENTS, INC., APPLICANT)	ITEM NUMBER 6.5.
<p>At its August 3, 2017 meeting, the Plan Commission recommended approval of a resolution conditionally approving a condominium plat for Park Circle Condominiums at approximately 9733 South 76th Street (Neumann Developments, Inc., Applicant).</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to approve Resolution 2017-_____, conditionally approving a condominium plat for Park Circle Condominiums at approximately 9733 South 76th Street (Neumann Developments, Inc., Applicant).</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2017-_____

A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR
PARK CIRCLE CONDOMINIUMS AT APPROXIMATELY 9733 SOUTH 76TH STREET
(NEUMANN DEVELOPMENTS, INC., APPLICANT)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a condominium plat for Park Circle Condominiums (total development includes 54 duplex single-family condominiums; the plat includes three building pads for three 2-unit condominiums, the remainder of the properties being expansion lands), such plat being part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 00°15'12" East along the east line of said Northeast 1/4, 1554.02 feet to the Point of Beginning; Thence continuing South 00°15'12" East along said east line, 157.59 feet; thence South 88°30'36" West, 60.01 feet to the west right of way line of South 76th Street-County Trunk Highway "U"; thence South 00°15'12" East along said west right of way line, 285.15 feet to the north line of Parcel 1 of Certified Survey Map No. 7040; thence South 88°30'36" West along said north line, 1264.54 feet to the west line of the East 1/2 of said Northeast 1/4; thence North 00°22'22" West along said west line, 670.96 feet to the south line of Parcel 1 of Certified Survey Map No. 6114; thence North 88°31'50" East along said south line, 933.85 feet to the west line of Parcel 1 of Certified Survey Map No. 4504; thence South 00°15'12" East along said west line, 219.45 feet to the south line of said Parcel 1; thence North 89°44'48" East along said south line, 392.00 feet to the Point of Beginning, more specifically, of the property located at approximately 9733 South 76th Street, bearing Tax Key No. 896-9999-007, Neumann Developments, Inc., applicant; said Condominium Plat having been reviewed by the City Plan Commission following the reviews and recommendations or reports of the Department of City Development and the City Engineering Department, and the Plan Commission having recommended approval thereof at its meeting on August 3, 2017, 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 condominium plat is appropriate for approval pursuant to law upon certain conditions and is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Condominium Plat for Park Circle Condominiums, as submitted by Neumann Developments, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR
PARK CIRCLE CONDOMINIUMS
RESOLUTION NO. 2017-_____

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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, and that all minor technical deficiencies within the Condominium Plat be rectified, all prior to the recording of the Condominium Plat.
2. Neumann Developments, Inc., applicant, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Park Circle Condominiums development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Neumann Developments, Inc., applicant, and the Park Circle Condominiums development for the property located at approximately 9733 South 76th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. The Park Circle Condominiums development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
5. Applicants shall record the revised Condominium Plat with the Milwaukee County's Office of the Register of Deeds within 60 days of Common Council approval.
6. The applicant shall apply for and obtain, concurrently with the required Special Use application, a determination from the Common Council that the public road is reasonable and necessary in the public interest and shall not require the grant of a special exception (as set forth in Ordinance No. 2016-2224). Or alternatively, demonstrate that a minimum of 70 percent of the mature woodlands onsite are protected within the Conservation Easement, or prepare a restoration plan for the woodland impacts associated with the water main extension which confirms that the remaining tree line no longer meets the criteria for protection, for Department of City Development review and approval prior to issuance of a Building Permit.
7. The trees along the north property line, including those onsite and the canopies of trees located on the property to the north, shall be illustrated and included as part of the conservation easement. Alternatively, the applicant may demonstrate that a minimum of 70% of the mature woodlands onsite are protected within the

A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR
PARK CIRCLE CONDOMINIUMS
RESOLUTION NO. 2017-_____

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conservation easement and not protect the remaining 30%. The Condominium Plat shall be revised accordingly.

BE IT FURTHER RESOLVED, that the Condominium Plat for Park Circle Condominiums 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 condominium plat, the City Clerk is hereby directed to obtain the recording of the Condominium Plat for Park Circle Condominiums with the Office of the Register of Deeds for Milwaukee County.

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

(Part of Lot 1 of Certified Survey Map No. _____ recorded in the Register of Deeds office for Milwaukee County as Document No. _____, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

[illegible]

Part of Lot 1 of Certified Survey Map No. _____, recorded in the Register of Deeds office for Milwaukee County as Document No. _____, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of Lot 1 of said Certified Survey Map No. _____; Thence South 89°44'48" West along the north line of said Lot 1, 332.00 feet to the Point of Beginning;

[illegible]

Lot 2 of Certified Survey Map No. _____, recorded in the Register of Deeds office for Milwaukee County as Document No. _____, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 26, Township 6 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

EXPANSION AND CONTRACTING DESCRIPTION-

Lot 3 of Certified Survey Map No. _____, recorded in the Register of Deeds office for Milwaukee County as Document No. _____, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 23, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

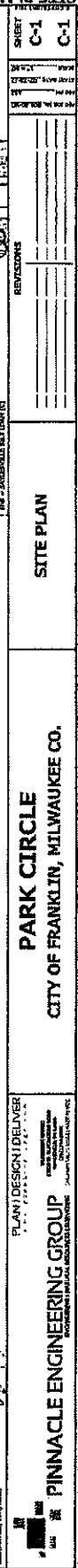
City of Franklin, Milwaukee County, Wisconsin

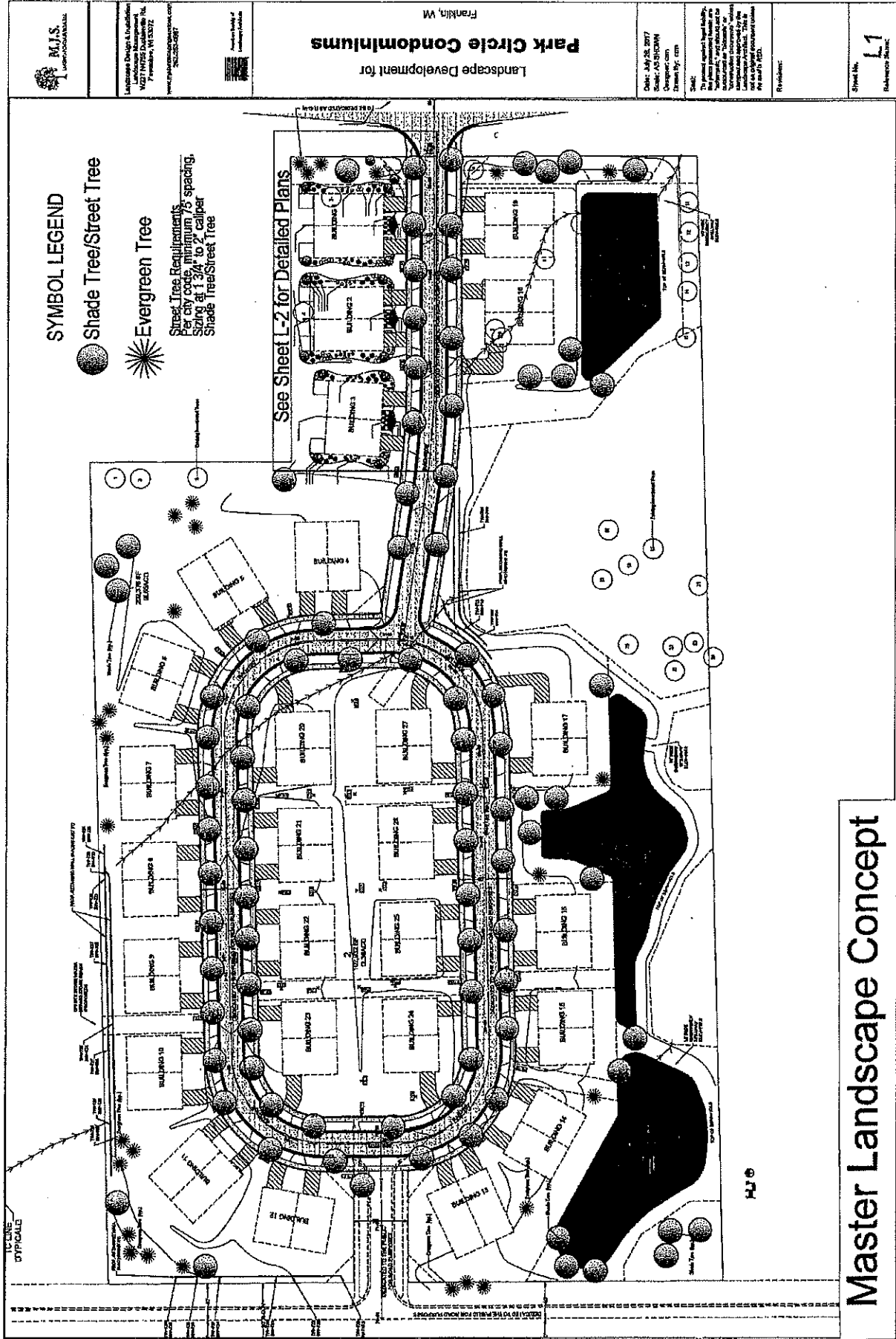


SECRET

LINE TABLE		
LINE NO.	BEARING	DISTANCE
1	N 00° 00' E	32.15

CURVE NO.	LENGTH	RAILS	CHORD BEARING	CHORD LENGTH	TANGENT AT	TANGENT AT
C1	10.42	712.02	100°23'47"	14.226	100°23'47"	100°23'47"
C2	10.42	712.02	100°23'47"	14.227	100°23'47"	100°23'47"
C3	10.42	712.02	100°23'47"	14.228	100°23'47"	100°23'47"
C4	20.84	1424.04	100°23'47"	28.456	100°23'47"	100°23'47"
C5	31.26	2136.06	100°23'47"	42.684	100°23'47"	100°23'47"
C6	41.68	2848.12	100°23'47"	56.912	100°23'47"	100°23'47"
C7	52.10	3560.24	100°23'47"	71.140	100°23'47"	100°23'47"
C8	62.52	4272.36	100°23'47"	85.368	100°23'47"	100°23'47"
C9	72.94	4984.48	100°23'47"	99.596	100°23'47"	100°23'47"
C10	83.36	5696.60	100°23'47"	113.824	100°23'47"	100°23'47"
C11	93.78	6408.72	100°23'47"	128.052	100°23'47"	100°23'47"
C12	104.20	7120.84	100°23'47"	142.280	100°23'47"	100°23'47"
C13	114.62	7832.96	100°23'47"	156.508	100°23'47"	100°23'47"
C14	125.04	8545.08	100°23'47"	170.736	100°23'47"	100°23'47"
C15	135.46	9257.20	100°23'47"	184.964	100°23'47"	100°23'47"
C16	145.88	9969.32	100°23'47"	199.192	100°23'47"	100°23'47"
C17	156.30	10681.44	100°23'47"	213.420	100°23'47"	100°23'47"
C18	166.72	11393.56	100°23'47"	227.648	100°23'47"	100°23'47"
C19	177.14	12105.68	100°23'47"	241.876	100°23'47"	100°23'47"
C20	187.56	12817.80	100°23'47"	256.104	100°23'47"	100°23'47"
C21	197.98	13529.92	100°23'47"	270.332	100°23'47"	100°23'47"
C22	208.40	14242.04	100°23'47"	284.560	100°23'47"	100°23'47"
C23	218.82	14954.16	100°23'47"	298.788	100°23'47"	100°23'47"
C24	229.24	15666.28	100°23'47"	313.016	100°23'47"	100°23'47"
C25	239.66	16378.40	100°23'47"	327.244	100°23'47"	100°23'47"
C26	250.08	17090.52	100°23'47"	341.472	100°23'47"	100°23'47"
C27	260.50	17802.64	100°23'47"	355.700	100°23'47"	100°23'47"
C28	270.92	18514.76	100°23'47"	369.928	100°23'47"	100°23'47"
C29	281.34	19226.88	100°23'47"	384.156	100°23'47"	100°23'47"
C30	291.76	19939.00	100°23'47"	398.384	100°23'47"	100°23'47"
C31	302.18	20651.12	100°23'47"	412.612	100°23'47"	100°23'47"
C32	312.60	21363.24	100°23'47"	426.840	100°23'47"	100°23'47"
C33	323.02	22075.36	100°23'47"	441.068	100°23'47"	100°23'47"
C34	333.44	22787.48	100°23'47"	455.296	100°23'47"	100°23'47"
C35	343.86	23499.60	100°23'47"	469.524	100°23'47"	100°23'47"
C36	354.28	24211.72	100°23'47"	483.752	100°23'47"	100°23'47"
C37	364.70	24923.84	100°23'47"	497.980	100°23'47"	100°23'47"
C38	375.12	25635.96	100°23'47"	512.208	100°23'47"	100°23'47"
C39	385.54	26348.08	100°23'47"	526.436	100°23'47"	100°23'47"
C40	395.96	27060.20	100°23'47"	540.664	100°23'47"	100°23'47"
C41	406.38	27772.32	100°23'47"	554.892	100°23'47"	100°23'





SYMBOL LEGEND

● Shade Tree/Street Tree

★ Evergreen Tree

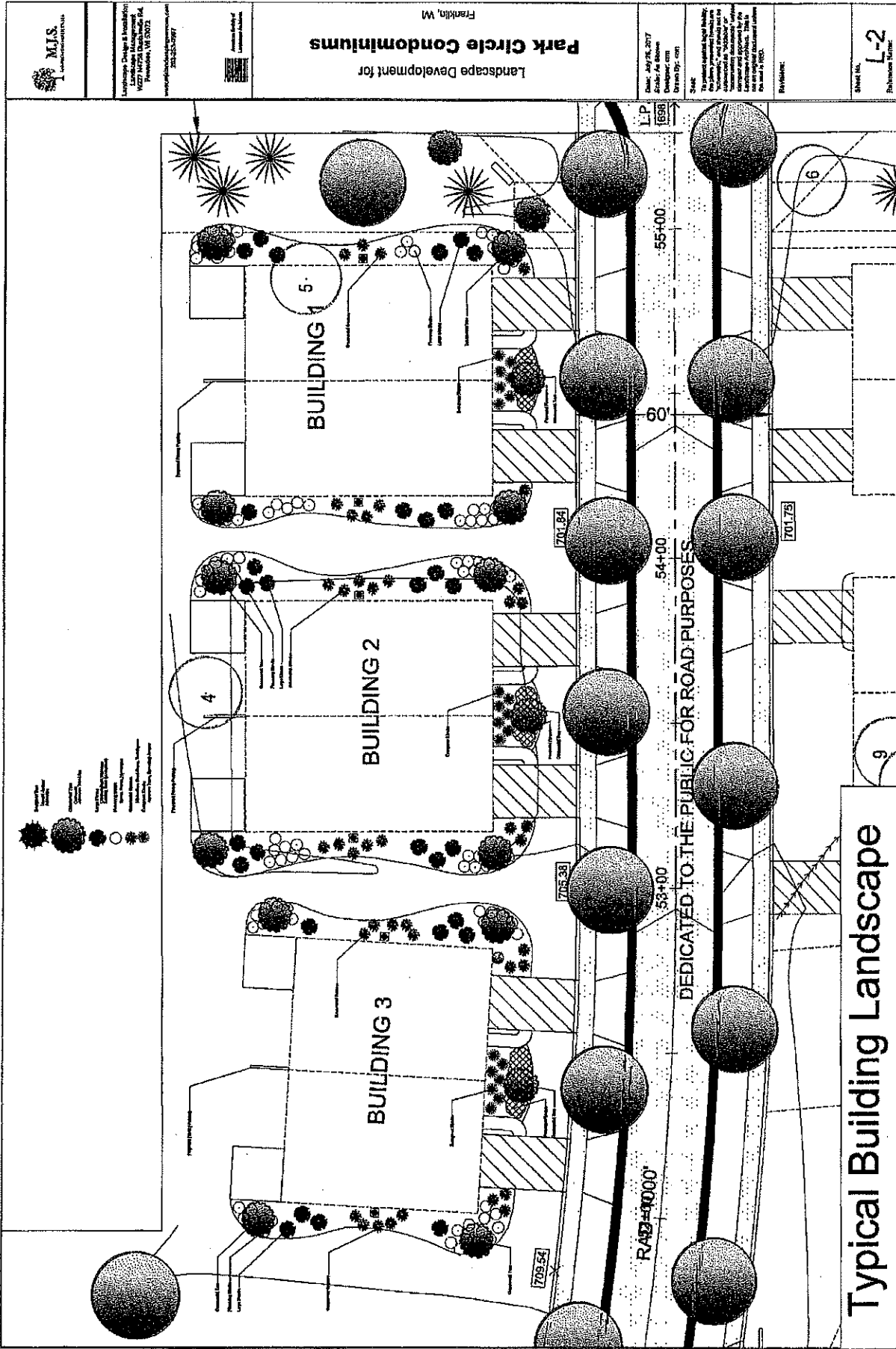
Street Tree Requirements:
Per city code, minimum 75 spacing,
Sizing at 1 3/4" to 2" caliper
Shade Tree/Street Tree

See Sheet L-2 for Detailed Plans

Park Circle Condominiums
Landscape Development for
Franklin, WI

DATE: July 22, 2017
DRAWN: H.J. ©
CHECKED: [Signature]
PROJECT: [Signature]
SHEET: L1
TOTAL SHEETS: 1

Master Landscape Concept





REGISTER OF DEEDS

Milwaukee County

JOHN LA FAVE • Register of Deeds



8 0 4 3 7 8 0 6

Tx: 40288160

DOC. # 10803255

RECORDED:

08/14/2018 02:06 PM

JOHN LA FAVE

REGISTER OF DEEDS

MILWAUKEE COUNTY, WI

AMOUNT: 50.00

PLAT

PLAT

NAME:

Glen AT PARK CIRCLE
Condominium

DOC#

10803255

REEL#

9456

DATE:

August 14, 2018

NUMBER OF PAGES:

6

THE GLEN AT PARK CIRCLE CONDOMINIUM

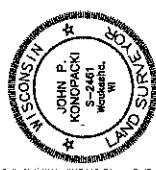
City of Franklin, Milwaukee County, Wisconsin

SURVEYOR'S CERTIFICATE

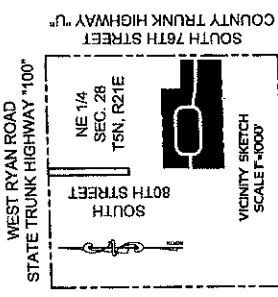
STATE OF WISCONSIN
WAUKESHA COUNTY 55

I, John P. Konopacki, Professional Land Surveyor, do hereby certify that I have surveyed and mapped the lands shown and described hereon and that this is a true and correct representation of the GLEN AT PARK CIRCLE CONDOMINIUM as shown on the plat of the same, and that the same is in accordance with the laws of the State of Wisconsin.

SIGNED
JOHN P. KONOPACKI, PROFESSIONAL LAND SURVEYOR S-2461
REGISTER OF DEEDS
SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018



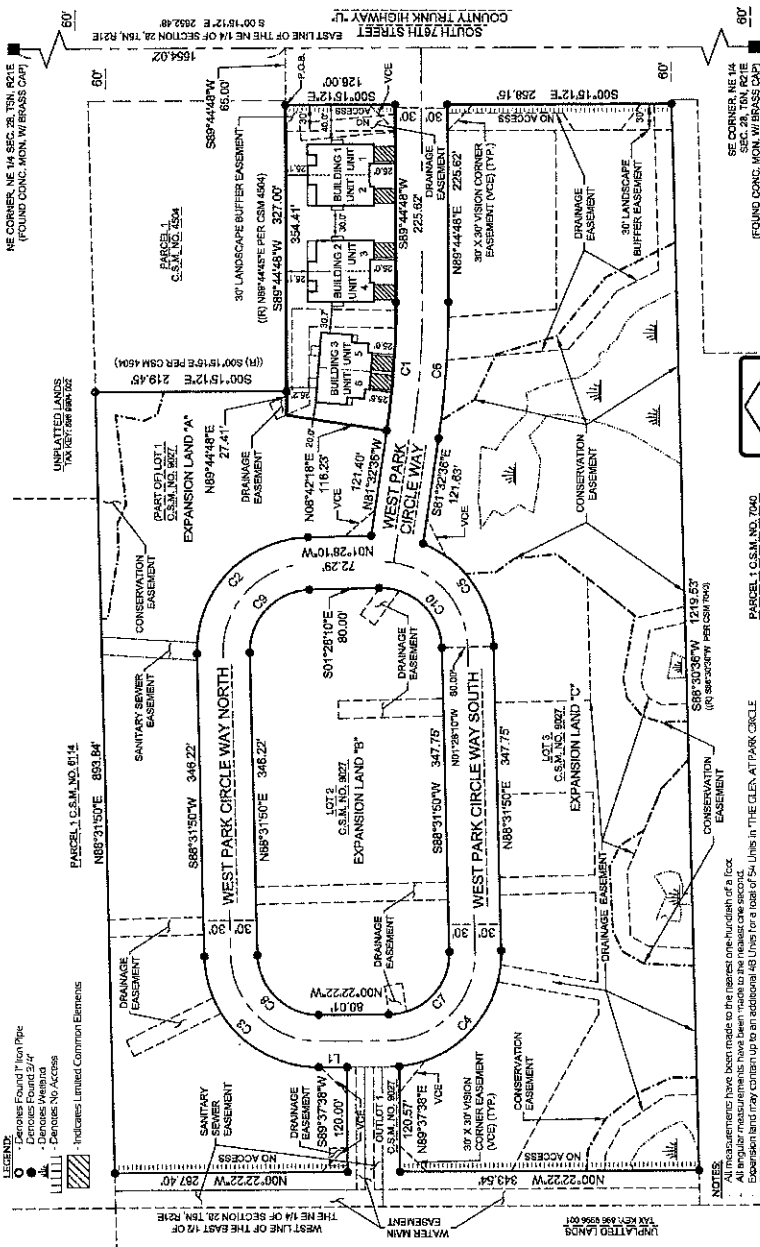
DOC. # 10803255
RECORDED
9/11/2017 8:02:59 PM
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
AMOUNT: \$0.00
\$26.1 = 9456



ADDRESS:

UNIT 1: 7614 West Park Circle Way, Franklin, Wisconsin
UNIT 2: 7616 West Park Circle Way, Franklin, Wisconsin
UNIT 3: 7618 West Park Circle Way, Franklin, Wisconsin
UNIT 4: 7620 West Park Circle Way, Franklin, Wisconsin
UNIT 5: 7622 West Park Circle Way, Franklin, Wisconsin
UNIT 6: 7624 West Park Circle Way, Franklin, Wisconsin

REC-008/90100
SHEET 1 OF 6



GRAPHICAL SCALE (FEET)
0 1" = 100' 200'

DECLARANT:
PARK CIRCLE, LLC
Prepared by:
PINNACLE ENGINEERING GROUP
15550 BLOOMINGDALE ROAD, SUITE 200
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888
PREPARED FOR:
PARK CIRCLE, LLC
1571 WILSONS PAUL COURT, SUITE 100
PARK CIRCLE, WI 53002
PH: (262) 540-7000

Bearings referenced to the Wisconsin State Plane
Coordinate System, South Zone (NAD 1927). The
east line of the Northeast 1/4 of Section 28, Township
5 North, Range 2 East has a bearing of N00°15'27" W.

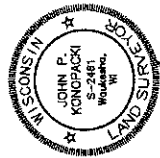
NOTES:
1. All measurements have been made to the nearest one hundredth of a foot.
2. The plat shows the location of the proposed expansion and is intended to cover the entire portion of the
3. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion
4. Areas including without limitation the future Units, Common Elements and Limited Common Elements.
5. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion
6. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion
7. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion
8. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion
9. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion
10. The Declaration has the sole right to determine the location, size and other similar features within the Land Expansion

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461
PINNACLE ENGINEERING GROUP

\$5000

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin

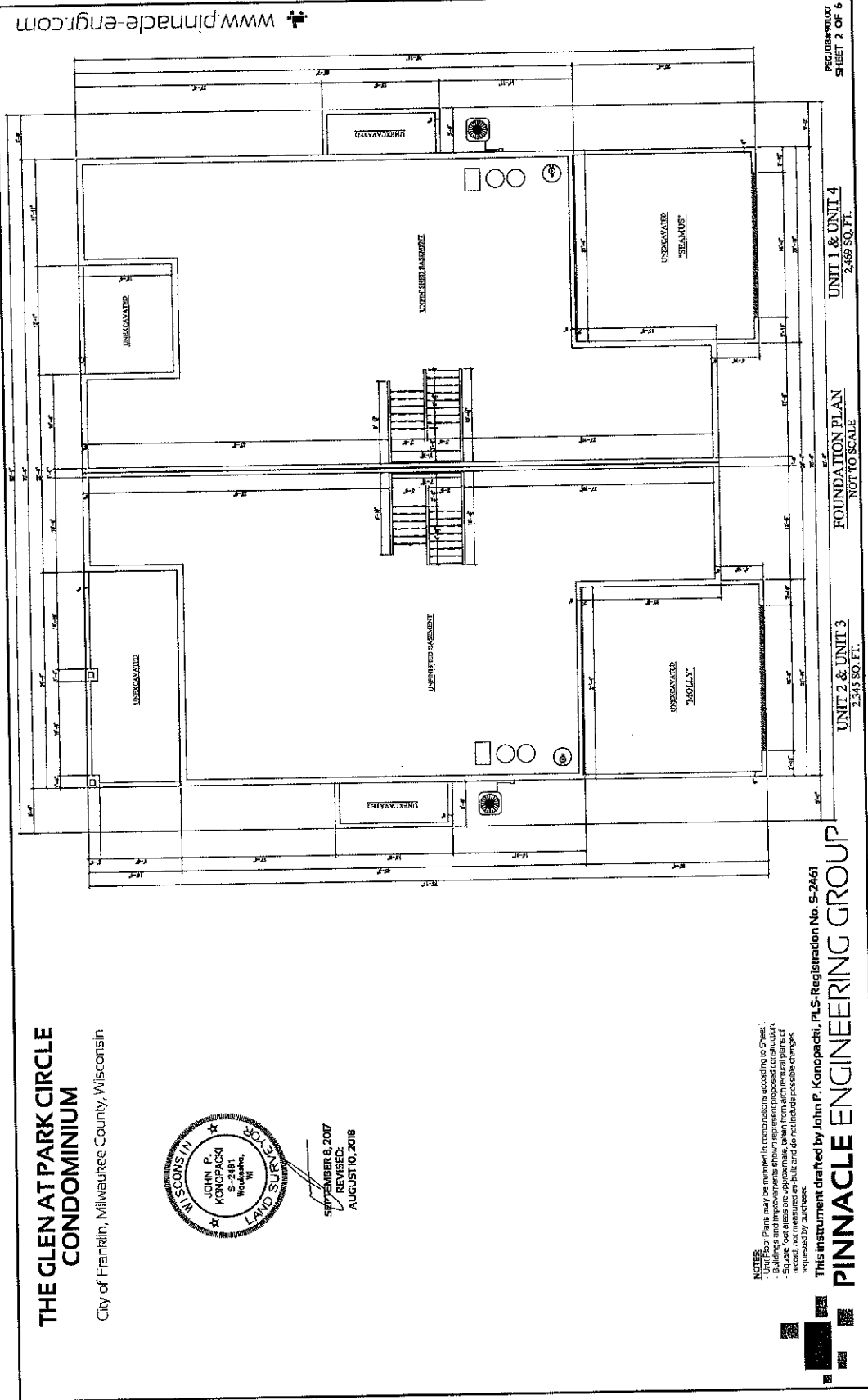


SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

NOTE:
- Unit Floor Plans may be inserted in correspondence according to Owner.
- Square foot areas are approximate. Taken from architectural plans of record, not measured as-built and do not include possible changes requested by purchaser.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

