



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of April 9, 2020

Natural Resource Special Exception

Project Name:	Mills Hotel Wyoming, LLC, (Franklin Mills/ Bear Development) Natural Resource Special Exception (NRSE)
Project Address/Tax Key:	Not Assigned: Tax Key No. 939-9994-000, and 939-9995-000
Property Owner:	Mathson, Daniel L & Virginia K (Mathson, Robert ET AL) (939-9994-000)
Applicant:	Mills Hotel Wyoming, LLC
Current Zoning:	R-2 Estate Single-Family Residence District [939-9994-000 previously received approval to be rezoned to M-2 General Industrial District; however, the CSM creating the M-2 parcel has not yet been recorded]
2025 Comprehensive Plan:	Business Park and Areas of Natural Resource Features
Applicant's Action Requested:	Recommendation to the Environmental Commission, Plan Commission, and Common Council for approval of the proposed Natural Resource Special Exception (NRSE)

INTRODUCTION:

On January 24, 2020, the applicant submitted an application for a Special Exception to Natural Resource Feature Provisions to the Department of City Development. The applicant is requesting approval to impact wetlands, wetland buffers, and wetland setbacks in order to develop on the subject land. Applications to rezone the parcel, and a site plan for the development of Copart, Inc., a global online vehicle auction company specializing in asset liquidation are currently seeking approval.

Pursuant to Section 15-10.0208 of the UDO, all requests for a Natural Resource Special Exception (NRSE) shall be provided to the Environmental Commission for its review and recommendation. The Commission recommended approval of the NRSE, subject to the conditions in the Special Exception application review and recommendation.

PROJECT DESCRIPTION:

The applicant has submitted an application for an NRSE for property bearing Tax Key No. 939 9994 000. The subject property contains several wetlands and areas of steep slopes. No impacts are proposed to the steep slopes. Staff notes that two different figures have been provided for the quantity of steep slopes: 0.11 acres is listed on the Natural Resource Protection Plan (NRPP); 0.8 was used for site intensity calculations in the Environmental Commission submittal materials. Revised calculations were not provided as of this writing. *Staff recommends that the applicant clarify the amount of steep slopes on site and revise the NRPP/ Site Intensity calculations accordingly.*

The wetland delineations were completed in April 2019, identifying several wetlands on the property. The applicant obtained letters from the Wisconsin Department of Natural Resources (DNR) dated January 8, 2020 (permit EXE-SE-2020-41-00039) and the Army Corps of Engineers (ACE) likewise dated January 8, 2020 designating two wetland area, W-1 and W-4, of the delineation report for the Mathson property as not regulated. These artificial wetlands meet the standards of §15-4.0102.J to be exempted from natural resource measurement requirements; they are therefore not subject to regulations. No impacts are proposed to W-3 on this part of the property.

The applicant's request is to impact just under 10,000 square feet of wetland identified as W-2 in the Mathson property delineation. Under separate cover on January 8, 2020, (GP-SE-2020-41-00037) the DNR granted permission to fill this wetland. The January 8 letter from the ACE likewise issues a general permit to fill this wetland.

Specifically, the exception is requested for impacts to:

- 9,969 square feet of wetland
- 19,268 square feet of wetland buffer
- 34,002 square feet of wetland a setback area including the buffer (14,734 square feet of setback outside the buffer)

The impacted wetland is part of the Ryan Creek subwatershed of the Root River (Figure 1).



Figure 1 Watershed Boundary

The standard for mitigation of wetland (§15-4.0103.B.4) and wetland buffer (§15-4.0103.B.5) requires a mitigation area of 1.5 acres of mitigation provided to every one (1) acre of impact. Plant species and soils employed must be of superior quality to the existing wetland, meaning that the applicant must choose optimal plants regardless of the quality of vegetation being replaced. The UDO further requires that the mitigation be provided on the same parcel or site for which the exception is being made. Plan Commission may allow off site mitigation within the same watershed (§15-4.0103.C).

The applicant has proposed mitigation by expanding existing wetlands elsewhere on property currently being developed by Franklin Mills/Bear, as expansion of wetlands on the subject property would render it undevelopable. During the meeting of the Environmental Commission, the applicant proposed that

remediation or enhancement of existing wetlands would be a more beneficial approach for the watershed and natural features in the area, and requested this be considered in lieu of mitigation. Upon review, the Environmental commission recommended this approach, provided the enhancement take place on the subject property. This recommendation is reflected in their review and recommendation document. Staff recommends that the applicant provide mitigation, and that said mitigation be protected by a conservation easement. Staff further recommends that areas of existing natural resources be similarly protected by easements.

The applicant has provided the attached Natural Resource Special Exemption Application, Project Description, and associated information. Staff would note:

- The wetland delineation was prepared by an Assured Delineator.
- Required permits from other units of government have been obtained.
- Conservation easements materials for existing natural resources to be preserved have been provided and are under review by the Planning Department.
- The applicant is proposing restoration of existing wetlands in lieu of mitigation, the details of which have not been fully defined yet. Submitted materials for Plan Commission detail off-site mitigation of wetlands only.
- Conservation easements for mitigation areas will need to be submitted once a proposal has been identified.