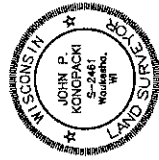
PINNACLE ENGINEERING GROUP



RED LINES ONLY
SHEET 2 OF 6

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin

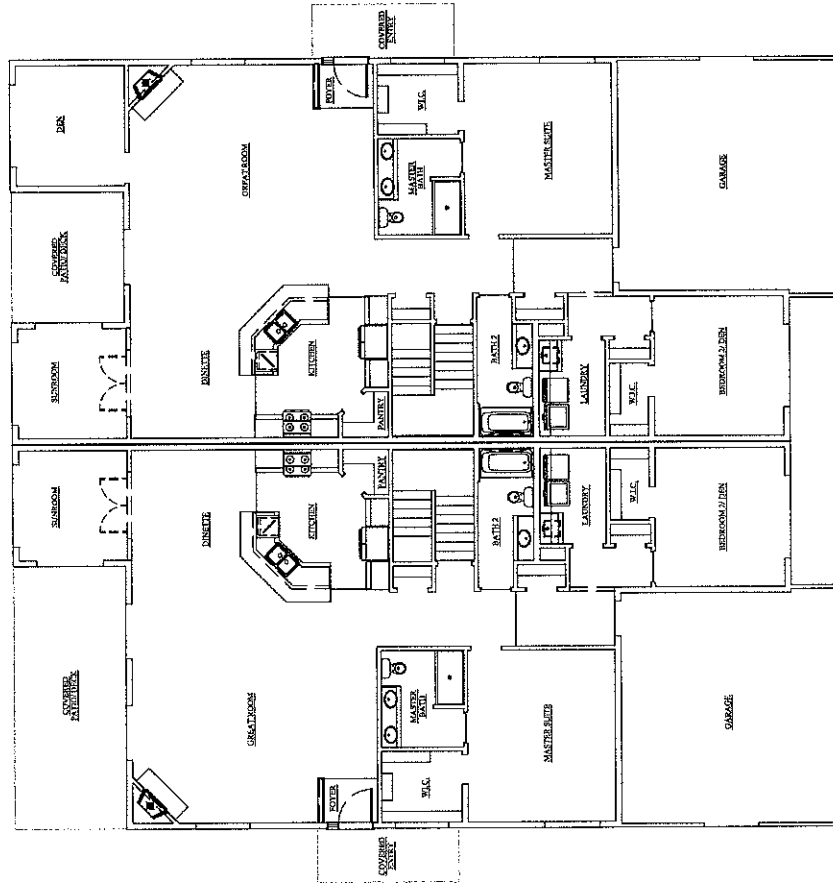


SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

NOTES:
 - Unit Floor Plans may be mirrored in combinations according to Sheet 1.
 - Buildings and improvements shown represent proposed construction.
 - Specific details and dimensions are shown for information only and are not to be used for construction without the approval of the engineer of record.
 - All dimensions are in feet and inches and do not include possible changes required by purchase.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461
PINNACLE ENGINEERING GROUP

www.pinnacle-engr.com



UNIT 1 & UNIT 4
"SEAMUS"

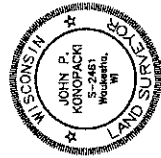
FIRST FLOOR PLAN
NOT TO SCALE

UNIT 2 & UNIT 3
"BOBLYC"

PECJ08#0100
SHEET 3 OF 6

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin

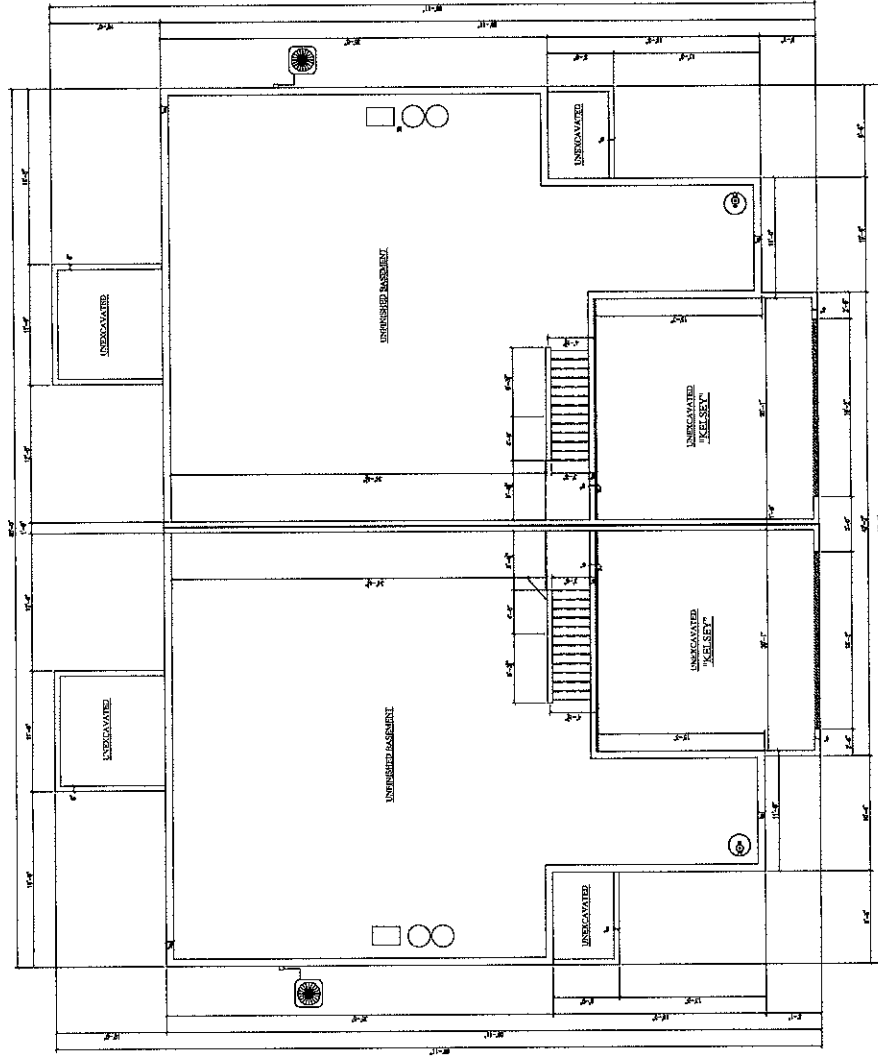


SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

NOTES:
- Unit Floor Plans may be initiated in conjunctions according to Sheet I
- Buildings and Improvements shown represent proposed construction.
- Square foot areas and approximate, taken from architectural drawings.
- All dimensions are approximate and subject to change without notice.
- All dimensions are subject to change without notice.
- All dimensions are subject to change without notice.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461
PINNACLE ENGINEERING GROUP

www.pinnacle-engr.com



UNIT 5
2,137 SQ. FT.

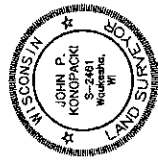
FOUNDATION PLAN
NOT TO SCALE

UNIT 6
2,137 SQ. FT.

PRECISION
SHEET 4 OF 6

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin



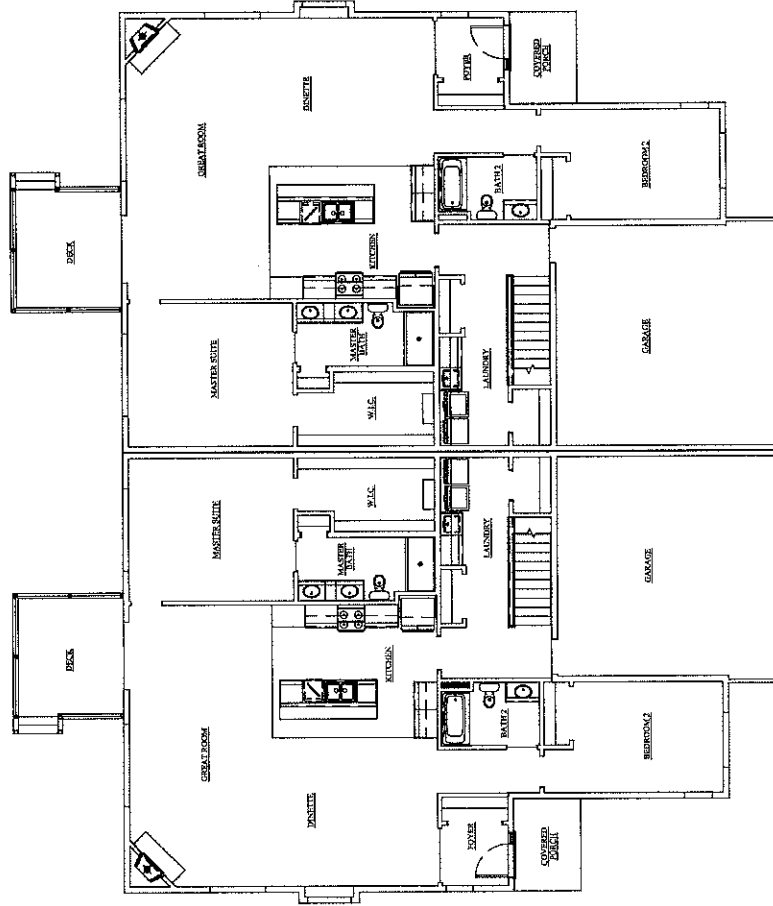
SEPTEMBER 8, 2017
REVISED
AUGUST 10, 2018

- NOTES:**
- Unit Floor Plans may be mirrored in combinations according to Sheet 1.
 - Buildings and Improvements shown represent proposed construction.
 - Square foot areas are approximate, taken from architectural plans or
 - recorded plat and do not include possible changes
 - required by purchase.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461
PINNACLE ENGINEERING GROUP



www.pinnacle-engr.com



UNIT 5
"NEEDS"

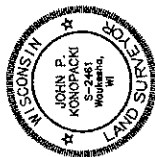
FIRST FLOOR PLAN
NOT TO SCALE

UNIT 6
"NEEDS"

PROJECT#9000
SHEET 5 OF 6

City of Franklin, Milwaukee County, Wisconsin

City of Franklin, Milwaukee County, Wisconsin



SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S00°22'22"E	32.14'

CURVE TABLE						
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN TANGENT OUT
C1	147.40'	970.00'	009°42'38"	N83°31'54"W	117.32'	N87°32'53"W
C2	214.20'	1000.00'	009°50'00"	N48°23'10"W	183.85'	S68°11'55"W
C3	203.32'	130.00'	089°54'12"	S44°04'44"W	182.08'	S69°22'22"E
C4	194.84'	130.00'	066°54'12"	S46°30°44"E	178.88'	N48°31'50"E
C5	151.41'	130.00'	066°43'53"	N50°09°50"E	143.00'	N81°31'50"E
C6	188.58'	1030.00'	009°42'38"	S67°52°54"E	155.43'	S41°22'50"E
C7	111.35'	70.00'	091°03'06"	S47°52'18"E	88.54'	N67°22'22"W
C8	103.62'	70.00'	009°54'12"	S44°04'44"W	99.04'	N48°31'50"E
C9	108.86'	70.00'	009°00'00"	N48°31'50"E	94.99'	S57°28'10"W
C10	103.66'	70.00'	066°54'12"	N50°09°50"E	88.89'	S68°11'55"W

Part of Lot 1 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 010757865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of Lot 1 of said Certified Survey Map No. 9027; Thence South 00°15'12" East along the east line of said Lot 1, 126.00 feet to the north right of way line of West Park, Ohio Way; Thence South 89°44'48" West along said north right of way line of West Park, Ohio Way, 125.62 feet to a point of curvature; Thence northwesterly 71.46 feet along the arc of a circle to the right, whose radius is 970.00 feet and whose chord bears North 83°54'34" West, 147.35 feet; Thence North 09°42'18" East, 116.23 feet; Thence North 89°44'48" East and then along a north line of said Lot 1, 354.41 feet; to the Point of Beginning.

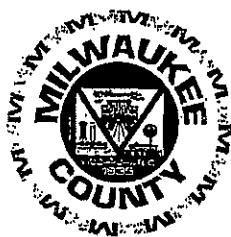
Part of Lot 1 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 010767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of Lot 1 of said Certified Survey Map No. 9027; Thence South 89°44'48" West along a north line of said Lot 1, 327.00 feet to the Point of Beginning;

Thence continue South $89^{\circ}44'49''$, West $27.41'$, West along South $09^{\circ}42'48''$ West, 116.23 feet to the north right of way line of West Park Circle, Thence South $81^{\circ}32'39''$, West along said north right of way, 121 feet to the east, right of way line of West Park Circle, Thence the following corners along said right of way line of West Park Circle: North $01^{\circ}28'10''$ West, 72.28 feet to the north right of way line of West Park Circle, Thence South $89^{\circ}31'19''$ West, 345.22 feet along the north of a curve to the west, 133.65 feet to the north right of way line of West Park Circle, Thence South $89^{\circ}31'19''$ West, 189.08 feet along the north of a curve to the west, 72 feet along the north of a curve to the west, 133.65 feet to the north right of way line of West Park Circle, Thence South $89^{\circ}37'39''$ West along said north line, 132.44 feet to an east line of said Outlot 1, Thence North $01^{\circ}28'10''$ West along said east line, 267.40 feet to a north line of said Lot 1; Thence North $01^{\circ}28'10''$ West, 225.22 feet to a east line of said Lot 1, Thence South $09^{\circ}15'12''$ West along said east line, 133.43 feet to the Point of Beginning.

Lot 2 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 1010767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

Lot 3 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.



REGISTER OF DEEDS

Milwaukee County

JOHN LA FAVE • Register of Deeds



8 0 5 1 3 0 4 4

Tx:40333850

DOC. # 10841530

RECORDED:

01/14/2019 12:43 PM

JOHN LA FAVE

REGISTER OF DEEDS

MILWAUKEE COUNTY, WI

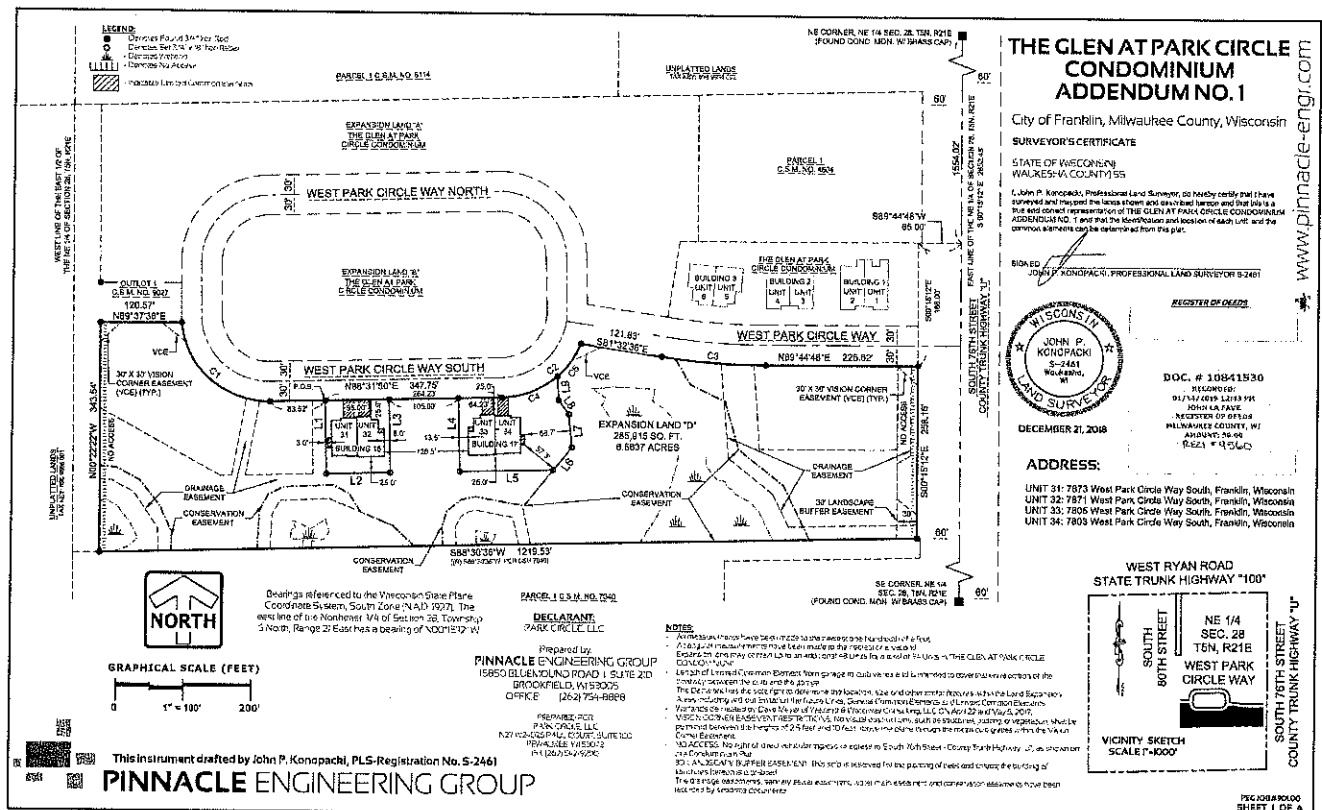
AMOUNT: 50.00

PLAT

PLAT The Glen at Park Circle
NAME: Condominium Addendum #1

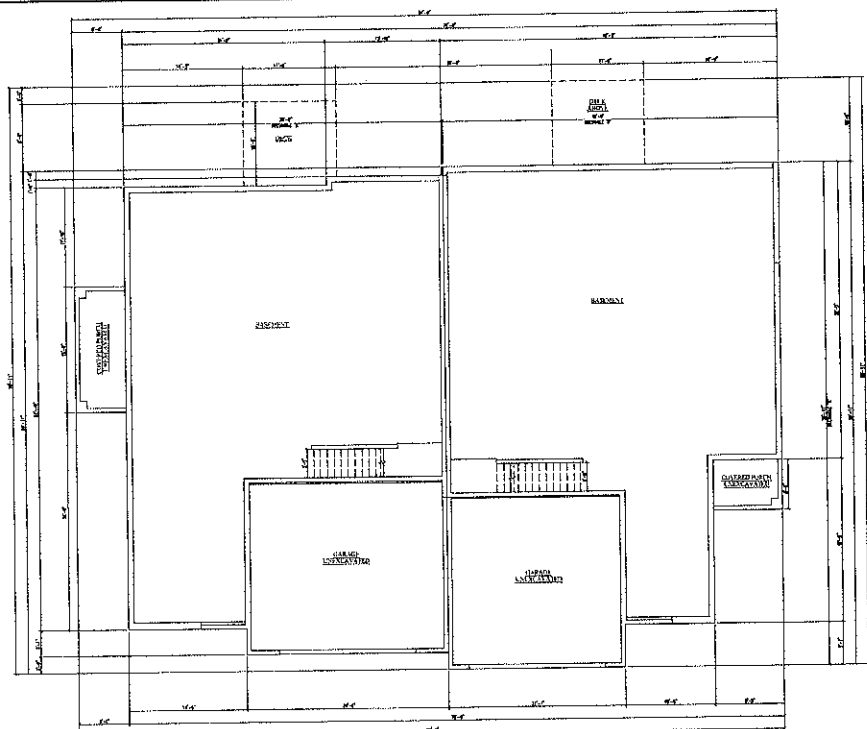
DOC# 10841530REEL# 9560DATE: 01/14/2019NUMBER OF PAGES: 4

UNOFFICIAL COPY



THE GLEN AT PARK CIRCLE CONDOMINIUM ADDENDUM NO. 1

City of Franklin, Milwaukee County, Wisconsin



NOTES:
 - Unit floor plans may be provided in combination with this sheet.
 - Building area is provided for information purposes only.
 - Square foot area is approximate. Final construction details of
 walls, floor, roof, etc. may vary and are not to be used for design purposes.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461
PINNACLE ENGINEERING GROUP

UNIT 31 & UNIT 34
 2,096 SQ. FT.
 THE KELSEY

FOUNDATION PLAN
 NOT TO SCALE

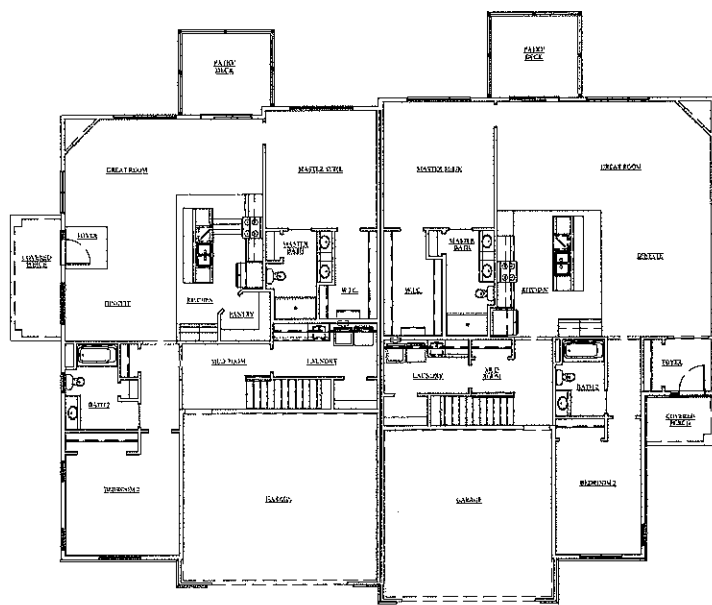
UNIT 32 & 33
 2,137 SQ. FT.
 THE CASEY

REGISTRATION
 SHEET 2 OF 4

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THE GLEN AT PARK CIRCLE CONDOMINIUM ADDENDUM NO. 1

City of Franklin, Milwaukee County, Wisconsin



UNIT 31 & UNIT 34

FIRST FLOOR PLAN
NOT TO SCALE

UNIT 32 & 33

Notes:
1. Unit 31 and 34 may be entered from the adjacent street.
2. Storage and parking areas shown within the proposed car deck.

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

THE GLEN AT PARK CIRCLE
CONDOMINIUM
ADDENDUM NO. 1

City of Franklin, Milwaukee County, Wisconsin



CURVE TABLE							
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	184.54	130.00	58°14'43"	S48°35'4"E	175.89	S55°43'39"E	N48°31'50"E
C2	181.41	130.00	56°14'33"	N59°02'33"E	145.02	N58°31'50"E	N21°47'53"E
C3	158.58	130.00	56°14'33"	S48°35'4"E	156.47	N48°31'50"E	S41°32'38"E
C4	89.87	130.00	56°14'41"	S58°22'33"W	59.27	N48°31'50"E	N45°21'50"E
C5	80.47	130.00	53°03'12"	N38°10'33"E	39.81	N48°27'03"E	N21°47'53"E

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S31°28'10"E	110.07
L2	N48°31'50"E	56.07
L3	N45°21'50"E	110.00
L4	S41°32'38"E	110.00
L5	N48°31'50"E	139.69
L6	N21°47'53"E	44.15
L7	N45°55'22"W	49.68
L8	N38°10'33"E	26.07
L9	N48°49'01"W	35.68

LEGAL DESCRIPTION:

Being a part of EXPANSION LAND "C" of The Glen at Park Circle Condominium, as recorded in the Register of Deeds office for Milwaukee County as Document No. 10803555 and part of Lot 3 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10787055, all being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 00°15'12" East along the east line of said Northeast 1/4, 1554.02 feet; thence South 89°44'48" West, 66.00 feet to the west right of way line of South 76th Street - County Trunk Highway "J"; thence South 00°15'12" East along said west right of way line, 444.15 feet to the south line of Lot 3 of Certified Survey Map No. 9027; thence South 58°30'38" West along said south line, 1219.63 feet to the west line of said Lot 3; thence North 00°22'22" West along said west line, 343.54 feet to the north line of said Lot 3; thence North 58°37'38" East along said north line, 120.57 feet to a point on a curve; thence southeasterly 164.54 feet along the arc of said curve to the left and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 48°35'54" East, 175.89 feet; thence North 58°31'50" East along said north line of Lot 3, 53.52 feet to the Point of Beginning.

Thence South 01°28'10" East, 110.00 feet; thence North 58°31'50" East, 95.00 feet; thence North 01°28'10" West, 110.00 feet to the aforesaid north line of Lot 3; thence North 58°31'50" East along said north line, 165.50 feet; thence South 01°28'10" East, 110.00 feet; thence North 58°31'50" East, 139.69 feet; thence North 38°21'58" East, 44.13 feet; thence North 05°55'22" West, 49.68 feet; thence North 35°58'27" West, 28.03 feet; thence North 03°45'01" West, 35.68 feet to the aforesaid north line of Lot 3 and a point on a curve; thence southeasterly 90.93 feet along the arc of said curve to the right and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 68°29'20" West, 59.27 feet; thence South 58°31'50" West along said north line of Lot 3, 264.23 feet to the Point of Beginning.

Said land containing 26,839 square feet (0.6021 acres).

EXPANSION LAND "D" LEGAL DESCRIPTION:

Being a part EXPANSION LAND "C" of The Glen at Park Circle Condominium, as recorded in the Register of Deeds office for Milwaukee County as Document No. 10803535 and part of Lot 3 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10787055, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Northeast 1/4 of said Section 28; thence South 00°15'12" East along the east line of said Northeast 1/4, 1554.02 feet; thence South 89°44'48" West, 66.00 feet to the west right of way line of South 76th Street - County Trunk Highway "J"; thence South 00°15'12" East along said west right of way line, 196.00 feet to the northeast corner of Lot 3 of Certified Survey Map No. 9027 and the Point of Beginning.

Thence continue South 00°15'12" East along said west right of way line, 258.16 feet to the southeast corner of said Lot 3; thence South 58°30'38" West along the south line of said Lot 3, 1219.63 feet to the west line of said Lot 3; thence North 00°22'22" West along said west line, 343.54 feet to the north line of said Lot 3; thence North 58°37'38" East along said north line, 120.57 feet to a point on a curve; thence southeasterly 164.54 feet along the arc of said curve to the left and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 48°35'54" East, 175.89 feet; thence North 58°31'50" East along said north line of Lot 3, 53.52 feet; thence North 01°28'10" East, 110.00 feet; thence North 58°31'50" East, 95.00 feet; thence North 01°28'10" West, 110.00 feet to the aforesaid north line of Lot 3; thence North 58°31'50" East along said north line, 165.50 feet; thence South 01°28'10" East, 110.00 feet; thence North 58°31'50" East, 139.69 feet; thence North 38°21'58" East, 44.13 feet; thence North 05°55'22" West, 49.68 feet; thence North 35°58'27" West, 28.03 feet; thence North 03°45'01" West, 35.68 feet to the aforesaid north line of Lot 3 and a point on a curve; thence southeasterly 90.93 feet along the arc of said curve to the left and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 68°29'20" West, 59.27 feet; thence South 58°31'50" West along said north line of Lot 3, 225.62 feet to the Point of Beginning.

Said land containing 285,915 square feet (6.5637 acres).

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP



8 0 5 2 9 5 3 4
Tx:40344492

Document No.

CORRECTION INSTRUMENT

DOC. # 10849951

RECORDED:
02/21/2019 11:40 AM
JOHN LA FAVE
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
AMOUNT: 30.00
FEE EXEMPT #:
TRANSFER TAX:

AFFIANT, hereby swears or affirms that the attached document recorded on the 14th day of August, 2018, as document no. 10803255 and was recorded in the Register of Deeds of Milwaukee County, State of WI, contained the following error:

NAME AND ADDRESS RETURN
PINNACLE ENGINEERING GROUP, LLC
15850 WEST BLUEMOUND RD., STE 210
BROOKFIELD, WI 53005

Pin: 896-1001, 896-1002, 896-1003,
896-1004, 896-1005, 896-1006,
896-9001-001, 896-9002-001,
896-9003-001, 896-9004
(Parcel Identification number)

The future building footprints on Expansion Land "A", "B" & "C" was omitted on Sheet 1 of 6.

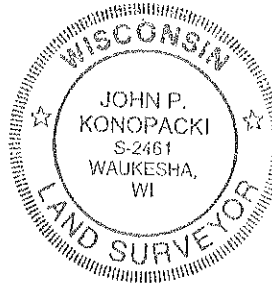
The Correction is graphically shown on the attached Sheet 1 of 8.

A complete original or copy of the original should be attached.

Dated this 15th day of February, 2019

Affiant's Signature (print name below)

John Konopacki



STATE OF WISCONSIN
COUNTY OF Waukesha) SS.

Subscribed and sworn to (or affirmed) before me this
15th day of February, 2019

Anthony S. Zanon (type name below)

Anthony S. Zanon
Notary Public, State of Wisconsin

My Commission (expires) (is): July 25, 2021

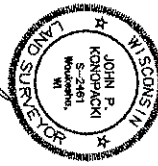


Drafted by: John Konopacki

SUREVON'S CERTIFICATE
STATE OF MICHIGAN
WALKER COUNTY SS
I, John P. Korporek, Professional Land Surveyor, do hereby certify that I have surveyed and mapped the lands shown and described hereon and that this is a true and correct representation of THE GLEN AT PARK CIRCLE CONDOMINIUM, and I will identify and location of each unit, and the common elements parcel, as delineated hereon by plat.

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin



SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

NOTE: Plans may be prepared in conformance with the following:
- Building and equipment shown represent proposed construction.
- Square foot areas are approximate, taken from architectural plans of record, not measured as-built, and do not include possible changes required by law.
This instrument drafted by John P. Komopacki, PLS Registration No. S-2461

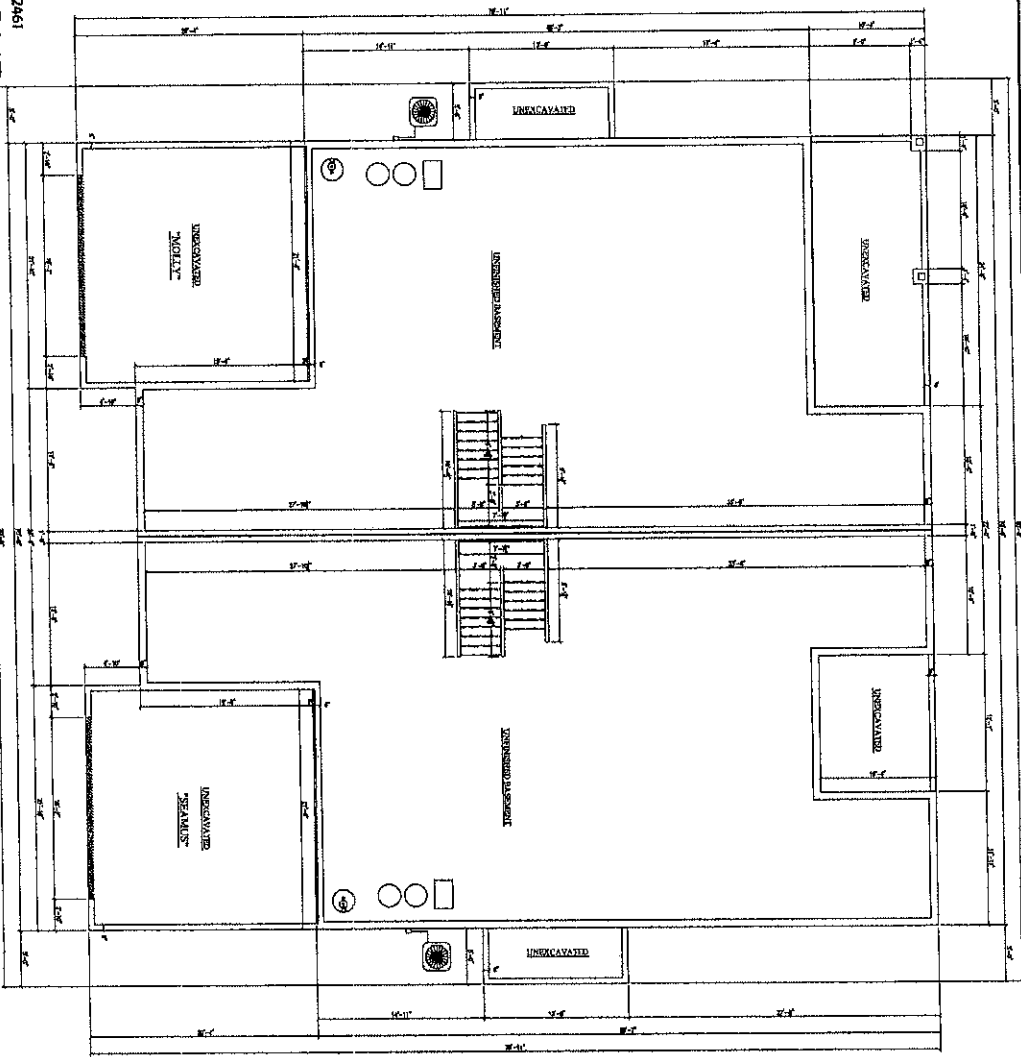
PINNACLE ENGINEERING GROUP

UNIT 2 & UNIT 3
2,345 SQ. FT.

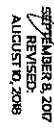
FOUNDATION PLAN
NOT TO SCALE

UNIT 1 & UNIT 4
2,469 SQ. FT.

PROJECT NO. 17-0000
SHEET 2 OF 6

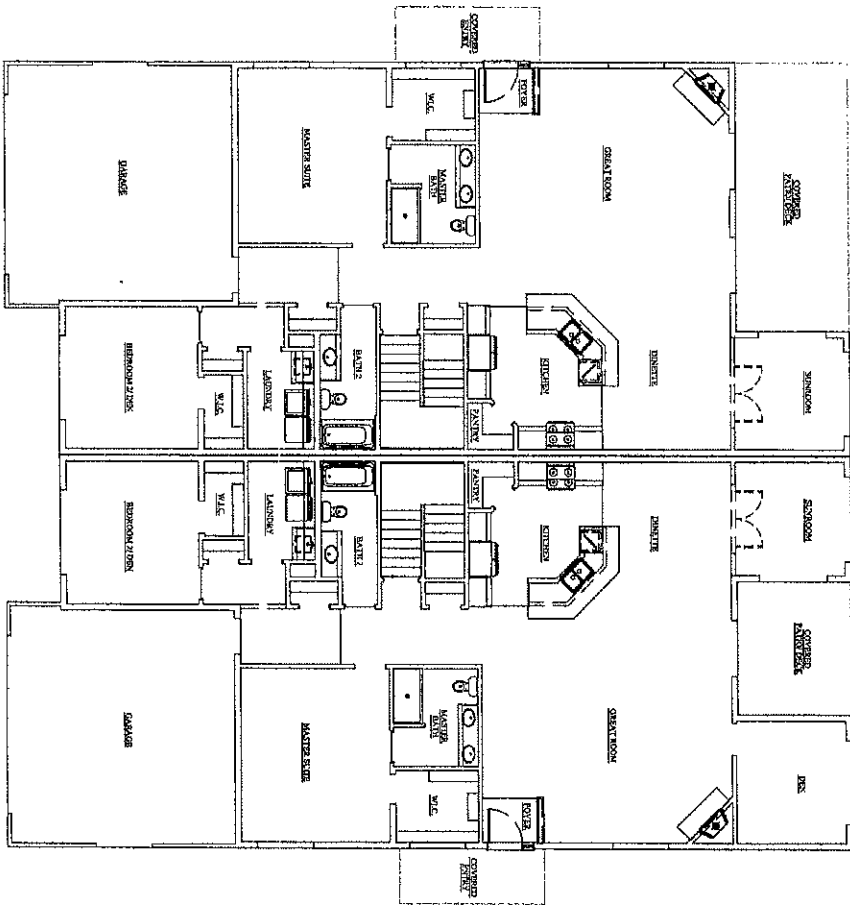


City of Franklin, Milwaukee County, Wisconsin



This instrument drafted by John P. Konopacki, P.L.S. Registration No. 5-2461

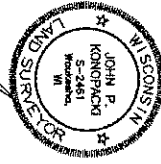
PINNACLE ENGINEERING GROUP



UNIT 1 & UNIT 4

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin



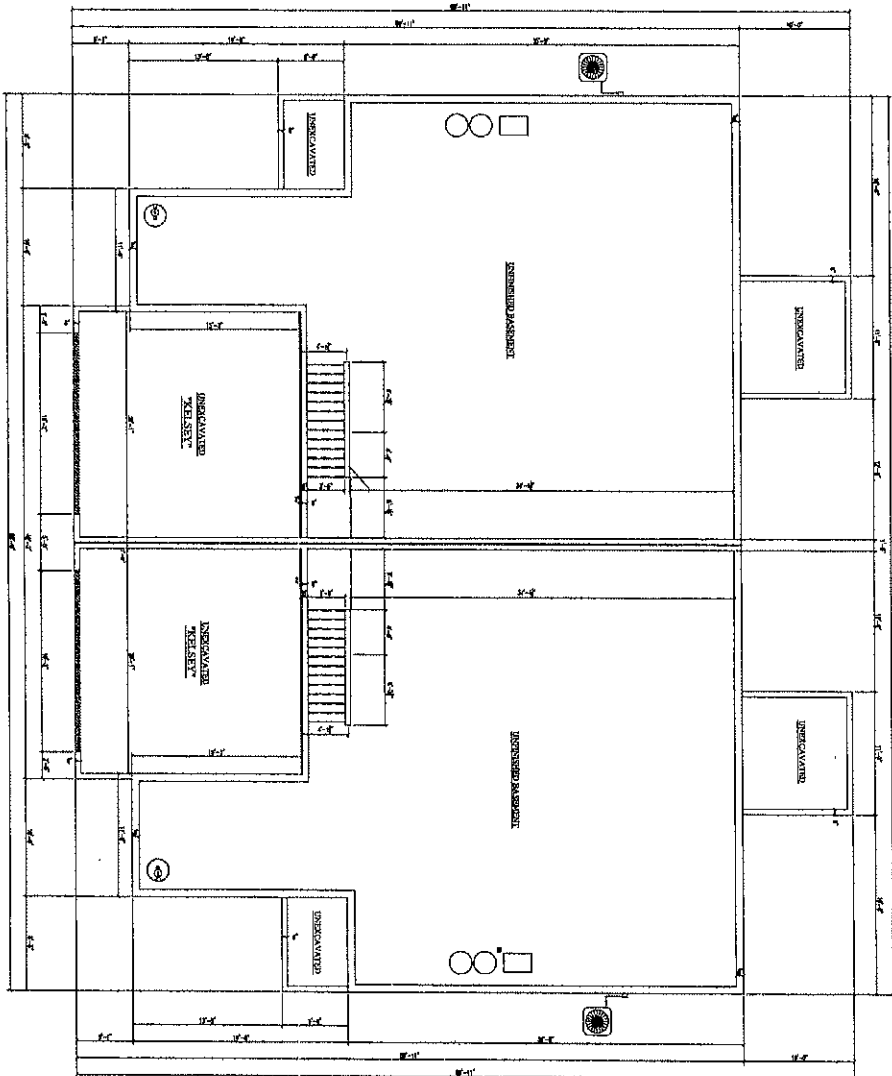
SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

NOTES

- Unit Floor Plans may be measured in combinations according to Sheet 1.
- All dimensions are approximate and should be used as a guide only. Actual dimensions may vary due to construction tolerances and field conditions.
- All dimensions are approximate and should be used as a guide only. Actual dimensions may vary due to construction tolerances and field conditions.
- All dimensions are approximate and should be used as a guide only. Actual dimensions may vary due to construction tolerances and field conditions.

This instrument drafted by John P. Konopacki, P.E. Registration No. S-2461

PINNACLE ENGINEERING GROUP



UNIT 6
2,137 SQ. FT.

FOUNDATION PLAN
NOT TO SCALE

UNIT 5
2,137 SQ. FT.

THE GLEN AT PARK CIRCLE CONDOMINIUM

City of Franklin, Milwaukee County, Wisconsin



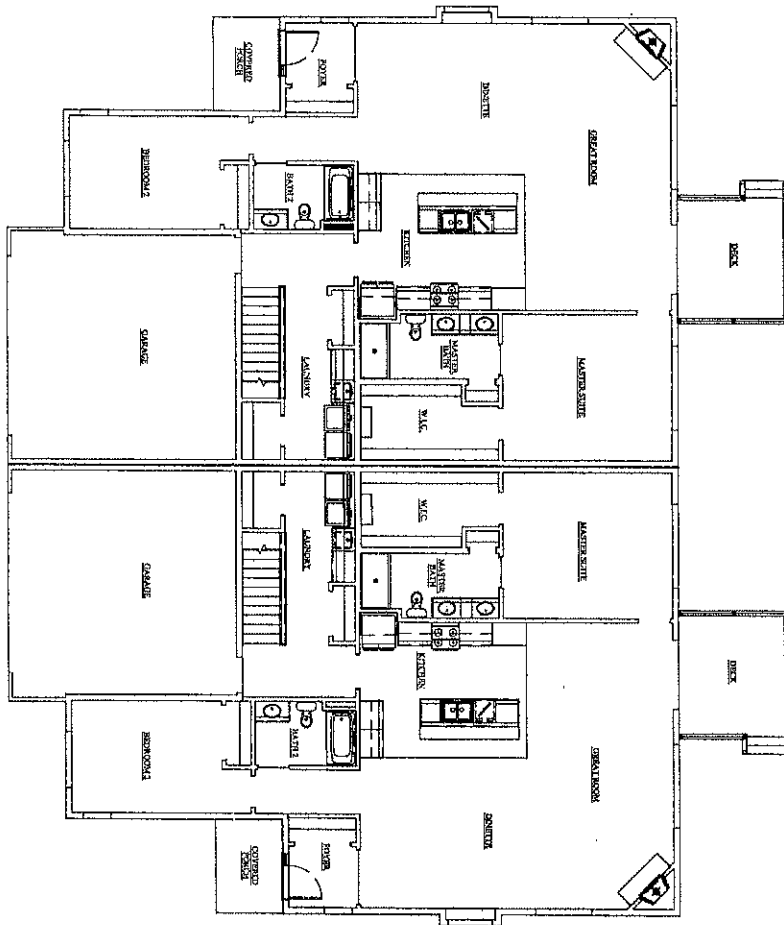
SEPTEMBER 8, 2017
REVISED:
AUGUST 10, 2018

NOTES

- Unit Floor Plans may be measured in combinations according to Sheet 1.
- Square Footage is based on finished area of unit.
- Square Footage is approximate, taken from architectural plans of record, not measured as-built and does not include possible changes requested by purchaser.

This instrument drafted by John P. Konopacki, P.E. Registration No. S-2461

PINNACLE ENGINEERING GROUP



LEGAL DESCRIPTION:

Part of Lot 1 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10767865, being a part of Section 114 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of Lot 1 of said Certified Survey Map No. 9027, Thence South 00°15'17" East along the east line of said Lot 1, 126.00 feet to the north right of way line of West Park Circle Way, Thence South 89°44'49" West along said north right of way line, 225.82 feet to a point of curvature, Thence northwesterly 147.46 feet along the arc of a curve to the right, whose radius is 970.00 feet and whose chord bears North 85°33'54" West, 147.32 feet, Thence North 08°42'18" East, 118.23 feet, Thence North 89°44'49" East and then along a north line of said Lot 1, 354.41 feet to the Point of Beginning.

EXPANSION LAND "A" LEGAL DESCRIPTION:

Part of Lot 1 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of Lot 1 of said Certified Survey Map No. 9027, Thence South 89°44'49" West along a north line of said Lot 1, 327.20 feet to the Point of Beginning.

Thence continue South 89°44'49" West, 22.41 feet, Thence South 08°42'18" West, 118.23 feet to the north right of way line of West Park Circle Way, Thence South 89°44'49" West, 225.82 feet to a point of curvature, Thence northwesterly 147.46 feet along the arc of a curve to the right, whose radius is 970.00 feet and whose chord bears North 85°33'54" West, 147.32 feet, Thence North 08°42'18" East, 118.23 feet, Thence North 89°44'49" East and then along a north line of said Lot 1, 354.41 feet to the Point of Beginning.

EXPANSION LAND "B" LEGAL DESCRIPTION:

Lot 2 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

EXPANSION LAND "C" LEGAL DESCRIPTION:

Lot 3 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

LINE TABLE		
LINE NO.	BEARING	DISTANCE
1A	S89°22'27"E	22.41'

CURVE TABLE

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	147.46'	970.00'	89°42'08"	N89°53'41"W	147.32'	S89°44'49"W	N87°12'30"W
C2	201.27'	130.00'	109°10'00"	N46°28'19"W	183.85'	N47°28'19"W	S88°31'50"W
C3	261.27'	130.00'	109°10'12"	S44°10'44"W	183.85'	S88°31'50"W	S88°22'22"E
C4	154.46'	130.00'	108°44'31"	S44°10'34"E	178.86'	S88°31'50"W	N87°10'17"E
C5	151.44'	130.00'	108°44'32"	N89°09'52"E	143.10'	N89°31'50"E	N87°47'37"E
C6	158.46'	1030.00'	103°42'08"	S89°53'41"E	158.40'	S89°44'49"E	S87°32'37"E
C7	111.32'	70.00'	97°15'24"	S86°55'19"E	85.84'	S88°31'04"W	N87°22'24"E
C8	103.82'	70.00'	98°54'12"	S47°04'47"W	86.14'	N87°22'24"E	N87°19'51"E
C9	103.82'	70.00'	090°10'00"	N46°28'10"W	28.59'	N88°31'50"E	S87°28'19"E
C10	119.88'	70.00'	090°10'00"	N46°21'10"E	98.89'	S87°28'19"E	S88°31'50"W



SEPTEMBER 8, 2017
REVISED:
AUGUST 9, 2018

THE GLEN AT PARK CIRCLE
CONDOMINIUM
City of Franklin, Milwaukee County, Wisconsin

www.pinnacle-engr.com

This instrument drafted by John P. Kornpach, P.L.S. Registration No. 5-2461
PINNACLE ENGINEERING GROUP



8 0 5 2 9 5 3 3
Tx:40344492

Document No.

CORRECTION INSTRUMENT

AFFIANT, hereby swears or affirms that the attached document recorded on the 14th day of January, 2019, as document no. 10841530 and was recorded in the Register of Deeds of Milwaukee County, State of WI, contained the following error:

DOC. # 10849950

RECORDED:
02/21/2019 11:40 AM
JOHN LA FAVE
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
AMOUNT: 30.00
FEE EXEMPT #:
TRANSFER TAX:

NAME AND ADDRESS RETURN
PINNACLE ENGINEERING GROUP, LLC
15850 WEST BLUEMOUND RD., STE 210
BROOKFIELD, WI 53005

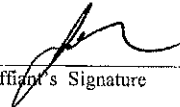
Pin: 896-1007, 896-1008, 896-1009,
896-1010, 896-9003-002
(Parcel Identification number)

The future building footprints on Expansion Land "D" was omitted on Sheet 1 of 6.

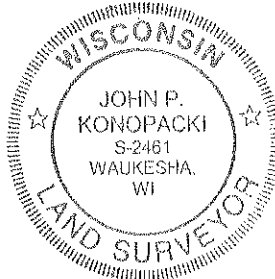
The Correction is graphically shown on the attached Sheet 1 of 6.

A complete original or copy of the original should be attached.

Dated this 15th day of February, 2019

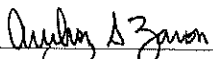


Affiant's Signature (print name below)
John Konopacki



STATE OF WISCONSIN
COUNTY OF Waukesha) SS.

Subscribed and sworn to (or affirmed) before me this
15th day of February, 2019



(type name below)
Anthony S. Zanon
Notary Public, State of Wisconsin
My Commission (expires) (is): July 25, 2021



Drafted by: John Konopacki

This instrument drafted by John P. Komorabi, P.E. & Associates, No. C-2746.

PAVE CRUISE, LLC
227 W 42ND ST 7TH FLOOR, NEW YORK, NY 10018
UNIVERSITY MICROFILMS
(716) 262-5422

[illegible]

VICINITY SKETCH
SCALE 1"=1000'

NORTH

SOUTH 80TH STREET

NE 1/4
SEC. 28
T10N R24E

WEST PARK
CIRCLE WAY

WEST RYAN ROAD

STATE TRUNK HIGHWAY 100

SOUTH 76TH STREET

COUNTY TRUNK HIGHWAY 100

[illegible]

EXHIBIT 1 C.S.M. NO. 6-14

UNPUBLISHED MANUSCRIPT
 FOR: 300 634 001

NE CORNER, NE 1/4 SEC 20, T5N, R21
FOLDED CONC. MASH, W/ BRASS CAP

THE GLEN AT PARK CIRCLE
CONDOMINIUM
ADDENDUM NO. 1

SURVEYORS CERTIFICATE
CITY OF FENDELL, MILWAUKEE COUNTY, WISCONSIN

STATE OF WISCONSIN,
WAUKESHA COUNTY, SS:

1. John P. Koenigsberg, Professional Land Surveyor, do hereby certify that I have surveyed and mapped the tract shown and described herein and that this is a true and correct representation of the GLEN ALPINE ESTATE ADDENDUM NO. 1 and that the identification and location of each unit and the common elements are as delineated from this plan.

JOHN P. KONDPAKCI, PROFESSIONAL LAND SURVEYOR S-2466

NEW! EX OF DEEDS

DOC. # 10864153
RECORDED:
07/18/2015 12:40 PM
JERRY LA FAYE
REGISTER OF DEEDS
TALLAHASSEE COUNTY, FL

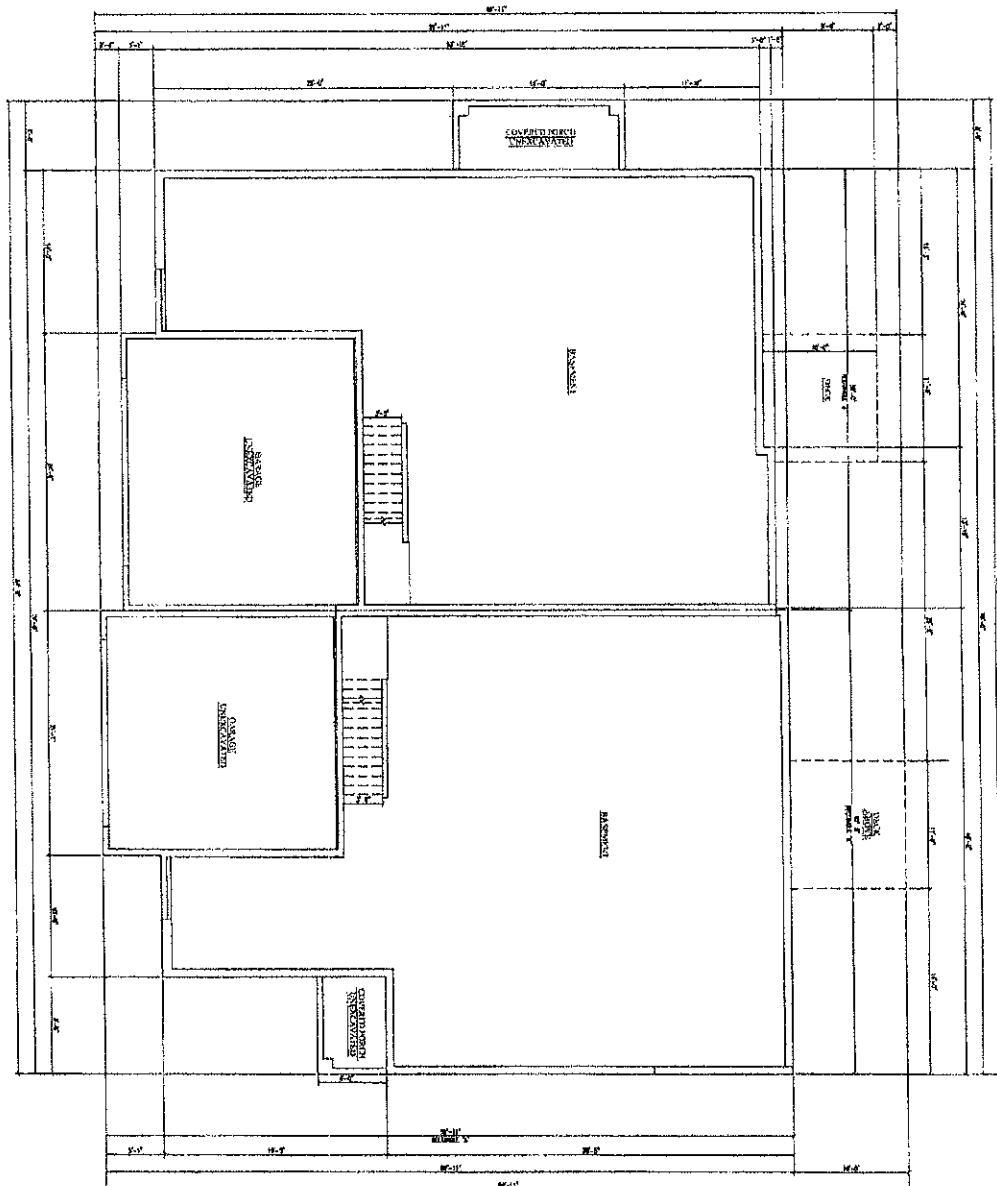
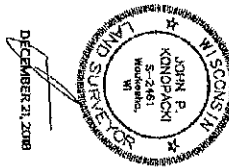
ADDRESS:

UNIT 31: 7873 West Park Circle Way South, Franklin, Wisconsin
UNIT 32: 7871 West Park Circle Way South, Franklin, Wisconsin
UNIT 33: 7805 West Park Circle Way South, Franklin, Wisconsin
UNIT 34: 7803 West Park Circle Way South, Franklin, Wisconsin

www.pinnacle-engr.com

THE GLEN AT PARK CIRCLE CONDOMINIUM ADDENDUM NO. 1

City of Franklin, Milwaukee County, Wisconsin



NOTES:
1. This instrument is subject to the provisions of the Wisconsin Uniform Condominium Act, Chapter 705, Wisconsin Statutes.
2. Square foot areas are approximate, based on the information provided by the owner.
3. The owner warrants that the information provided is true and correct to the best of their knowledge.
4. This instrument is subject to the provisions of the Wisconsin Uniform Condominium Act, Chapter 705, Wisconsin Statutes.

This instrument drafted by John P. Konopacki, P.E. Registration No. 5-2461
PINNACLE ENGINEERING GROUP

UNIT 31 & UNIT 34
2,096 SQ. FT.
THE KELSEY

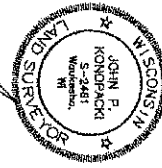
FOUNDATION PLAN
NOT TO SCALE

UNIT 32 & 33
2,137 SQ. FT.
THE CASEY

REVISIONS
SHEET 2 OF 4

THE GLEN AT PARK CIRCLE CONDOMINIUM ADDENDUM NO. 1

City of Franklin, Milwaukee County, Wisconsin



DECEMBER 21, 2018

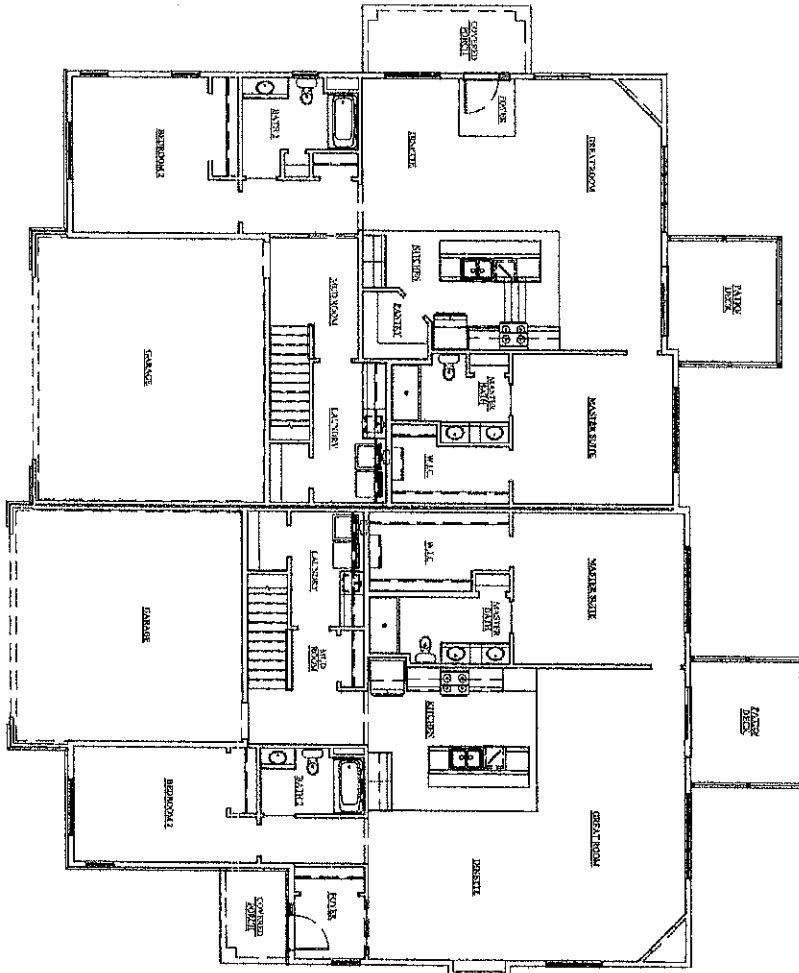
NOTES:
- Unit Floor Plans may be reviewed at contractor's office (303 N. Street)
- Buildings and improvements shown represent proposed construction

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461
PINNACLE ENGINEERING GROUP

UNIT 31 & UNIT 34

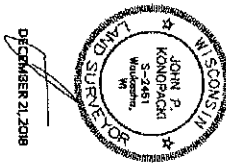
FIRST FLOOR PLAN
NOT TO SCALE

UNIT 32 & 33



THE GLEN AT PARK CIRCLE CONDOMINIUM ADDENDUM NO. 1

City of Franklin, Milwaukee County, Wisconsin



DECEMBER 21, 2018

CURVE TABLE

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	194.47'	130.00'	90°44'31"	S84°20'31"E	178.89'	S05°43'37"E	N80°17'07"E
C2	161.41'	130.00'	106°15'34"	N09°05'37"E	143.00'	N09°15'07"E	N21°47'07"E
C3	164.98'	1030.00'	00°42'38"	S85°33'54"E	158.47'	N08°44'48"E	S81°32'28"E
C4	81.80'	130.00'	06°04'44"	S88°37'29"W	88.80'	N08°17'07"E	N48°27'09"E
C5	81.47'	130.00'	02°59'12"	N20°17'31"E	59.38'	N07°17'07"E	N21°47'07"E

LEGAL DESCRIPTION:

Being a part of EXPANSION LAND "C" of The Glen at Park Circle Condominium, as recorded in the Register of Deeds office for Milwaukee County as Document No. 10803255 and part of Lot 3 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10787655, all being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Northeast 1/4 of said Section 28, thence South 00°15'12" East along the east line of said Northeast 1/4, 1554.02 feet, thence South 89°44'48" West, 65.00 feet to the west right of way line of South 76th Street - County Trunk Highway "U", thence South 00°19'17" East along said west right of way line, 444.15 feet to the south line of Lot 3 of Certified Survey Map No. 9027, thence South 88°30'38" West along said south line, 1218.53 feet to the west line of said Lot 3; thence North 00°22'22" West along said west line, 343.54 feet to the north line of said Lot 3; thence North 89°23'38" East along said north line, 1201.57 feet to a point on a curve; thence southeasterly 194.54 feet along the arc of said curve to the left and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 48°55'54" East, 178.09 feet; thence North 88°31'50" East along said north line of Lot 3, 63.02 feet to the Point of Beginning.