CONCLUSION:

Per Section 15-10.0208 of the Unified Development Ordinance (UDO), the applicant shall have the burden of proof to present evidence sufficient to support a Natural Resource Special Exception (NRSE) request. The applicant has presented evidence for the request by answering the questions and addressing the statements that are part of the Natural Resource Special Exception (NRSE) application. The applicant's responses to the application's questions and statements are attached for your review. *Also attached is a document titled, "City of Franklin Environmental Commission" that the Environmental Commission must complete and forward to the Common Council.* The questions and statements on this document correspond with the Natural Resource Special Exception (NRSE) application questions and statements that the applicant has answered and addressed.

At its March 25, 2020 meeting, the Environmental Commission recommended approval of the NRSE as presented at their meeting, with conditions as set forth in Section V. of the City of Franklin Environmental Commission Special Exception application review and recommendation memo.

CONCLUSION:

The Environmental Commission recommendations are contained in the decisions section of the attached draft Standards, Findings and Decision of the City of Franklin document.

Staff recommends approval of the NRSE, subject to a number of conditions such as:

- Revision of the Site Intensity Calculations to clarify the quantity of steep slopes;
- Provision of mitigation by the applicant; and
- Recording of Conservation Easements.

Draft 4/9/20

Standards, Findings and Decision
of the City of Franklin Common Council upon the Application of Mills Hotel
Wyoming, LLC, applicant, for a Special Exception
to Certain Natural Resource Provisions of the City of Franklin
Unified Development Ordinance

Whereas, Mills Hotel Wyoming, LLC, applicant, having filed an application dated January 22, 2020, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated March 25, 2020 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated April 9, 2020 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the property which is the subject of the application for a Special Exception is generally located at West Loomis Road and West Ryan Road (Lot 84 in Ryan Meadows Subdivision), zoned R-2 Estate/Single-Family Residence District, C-1 Conservancy District and R-8 Multiple-Family Residence District, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

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

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated January 22, 2020, by Mills Hotel Wyoming, LLC, applicant, pursuant to the City of Franklin Unified Development Ordinance, the proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

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

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

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

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

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

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

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

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

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

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

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

Decision

Upon the above findings and all of the files and proceedings heretofore had upon the subject application, the Common Council hereby grants a Special Exception for such relief as is described within Exhibit C, upon the conditions:

- 1) that the natural resource features and mitigation areas upon the properties to be developed be protected by a perpetual conservation easement to be approved by the Common Council prior to any development within the areas for which the Special Exception is granted prior to the issuance of any Occupancy Permits;*
- 2) that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted;*
- 3) that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for Mills Hotel Wyoming, LLC, applicant, and all other applicable provisions of the Unified Development Ordinance.*
- 4) that the applicant provide revised site intensity calculations to clarify the quantity of steep slopes prior to any land disturbing activities; and,*
- 5) Mitigation is provided by the applicant be in the form of wetland enhancement to the existing wetlands on site.*

The duration of this grant of Special Exception is permanent.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

City of Franklin Environmental Commission

TO: Common Council
DATE: March 25, 2020
RE: Special Exception application review and recommendation
APPLICATION: Mills Hotel Wyoming, LLC, Applicant, dated: January 22, 2020
(generally West Loomis Road and West Ryan Road (Lot 84 in Ryan Meadows Subdivision))

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

1. Unified Development Ordinance Section(s) from which Special Exception is requested: *The applicant is requesting an exception from §15-4.0101 Natural Resource Protection Standards, and §15-4.0102 Natural Resource Features Determination which require that identified natural resources features be protected from impacts of development.*
2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions): *The applicant is requesting to impact 9,969 square feet of farmed wetland, 19,268 square feet of wetland buffer, and a setback area totaling 34,002 square feet including the buffer (14,734 square feet of setback outside the buffer). The wetland area exists as a linear shaped swale that has been continuously farmed since at least 1937.*
3. Applicant's reason for request: *The farmed wetland is shaped and located in such a way that it bisects the site. The orientation prevents the property from being practically developed. Because the wetland is farmed and devoid of vegetation, the applicant believes it has a very low functional value.*

Federal and State Permits for the proposed wetland impact have been secured.

4. Applicant's reason why request appropriate for Special Exception: *The City of Franklin Plan Commission and City Council has approved a zoning reclassification and Certified Survey Map for this property. The intended use of the property is an extension of manufacturing use.*

The property in question is currently actively farmed for traditional row crops. The applicant completed a wetland delineation, as required by the CSM and discovered that it includes a farmed wetland which bisects the property. The swale feature, which was classified as “low-quality” wetland, is not vegetated except for seasonal row crops. Without the Natural Resource Exception, the property cannot be developed.

Upon review, both the Wisconsin Department of Natural Resources and the Army Corps of Engineers granted permits for the proposed wetland impact based on the low-quality characteristics of the wetland and the fact that the property cannot be developed without the requested impact.

The remaining wetlands on site will be perpetually protected by a Conservation Easement.