Thence South 01°28'10" East, 110.00 feet; thence North 88°31'50" East, 35.00 feet; thence North 01°28'10" West, 110.00 feet to the address north line of Lot 3; thence North 88°31'50" East along said north line, 105.00 feet; thence South 01°28'10" East, 110.00 feet; thence North 88°31'50" East, 139.85 feet; thence North 38°21'05" East, 44.13 feet; thence North 05°58'22" West, 49.89 feet; thence North 38°58'27" West, 28.03 feet; thence North 03°45'01" West, 35.66 feet to the address north line of Lot 3 and a point on a curve; thence southeasterly 80.38 feet along the arc of said curve to the right and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 88°29'29" West, 85.09 feet; thence South 88°31'50" West along said north line of Lot 3, 294.23 feet to the Point of Beginning.

Said land containing 28,589 square feet (0.6571 acres).

EXPANSION LAND "D" LEGAL DESCRIPTION:

Being a part of EXPANSION LAND "C" of The Glen at Park Circle Condominium, as recorded in the Register of Deeds office for Milwaukee County as Document No. 10803255 and part of Lot 3 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10787655, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Northeast 1/4 of said Section 28, thence South 00°15'12" East along the east line of said Northeast 1/4, 1554.02 feet; thence South 89°44'48" West, 65.00 feet to the west right of way line of South 76th Street - County Trunk Highway "U", thence South 00°19'17" East along said west right of way line, 444.15 feet to the south line of Lot 3 of Certified Survey Map No. 9027 and the Point of Beginning.

Thence southeasterly South 00°15'12" East along said west right of way line, 258.14 feet to the southeast corner of said Lot 3; thence South 89°23'38" West along the south line of said Lot 3, 1218.53 feet to the west right of way line of South 76th Street - County Trunk Highway "U", thence South 00°19'17" East along said west right of way line, 444.15 feet to the south line of Lot 3; thence North 00°22'22" West along said north line, 343.54 feet to the north line of Lot 3; thence North 89°23'38" East along said north line, 1201.57 feet to a point on a curve; thence southeasterly 194.54 feet along the arc of said curve to the left and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 48°55'54" East, 178.09 feet; thence North 88°31'50" East along said north line, 105.00 feet; thence South 01°28'10" East, 110.00 feet; thence North 88°31'50" East, 139.85 feet; thence North 38°21'05" East, 44.13 feet; thence North 05°58'22" West, 49.89 feet; thence North 38°58'27" West, 28.03 feet; thence North 03°45'01" West, 35.66 feet to the address north line of Lot 3 and a point on a curve; thence southeasterly 80.38 feet along the arc of said curve to the right and said north line of Lot 3, whose radius is 130.00 feet and whose chord bears South 88°29'29" West, 85.09 feet; thence South 88°31'50" West along said north line of Lot 3, 294.23 feet to the Point of Beginning.

Said land containing 285,915 square feet (6.5537 acres).

This instrument drafted by John P. Konopacki, P.E.S. Registration No. S-2461
PINNACLE ENGINEERING GROUP

From: Jesse Wesolowski <jweslaw@aol.com>
Subject: Condo Plat UDO / Stats. workproduct
Date: February 26, 2019 at 4:50:53 PM CST
To: "jweslaw@aol.com" <jweslaw@aol.com>

League of Wisconsin Municipalities Captions: Zoning ***

500. Condominium development approval that authorizes a land use that conflicts with underlying zoning or other zoning requirements is invalid "de facto rezoning." State ex rel. Village of Newburg v. Town of Trenton, No. 2008AP2997, 2009 WL 2602328, 2009 WI App __, __ Wis. 2d __, __ N.W.2d __ (Ct. App. Aug. 27, 2009)(recommended for publication). 8/31/09.

League of Wisconsin Municipalities *Handbook for Wisconsin Municipal Officials* 2/17

P. 306: "2. Condominium Subdivisions.

A condominium is a form of property ownership and not a type of building or form of land use. With a condominium subdivision, the land remains under common ownership. The platting requirements of Chapter 236 do not apply to condominium developments because with a condominium land is not being subdivided. Sec. 703.37. Chapter 703 of the Wisconsin Statutes, the "Condominium Ownership Act," governs condominiums. **Local zoning and subdivision**

regulations can apply to condominium developments if the ordinance states that it applies to

condominiums. Without such a statement, no subdivision ordinance may apply to any condominium. Sec.

703.27(1). Local zoning and subdivision regulations, however, cannot discriminate against the condominium form of ownership. Condominium developments must be treated similar to conventional subdivisions."

Franklin ***Unified Development Ordinance:***

Division 15-7.0600. Final Plat

§ 15-7.0601. General.

A Final Plat prepared by a Wisconsin registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of § 236.20 of the Wisconsin Statutes. ***A condominium plat shall be required for all condominiums. Pursuant to § 703.27(1), Stats., as amended, all terms and provisions of this Ordinance pertaining to a final plat, including, but not limited to the submission of the plat for approval, as they may in any respect be applicable to a condominium plat, shall apply to a condominium plat.***

Division 15-8.0200. Construction

§ 15-8.0201. Commencement.

No construction or installation of improvements shall commence in a proposed Preliminary Plat, Certified Survey Map, or ***Condominium until*** said Preliminary Plat, Certified Survey Map, or Condominium ***has been approved by the Common Council and the City Engineer has given written authorization*** to commence work and a pre-construction meeting has been held. Inspection fees shall be required as specified in Division 15-9.0400 of this Ordinance.

Division 15-2.0100. General Provisions

§ 15-2.0103. Compliance. ***

C. Land Division and ***Condominium Compliance.*** No person, firm, or corporation shall divide any land located within the jurisdictional limits of these regulations so that such division

results in a subdivision, minor land division, condominium or replat; as defined herein; without ***compliance with all requirements of this Ordinance and the following*** documents:

1. Wisconsin Statutes. ***Chapters 236 and 703*** and Section 80.08 of the Wisconsin Statutes and any subsequent amendments thereto.
2. Wisconsin Department of Industry, Labor, and Human Relations, Division of Health. Rules of the Wisconsin Department of Industry, Labor, and Human Relations, Division of Health regulating lot size and lot elevation if the land to be subdivided is not served by a public sewer and provisions for such service have not been made.
3. Wisconsin Department of Transportation. Rules of the Wisconsin Department of Transportation, as contained in Wisconsin Administrative Code Chapter HY 33 as amended, relating to safety of access and the preservation of the public interest and investment in the highway system if the land owned or controlled by the Subdivider abuts on a state trunk highway or connecting street.

Wis. Stat. § 703.02 Definitions ***

(5) "***Condominium instruments***" ***mean*** the declaration, ***plats*** and plans of a condominium together with any attached exhibits or schedules. ***

(9) "***Expandable condominium***" means a condominium to which ***additional property or units*** or both may be added ***in accordance with the provisions of a declaration and this chapter.***

Wis. Stat. § 703.07. Establishment of condominium

(1) A **condominium may only be created by recording condominium instruments with the register of deeds** of the county where the property is located. A condominium declaration **and plat** shall be presented together to the register of deeds **for recording**.

(2) A condominium instrument, **and all amendments**, addenda and certifications of a condominium instrument, **shall be recorded** in every county in which any portion of the condominium is located, and shall be indexed in the name of the declarant and the name of the condominium. Subsequent instruments affecting the title to a unit which is physically located entirely within a single county shall be recorded only in that county, notwithstanding the fact that the common elements are not physically located entirely within that county.

Subsequent amendments and addenda shall be indexed under the name of the condominium.

(3) All instruments affecting title to units shall be recorded and taxed as in other real property transactions.

Wis. Stat. § 703.11. Condominium **plat**

(1) To be filed for record. When any condominium instruments are recorded, the **declarant shall file a condominium plat to be recorded** in a separate plat book maintained for condominium plats or stored electronically in the register of deeds office.

(2) **Required** particulars. A condominium plat may consist of one or more sheets, shall be produced on media that is acceptable to the register of deeds, and shall contain at least the following

particulars:

(a) The name of the condominium and county in which the property is located on each sheet of the plat. The name of the condominium must be unique in the county in which the condominium is located. If there is more than one sheet, each sheet shall be consecutively numbered and show the relation of that sheet number to the total number of sheets.

(am) A blank space at least 3 inches by 3 inches in size in the upper right corner on the first sheet for recording use by the register of deeds.

(b) A ***survey of the property described*** in the declaration complying with minimum standards for property surveys adopted by the examining board of architects, landscape architects, professional engineers, designers and professional land surveyors and ***showing the location of any unit or building located or to be located on the property.***

(c) ***Plans that show*** the location of each building ***located or to be located*** on the property and, if there are units in a building, that show the perimeters, approximate dimensions, approximate square footage, and location of each unit in the building. Common elements shall be shown graphically to the extent feasible.

(d) All survey maps and floor plans submitted for filing shall be legibly prepared with a binding margin of 1.5 inches on the left side and a one-inch margin on all other sides on durable white media that is 14 inches long by 22 inches wide with a permanent nonfading black image. The maps and plans shall be drawn to a convenient scale.

(3) Designation of units. Every unit shall be designated on the

condominium plat by the unit number. Unit numbers may not contain more than 8 numerals and must be unique throughout the condominium.

(4) Professional land surveyor's certificate. A condominium plat is sufficient for the purposes of this chapter if there is attached to or included in it a certificate of a professional land surveyor that the plat is a correct representation of the condominium described and the identification and location of each unit and the common elements can be determined from the plat.

(5) **Amendment.** Except as provided in s. 703.265, amendment of a condominium plat by an addendum that is not included as part of an amendment to the declaration shall be **accomplished in the same manner as an amendment to the declaration** under s. 703.09(2).

Wis. Stat. § 703.115. **Local review of** condominium **instruments**

(1) A **county may adopt an ordinance to require the review of** condominium **instruments** before recording by persons employed **by the county** of recording **or by a city**, village or town that is located in whole or in part in the county of recording if the ordinance does all of the following:

(a) Requires the review **to be completed within 10 working days** after submission of the condominium instrument and provides that, if the review is not completed within this period, the condominium instrument is approved for recording.

(b) Provides that a condominium instrument may be rejected only if it fails to comply with the applicable requirements of ss.

703.095, 703.11(2)(a), (c) and (d) and (3), 703.275(5)

and 703.28(1m) or if the professional land surveyor's certificate

under s. 703.11(4) is not attached to or included in the condominium plat.

(c) If the person performing the review approves the condominium instrument, requires the person to certify approval in writing, accompanied by his or her signature and title.

(2) An ordinance adopted under this section **may authorize the county** to charge a fee that reflects the actual cost of performing the review.

Wis. Stat. § 703.26. **Expanding condominiums**

(1) Declarant may reserve right to expand. A **declarant may reserve the right to expand** a condominium by subjecting additional property to the condominium declaration in such a manner that as each additional property is subjected to the condominium declaration, the percentage of undivided interests in the common elements of the preceding and new property shall be reallocated between the unit owners on the basis of the aggregate undivided interest in the common elements appertaining to the property.

(2) Conditions to which reservation subject. A reservation of the right to expand a condominium is subject to the conditions provided in this subsection.

(a) A declaration establishing a condominium **shall describe each parcel of property which may be added** to the condominium.

(b) A declaration establishing a condominium shall **show the maximum number of units which may be added**, and the percentage interests in the common elements, the liabilities for common expenses and the rights to common surpluses, and the number of votes appurtenant to each unit following the

addition of property to the condominium, if added. The percentage interests in the common elements, the liabilities for common expenses and the rights to common surpluses, and the number of votes that each unit owner will have may be shown by reference to a formula or other appropriate method of determining them following each expansion of the condominium.

(c) A condominium ***plat for an original condominium shall include, in general terms, the outlines of the land, buildings, and common elements of new property that may be added to the condominium.***

(d) In a declaration establishing a condominium, ***a right to expand the condominium may be reserved in the declaration for a period not exceeding 10 years from the date of recording*** of the declaration.

(3) Recordation of amendments to declaration and plat. (a) If the conditions of sub. (2) are complied with, property ***may be added to a condominium if the declarant records an amendment to the declaration***, showing the new percentage interests of the unit owners, and the votes which each unit owner may cast in the condominium as expanded, ***and records an addendum to the condominium plat*** that includes the detail and information concerning the new property as required in the original condominium plat.

(b) On recording of an amendment of a declaration and an addendum to a plat, each unit owner, by operation of law, has the percentage interests in the common elements, liabilities in the common expenses, rights to common surpluses, and shall have the number of votes, set forth in the amendment to the declaration. Following any expansion, the interest of any mortgagee shall attach, by operation of law, to the new

percentage interests in the common elements appurtenant to the unit on which it is a lien.

HISTORICAL AND STATUTORY NOTES

Source:

L.1977, c. 407, § 2, eff. Aug. 1, 1978.

1997 Act 333, §§ 15, 16, eff. Jan. 1, 1999 .

1997 Act 333 amended subsec. (3)(a) and (b).

Former Sections:

St.1975, § 703.26 , was vacated by the repeal and recreation of this chapter by L.1977, c. 407, § 2, eff. Aug. 1, 1978. See, now, § 703.18.

Wis. Stat. § 703.265. ***Addendum to plat to reflect changes in building codes or zoning ordinances***

(1) If the revision or adoption of a building code or zoning ordinance prevents or substantially affects the construction of a unit or common elements as platted, the declarant may reasonably modify the condominium plat, by addendum, to the extent necessary to comply with the code or ordinance in order to construct the unit or common elements.

(2) If the revision or adoption of a building code or zoning ordinance prevents or substantially affects the reconstruction of a unit or common element as platted, the declarant, unit owner, or association, as appropriate, may reasonably modify the condominium plat, by addendum, to the extent necessary to comply with the code or ordinance in order to reconstruct the unit or common elements.

(3) An addendum made under this section shall be recorded as provided under s. 703.095.

Wis. Stat. § 703.27. ***Zoning and building regulations***

(1) A zoning or other land use ordinance or regulations may not prohibit the condominium form of ownership or impose any requirements upon a condominium that it would not impose if the development were under a different form of ownership. No provision of a state or local building code may be applied differently to a building in a condominium than it would be applied if the building were under a different form of ownership unless the different application is expressly permitted in that provision and the different application is reasonably related to the nature of condominium ownership. ***No subdivision***

ordinance may apply to any condominium unless the ordinance is, by its express terms, applicable to condominiums and the application is reasonably related to the nature of condominium ownership.

(2) ***No*** county, ***city***, or other jurisdiction may enact any law, ***ordinance***, or regulation that would impose a greater burden or restriction on a condominium or provide a lower level of services to a condominium ***than would be imposed or provided if*** the condominium were ***under a different form of ownership.***

Wis. Stat. § 703.30. Rules of construction

(1) Certain rules of law not applicable. Neither the rule of law known as the rule against perpetuities nor the rule of law known as the rule restricting unreasonable restraints on alienation may be applied to defeat or invalidate any provision of this chapter or of any condominium instruments, bylaws or other instrument made pursuant to this chapter.

(2) Substantial conformity of condominium instruments and bylaws sufficient. The provisions of any **condominium instruments and bylaws filed under this chapter shall be liberally construed to facilitate the creation and operation of the condominium**. So long as the condominium instruments and bylaws substantially conform with the requirements of this chapter, no variance from the requirements shall affect the condominium status of the property in question nor the title of any unit owner to his or her unit, votes and percentage interests in the common elements and in common expenses and common surpluses.

(3) Provisions of condominium instruments and bylaws severable. All provisions of condominium instruments and bylaws are severable and the invalidity of one provision does not affect the validity of any other provision.

(4) Conflicts in provisions. If there is any conflict between any provisions of a declaration and provisions of a **condominium plat** or any provisions of the bylaws, the provisions of the declaration shall control. If there is any conflict between any provisions of any condominium instruments and any provisions of any bylaws, the provisions of the condominium instruments shall control. If there is any conflict between any provisions of any condominium instruments or any provisions of any bylaws and any provisions of this chapter, the provisions of this chapter shall control.

(5) **Instruments construed together**. Condominium instruments shall be construed together and are determined to incorporate one another to the extent that any requirement of this chapter applying to one instrument is satisfied if the deficiency can be corrected by reference to any of the others.

Wis. Stat. § 703.365 Small condominiums ***

(7) Expanding condominiums. Section 703.26 ***does not apply*** to a small condominium.

Wis. Stat. § 703.37. Interpretation

For purposes of interpretation of this chapter, a condominium is a form of ownership, not a form of land use, and is not a subdivision as defined in ch. 236.

2013 WIS. ACT 358

Effective Date: August 1, 2014 = reviewed Ch. 703 changes = n/a

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/19/19
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 6162 "MORTGAGE BANKERS AND LOAN CORRESPONDENTS" AND 6163 "LOAN BROKERS" TO ALLOW FOR SUCH USES AS A PERMITTED USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT, AND STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 1521 "GENERAL CONTRACTORS-SINGLE-FAMILY HOUSES", 1541 "GENERAL CONTRACTORS-INDUSTRIAL BUILDINGS AND WAREHOUSES", 1542 "GENERAL CONTRACTORS-NONRESIDENTIAL BUILDINGS, OTHER THAN INDUSTRIAL BUILDINGS AND WAREHOUSES", 1742 "PLASTERING, DRYWALL, ACOUSTICAL, AND INSULATION WORK", 1743 "TERRAZZO, TILE, MARBLE, AND MOSAIC WORK", 1793 "GLASS AND GLAZING WORK", 1799 "SPECIAL TRADE CONTRACTORS, NOT ELSEWHERE CLASSIFIED" AND 5145 "CONFECTIONARY" TO CHANGE SUCH USES FROM A SPECIAL USE TO A PERMITTED USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT (KENDALL G. BREUNIG, MANAGER AND OWNER OF SUNSET INVESTORS VENTURE, LLC APPLICANT)	ITEM NUMBER <i>G, 7.</i>

At their meeting on March 7, 2019, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title Nos. 6162 "Mortgage Bankers and Loan Correspondents" and 6163 "Loan Brokers" to allow for such uses as a permitted use in the M-1 Limited Industrial District; and Standard Industrial Classification Title Nos. 1521 "General Contractors-Single-Family Houses", 1541 "General Contractors-Industrial Buildings and Warehouses", 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work", 1793 "Glass and Glazing Work", 1799 "Special Trade Contractors, Not Elsewhere Classified" and 5145 "Confectionary" to change such uses from a special use to a permitted use in the M-1 Limited Industrial District as recommended approval by staff (Kendall Breunig, Applicant).

The three SIC Code amendments recommended by staff for approval are Standard Industrial Classification Title Nos. 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work" and 5145 "Confectionary" be changed to permitted uses in the M-1 Limited Industrial District Table 15-3.0603.

Attached is a copy of the staff report to the Plan Commission and the draft ordinance reviewed by the Commission, as well as a redraft of the ordinance with the terms as recommended by the Plan Commission.

COUNCIL ACTION REQUESTED

A motion to approve Ordinance No. 2019-_____ adopting an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title Nos. 6162 "Mortgage Bankers and Loan Correspondents" and 6163 "Loan Brokers" to allow for such uses as a permitted use in the M-1 Limited Industrial District; and Standard Industrial Classification Title Nos. 1521 "General Contractors-Single-Family Houses", 1541 "General Contractors-Industrial Buildings and Warehouses", 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work", 1793 "Glass and Glazing Work", 1799 "Special Trade Contractors, Not Elsewhere Classified" and 5145 "Confectionary" to change such uses from a special use to a permitted use in the M-1 Limited Industrial District (Kendall Breunig, Applicant).

OR

A motion to approve Ordinance No. 2019-_____ adopting an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 as presented in the Plan Commission packet dated February 11, 2019, subject to Standard Industrial Classification Title Nos. 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work" and 5145 "Confectionary" be allowed as a Permitted Use in the M-1 Limited Industrial District Table 15-3.060.

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD
INDUSTRIAL CLASSIFICATION TITLE NOS. 6162 "MORTGAGE
BANKERS AND LOAN CORRESPONDENTS" AND 6163 "LOAN
BROKERS" TO ALLOW FOR SUCH USES AS A PERMITTED USE
IN THE M-1 LIMITED INDUSTRIAL DISTRICT, AND
STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 1521
"GENERAL CONTRACTORS-SINGLE-FAMILY HOUSES", 1541
"GENERAL CONTRACTORS-INDUSTRIAL BUILDINGS AND
WAREHOUSES", 1542 "GENERAL CONTRACTORS-
NONRESIDENTIAL BUILDINGS, OTHER THAN INDUSTRIAL
BUILDINGS AND WAREHOUSES", 1742 "PLASTERING,
DRYWALL, ACOUSTICAL, AND INSULATION WORK", 1743
"TERRAZZO, TILE, MARBLE, AND MOSAIC WORK", 1793
"GLASS AND GLAZING WORK", 1799 "SPECIAL TRADE
CONTRACTORS, NOT ELSEWHERE CLASSIFIED" AND 5145
"CONFECTIONARY" TO CHANGE SUCH USES FROM A
SPECIAL USE TO A PERMITTED USE IN THE M-1 LIMITED
INDUSTRIAL DISTRICT
(KENDALL G. BREUNIG, MANAGER AND OWNER OF
SUNSET INVESTORS VENTURE, LLC APPLICANT)

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

WHEREAS, Kendall G. Breunig, Manager and Owner of Sunset Investors Venture, LLC having applied for a text amendment to Table 15-3.0603 so as to allow for Standard Industrial Classification Title Nos. 6162 "Mortgage Bankers and Loan Correspondents" and 6163 "Loan Brokers" to allow for such uses as a Permitted Use in the M-1 Limited Industrial District, and Standard Industrial Classification Title Nos. 1521 "General Contractors-Single-Family Houses", 1541 "General Contractors-Industrial Buildings and Warehouses", 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work", 1793 "Glass and Glazing Work", 1799 "Special Trade Contractors, Not Elsewhere Classified" and 5145 "Confectionary" to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to allow for Standard Industrial Classification Title Nos. 6162 "Mortgage Bankers and Loan Correspondents" and 6163 "Loan Brokers" to allow for such uses as a Permitted Use in the

M-1 Limited Industrial District, and Standard Industrial Classification Title Nos. 1521 "General Contractors-Single-Family Houses", 1541 "General Contractors-Industrial Buildings and Warehouses", 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work", 1793 "Glass and Glazing Work", 1799 "Special Trade Contractors, Not Elsewhere Classified" and 5145 "Confectionary" to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District, and having held a public hearing on the proposal on the 7th day of March, 2019 and thereafter having recommended approval of such amendment; and

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

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

SECTION 1: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 6162 "Mortgage Bankers and Loan Correspondents", is hereby amended as follows: insert "P" (Permitted Use) in the M-1 column and Standard Industrial Classification Title No. 6163 "Loan Brokers", is hereby amended as follows: insert "P" (Permitted Use) in the M-1 column.

SECTION 2: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 1521 "General Contractors-Single-Family Houses", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1541 "General Contractors-Industrial Buildings and Warehouses", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1742 "Plastering, Drywall, Acoustical, and Insulation Work", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1743

“Terrazzo, Tile, Marble, and Mosaic Work”, is hereby amended as follows: delete “S” and insert “P” (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1793 “Glass and Glazing Work”, is hereby amended as follows: delete “S” and insert “P” (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1799 “Special Trade Contractors, Not Elsewhere Classified”, is hereby amended as follows: delete “S” and insert “P” (Permitted Use) in the M-1 column and Standard Industrial Classification Title No. 5145 “Confectionary”, is hereby amended as follows: delete “S” and insert “P” (Permitted Use) in the M-1 column.

SECTION 3: 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 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: 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 _____

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Plan Commission recommendation Draft 3-7-19]

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD
INDUSTRIAL CLASSIFICATION TITLE NOS. 6162 "MORTGAGE
BANKERS AND LOAN CORRESPONDENTS" AND 6163 "LOAN
BROKERS" TO ALLOW FOR SUCH USES AS A PERMITTED USE
IN THE M-1 LIMITED INDUSTRIAL DISTRICT, AND
STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 1521
"GENERAL CONTRACTORS SINGLE FAMILY HOUSES", 1541
"GENERAL CONTRACTORS INDUSTRIAL BUILDINGS AND
WAREHOUSES", 1542 "GENERAL CONTRACTORS-
NONRESIDENTIAL BUILDINGS, OTHER THAN INDUSTRIAL
BUILDINGS AND WAREHOUSES", 1742 "PLASTERING,
DRYWALL, ACOUSTICAL, AND INSULATION WORK", 1743
"TERRAZZO, TILE, MARBLE, AND MOSAIC WORK", 1793
"GLASS AND GLAZING WORK", 1799 "SPECIAL TRADE
CONTRACTORS, NOT ELSEWHERE CLASSIFIED" AND 5145
"CONFECTIONARY" TO CHANGE SUCH USES FROM A
SPECIAL USE TO A PERMITTED USE IN THE M-1 LIMITED
INDUSTRIAL DISTRICT
(KENDALL G. BREUNIG, MANAGER AND OWNER OF
SUNSET INVESTORS VENTURE, LLC APPLICANT)

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

WHEREAS, Kendall G. Breunig, Manager and Owner of Sunset Investors Venture, LLC having applied for a text amendment to Table 15-3.0603 so as to allow for Standard Industrial Classification Title Nos. 6162 "Mortgage Bankers and Loan Correspondents" and 6163 "Loan Brokers" to allow for such uses as a Permitted Use in the M-1 Limited Industrial District, and Standard Industrial Classification Title Nos. 1521 "General Contractors-Single-Family Houses", 1541 "General Contractors-Industrial Buildings and Warehouses", 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work", 1793 "Glass and Glazing Work", 1799 "Special Trade Contractors, Not Elsewhere Classified" and 5145 "Confectionary" to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to allow for Standard Industrial Classification Title Nos. 6162 "Mortgage Bankers and Loan Correspondents" and 6163 "Loan Brokers" to allow for such uses as a Permitted Use in the

M-1 Limited Industrial District, and Standard Industrial Classification Title Nos. 1521 "General Contractors-Single-Family Houses", 1541 "General Contractors-Industrial Buildings and Warehouses", 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", 1742 "Plastering, Drywall, Acoustical, and Insulation Work", 1743 "Terrazzo, Tile, Marble, and Mosaic Work", 1793 "Glass and Glazing Work", 1799 "Special Trade Contractors, Not Elsewhere Classified" and 5145 "Confectionary" to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District, and having held a public hearing on the proposal on the 7th day of March, 2019 and thereafter having recommended approval of such amendment agreeing with staff recommended changes; and

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

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

SECTION 1: ~~Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 6162 "Mortgage Bankers and Loan Correspondents", is hereby amended as follows: insert "P" (Permitted Use) in the M-1 column and Standard Industrial Classification Title No. 6163 "Loan Brokers", is hereby amended as follows: insert "P" (Permitted Use) in the M-1 column.~~

SECTION 2: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: ~~Standard Industrial Classification Title No. 1521 "General Contractors-Single-Family Houses", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1541 "General Contractors-Industrial Buildings and Warehouses", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1542 "General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1742 "Plastering, Drywall, Acoustical, and Insulation Work", is hereby~~

ORDINANCE NO. 2019-
Page 3

amended as follows: delete "S" and insert "P" (Permitted Use) in the
M-1 column; Standard Industrial Classification Title No. 1743

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Page 3

"Terrazzo, Tile, Marble, and Mosaic Work", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1793 "Glass and Glazing Work", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1799 "Special Trade Contractors, Not Elsewhere Classified", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column and Standard Industrial Classification Title No. 5145 "Confectionary", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column.

SECTION 3: 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 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: 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 _____

ORDINANCE NO. 2019-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD
INDUSTRIAL CLASSIFICATION TITLE NOS. 1742
“PLASTERING, DRYWALL, ACOUSTICAL, AND INSULATION
WORK”, 1743 “TERRAZZO, TILE, MARBLE, AND MOSAIC
WORK”, AND 5145 “CONFECTIONARY” TO CHANGE SUCH
USES FROM A SPECIAL USE TO A PERMITTED USE IN THE M-
1 LIMITED INDUSTRIAL DISTRICT
(KENDALL G. BREUNIG, MANAGER AND OWNER OF
SUNSET INVESTORS VENTURE, LLC APPLICANT)

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

WHEREAS, Kendall G. Breunig, Manager and Owner of Sunset Investors Venture, LLC having applied for a text amendment to Table 15-3.0603 so as to allow for Standard Industrial Classification Title Nos. 6162 “Mortgage Bankers and Loan Correspondents” and 6163 “Loan Brokers” to allow for such uses as a Permitted Use in the M-1 Limited Industrial District, and Standard Industrial Classification Title Nos. 1521 “General Contractors-Single-Family Houses”, 1541 “General Contractors-Industrial Buildings and Warehouses”, 1542 “General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses”, 1742 “Plastering, Drywall, Acoustical, and Insulation Work”, 1743 “Terrazzo, Tile, Marble, and Mosaic Work”, 1793 “Glass and Glazing Work”, 1799 “Special Trade Contractors, Not Elsewhere Classified” and 5145 “Confectionary” to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to allow for Standard Industrial Classification Title Nos. 6162 “Mortgage Bankers and Loan Correspondents” and 6163 “Loan Brokers” to allow for such uses as a Permitted Use in the M-1 Limited Industrial District, and Standard Industrial Classification Title Nos. 1521 “General Contractors-Single-Family Houses”, 1541 “General Contractors-Industrial Buildings and Warehouses”, 1542 “General Contractors-Nonresidential Buildings, Other than Industrial Buildings and Warehouses”, 1742 “Plastering, Drywall, Acoustical, and Insulation Work”, 1743 “Terrazzo, Tile, Marble, and Mosaic Work”, 1793 “Glass and Glazing Work”, 1799 “Special Trade Contractors, Not Elsewhere Classified” and 5145 “Confectionary” to change such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District, and having held a public hearing on the proposal on the 7th day of March, 2019 and thereafter having recommended approval of such amendment agreeing with staff recommended changes; and

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

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

- SECTION 2: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 1742 "Plastering, Drywall, Acoustical, and Insulation Work", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; Standard Industrial Classification Title No. 1743 "Terrazzo, Tile, Marble, and Mosaic Work", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column; and Standard Industrial Classification Title No. 5145 "Confectionary", is hereby amended as follows: delete "S" and insert "P" (Permitted Use) in the M-1 column.
- SECTION 3: 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 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.
- SECTION 5: This ordinance shall take effect and be in force from and after its passage and publication.

ORDINANCE NO. 2019-_____

Page 3

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of March 7, 2019

Unified Development Ordinance Text Amendment

RECOMMENDATION: City Development Staff recommends approval of the proposed Unified Development Ordinance Text Amendment to Table 15-3.0603 to include Standard Industrial Classification Title Nos. 1742, 1743 and 5145 as permitted uses (as requested by the applicant) in the M-1 Limited Industrial District. However, Staff recommends denial of the proposed Unified Development Ordinance Text Amendment to Table 15-3.0603 to include Standard Industrial Classification Title Nos. 1521, 1541, 1542, 1793, 1799 as permitted uses (currently special uses) and 6162 and 6163 as permitted uses (currently prohibited) in the M-1 Limited Industrial District.

Project Name:	M-1 District Additions & Changes UDO TA
Project Address:	City-wide
Applicant:	Kendall Breunig, Sunset Investors
Applicant Action Requested:	Recommendation of approval for the proposed Unified Development Ordinance Text Amendment

Please note that:

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

INTRODUCTION & BACKGROUND:

On January 9, 2019, Kendall Breunig submitted a Unified Development Ordinance (UDO) Text Amendment application requesting to amend the UDO text at Table 15-3.0603 Permitted and Special Uses in the Nonresidential Zoning Districts to allow the following SIC Title Nos. as permitted uses (which currently are special uses in the M-1 Limited Industrial District):

- 1521 "Single-family housing construction";
- 1541 "Industrial buildings and warehouses";
- 1542 "Nonresidential construction, not elsewhere classified";
- 1742 "Plastering, drywall, and insulation";
- 1743 "Terrazzo, tile, marble, mosaic work";
- 1793 "Glass and glazing work";
- 1799 "Special trade contractors, not elsewhere classified";
- 5145 "Confectionary".

In addition, the applicant desires to allow the following Standard Industrial Classification (SIC) Title Nos. as permitted uses (which are currently prohibited within the M-1 Limited Industrial District):

- 6162 "Mortgage bankers and correspondents";
- 6163 "Loan brokers";

Please note, the proposed text amendment, if granted, would apply to all properties in the City of Franklin zoned M-1 Limited Industrial District. Please see the locator map of areas in the City of Franklin zoned M-1 Limited Industrial District (included).

PROJECT DESCRIPTION AND ANALYSIS:

Table 15-3.0603 of the Unified Development Ordinance (UDO) sets forth those uses which are permitted and special uses in all nonresidential zoning districts in the City of Franklin. Use designations are based on the Standard Industrial Classification Manual (1987, or latest edition) published by the Executive Office of the President, Office of Management and Budget. The description and example of uses of the SIC codes which are the subject of this proposed Text Amendment have been included in the Plan Commission packets.

The following SIC Titles are from Division C. Construction and Major Group 15: Building Construction General Contractors and Operative Builders:

- 1521 "Single-family housing construction";
- 1541 "Industrial buildings and warehouses";
- 1542 "Nonresidential construction, not elsewhere classified".

All of these SIC codes, as well as five similar SIC Codes are currently allowed as special uses in the M-1, Limited Industrial District. The intent of the M-1 Limited Industrial District is to, "Provide for manufacturing, industrial, warehousing, and uses of a limited nature and size...". However, due to the proximity of many of the current M-1 districts to residential properties throughout the City, keeping these uses as a "Special Use" review process, allows such requests to be brought forward to the City for individual review. Such items such as size of operation, hours of operations, amount of storage permitted on-site, and other items which may affect the general health, safety and welfare may better be upheld. Therefore, staff recommends SIC Title Nos. 1521, 1541, 1542 remain as Special Use requests in the M-1 Limited Industrial District.

The following SIC Titles are from Division C. Construction and Major Group 17: Construction Special Trade Contractors:

- 1742 "Plastering, drywall, and insulation";
- 1743 "Terrazzo, tile, marble, mosaic work";
- 1793 "Glass and glazing work";
- 1799 "Special trade contractors, not elsewhere classified".

All of these SIC codes and some but not all similar SIC Codes are currently allowed as special uses in the M-1, Limited Industrial District.

As with the SIC Code "Group No. 15" uses, SIC Codes 1793 and 1799 and 1742 and 1743, but to a much lesser degree, may also have conditions such as size of operation, hours of operation, loud noises, noxious fumes, outside storage of materials and equipment, in addition to other factors which may affect the general health and safety of the public, which may require special conditions, and a Special Use review process to best situate the aforementioned uses on said properties. Therefore, staff recommends SIC Title Nos. 1793 and 1799 remain as a Special Use request in the M-1 Limited Industrial District, but has no objection to SIC Codes 1742 and 1743 being allowed as Permitted Uses.

The following SIC Code is from Division F. Wholesale Trade and Major Group 51: Wholesale Trade-non-durable Goods:

- 5145 “Confectionary”.

This SIC Code, but no other similar ones, is currently allowed as a special use in the M-1, Limited Industrial District. Staff believes that wholesale distribution trade of non-durable goods is similar to other permitted uses without the need of a Special Use approval from other listed SIC uses from the Major Group 51. Therefore, staff recommends SIC Title No. 5145 be allowed in the M-1 Limited Industrial District as a permitted use.

The following SIC Codes are from Division H. Finance, Insurance, and Real Estate Major Group 61: Non-depository Credit Institutions:

- 6162 “Mortgage bankers and correspondents”;
- 6163 “Loan brokers”;

These uses are currently prohibited in the M-1 district. These uses are permitted in many of the City’s business zoning districts (B-2, B-3, B-4, B-7).

These uses are almost exclusively office in nature and would better fit in the existing permissive and special use district locations currently in the Code. Staff believes the potential for conflict between essentially office uses and unrelated warehousing and manufacturing uses could result in undue adverse impacts or detrimental effects upon such office related uses when located in proximity to typical M-1 uses. Therefore, Staff recommends denial of the proposal to allow SIC Title Nos. 6162 and 6163 as permitted uses in the M-1 Limited Industrial District. Staff would further recommend that SIC codes 6162 and 6163 not be allowed as a special use either.

STAFF RECOMMENDATION:

City Development Staff recommends approval of a Unified Development Ordinance Text Amendment to Table 15-3.0603 to allow for:

- Standard Industrial Classification Title Nos. 5145 as a special use in the M-1 Limited Industrial District (the applicant, however, had requested that his also be a permitted use).
- Standard Industrial Classification Title Nos. 1742 and 1743 as permitted use in the M-1 Limited Industrial District.

However, Staff recommends denial of a Unified Development Ordinance Text Amendment to Table 15-3.0603 to allow SIC Title Nos. 1521, 1542, 1543, 1793, 1799 as permitted uses in the M-1 Limited Industrial District.

Staff also recommends denial of a Unified Development Ordinance Text Amendment to Table 15-3.0603 to allow SIC Title Nos. 6162 and 6163 as permitted or special uses in the M-1 Limited Industrial District.

In conclusion, the attached draft ordinance reflects the Unified Development Ordinance Text Amendment as requested by the applicant. Should the Plan Commission concur with any of the changes recommended by staff, those changes would need to be incorporated into the draft ordinance.

February 10, 2019

Unified Development Ordinance (UDO) Text Amendment Application

Project Narrative:

In 2012 I applied to have additional SIC Codes added as Permitted uses in M-1 Zoning. The Specialty Trades Contractors have historically been the most common tenants in my 8 unit building in the M-1 Zoning at 10700 W. Venture Drive. In particular, that included changing from Special Use to Permitted use for Plumbing, Heating and Air Conditioning contractors, Painters, Electricians, Carpenter, Flooring installers and Roofing and Siding contractors. I have since learned that the code 1751 Carpentry Contractor is a very limited definition which does not include Single Family construction. Most Carpentry and related contractors fall instead under 1521 Single Family Housing Contractors. So I am requesting that the following be changed from Special Use to Permitted Uses in M-1 Zoning

- 1521 Single Family Housing Construction
- 1541 General Contractor-Industrial Buildings and Warehouses
- 1542 Non Residential Construction not elsewhere classified
- 1742 Plaster, Drywall and Insulation contractors
- 1743 Terrazzo, tile marble and mosaic work
- 1793 Glass and Glazing Contractors
- 1799 Specialty Trades not elsewhere classified

As a Special Use, the cost to a tenant to get an occupancy permit exceeds \$1,000. With smaller contractors, the cost of the permit often simply makes them decide to go to another city. M-1 has a very limited number of locations. It is primarily the older smaller industrial buildings versus the industrial parks. The Construction and Specialty Trades Contractors are primarily zoned to fit in the M-1 and Landfill districts, and a few of them in B-2 and B-5 districts. The M-1 Zoning in general steers away retail activity as an approved use. The primary problem with contractors is out of control outdoor storage. The city still has control over outdoor storage in the Zoning Approval application. The Heavy Construction, Excavators, Concrete Steel Erectors and Masonry contractors are still Special Uses as these are more likely to require lots of outside storage. The above types of contractors mostly all have operated for many years at 10700 W. Venture Drive without issues. The M-1 properties that get out of control, in particular some along Forest Home Ave, are primarily from Outside Storage.

In addition to the above, I request to Add the following as Permitted Uses:

- 5145 Confectionary (Wholesale)
- 6162 Mortgage Bankers
- 6163 Loan Brokers

Franklin

FEB 11 2019

City Development

The addition of Confectionary is for the Candy owners representative that is in my building. They have been in Franklin for over 20 years. For them to expand in their existing location, or move in the same building, would require going through the Special Use Approval again. In general, M-1 promotes wholesale and industrial, and does not allow retail. So Confectionary Wholesale falls in the general use scope of M-1.

Mortgage Bankers and Loan Brokers fit with the Permitted uses of Insurance Agents, and Real Estate Agents and Operators and Managers. These are not really "Retail" type uses. They also have historically leased my building in M-1. 6162 Mortgage Bankers is already permitted in the B-2, B-3, B-4, B-7, CC, OL-1 and OL-2 and is Special Use in BP zoning districts. 6163 Loan Brokers is already allowed in the B-2, B-3, B-4, B-7, and OL-1 zoning, and is a Special Use in CC, BO and OL-2. Mortgage Bankers and Loan Brokers tend to be smaller specialty trade operations versus full service banks and brokerages. They also tend to draw a much more limited number of customers than a retail business. The M-1 District in general caters to smaller businesses and BP to larger businesses, so Mortgage Bankers and Loan Brokers fit in, and definitely do not cause a disturbance to any of the other M-1 uses.

Overnight parking of commercial vehicles on M-1 properties is a Special Use per UDO 15-5.0202G. I have about 6 vans parked at EZ Self Storage next door to avoid them needing a Special Use approval.

The Impact on the M-1 Zoning would not exist, as long as outdoor storage is regulated. If you want to grow businesses, you have to allow them to grow from smaller building in M-1 just like the larger buildings in Business Parks. Small businesses renting 500 to 2,000 square feet of space are not as willing to spend the cost of Special Use Approval or to go through the Special Use process.

February 10, 2019

Unified Development Ordinance (UDO)
Proposed Text Amendment

Additional SIC Classifications to become Permitted Uses in M-1 Zoning

5145 Confectionary (Wholesale)

6162 Mortgage Bankers

6163 Loan Brokers

Change these SIC Classifications from Special Use to Permitted Uses in M-1 Zoning

1521 Single Family Housing Construction

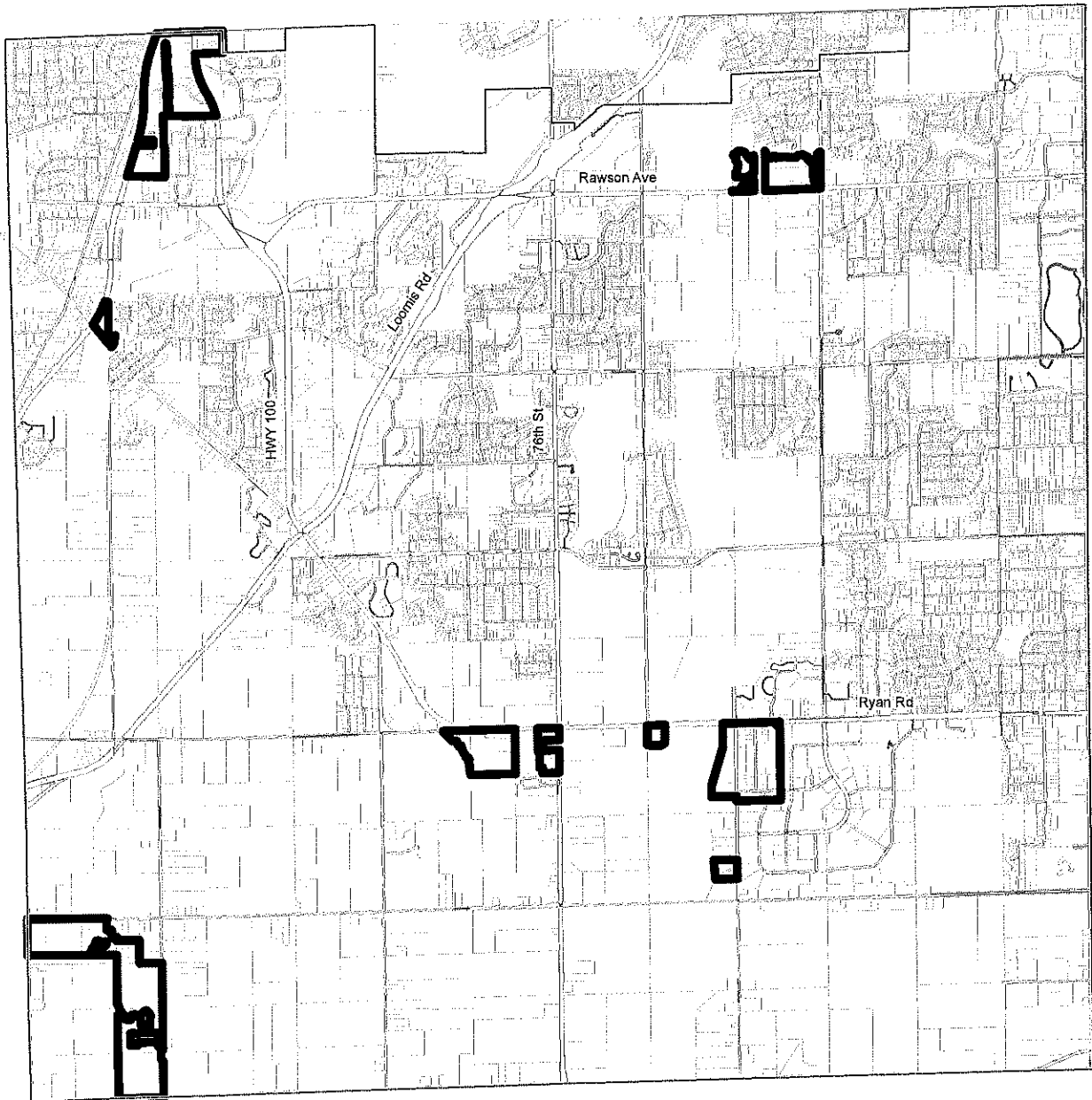
1541 General Contractors-Industrial Buildings and Warehouses

1542 Non Residential Construction not elsewhere classified


1742 Plaster, Drywall, Insulation Contractor

1793 Glass & Glazing Contractor

1799 Specialty Trades not elsewhere classified.



M-1 Zoning in Franklin, WI


City of Franklin
 City of Franklin
 GIS Department
 9229 W. Loomis Rd.
 Franklin, WI 53132
www.franklinwi.gov



This map was created using data provided by the City of Franklin. The City of Franklin is not responsible for any errors or omissions in this map. The map is provided for informational purposes only and should not be used for legal or financial purposes.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/19/19
REPORTS & RECOMMENDATIONS	RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A TWO-FAMILY RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE UPON PROPERTY LOCATED AT 10504 WEST CORTEZ CIRCLE (GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM HOMES & REALTY, INC., APPLICANT)	ITEM NUMBER <i>G.8.</i>

At its March 7, 2019 meeting the Plan Commission recommended approval of the motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a two-family residential side by side ranch townhome use upon property located at 10504 West Cortez Circle. On voice vote, all voted 'aye'. Motion carried (6-0-1).

Subsequent to the Plan Commission meeting, the applicant indicated to staff that two private water laterals needed to serve the proposed building would need to be located within the Conservation Easement. Staff has no objection to that disturbance of the protected woodland subject to the following condition,

“Two private water laterals (one for each unit) to connect to the public water main may be installed in the area of the property protected by the Conservation Easement, provided that no tree(s) shall be disturbed; in the event nonetheless of any such disturbance, applicant, successors and assigns, shall be responsible to provide for the on-site mitigation thereof pursuant to Section 15-4.0103B.1. of the Unified Development Ordinance.”

A tracked change version of the draft resolution with this additional condition is also attached for review.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2019-_____, a resolution imposing conditions and restrictions for the approval of a special use for a two-family residential side by side ranch townhome use upon property located at 10504 West Cortez Circle (Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., Applicant).

Department of City Development: BDK

RESOLUTION NO. 2019-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A TWO-FAMILY
RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE UPON
PROPERTY LOCATED AT 10504 WEST CORTEZ CIRCLE
(GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC., APPLICANT)

WHEREAS, Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc. having petitioned the City of Franklin for the approval of a Special Use in an R-8 Multiple-Family Residence District, to allow for a two-family residential side by side ranch townhome use with 1,371 square feet of living space and basement in each ranch unit and a proposed shared driveway entrance off of West Cortez Circle, upon property zoned R-8 Multiple-Family Residence District, located at 10504 West Cortez Circle (northeast corner of the intersection of South Lovers Lane Road and West Cortez Circle), bearing Tax Key No. 747-9979-000, more particularly described as follows:

That part of the Southwest 1/4 of Section 5, in Township 5 North, Range 21 East, bounded and described as follows: Commencing at a point in the North 1/4 Section line, 663 feet East of the Northwest corner of said 1/4 Section; running thence South and parallel with the West line of said 1/4 Section, 80 feet to a point; thence East and parallel with the North line of said 1/4 Section, 272.25 feet to a point; thence North and parallel with the West line of said 1/4 Section, 80 feet to a point on the North line of said 1/4 Section; thence West along said North line 272.25 feet to the point of commencement, and reserving the West 24.75 feet for highway purposes, further excepting those lands conveyed to the State of Wisconsin in an instrument recorded May 23, 1969, in Reel/Volume 480, Image/Page 784, as Document No. 4464721; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 7th day of March, 2019, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 2

nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors and assigns, as a two-family residential side by side ranch townhome use, which shall be developed in substantial compliance with, and operated and maintained by Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., pursuant to those plans City file-stamped _____, 2019 and annexed hereto and incorporated herein as Exhibit A.
2. Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consultants to the City of Franklin, for the Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc. two-family residential side by side ranch townhome, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., and the two-family residential side by side ranch townhome use, for the property located at 10504 West Cortez Circle: (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.

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 3

4. Applicant shall submit a Conservation Easement for the mature woodlands area as set forth on the Natural Resources Protection Plan for the property, for review and approval by the Common Council and recording with the Milwaukee County Register of Deeds, prior to the issuance of a Grading Permit.

BE IT FURTHER RESOLVED, that in the event Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

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

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

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

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____
Page 4

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Staff Recommended Changes]

RESOLUTION NO. 2019-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A TWO-FAMILY
RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE UPON
PROPERTY LOCATED AT 10504 WEST CORTEZ CIRCLE
(GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC., APPLICANT)

WHEREAS, Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc. having petitioned the City of Franklin for the approval of a Special Use in an R-8 Multiple-Family Residence District, to allow for a two-family residential side by side ranch townhome use with 1,371 square feet of living space and basement in each ranch unit and a proposed shared driveway entrance off of West Cortez Circle, upon property zoned R-8 Multiple-Family Residence District, located at 10504 West Cortez Circle (northeast corner of the intersection of South Lovers Lane Road and West Cortez Circle), bearing Tax Key No. 747-9979-000, more particularly described as follows:

That part of the Southwest 1/4 of Section 5, in Township 5 North, Range 21 East, bounded and described as follows: Commencing at a point in the North 1/4 Section line, 663 feet East of the Northwest corner of said 1/4 Section; running thence South and parallel with the West line of said 1/4 Section, 80 feet to a point; thence East and parallel with the North line of said 1/4 Section, 272.25 feet to a point; thence North and parallel with the West line of said 1/4 Section, 80 feet to a point on the North line of said 1/4 Section; thence West along said North line 272.25 feet to the point of commencement, and reserving the West 24.75 feet for highway purposes, further excepting those lands conveyed to the State of Wisconsin in an instrument recorded May 23, 1969, in Reel/Volume 480, Image/Page 784, as Document No. 4464721; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 7th day of March, 2019, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 2

nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors and assigns, as a two-family residential side by side ranch townhome use, which shall be developed in substantial compliance with, and operated and maintained by Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., pursuant to those plans City file-stamped February 13, 2019 and annexed hereto and incorporated herein as Exhibit A.
2. Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc. two-family residential side by side ranch townhome, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., and the two-family residential side by side ranch townhome use, for the property located at 10504 West Cortez Circle: (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.

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 3

4. Applicant shall submit a Conservation Easement for the mature woodlands area as set forth on the Natural Resources Protection Plan for the property, for review and approval by the Common Council and recording with the Milwaukee County Register of Deeds, prior to the issuance of a Grading Permit.

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5. Two private water laterals (one for each unit) to connect to the public water main may be installed in the area of the property protected by the Conservation Easement, provided that no tree(s) shall be disturbed; in the event nonetheless of any such disturbance, applicant, successors and assigns, shall be responsible to provide for the on-site mitigation thereof pursuant to §15-4.0103. B.1. of the Unified Development Ordinance.

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BE IT FURTHER RESOLVED, that in the event Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____
Page 4

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

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

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.
GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____
Page 4

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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RESOLUTION NO. 2019-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A TWO-FAMILY
RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE UPON
PROPERTY LOCATED AT 10504 WEST CORTEZ CIRCLE
(GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC., APPLICANT)

WHEREAS, Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc. having petitioned the City of Franklin for the approval of a Special Use in an R-8 Multiple-Family Residence District, to allow for a two-family residential side by side ranch townhome use with 1,371 square feet of living space and basement in each ranch unit and a proposed shared driveway entrance off of West Cortez Circle, upon property zoned R-8 Multiple-Family Residence District, located at 10504 West Cortez Circle (northeast corner of the intersection of South Lovers Lane Road and West Cortez Circle), bearing Tax Key No. 747-9979-000, more particularly described as follows:

That part of the Southwest 1/4 of Section 5, in Township 5 North, Range 21 East, bounded and described as follows: Commencing at a point in the North 1/4 Section line, 663 feet East of the Northwest corner of said 1/4 Section; running thence South and parallel with the West line of said 1/4 Section, 80 feet to a point; thence East and parallel with the North line of said 1/4 Section, 272.25 feet to a point; thence North and parallel with the West line of said 1/4 Section, 80 feet to a point on the North line of said 1/4 Section; thence West along said North line 272.25 feet to the point of commencement, and reserving the West 24.75 feet for highway purposes, further excepting those lands conveyed to the State of Wisconsin in an instrument recorded May 23, 1969, in Reel/Volume 480, Image/Page 784, as Document No. 4464721; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 7th day of March, 2019, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 2

nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors and assigns, as a two-family residential side by side ranch townhome use, which shall be developed in substantial compliance with, and operated and maintained by Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., pursuant to those plans City file-stamped February 13, 2019 and annexed hereto and incorporated herein as Exhibit A.
2. Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc. two-family residential side by side ranch townhome, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., and the two-family residential side by side ranch townhome use, for the property located at 10504 West Cortez Circle: (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.

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 3

4. Applicant shall submit a Conservation Easement for the mature woodlands area as set forth on the Natural Resources Protection Plan for the property, for review and approval by the Common Council and recording with the Milwaukee County Register of Deeds, prior to the issuance of a Grading Permit.
5. Two private water laterals (one for each unit) to connect to the public water main may be installed in the area of the property protected by the Conservation Easement, provided that no tree(s) shall be disturbed; in the event nonetheless of any such disturbance, applicant, successors and assigns, shall be responsible to provide for the on-site mitigation thereof pursuant to §15-4.0103. B.1. of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, that in the event Gregory D. Nisenbaum, President of Nisenbaum Homes & Realty, Inc., successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM
HOMES & REALTY, INC. – SPECIAL USE
RESOLUTION NO. 2019-_____

Page 4

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

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of March 7, 2018****Special Use Application**

RECOMMENDATION: City Development Staff recommends approval of the Special Use Application for property located at 10504 West Cortez Circle, subject to the conditions in the attached draft resolution.

Project Name:	Nisenbaum Homes & Realty, Inc. Duplex
Project Address:	10504 West Cortez Circle
Applicant:	Gregory Nisenbaum
Owner:	Nisenbaum Homes & Realty, Inc.
Zoning:	R-8 Multiple-Family Residence District
Use of Surrounding Properties:	Multi-family residential to the north, south, east and west
2025 Comprehensive Plan:	Residential – Multi-Family
Applicant Action Requested:	Recommendation of approval to the Common Council for the proposed Special Use Application upon property located at 10504 West Cortez Circle

INTRODUCTION:

On January 22, 2019, Gregory Nisenbaum filed a Special Use for the property located at 10504 W. Cortez Circle. The applicant is proposing to construct a two-family dwelling, which requires a Special Use Application to be approved by the Common Council pursuant to the Unified Development Ordinance.

The subject property is a part of unplatted property on the Northeast corner of Lover's Lane Road (State Highway 100) and West Cortez Circle, which is approximately 0.45 acres. The adjacent lots are zoned R-8 Multiple-Family Residence District and have two units or more within their structures.

The proposed two-family dwelling is consistent with the 2025 Comprehensive Master Plan, as the future land use designation for the property is Residential – Multi-Family.

If this Special Use application is approved, it is the stated intent of the developer to convert the two-family dwelling into two condominium units in the near future. This would require separate review and recommendation by the Planning Commission, followed by review and approval of the Common Council as a Condominium Plat application process.

ANALYSIS:

Pursuant to the Special Use Application process, the City UDO requires a Natural Resource Protection Plan and Site Intensity Calculations. The submitted NRPP identifies a mature woodland grove on the northwest corner of the property, totaling 0.0994 acres of area to be preserved with the proposed development. As such, a Conservation Easement will be required. The Site Intensity calculations resulted in a total of 2.32 dwelling units for Option 1 and 2.72 dwelling units for Option 2.

There is water and sewer available to service the property.

The Site Plan submitted shows the two-family residence to be situated on the eastern portion of the property, with the woodlands to be preserved in a conservation easement on the western portion of the property.

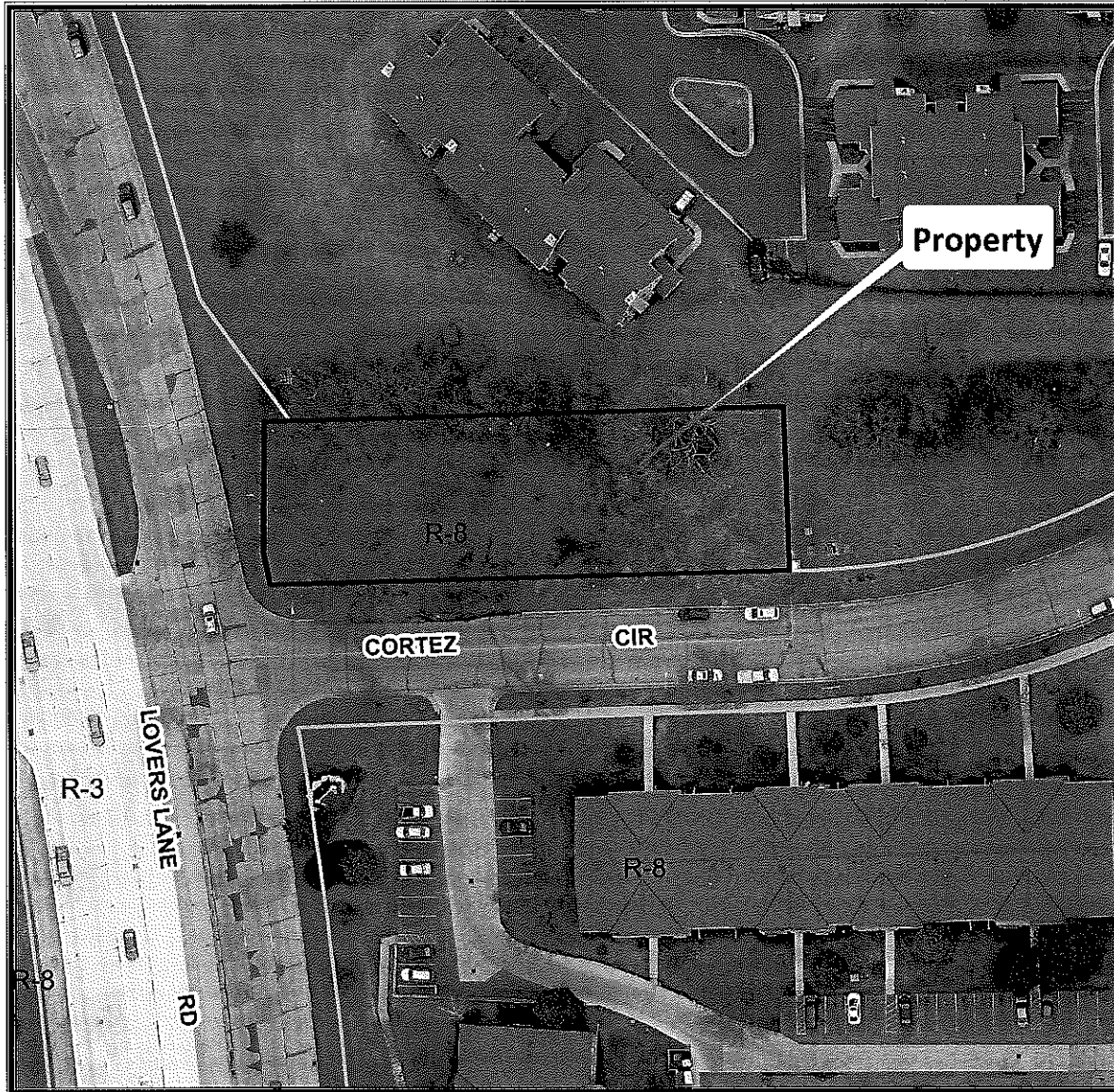
The architecture will be reviewed as part of this Special Use Application process. The applicant has supplied color samples of the materials to be utilized in addition to elevation drawings showing the anticipated architecture to be utilized.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the Special Use Application for a two-family dwelling unit on the identified parcel, subject to the conditions of approval in the attached draft resolution.



10504 W. Cortez Circle
TKN 747 9979 000



Planning Department
(414) 425-4024

0 45 90 180 Feet

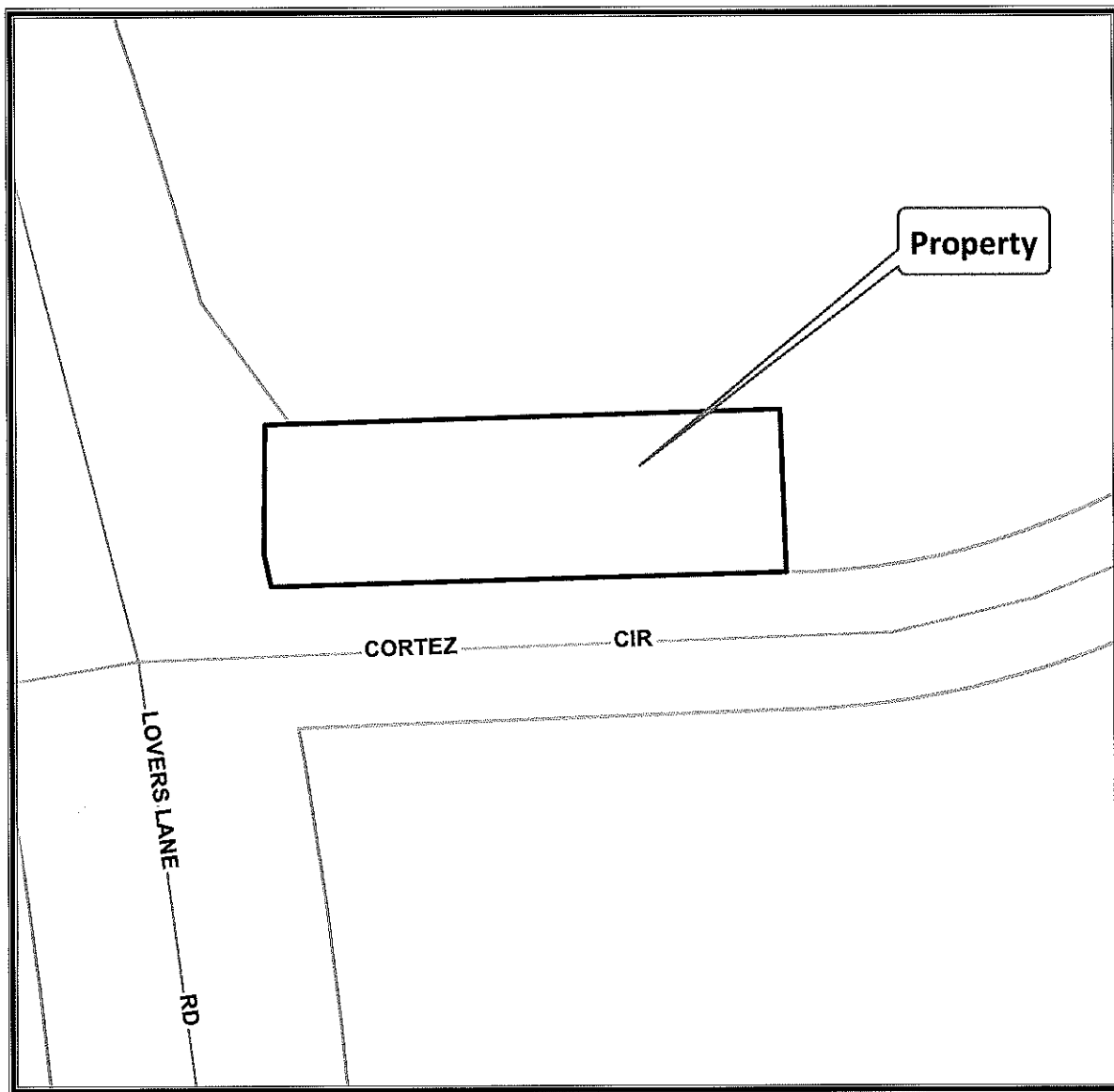
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



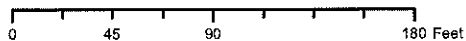
2017 Aerial Photo



10504 W. Cortez Circle
TKN 747 9979 000



Planning Department
(414) 425-4024



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



2017 Aerial Photo

BUILDER: NISENBAUM HOMES & REALTY, INC.
 8103 S. COUNTRY CLUB CIRCLE
 FRANKLIN, WISCONSIN 53132
 GREG NISENBAUM, PRESIDENT/BUILDER/BROKER
 (414) 425-8950 E-MAIL: gregoryn@nisenbaumhomes.com

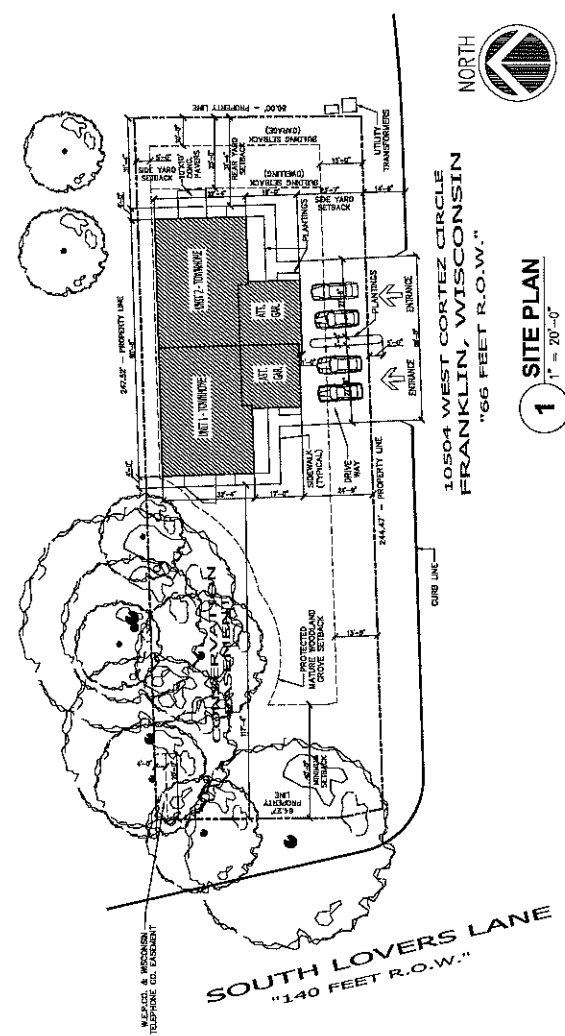
THE CORTEZ TOWNHOME
 TWO FAMILY SIDE BY SIDE RANCH RESIDENCE
 10504 W. CORTEZ CIRCLE
 FRANKLIN, WISCONSIN 53132

REVISIONS
 DATE 02-15-18
 PROJECT NO.
 SHEET

S1.0

SURVEYOR:
METROPOLITAN SURVEY SERVICE, INC.
 9415 WEST FOREST HOME AVENUE, SUITE 202
 HALES CORNERS, WISCONSIN 53130
 303.744.5310 FAX 303.744.5312
 E-MAIL: msurvey@metrosurvey.com
 NOTE: This site plan was prepared from Plat of Survey dated 1/2/18.

SITE DATA
 TOTAL LOT AREA = 19,772.50 FT.
 0.45 ACRES
 PRINCIPLE BUILDING HEIGHT ONE STORY = 26'-0"
 ZONING DISTRICT: R-8
 YARD SETBACK REQUIREMENTS
 FRONT YARD = 40'-0" MINIMUM
 (FRONT OF LOT FACING ARTERIAL ROAD - SOUTH LOVERS LANE)
 REAR YARD = 25'-0"
 SIDE YARD = 5'-0"
 CORNERSIDE YARD = 15'-0"



1 SITE PLAN
 1" = 20'-0"

PLAT OF SURVEY

LOCATION: 10504 West Cortez Circle, Franklin, Wisconsin

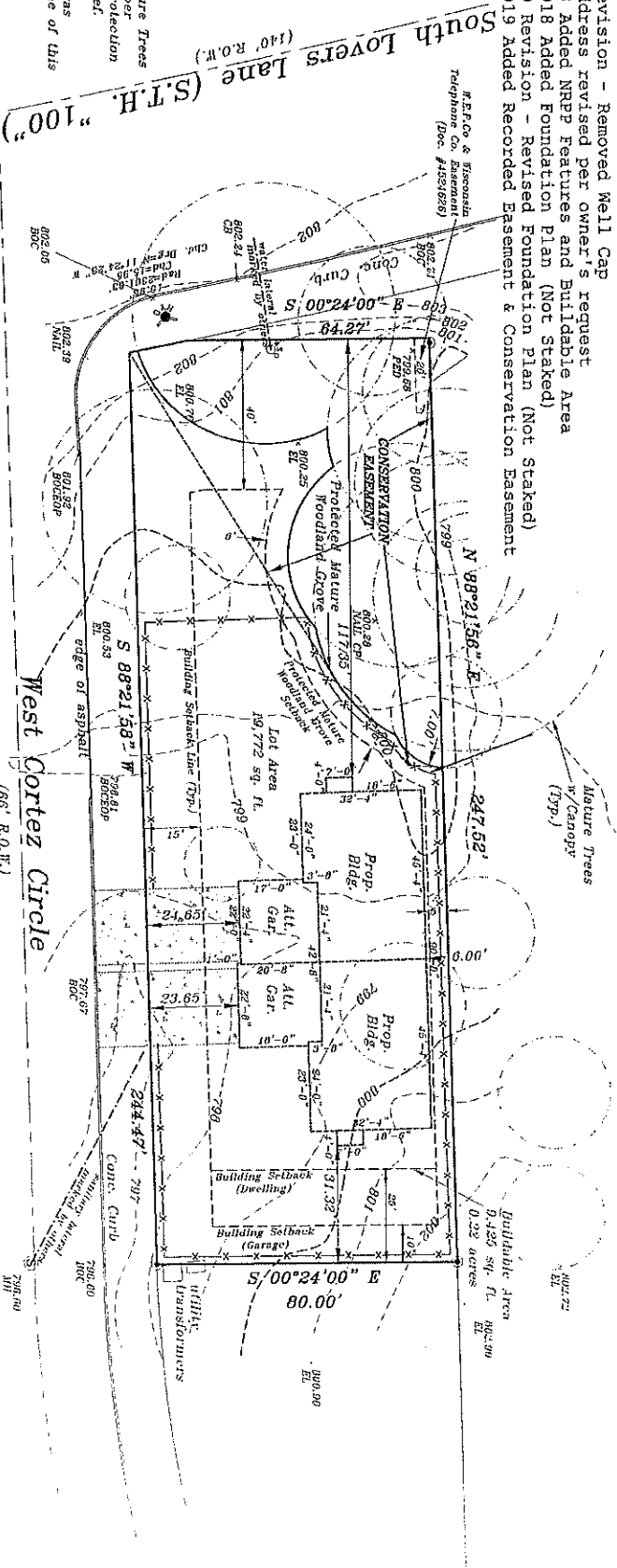
LEGAL DESCRIPTION:

That part of the Southwest 1/4 of Section 5, in Township 5 North, Range 21 East, bounded and described as follows: Commencing at a point in the North 1/4 Section line, 663 feet East of the Northwest corner of said 1/4 Section; running thence South and parallel with the West line of said 1/4 Section, 80 feet to a point; thence East and parallel with the North line of said 1/4 Section, 272.25 feet to a point; thence North and parallel with the West line of said 1/4 Section, 80 feet to a point on the North line of said 1/4 Section; thence West along said North line 272.25 feet to the point of commencement, and reserving the West 24.75 feet for highway purposes, further excepting those lands conveyed to the State of Wisconsin in an instrument recorded May 23, 1969, in Reel/Volume 480, Image/Page 784, as Document NO. 4464721.

May 15, 2018
May 17, 2018
May 17, 2018
September, 2018
December 18, 2018
January 3, 2019
February 12, 2019

Revision - Removed Well Cap
Address revised per owner's request
Added NRP Features and Buildable Area
Added Foundation Plan (Not Staked)
Revised Foundation Plan (Not Staked)
Added Recorded Easement & Conservation Easement

Survey No. 109506



- Notes:**
1. Locations of Mature Trees and Setback Lines per Natural Resource Protection Plan (NRP) by Greel.
 2. No Title Policy was Provided at the time of this Plat of Survey

METROPOLITAN SURVEY SERVICE, INC.

PROFESSIONAL LAND SURVEYORS AND CIVIL ENGINEERS

9415 West Forest Home Avenue, Suite 202

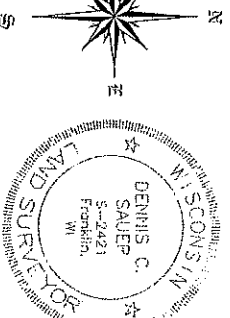
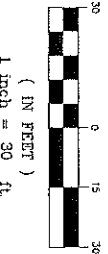
Hales Corners, Wisconsin 53130

PH. (414) 529-5300 FAX (414) 529-9187

email address: survey@metropolitansurvey.com

- ⊙ — Denotes Iron Pipe Found
- ⊙ — Denotes Iron Pipe Set
- ⊙ — Denotes Proposed Grade
- ⊙ — Denotes Proposed Silt Screen

GRAPHIC SCALE



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES, EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND NO PART HEREOF IS TO BE USED OR QUOTED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE SURVEYOR.

SIGNED

Dennis C. Sauer
Professional Land Surveyor S-2421

Project Summary

The proposed new construction is for a two family side by side ranch townhome residence . Each ranch unit is 1,371 sq.ft. of living space + basement.

The address of the vacant lot for the proposed residential construction is 10504 West Cortez Circle Franklin, Wisconsin 53132. The old address was 6704 S. Lovers Lane (see attached address change doc).

The tax key # of the vacant lot is : 7479979000

The total lot area is 0.45 acres or 19,772 sq. ft. The buildable area is 0.22 acres or 9,425 sq. ft. The building pad area is 0.13 acres or 5,777 sq. ft. (see attached Plat Of Survey).

There is a mature protected woodland grove near the west side of the lot. The proposed building envelope is outside of the protected mature grove, and the proposed new construction will not affect the mature woodland grove. (see attached Plat Of Survey with townhome building footprint).

A Tree Survey including a Legend and building envelope setbacks is attached. The proposed building design takes into consideration the lot dimension requirements for the City Of Franklin R-8 Multiple-Family Residence District Development Standards (see attached).

Access to the lot from Lovers Lane is prohibited and access needs to come off Cortez Circle (see attached doc).

The estimate of project value is \$290,000.00 / townhome unit.

Section 15-3.0701 General Standards For Special Use

A. General Standards

Ordinance and Comprehensive Master Plan Purposes and Intent.

The vacant lot was re-zoned from R-3 residential single family to R-8 multi-family as suggested by the City Of Franklin Planning Department. This is predominantly a multi-family neighborhood. A two family side by side ranch townhome is being proposed for the vacant lot. (see attached photo).

2. No Undue Adverse Impact

The proposed townhome will enhance and be an asset in the neighborhood in it's design and compliment surrounding buildings and suitability for the neighborhood.

3. No Interference With Surrounding Development

The proposed townhome is on a stand alone lot and will blend in with neighboring multi-family buildings in Woodland Prairie at 6787 and 6790 Prairiewood Lane, and Mancheser Oaks at 6129 Whitnall Edge Rd. (Note : This is just a few examples. There are more like units. See attached photo's).

4. Adverse Public Facilities

The vacant lot is served with sewer, water, gas, electric, cable, phone, fire hydrant, and street lighting. The fire and police departments are within a mile from the property. There is recycling and garbage pickup services. There are retail stores, restaurants, park (Whitnall), within walking distance. There are public schools K-12, and public library within close proximity. Lovers Lane Rd. provides quick access to the interstate and many local businesses. Recycling and garbage containers will be kept in the garage.

5. No Traffic Congestion

Each unit of the proposed townhome will have off street parking with 2 ½ car garages and driveways large enough for 2 cars located on W. Cortez Circle. All neighboring housing has their own off street surface parking or garages.

6. No Destruction Of Significant Features

The vacant lot has a protected mature woodland grove (NRPP) that will be preserved as well as other trees / vegetation that can be preserved outside the building footprint to enhance the beauty of the lot and offer a buffer from streets or buildings.

7. Compliance With Standards

All local and state standards and building codes pertaining to this project have been researched and conform to this sites standards and development of this proposed project where applicable.

B. Special Standards For Specified Special Uses

R-8 Multiple-Family Residence District Development Standards pertaining to this project have been researched and conform to this sites standards and development of this proposed project where applicable.

C. Considerations

1. Public Benefit

The proposed townhome development will be of high quality design and construction that visually enhances the corner lot by providing a unique multi-family style building that naturally blends in with neighboring buildings.

2. Alternate Locations

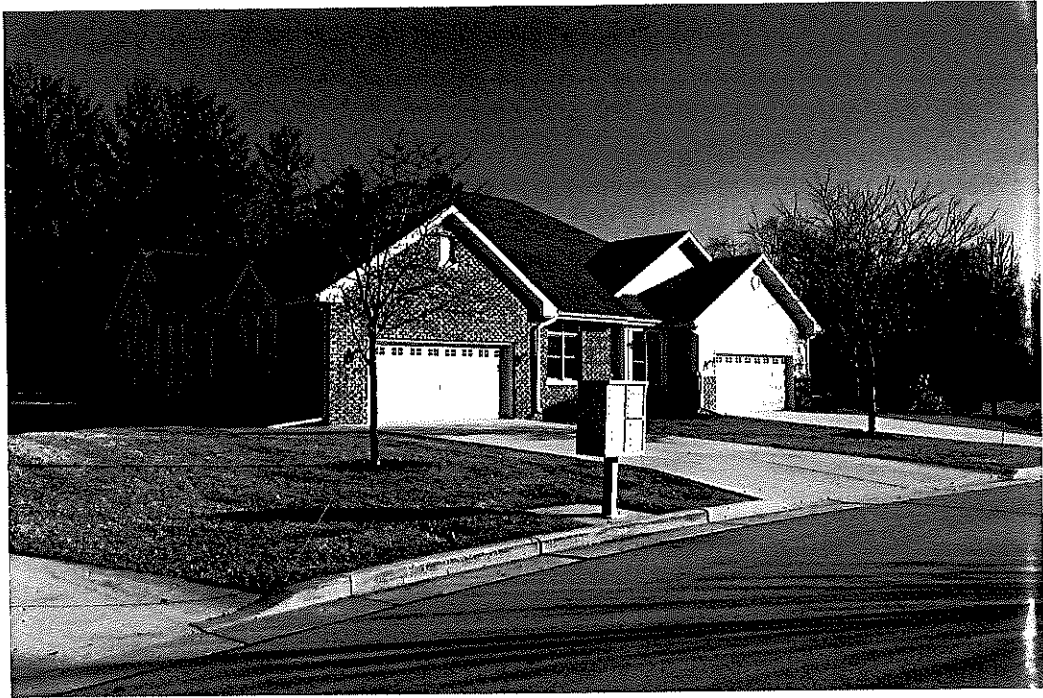
I have researched alternate locations but the City Of Franklin Planning Department suggested this lot to be re-zoned to R-8 multi-family and I agreed that this site is more suitable for this project.

3. Mitigation Of Adverse Impacts

The proposed townhome design will be situated on a wooded lot. Access to the property will be on W. Cortez Circle and garage entrances to the proposed townhome will be app. 140' – 180' from Lovers Lane. This design has no adverse impacts to the development.

4. Establishment Of Precedent Of Incompatible Uses In The Surrounding Area

The proposed townhome is being constructed on a conventional buildable city lot which will be constructed in similar suitable design and construction of other residential construction in the neighborhood.





LOCATION: 10504 West Cortez Circle, Franklin, Wisconsin

LEGAL DESCRIPTION: That part of the Southwest 1/4 of Section 5, in Township 5 North, Range 21 East, bounded and described as follows: Commencing at a point in the North 1/4 Section line, 663 feet East of the Northwest corner of said 1/4 Section; running thence South and parallel with the West line of said 1/4 Section, 80 feet to a point; thence East and parallel with the North line of said 1/4 Section, 272.25 feet to a point; thence North and parallel with the West line of said 1/4 Section, 80 feet to a point on the North line of said 1/4 Section; thence West along said North line 272.25 feet to the point of commencement, and reserving the West 24.75 feet for highway purposes, further excepting those lands conveyed to the State of Wisconsin in an instrument recorded May 23, 1969, in Reel/Volume 480, Image/Page 784, as Document NO. 4464721.



One Honey Creek Corporate Center
125 South 84th Street, Suite 401
Milwaukee, WI 53214-1470
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

collaborāte / formulāte / innovāte

January 4th, 2019

Mr. Greg Nisenbaum
Nisenbaum Homes and Realty, Inc.
8103 S. Country Club Circle
Franklin, WI 53132

SUBJECT: Natural Resource Protection Plan
10504 W. Cortez Circle
Franklin, Wisconsin 53132

Dear Greg:

At the time of the field visit in September 2018, 0.142 acres of mature woodland grove was identified within the project boundary near the west side of the lot. Dead or dying trees were not surveyed or included on the NRPP map. The canopy diameter and location of offsite trees were estimated from the vantage point of the site and mapped accordingly. No other natural resource features were observed at the time of the visit.

Two trees along the southwest corner of the lot will potentially be removed totaling 0.038 acres of canopy. Trees with a canopy cover totaling 0.104 acres will be preserved, meeting the 70% protection requirement. Mitigation is not permitted or required for the mature woodland grove.

Please contact me at Alison.Kuhne@graef-usa.com if you have any questions.

Sincerely,

Alison Kuhne
Environmental Scientist

Enclosed: Natural Resource Protection Plan Map

2018-0305.00

Franklin

FEB 13 2019

City Development

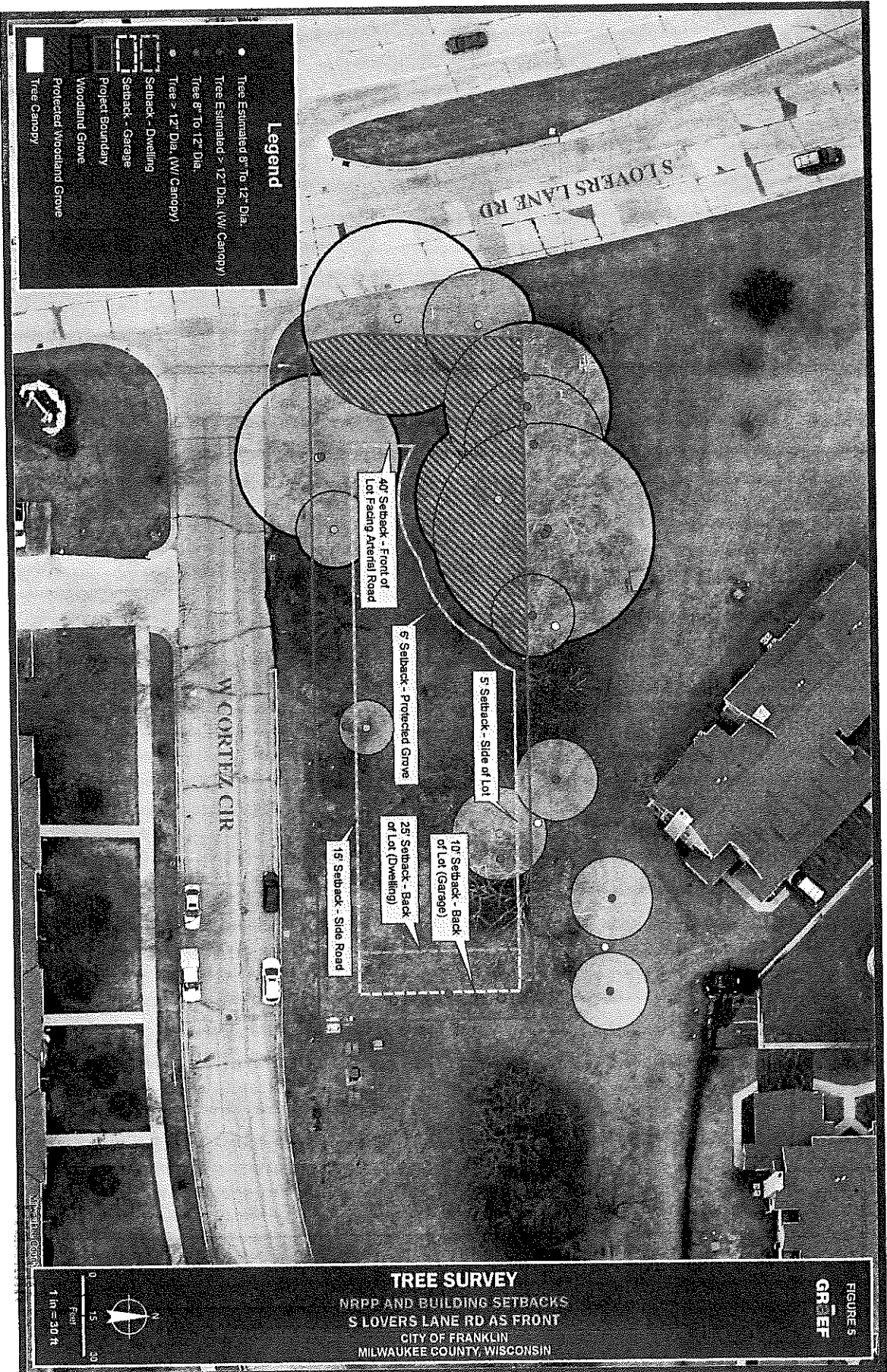


FIGURE 5
GRIEF

TREE SURVEY
NRPP AND BUILDING SETBACKS
S LOVERS LANE RD AS FRONT
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

Legend

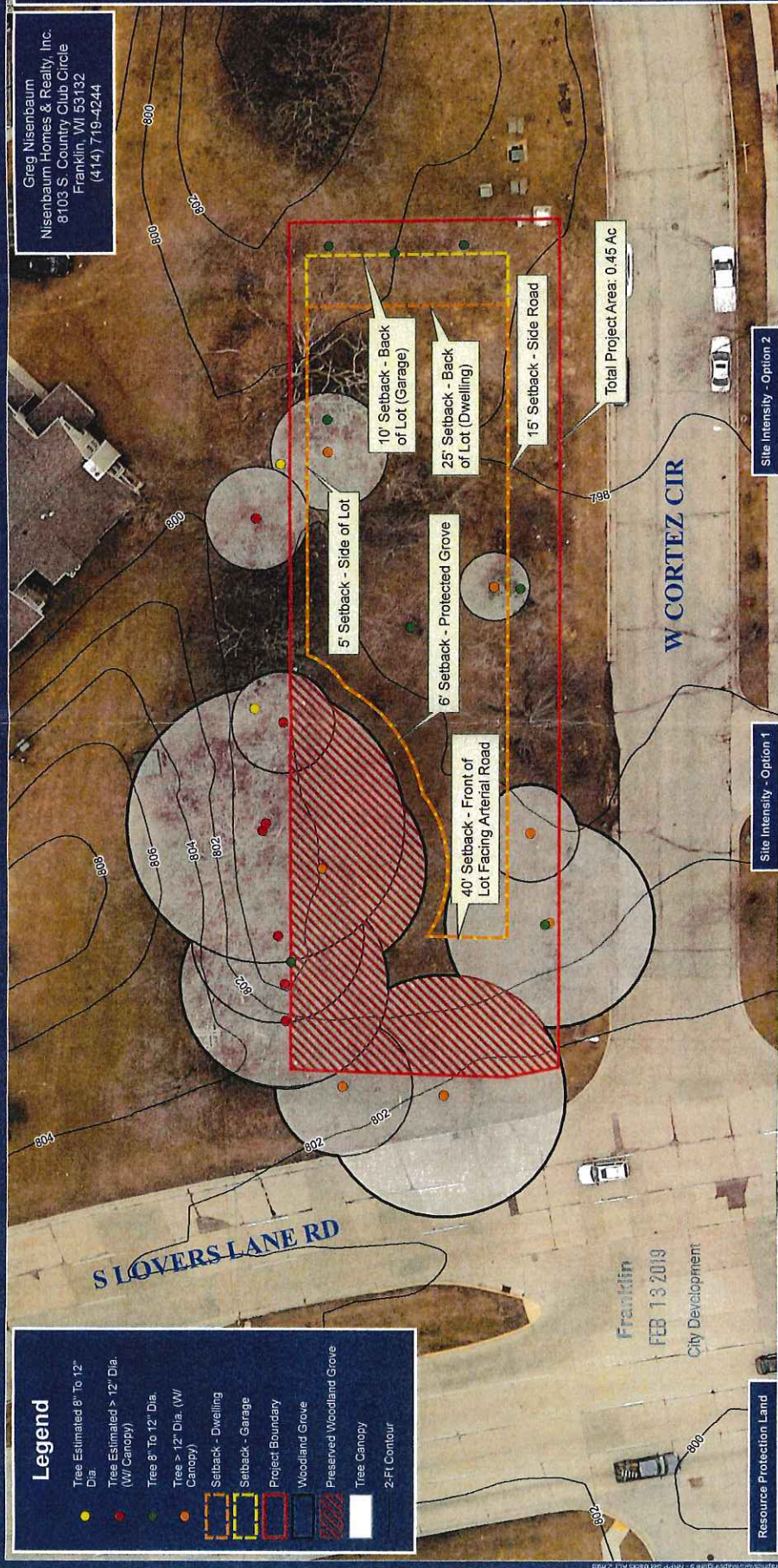
- Tree Estimated 8" To 12" Dia.
- Tree Estimated > 12" Dia. (W/ Canopy)
- Tree 8" To 12" Dia.
- Tree > 12" Dia. (W/ Canopy)
- Setback - Dwelling
- Setback - Garage
- Project Boundary
- Woodland Grove
- Preserved Woodland Grove
- Tree Canopy
- 2-Ft Contour

Greg Nisenbaum
Nisenbaum Homes & Realty, Inc.
8103 S. Country Club Circle
Franklin, WI 53132
(414) 719-4244

FIGURE 5
GRUEF

NATURAL RESOURCE PROTECTION PLAN

10504 W. CORTEZ CIRCLE
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN



Resource Protection Land

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)	Acres of Land in Resource Feature	Acres of Land Required to be Preserved	Acres of Land Required to be Impacted	Acres of Land Required to be Mitigated
Shore Slopes	10-19% 0.65 20-30% 0.65 30%+ 0.65	0.00 0.00 0.00	0.00 0.00 0.00	0.00 0.00 0.00	0.00 0.00 0.00
Woodlands & Forest	Mature 0.7 Young 0.5	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00
Lake & Ponds	1	0.00	0.00	0.00	0.00
Streams	1	0.00	0.00	0.00	0.00
Shore Buffer	1	0.00	0.00	0.00	0.00
Floodplain/Floodline	1	0.00	0.00	0.00	0.00
Wetland Buffers	1	0.00	0.00	0.00	0.00
Wetlands & Shorelands	1	0.00	0.00	0.00	0.00
Wetlands	1	0.00	0.00	0.00	0.00
Total Resource Protection Land Total Acres of Land in Resource Required to be Protected		0.00	0.00	0.00	0.00

Site Intensity - Option 1

Step 1:	Take Base Site Area: Multiply by minimum open space Ratio (OSR) Equals Minimal Required On-Site Open Space	0.45 acres x 0.35 =	0.16 acres
Step 2:	Calculate Net Buildable Site Area: Take Base Site Area: Subtract total resource protection land or minimum required on-site open space Equals Net Buildable Site Area	0.45 acres - 0.16 acres =	0.29 acres
Step 3:	Calculate Maximum Net Density Yield of Site: Take Net Buildable Site Area Multiply by maximum net density (ND) Equals Maximum Net Density Yield of Site	0.29 acres x 8 =	2.32
Step 4:	Calculate Maximum Gross Density Yield of Site: Take Base Site Area: Multiply by Maximum Gross Density (GD) Equals Maximum Gross Density Yield of Site	0.45 acres x 6.10 =	2.75
Step 5:	Determine Maximum Permitted D.U.s of Site: Take lowest of maximum net density yield of site of maximum gross density yield of site		2.32

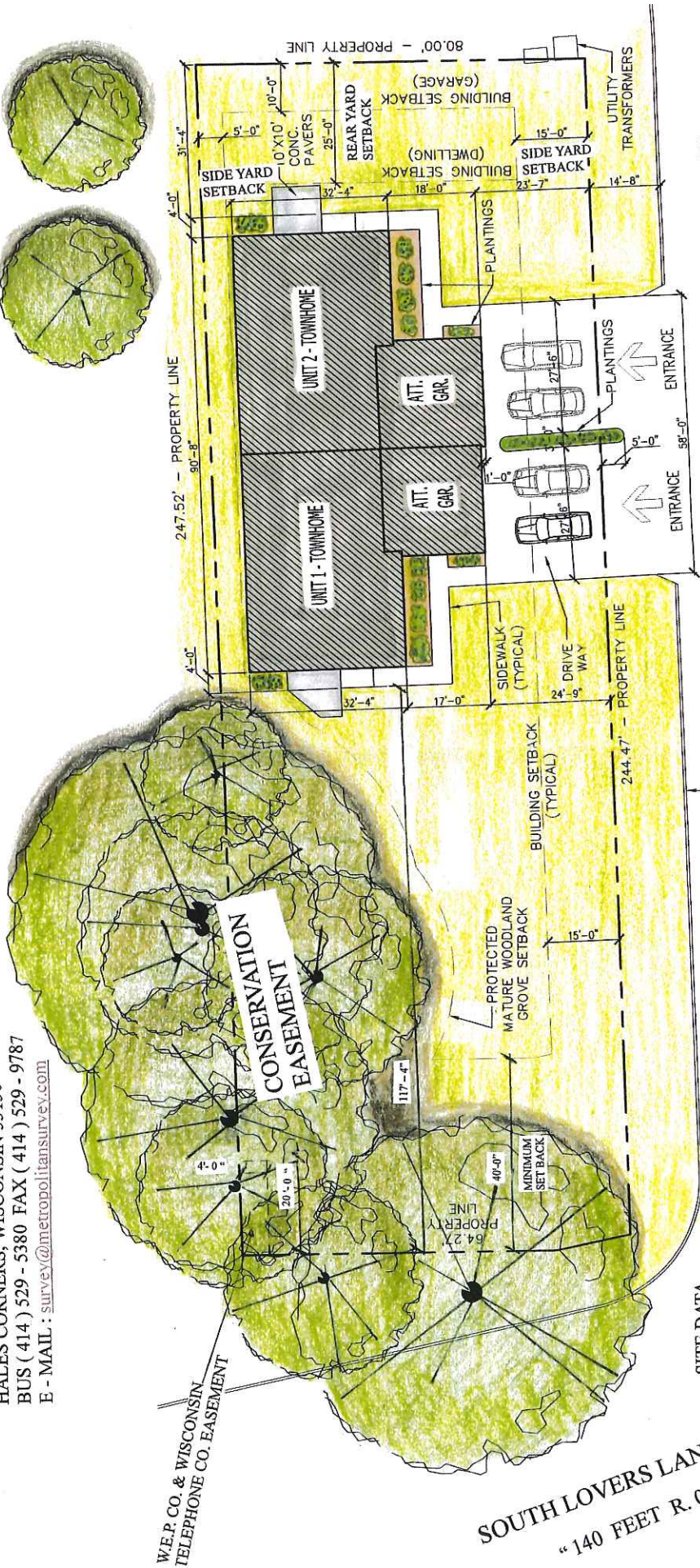
Site Intensity - Option 2

Step 1:	Calculate Minimal Required On-Site Open Space: Take Base Site Area: Multiply by minimum open space Ratio (OSR) Equals Minimal Required On-Site Open Space	0.45 acres x 0.25 =	0.11 acres
Step 2:	Calculate Net Buildable Site Area: Take Base Site Area: Subtract total resource protection land or minimum required on-site open space Equals Net Buildable Site Area	0.45 acres - 0.11 acres =	0.34 acres
Step 3:	Calculate Maximum Net Density Yield of Site: Take Net Buildable Site Area Multiply by maximum net density (ND) Equals Maximum Net Density Yield of Site	0.34 acres x 8 =	2.72
Step 4:	Calculate Maximum Gross Density Yield of Site: Take Base Site Area: Multiply by Maximum Gross Density (GD) Equals Maximum Gross Density Yield of Site	0.45 acres x 8 =	3.6
Step 5:	Determine Maximum Permitted D.U.s of Site: Take lowest of maximum net density yield of site of maximum gross density yield of site		2.72

Franklin
FEB 13 2019
City Development

SURVEYOR : NOTE : This site plan was prepared from Plat Of Survey dated 2 / 12 / 2019

METROPOLITAN SURVEY SERVICE, INC.
 9415 WEST FOREST HOME AVENUE, SUITE 202
 HALES CORNERS, WISCONSIN 53130
 BUS (414) 529 - 5380 FAX (414) 529 - 9787
 E - MAIL : survey@metropolitansurvey.com



SITE DATA

TOTAL LOT AREA = 19,772 SQ. FT.
 0.45 ACRES

PRINCIPAL BUILDING HEIGHT ONE STORY = 26' 8"
 ZONING DISTRICT : R-8

YARD SETBACK REQUIREMENTS
 FRONT YARD = 40' - 0" MINIMUM
 (FRONT OF LOT FACING ARTERIAL ROAD - SOUTH LOVERS LANE)
 REAR YARD = 25' - 0"
 SIDE YARD = 5' - 0"
 CORNERSIDE YARD = 15' - 0"

10504 WEST CORTEZ CIRCLE FRANKLIN, WISCONSIN

" 66 FEET R.O.W. "

NORTH



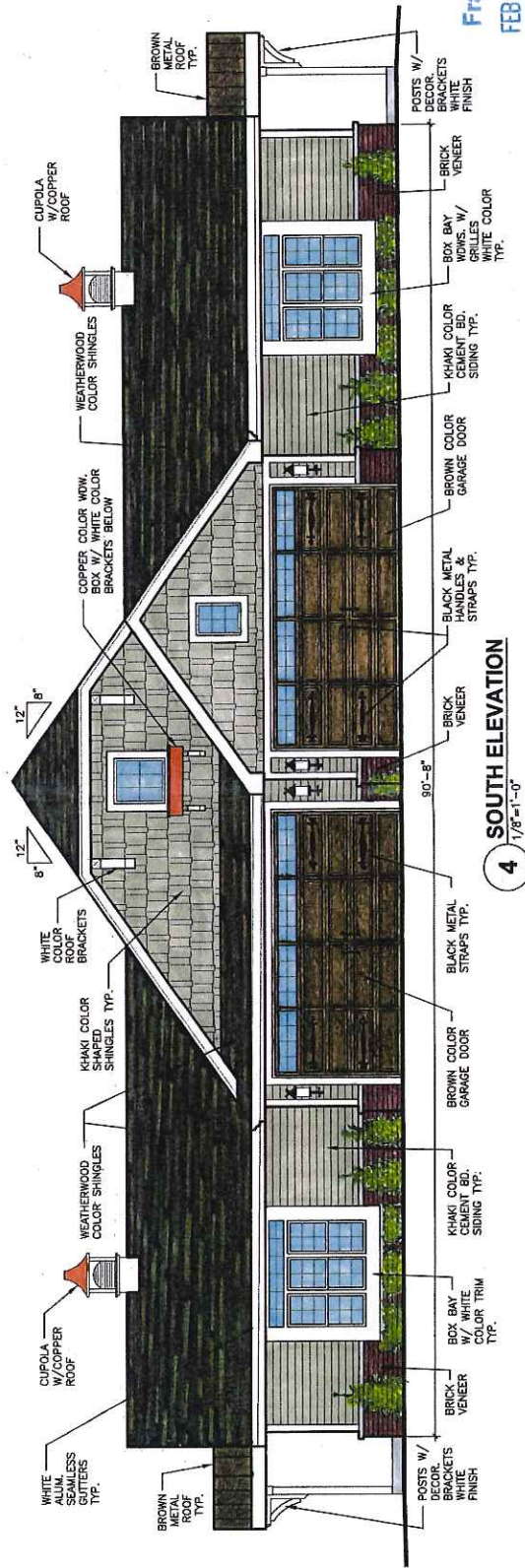
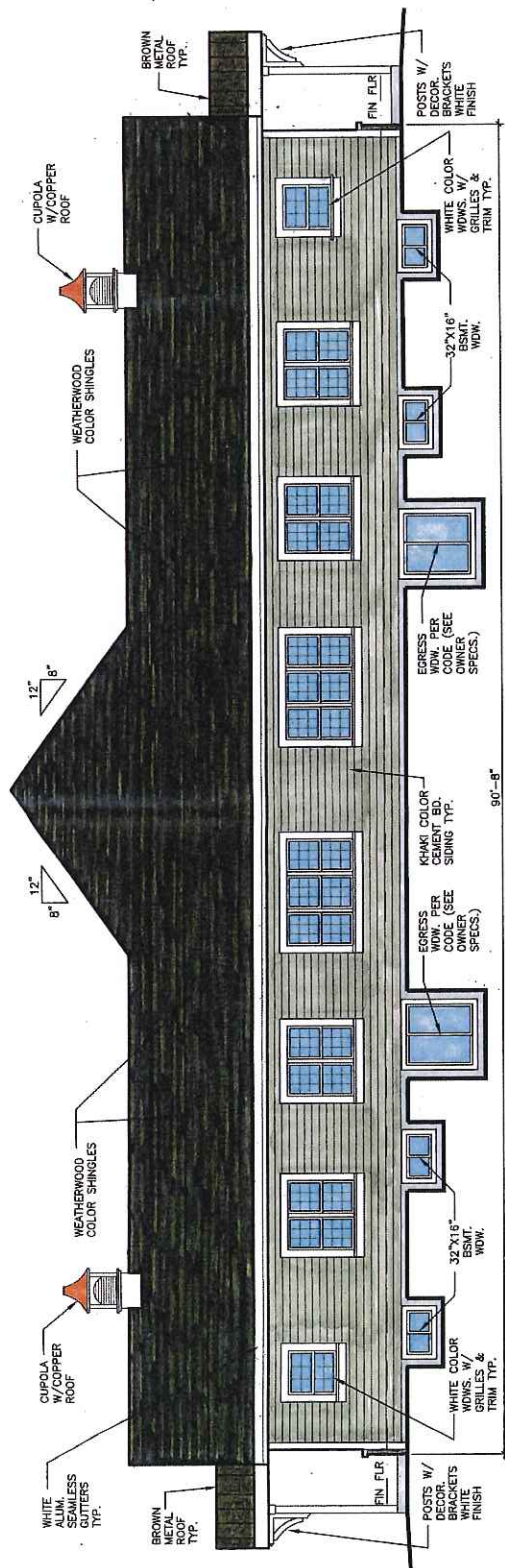
SITE PLAN

1

1" = 20'-0"

Franklin
 FEB 13 2019
 City Development

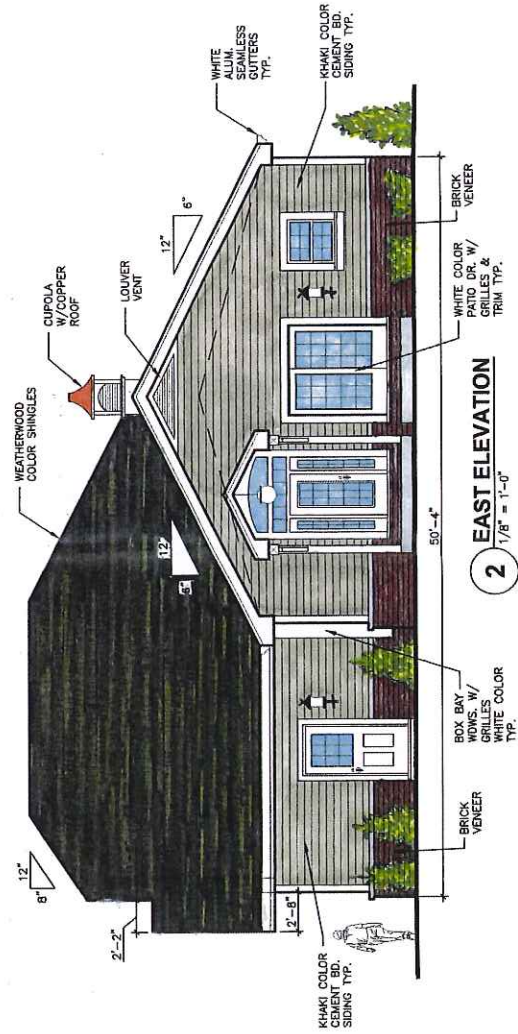
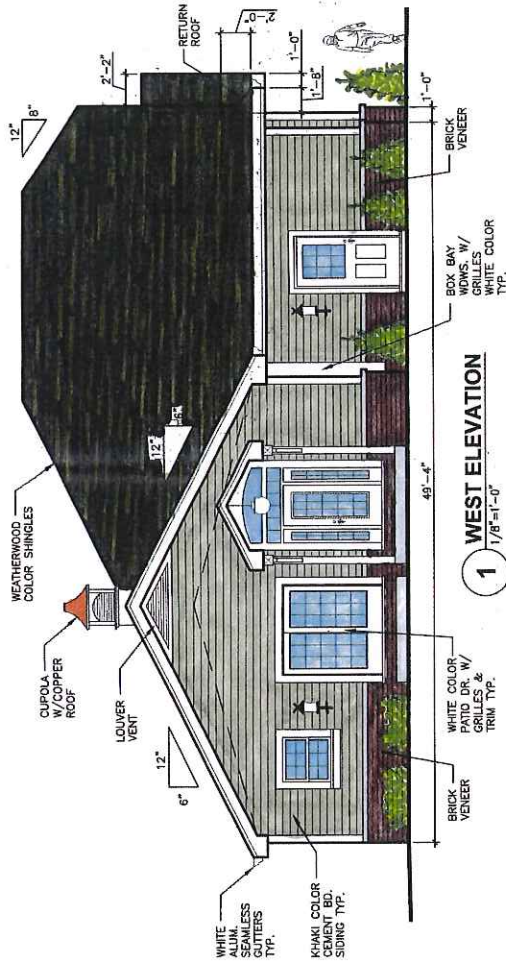
SOUTH LOVERS LANE
 " 140 FEET R.O.W. "



Franklin

FEB 13 2019

City Development



Spectrum
 BUSINESS

Webmail

Messages | Addresses | Settings

Inbox > Email Message

gregoryn@nisenbaumhomes.com | Logout

Folders [manage]

Reply | Reply All | Forward | Delete | Spam | New Filter | Detail | Printable View

< Prev | Next >

Move to: Drafts [v] OK

Inbox

Drafts

Sent Mail

Trash (1)

My Folders [hide]

Jokes

Junkmail

Printer Passwor...

Date: Tuesday, October 2, 2018 11:29 AM

From: Koehnke, Kevin F - DOT <Kevin.Koehnke@dot.wi.gov>

To: gregoryn@nisenbaumhomes.com <gregoryn@nisenbaumhomes.com>

Subject: RE: Property Access / Driveway Connection - 10504 W Cortez Circle Franklin, WI 53132

Size: 412 KB

Attachments: [notice of no-access.pdf \(403.3 KB\)](#)
Mailbox Usage

 You are using 80% of
 your mailbox (798 MB
 out of 1,000 MB)

Mr. Nisenbaum,

When we spoke, I agreed with you that access to STH 100 would be less desirable than accessing your parcel from Cortez Cir. I have since done some research for your parcel at the NE corner of Cortez Cir. and STH 100. Access has actually been prohibited via Controlled Access Plat CA 058-1(1) and would need to come off of Cortez Cir. Please see the attached recorded notice of non-access and call me with questions.

Sincerely,

Kevin Koehnke, PE
 Permits Coordinator
 141 NW Barstow Street
 Waukesha WI 53187
kevin.koehnke@dot.wi.gov
 262-548-5891

-----Original Message-----

From: gregoryn@nisenbaumhomes.com [gregoryn@nisenbaumhomes.com]

Sent: Tuesday, October 02, 2018 8:33 AM

To: Koehnke, Kevin F - DOT <Kevin.Koehnke@dot.wi.gov>

Subject: Property Access / Driveway Connection - 10504 W Cortez Circle Franklin, WI 53132

Mr. Kevin Koehnke, Permit Coordinator

Kevin, Per our conversation today, we discussed the property access / driveway connection at the above named address.

The property is zoned R- 8 multifamily.

The arterial road to the west of the property is South Lovers Lane or HWY 100. The side street to the south of the property is W Cortez Circle.

Please advise on your recommendation as to the property access / driveway connection to the property.

Sincerely,

Greg Nisenbaum
 Nisenbaum Homes & Realty, Inc. (414) 719-4244

 Open Attachment [notice of no-access.pdf](#)

Reply | Reply All | Forward | Delete | Spam | New Filter | Detail | Printable View

< Prev | Next >

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Franklin

FEB 13 2019

City Development

Document Number

**NOTICE OF NONACCESS TO OR ACROSS A
CONTROLLED-ACCESS HIGHWAY**

Wisconsin Department of Transportation
ED1001 697

Pursuant to the provisions of s.84.25 Wisconsin Statutes, the Department of Transportation has established a section of S.T.H. 100 in Milwaukee County, as a Controlled-Access Highway, designated as Controlled-Access Project CA059-1 (1) & CA058-1 (1), effective on and after 12/15/1954; as recorded in Pages 61-64 as the Document Number 3379.

The Department of Transportation having in accordance with said Finding, Determination and Declaration controlled the access between said highway and the lands of the owner(s) in the NW 1/4 of the SW 1/4 of SEC 5, T5N, R21E, City of Franklin, Milwaukee County,

In the following manner: No Direct Access

does issue this notice of nonaccess to or across the said controlled access highway for the following reasons: Access is via W. Cortez Circle.

DOC. #
8770173

REGISTER'S OFFICE | SS
Milwaukee County, WI

RECORDED AT 2:16 PM

04-26-2004

JOHN LA FAVE
REGISTER OF DEEDS

AMOUNT 11.00

This space is reserved for recording data

Return to

Wisconsin Department of Transportation
District 2
141 NW Barstow
Waukesha, WI 53187

Parcel Identification Number/Tax Key Number

747-9979-000

THIS NOTIFICATION, superseding all prior Notices of Authorizations, is issued to the following owner(s) of the above-described property, the heirs, successors and assigns.

David & Sonja L. Paskiewicz

(Owner Name)

7626 S. 51st St., Franklin, WI 53132

(Address)

(Owner Name)

(Address)

Wisconsin Department of Transportation

Donna Brown

(For District Director Signature)

Donna Brown

(Print Name)

3-25-04

(Date)

State of Wisconsin

Waukesha County

On the above date, this instrument was acknowledged before me by the named person(s).

Juanita Swenson

(Signature, Notary Public, State of Wisconsin)

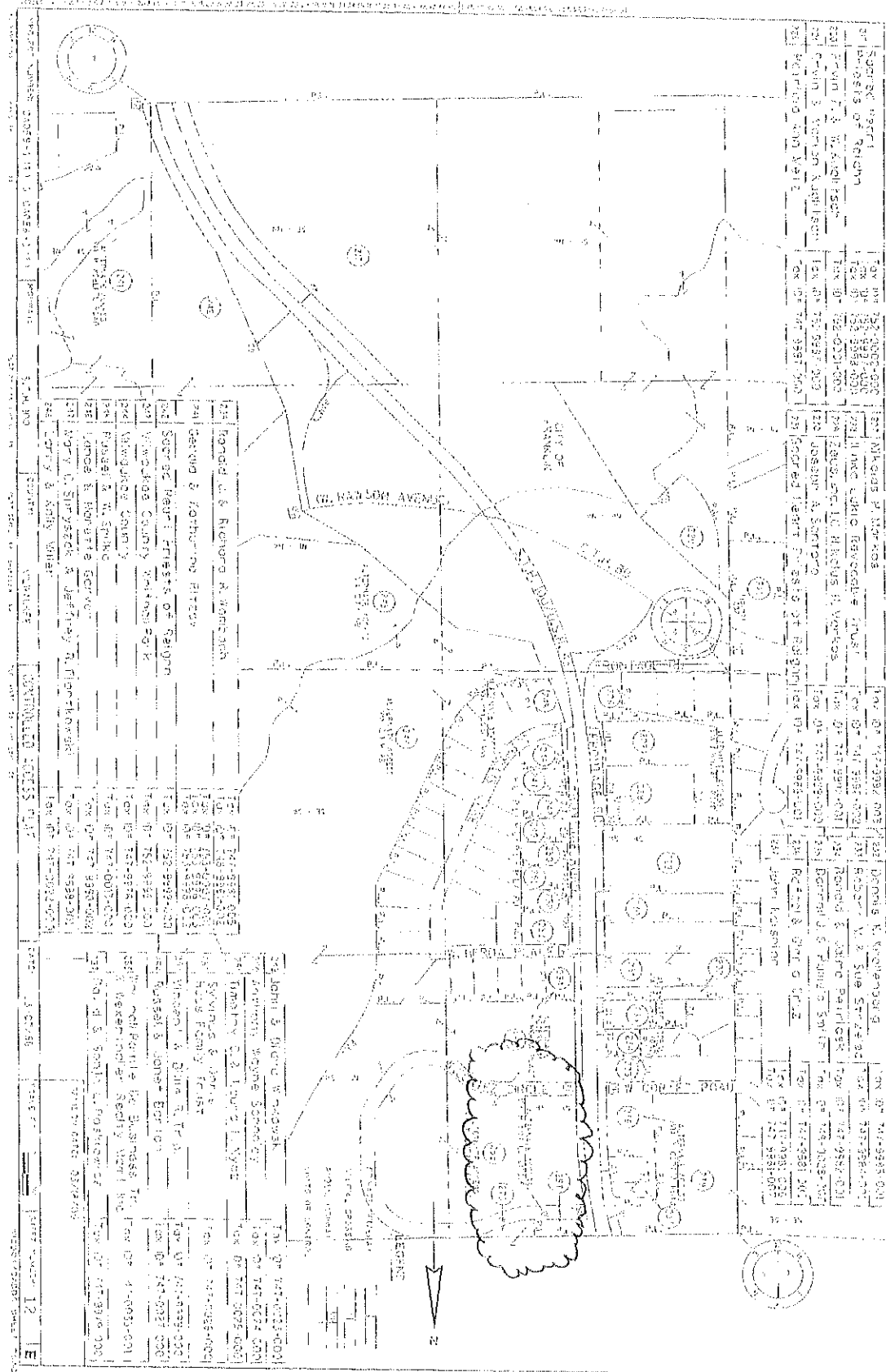
Juanita Swenson

(Print or Type Name, Notary Public, State of Wisconsin)

11/25/2007

(Data Commission Expires)

VERY SMALL TYPE



APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 19, 2019
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE GENERAL FUND AND DONATIONS FUNDS FOR THE CITY OF FRANKLIN TO RECLASSIFY CONTINGENCY APPROPRIATIONS AND ESTABLISH APPROPRIATIONS FOR A K9 PURCHASE	ITEM NUMBER <i>G.9.</i>

Background

On Dec 18, 2018, the Common Council approved a contract with Northwoods Software related to the City's website. The Council directed a 2019 budget amendment to carryforward the \$22,920 appropriation. Now it is time to reclassify the appropriation from Contingency to Info Services Professional Services.

On Feb 19, 2019, the Common Council authorized \$5,000 from Contingency for a study by the Wisconsin Policy Forum in conjunction with Greenfield to study opportunities to partner with neighboring communities to improve operations with our fire and EMS services.

The Common Council agreed to accept a future donation for the purchase of a K9 unit at the March 5, 2019 Common Council meeting. The 2019 budget does not include an appropriation for the purchase of a K9 unit. This budget amendment will establish a \$16,000 appropriation to purchase the K9 unit should the donation arrive as anticipated.

Fiscal Impact

Proper classification of expenditures provides readers of the financial statements to understand how funds are expended. Classifying expenditures as Contingency does not provide the necessary transparency .

The Donations Fund holds money's donated to the City for specific purposes until such time as the expenditures are needed. The proposed budget amendment will create the appropriation needed to authorize the expenditure for the K9 unit along with the expected resource.

Recommendation

Staff recommends approval of the attached Budget amendment

COUNCIL ACTION REQUESTED

Motion adopting Ordinance 2019-____ amending Ordinance 2018-2345, an Ordinance adopting the 2019 annual budgets for the General Fund and Donations Funds for the City of Franklin, to reclassify contingency appropriations and establish appropriations for a K9 purchase.

Roll call vote needed

Finance Dept - Paul

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2019 _____

AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE GENERAL FUND AND DONATIONS FUNDS FOR THE CITY OF FRANKLIN, TO RECLASSIFY CONTINGENCY APPROPRIATIONS AND ESTABLISH APPROPRIATIONS FOR A K9 PURCHASE

WHEREAS, the 2019 Budgets were adopted on November 13, 2018; and

WHEREAS, the Common Council approved a contract with Northwoods Software on December 18, 2018 from General Fund contingency which was carried forward to the 2019 Budget; and

WHEREAS, on February 19, 2019 the Common Council authorized \$5,000 of contingency appropriations to conduct a study by Wisconsin Policy Forum to study opportunities to partner with neighboring communities to improve operations with our fire and EMS services; and

WHEREAS, to provide transparency of expenditures reclassification from contingency to Information Systems and Administration professional fees is advisable; and

WHEREAS, on March 5, 2019 the Common Council agreed to accept a future donation as a resource for the purchase of a K9 unit to replace a unit recently taken out of service; and

WHEREAS, the Common Council desires to provide the 2019 Donations Fund appropriations for the purchase of a K9 unit; and

WHEREAS, the Common Council of the City of Franklin believes these expenditures provide for the well being of the Community.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1	That the 2019 Budget of the General Fund be adjusted as follows.		
	Un-restricted Contingency	Decrease	\$27,920
	Info Systems	Non-personnel Increase	22,920
	Administration	Non-personnel Increase	5,000

Section 2	That the 2019 Budget of the Donations Fund be adjusted as follows:			
	Revenues	Donations	Increase	\$12,000
	Police- Capital	Safety Equipment	Increase	\$16,000

Section 3	Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.		
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Passed and adopted at a regular meeting of the Common Council of the City of Franklin
this ____th day of _____, 2019.


APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 12/18/2018
REPORTS & RECOMMENDATIONS	Contract with Northwoods Software to Update the City's Website Software and for an Initial Migration of Website Content	ITEM NUMBER G.14.

The software behind the City's website has served the City well but has not been upgraded since its initial installation in 2009/2010 as part of the entire re-working of the City's website. The software has served the City well but without updates the website is showing significant limitations. The Technology Commission worked on this issue last year and considered a new business case prepared by Jim Matelski, Information Services Director, and recommended approval of a new website project as part of the 2019 budget. Unfortunately, funding was not available.

Since that time, however, the City has partnered with the Tourism Commission to engage in a new branding project. The Director of Administration fully expects that part of any branding effort will be a reworking of the City's website. Unfortunately, starting from zero at that time will make any website upgrade significantly delayed if existing content is to be migrated. So as not to delay the branding efforts, it is proposed that the City update the software to the newest version and migrate information over at this time. Once positioned in that manner, addressing the format and presentation – the skin – of the website will be much easier and much quicker.

The current version is TitanCMSv4.8 and is no longer supported on modern hosting platforms, is not scalable to current devices, and will no longer be serviced after April of 2019. Northwoods is confident that the upgraded website software, Version 6.9.5, can ultimately meet all of the requirements addressed by the business case presented to the Technology Commission by applying its responsive template theme and moving to their Azure hosting environment. Pages 2 and 3 of the proposal specifically address the expectations of the Technology Commission and how the new software addresses those concerns.

At the same time that the Director of Administration was initiating discussions with Northwoods for proposals to upgrade the software, Alderman Mayer requested that an action sheet be brought forward to upgrade the website using General Fund Contingency appropriations from in the 2018 budget. The attached proposal is the most recent, but the Director of Administration is attempting to get one additional revision in advance of the meeting and will bring it to the Council meeting.

In short, a proposal from last March for an upgrade to TitanCMS v6.8 was priced at \$16,500. It represented an upgrade to the software but not significant upgrade to the implemented features. The revised proposal, attached, is for \$26,120 which more aggressively addressed the issues raised by the Technology Commission. It, however, also required considerable resources, \$8,000, for design and theme creation. Given the branding effort under way, as much effort toward design and theme creation should be held back until the branding strategy and theme is decided. As such, Northwoods is completing a third proposal, to be available at the meeting, which will be more limited in initial implementation but will ensure the backbone and software of the website is ready to go. Migration and design will only be completed to the extent necessary to maintain a similarly functioning website in expectation for a Phase 2 after the branding project is completed. This next proposal should be somewhere between the two discussed above. To be clear, this project will not significantly improve the look and feel of the current website, but it will position the City with updated software and update feature capabilities that can then be implemented after the branding project.


The second phase of the project would then likely be in the \$6,000 to \$10,000 range, depending upon the extent of modifications employed following the completion of the branding project. Wholesale changes could push a second phase higher than indicated. This second phase would be brought to the Council after completion of the first phase and completion of the branding project.

It is important to note that the new proposal will move to a monthly \$350 "Total Care" fee that includes Shared Azure Environment hosting, an annual upgrade including all available releases, and access to the Titan CMS helpdesk. This will better position the City in the future to remain up-to-date with internet and device protocols and expectations. The current maintenance plan, which will be ending, has an annual fee of \$2,400 and hosting charges by a different provider.

Summary: The attached proposal is being scaled back and an update should be available at the meeting. The goal of the project is to update the software supporting the City's current website. Completing that significant upgrade and information migration ahead of time will enable the City to more quickly implement the visual changes and feature implementation that might derive from the branding project.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to execute a proposal from Northwoods Software, at a cost of \$_____, for an upgrade to the Titan CMS software driving the City's Website and for an initial migration of website content and for the project to be funded by General Fund Contingency appropriations.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 2/19/2019
REPORTS AND RECOMMENDATIONS 	Authorization to Execute a Memorandum of Understanding with the City of Greenfield to have the Wisconsin Policy Forum Study and Report Opportunities for Shared Fire Services and to Authorize an Expenditure of \$5,000 from the General Fund Unrestricted Contingency Appropriation for such a Report	ITEM NUMBER <i>G. 9</i>

For at least a year the Fire Chief and Mayor have been exploring opportunities to partner with neighboring communities to improve operations with our fire and EMS services. Both the Chief and Mayor believe that our calls for service, geography, staffing and financial situation requires a cooperative approach to providing the highest level of fire and EMS service to our community.

Discussions with the City of Greenfield have progressed to the point that a formal study of the operations of each department and how each could contribute to the successes of the other may provide the Common Councils of each an opportunity to enhance service to all of our constituents. The purpose of the MOU is to advance the study of potential opportunities and share the cost equally with Greenfield.

The Wisconsin Policy Forum (the new name for the Public Policy Forum after its merger with the Wisconsin Taxpayers Alliance) has long been the source for qualitative research on government operations and has previously authored studies that resulted in the formation of the North Shore Fire Department. Neither Greenfield nor Franklin is proposing that structure but see the experience of the Wisconsin Policy Forum as valuable to advancing our discussion. Both community's Mayors and Fire Chiefs met with Rob Henken of the Wisconsin Policy Forum and discussed our mutual goal of providing the best service to both our communities without incurring increased costs or diminished service. Both communities are interested in exploring operational changes that can be implemented that will improve service to our communities.

This request is to recognize the continued discussions between the communities and to authorize expenditure of \$5,000 for the Wisconsin Policy Forum to study operational opportunities and the impacts of those opportunities and return to both communities with recommendations. Please note that if the expenditure authorization is approved, the Mayor will also execute a related Letter of Agreement that the Wisconsin Policy Forum requires to initiate services.

The Mayor and Fire Chief recommend continued discussions and engaging the Wisconsin Policy Forum for the counsel.

COUNCIL ACTION REQUESTED

Motion to authorize execution of a Memorandum of Understanding with the City of Greenfield to have the Wisconsin Policy Forum study and report opportunities for shared fire services, to return to the Council with a report of opportunities no later than the Committee of the Whole or Common Council meeting the first week of June, 2019, and to authorize an expenditure of \$5,000 from General Fund Unrestricted Contingency for analysis by the Wisconsin Policy Forum of the operational opportunities and benefits of shared fire services with the City of Greenfield.

Mayor

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE <i>3/5/19</i>
REPORTS & RECOMMENDATIONS	Request to Purchase a K9 and Related Training Using Donated Funds from the Franklin Police Citizen Academy Alumni Association	ITEM NUMBER <i>G. 2.</i>

The Police Department recently had to take one its K9s out of service. The Franklin Police Citizen Academy Alumni Association has informed the department they are willing to donate at least \$12,000 to help fund the purchase and training of a new K9.

In addition, the department currently has approximately \$3,700 in its Canine Donation Account. The approximate cost of the K9 and training is \$15,000. Total funds available would be \$15,700.00.

*Not asking for approval
to spend.*

COUNCIL ACTION REQUESTED

Authorize the Police Department to accept a donation of approximately \$12,000.00 and use it, along with existing donated funds, to fund the purchase and training of a new K9.

Police Department - RO

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 19, 2019
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE SANITARY SEWER FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2019 TO ESTABLISH AN APPROPRIATION FOR ODOR MANAGEMENT IN THE RYAN CREEK INTERCEPTOR SEWER	ITEM NUMBER <i>G, 10.</i>

Background

The City adopted 2019 Budgets for all funds on Nov 13, 2018.

The City and Metropolitan Milwaukee Sewer District entered into an intergovernmental cooperation agreement to construct the Ryan Creek Interceptor Sewer in 2010. That agreement requires the City of Franklin to manage and maintain the sewer until 2031, at which time the financing of the sewer would be complete and the City has agreed to donate the project to MMSD.

The Interceptor has experienced odor issues which require maintenance work. After a study and recommendation by Ruekert-Mielke to address the odor issue, MMSD has indicated its desire to financially support the maintenance work needed. The 2019 Sanitary Sewer Budget does not have the necessary appropriations to address the issue. A budget amendment is required to establish the Grant revenue from MMSD and the appropriation to support the project.

Fiscal Impact

A \$500,000 grant resource and sewer rehab expenditure to support the project is attached.

Recommendation

Staff recommends adoption of the attached 2019 budget to establish grant resources and sewer rehab expenditure appropriations for the project, all contingent upon a successful completion of the intergovernmental cooperation agreement related to the odor rehab project.

COUNCIL ACTION REQUESTED

Motion adopting Ordinance 2019-_____ amending Ordinance 2018-2345, an Ordinance adopting the 2019 annual budgets for the Sanitary Sewer Fund for the City of Franklin for fiscal year 2019 to establish an appropriation for Odor Management in the Ryan Creek Interceptor Sewer

Roll call vote needed

Finance Dept - Paul

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2019 _____

AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE SANITARY SEWER FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2019 TO ESTABLISH AN APPROPRIATION FOR ODOR MANAGEMENT IN THE RYAN CREEK INTERCEPTOR SEWER

WHEREAS, the Common Council of the City of Franklin adopted the 2019 Annual Budgets for the City of Franklin on November 13, 2018; and

WHEREAS, the City of Franklin and Metropolitan Milwaukee Sewer District signed an intergovernmental cooperation agreement to construct the Ryan Creek Interceptor Sewer in 2010; and

WHEREAS, that Agreement requires the City to own and maintain the interceptor sewer until June 2031 when the City has indicated its willingness to donate the interceptor sewer to MMSD; and

WHEREAS, MMSD has agreed to pay all the debt service related to the construction of the interceptor sewer that the City took on to finance the project; and

WHEREAS, MMSD has indicated its willingness to enter into another intergovernmental cooperation agreement to assist with financing a project to address the an odor management issue in the interceptor sewer; and

WHEREAS, the successful completion of that intergovernmental cooperation agreement for the odor management project 2019 budget appropriations are needed to authorize the expenditures; and

WHEREAS, the Common Council desires to establish a 2019 Budget appropriation for the odor management project in the Sanitary Sewer Fund.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1 That a 2019 Budget for TID 6 shall be established for the Sanitary Sewer Fund as follows:

Sanitary Sewer Fund

Revenues	Grant Income	Increase	\$500,000
Capital Budget	Sewer Rehab	Increase	\$500,000

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

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 ____

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 19, 2019
REPORTS AND RECOMMENDATIONS	RESOLUTION TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH MILWAUKEE METROPOLITAN SEWERAGE DISTRICT FOR RYAN CREEK INTERCEPTOR ODOR CONTROL IMPROVEMENTS	ITEM NUMBER <i>G.11.</i>

BACKGROUND

At the April 17, 2018, and the July 17, 2018, Common Council meetings, Ruekert-Mielke was asked to provide evaluation services related to odor issues along W. Ryan Road and the Ryan Creek Interceptor sewer (RCI). Staff has met with Milwaukee Metropolitan Sewerage District (MMSD) staff regarding these issues since the RCI will become a MMSD asset on May 31, 2031.

ANALYSIS

As previously presented and discussed, Staff has reviewed Reukert-Mielke's June 2018 report and it is available for review in the Engineer's office. The project costs in Appendix D (Net Present Value Costs) were updated from \$268,613 to \$378,363 to reflect some updated unit prices and revised components.

The enclosed Intergovernmental Cooperation Agreement (ICA) with MMSD provides that Franklin will pay for the design and construction of up to \$450,000 of odor control improvements and MMSD will reimburse Franklin for all expenses. Aside from the previous Ruekert-Mielke evaluations, Staff time, and financing the project, Franklin is not expected to burden any of the odor control improvements.

OPTIONS

- A. Enter ICA with MMSD. Or
- B. Refer back to Staff with further direction.

FISCAL NOTE

The 2019 Sanitary Sewer Fund budget requires a budget amendment to provide appropriations for this project. The amendment would reflect the MMSD Grant as a resource and the Sewer Rehab expenditure as an appropriation. A budget amendment agenda item appears elsewhere on the agenda.

COUNCIL ACTION REQUESTED

(OPTION A) Adopt resolution 2019-_____, a resolution to enter into an intergovernmental cooperation agreement with Milwaukee Metropolitan Sewerage District for Ryan Creek Interceptor odor control improvements.

Engineering: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2019- _____

RESOLUTION TO ENTER INTO AN
INTERGOVERNMENTAL COOPERATION AGREEMENT WITH
MILWAUKEE METROPOLITAN SEWERAGE DISTRICT FOR
RYAN CREEK INTERCEPTOR ODOR CONTROL IMPROVEMENTS

WHEREAS, the City of Franklin and Milwaukee Metropolitan Sewer District (MMSD) signed an intergovernmental cooperation agreement (ICA) to construct the Ryan Creek Interceptor Sewer (RCI) in 2010; and

WHEREAS, that ICA requires the City to own and maintain the interceptor sewer until June 2031 when the City has indicated its willingness to donate the interceptor sewer to MMSD; and

WHEREAS, the RCI has been in operation since 2013 and hydrogen sulfide (H₂S) has been an issue for 13 Franklin homes connected to tributary sewers; and

WHEREAS, the City of Franklin, City of Muskego, and MMSD have worked diligently on the issue including the preparation of a Ruekert-Mielke June 2018 study; and

WHEREAS, Staff, Muskego, and MMSD agree that a construction project with an IPEX device as proposed in the Ruekert-Mielke report is most suitable; and

WHEREAS, MMSD has agreed to pay all the debt service related to the construction of the interceptor sewer that the City took on to finance the project; and

WHEREAS, MMSD has indicated its willingness to enter into another ICA to assist with financing the design and construction of the project proposed in the Ruekert-Mielke June 2018 study.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that the Mayor and City Clerk are authorized to execute an Intergovernmental Cooperation Agreement with Milwaukee Metropolitan Sewerage District for Ryan Creek Interceptor odor control improvements.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____
NOES _____
ABSENT _____

**Intergovernmental Cooperation Agreement
between the
Milwaukee Metropolitan Sewerage District
and the
City of Franklin
For Ryan Creek Interceptor Odor Control Improvements**

1. Parties

This Intergovernmental Cooperation Agreement (Agreement) is between the Milwaukee Metropolitan Sewerage District (District), acting through its Executive Director, and the City of Franklin (City).

2. Purpose

The purpose of this Agreement is to establish responsibilities for design, construction, and cost sharing to address the odor problem in the Ryan Creek Interceptor at the west end of the pipes, where the City of Muskego connects to the Ryan Creek Interceptor (hereinafter "Project").

3. Basis for this Agreement

- A. WHEREAS, the District and the City executed an Intergovernmental Cooperation Agreement (ICA) on November 8, 2010, for the construction, financing, and ownership of the Ryan Creek Interceptor located in the City; and
- B. WHEREAS, the Ryan Creek Interceptor was constructed on or about July 2011; and
- C. WHEREAS, after coming online, reports began to surface of excess odors in the area. A joint investigation among the District, City, and the City of Muskego discovered that a lack of flow in the Interceptor caused the odor problem. Specifically, because multiple pump stations pump flow over long distances to the Ryan Creek Interceptor or the Southwest Interceptor (at College Avenue and STH 100), the result is a septic environment with hydrogen sulfide (H₂S) offgas at changes in elevation in the pipe; and
- D. WHEREAS, the parties agree that an engineering solution must be effectuated to reduce the H₂S odors within the Interceptor.

4. Effective Dates

This Agreement becomes effective on the date of execution and terminates, with the exception of long-term maintenance responsibilities, on May 1, 2031, the anticipated date of the transfer of the Ryan Creek Interceptor from Franklin to the District.

5. District Responsibilities

The District will:

- (A) obtain and pay for a design for installation of odor control to reduce H₂S in the Ryan Creek Interceptor (Project summary);
- (B) reimburse the City for the cost of design and construction of the work, up to an amount not to exceed \$450,000. If actual costs for the Project will exceed this amount and the City has notified the District according to sec. 6.(F), then the District and the City may increase this amount by amending this Agreement, according to sec. 8. Any increase in this amount is contingent upon approval by the District's Commission. The District agrees that it will not unreasonably withhold such approval, and any matter upon which the District and/or District's Commission expressess disapproval, the District shall set forth the specific reasons for such disapproval in writing; and
- (C) pay to install a technology to reduce H₂S in the Ryan Creek Interceptor, including the construction of a IPEX Vortex Force in MH 44445, reconstructing a manhole, relay 30 lineal feet of pipe, restoring pipes, installing vents at three manholes, and restoring pavement.

6. City Responsibilities

The City will:

- (A) pay for preliminary engineering, oversee design, coordinate work with the City of Muskego and District, provide all permits, and oversee construction activities;
- (B) maintain the IPEX system and vents until the Ryan Creek Interceptor is transferred to the District per the terms of the original ICA and make any repairs or updates as needed, without District participation;
- (C) provide engineering services during construction and resident inspection services for the Project;
- (D) notify the District of the commencement of construction of the Project;
- (E) allow the District to inspect the Project during construction, after providing reasonable notice to the City and the construction contractor;
- (F) notify the District in writing if the not-to-exceed amount established in sec. 5.(B) will be insufficient to complete the Project. This notice will include an estimate of the amount needed to complete the Project and describe the conditions that made the original amount insufficient;
- (G) notify the District of the conclusion of construction of the Project;

- (H) keep records sufficient to segregate the construction costs for the Project; and
- (I) invoice the District for the construction costs for the Project.

7. Notices

- (A) The District will provide notices to:

Glen Morrow, PE
City Engineer
Department of Public Works
9229 W. Loomis Road
Franklin, WI 53132
414-425-7510
GMorrow@franklinwi.gov

- (B) The City will provide notices to:

Micki Klappa-Sullivan, PE, ENV SP
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, Wisconsin 53204-1446
MKlappaSullivan@mmsd.com
414-225-2178

8. Modifying this Agreement

Any modification to this Agreement will be in writing and signed by both Parties.

9. Severability

If a court finds any part of this Agreement unenforceable, then the remainder of this Agreement continues in effect.

10. Applicable Law

The laws of the State of Wisconsin apply to this Agreement.

11. Resolving Disputes

If a dispute arises under this Agreement, then the Parties will try to resolve it with the help of a mutually acceptable mediator in Milwaukee County. The Parties will equally share any costs and fees associated with the mediation, other than attorney fees. If the dispute is not resolved within 30 days after the Parties refer it to a mediator, then either Party may take the matter to

court. Venue in any action brought under this Agreement is proper only in the Circuit Court for Milwaukee County.

12. Independence of the Parties

This Agreement does not create a partnership. Neither Party may enter into contracts on behalf of the other Party.

13. Authority of Signatories

Each person signing this agreement certifies that the person is properly authorized by the Party's governing body to execute this Agreement.

15. Indemnification

The District and the City will be liable for their own negligent acts, errors, and omissions.

SIGNATURES ON NEXT PAGE

**MILWAUKEE METROPOLITAN
SEWERAGE DISTRICT**

By: _____
Kevin L. Shafer, PE
Executive Director

Date: _____

Approved as to form:

Attorney for the District

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

Date: _____

Countersigned:

By: _____
Sandra L. Wesolowski
City Clerk

Date: _____


By: _____
Paul Rotzenberg
Director of Finance and Treasurer

Date: _____

Approved as to form, this ____ day of
_____, 2019:

By: _____
Jesse A. Wesolowski
City Attorney

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/19/2019
REPORTS & RECOMMENDATIONS	Authorization to Purchase 55 Personal Computer Replacements from Paragon Development Systems (PDS) as Budgeted for in 2019	ITEM NUMBER <i>G.12.</i>

The 2018 and 2019 departmental Capital Outlay budgets included funding for IT's major Windows 10 Personal Computer (PC) Replacement and Office 2019 License Upgrade project. Instead of purchasing 120+ personal computers all in one year, half were purchased in 2018 and the other half budgeted to be purchased in 2019.

Paragon Development Systems (PDS) is recommended as the vendor for this year's 55 budgeted PC replacements. PDS is the same vendor that the City ordered the other 56 PCs from last year—an HP value-added reseller that provides uniform pricing under the State of Wisconsin contract and has consistently served the City well on some other complex network projects the last couple years.

The "Generation 7" model that was purchased in 2018 is no longer available and has been replaced with a newer "Generation 8" model. The Police Department is also requesting a DVD/RW on all of their PC replacements that wasn't anticipated and adds a nominal price increase. In order to remain closer to the \$510 allocation that was budgeted per unit for 2019, the IT Director and Director of Administration recommend purchasing 48 PC's with the fastest i3 processor and 7 PC's with i5 processors for a few higher-end users. The i3 processor has the same number of cores as the older Generation 7 processor and is actually faster in Gigahertz. A 5-year warranty extension is also included as was purchased with the 2018 bulk PC purchase. Following the above recommendation, the total purchase cost for the 55 PCs per the following breakout is \$28,606:

30 Gen 8 core i3 w/8GB RAM, DVD/RW, & 5 Yr. Warranty (Police Dept) - \$522/PC = \$15,660
18 Gen 8 core i3 w/8GB RAM & 5 Year Warranty - \$503/PC = \$9,054
7 Gen 8 core i5 w/8GB RAM & 5 Year Warranty - \$556/PC = \$3,892

The budget for these acquisitions was distributed across the departmental budgets with IT charged with responsibility for acquisition and installation. The 30 computers for the Police Department and 1 for Planning Department fall within the appropriation authorized by the Common Council at their meeting on February 19, 2019. The remaining 24 computers in total come in \$203 over the appropriations allocated across the remaining departments. This minor overage will be funded within the IT Capital Outlay budget by under spending other 2019 purchases or through use of the IT Capital Outlay Emergency Hardware account.

Given the size of this single purchase, the Department is requesting authorization to place the order. Staff recommends approval.

COUNCIL ACTION REQUESTED

Motion to authorize the IT Director to order 55 HP desktop computers from Paragon Development Systems (PDS) as recommended above and in accordance with the adopted 2019 departmental budgets, with any overages being funded within the IT 2019 Capital Outlay budget.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/19/19
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.1.
<p>See attached listing from meeting of March 19, 2019.</p> <p>COUNCIL ACTION REQUESTED</p>		



9229 W. Loomis Road
Franklin, WI 53132-9726

414-425-7500

License Committee

Agenda*

Aldermen's Room

March 19, 2019 – 6:00 pm

1.	Call to Order & Roll Call	Time:		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Class B Beer Class C Wine 2018-19 6:05 pm	Dhiman LLC Dba India Palace 7107 S 76 th St Deepak Dhiman, Agent			
Operator 6:10 pm	Ellisa SJ Reeder 1575 S 82 nd St West Allis, WI 53214 Chili's Grill & Bar			
Operator	Angela M Spingola 4169 S 5 th Pl Milwaukee, WI 53207 Buckhorn Bar & Grill			
Operator	Mallory K Villwock 8026 S 47 th St Franklin, WI 53132 Walgreens #15020			
Operator	Kristen L Wieneke 3422 E Tesch Ave St. Francis, WI 53235 Rawson Pub			
3.	Adjournment			
		Time		

*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.

APPROVAL <i>slw jol</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/19/19
Bills	Vouchers and Payroll Approval	ITEM NUMBER I. 1

Attached are vouchers dated March 2, 2019 through March 14, 2019 Nos. 172857 through Nos. 173024 in the amount of \$ 1,064,146.67. Included in this listing are EFT's Nos. 3972 through Nos. 3980 Library vouchers totaling \$ 7,014.74, Property Tax Refunds totaling \$ 596.97 and Water Utility vouchers totaling \$ 15,604.20. Also included in this listing is payment to Knight Barry which was transferred directly from the investment account. Voided checks in the amount of \$ (4,863.79) are separately listed.

Early release disbursements dated March 2, 2019 through March 13, 2019 in the amount of \$ 521,506.84 is provided on a separate listing and is also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

The net payroll dated March 15, 2019 is \$ 387,271.69 previously estimated at \$ 395,000.00. Payroll deductions dated March 15, 2019 are \$ 223,385.32 previously estimated at \$ 422,000.00.

The estimated payroll for March 29, 2019 is \$ 400,000.00 with estimated deductions and matching payments of \$ 397,000.00.

***Property Tax refunds are being issued from the City bank account with Property Tax funding City periodically.*

Attached is a list of property tax payments Nos. 17895 through Nos. 17897 dated March 2, 2019 through March 14, 2019 in the amount of \$ 5,299.43. Voided checks in the amount of \$ (234.58) are separately listed. These payments have been released as authorized under Resolution 2013-6920.

Approval to release the vouchers below once they have been approved for payment.

Quorum Architects Inc	\$ 23,500.50	City Hall Roof & HVAC
Stella Dunahee	\$ 175.50	WFMC Secretarial Duties
State of WI	\$ 11,410.52	Municipal Court Financial Report
TOTAL	\$ 35,086.52	

COUNCIL ACTION REQUESTED

Motion approving the following:

- City vouchers with an ending date of March 14, 2019 in the amount of \$ 1,064,146.67 and
- Payroll dated March 15, 2019 in the amount of \$ 387,271.69 and payments of the various payroll deductions in the amount of \$ 223,385.32 plus City matching payments and
- Estimated payroll dated March 29, 2019 in the amount of \$ 400,000.00 and payments of the various payroll deductions in the amount of \$ 397,000.00, plus City matching payments and
- Property Tax refunds and investments with an ending date of March 14, 2019 in the amount of \$ 5,299.43.
- The release of payment to miscellaneous vendors in the amount of \$ 35,086.52.

ROLL CALL VOTE NEEDED