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

1. Diversity of flora including State and/or Federal designated threatened and/or endangered species: *Soybeans/Corn.*
2. Storm and flood water storage: *The property is not in a designated floodplain or floodway.*
3. Hydrologic functions: *The wetland is overland drainage swale.*
4. Water quality protection including filtration and storage of sediments, nutrients or toxic substances: *The wetland is not vegetated year-round. Runoff and sediment are not trapped or filtered by this feature.*
5. Shoreline protection against erosion: *The wetland is not adjacent to a body of water.*
6. Habitat for aquatic organisms: *The wetland is not adjacent to a body of water.*
7. Habitat for wildlife: *The wetland is not vegetated. It is actively tilled for row crop production.*
8. Human use functional value: *The proposed areas of impacts are not being used for any type of human use other than agriculture.*
9. Groundwater recharge/discharge protection: *The swale is a natural depressional area which leads to a functional wetland. Groundwater and surface water will continue to drain to the peripheral wetlands.*

10. Aesthetic appeal, recreation, education, and science value: *There is no educational or scientific function to the impacted areas. There is no aesthetic appeal.*
11. State or Federal designated threatened or endangered species or species of special concern: *Owners are not aware of any State or Federal designated threatened or endangered species on our site.*
12. Existence within a Shoreland: *The wetland is not adjacent to a body of water.*
13. Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time: *The property in question does not include any land designated as Primary or Secondary Environmental Corridor as defined by SEWRPC.*

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

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *The condition is not self-imposed.*
2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:
 - a. be unreasonably burdensome to the applicants and that there are no reasonable practicable alternatives: *The strict application of natural resource protection to this area, including wetland preservation, buffers and setbacks would render the parcel unusable.*
 - b. unreasonably and negatively impact upon the applicants' use of the property and that there are no reasonable practicable alternatives: *Applicant represents that the denial of the NRSE would be unreasonable and negatively impact the applicants proposed use of the property based on the fact that the impacts are minimal and occur in areas of degraded, farmed wetland. There are no reasonable alternatives for development of the property.*
3. The Special Exception, including any conditions imposed under this Section will:
 - a. be consistent with the existing character of the neighborhood: *The proposed impacts and resulting development will be consistent with the neighborhood, and consistent with the existing zoning and Comprehensive Plan.*

- b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: *The situation and conditions related to this project are unique. Other properties seeking the same relief would need to meet similar standards.*
- c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: *Applicant represents that the unique circumstances involved with this request is what the NRSE process was intended for.*
- d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development (*this finding only applying to an application to improve or enhance a natural resource feature*): *The applicant understands and agrees to place Conservation Easements on other natural resource features within the site, including any areas of mitigation.*

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

- 1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *The proposed improvements which cause the need for the NRSE include grading, roadways, underground utilities and lot grading. The improvements will not negatively affect surrounding properties.*
- 2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: *The exceptional, extraordinary or unusual circumstance is that the resource being impacted has been designated as low quality and is orientated in a way that prevents practical development on the remaining land.*
- 3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The future use of the property has been affirmed through recent zoning and Certified Survey Map. The future improvements will be permanent.*
- 4. Aesthetics: *There will be no negative impact to aesthetics.*
- 5. Degree of noncompliance with the requirement allowed by the Special Exception: *The NRSE is not over-reaching. Applicant represents that the specific situation is what the NRSE was intended for.*

6. Proximity to and character of surrounding property: *Applicant owns the adjacent property to the east and west. The property to the South of the site (Zoned residential) is owned by the current owner of the parcel subject to the NRSE, and has granted permission for development of the parcel and this NRSE request, prior to the property sale. Bear Development or its partners own the other surrounding properties as part of their development project for this part of Franklin.*
7. Zoning of the area in which property is located and neighboring area: *Current zoning types are a mix of residential and manufacturing, with conservation areas. The development plans for this area identify this and other parcels for rezoning to manufacturing uses.*
8. Any negative effect upon adjoining property: *There are no negative effects to the surrounding property.*
9. Natural features of the property: *The wetland resource that will be impacted consists primarily of low-quality, farmed vegetation.*
10. Environmental impacts: *There are no other environmental impacts associated with the NRSE with exception to the reduction of approximately 10,000 square feet of farmed wetland. The applicant proposes mitigation by enhancing an existing wetland that is part of the same watershed.*

V. Environmental Commission Recommendation:

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

1. The recommendations set forth in Sections III. and IV. Above are incorporated herein.
2. The Environmental Commission recommends approval of the Application upon the aforesaid recommendations for the reasons set forth therein.
3. The Environmental Commission recommends that should the Common Council approve the Application, that such approval be subject to the following conditions:
 - a. Review by the Plan Commission of revised site intensity calculations to clarify the quantity of steep slopes;
 - b. Mitigation by the applicant be in the form of wetland enhancement to the existing wetlands on site;

- c. The applicant shall obtain approval of conservation easements for those existing natural resources to be protected prior to approval of any site plan;
- d. Land upon which the mitigation is to take place shall be protected by a conservation easement as permanent natural resource features. Applicant shall obtain approval of the required easement prior to approval of any site plan.

The above review and recommendation was passed and adopted at a regular meeting of the Environmental Commission of the City of Franklin on the _____ day of _____, 2020.

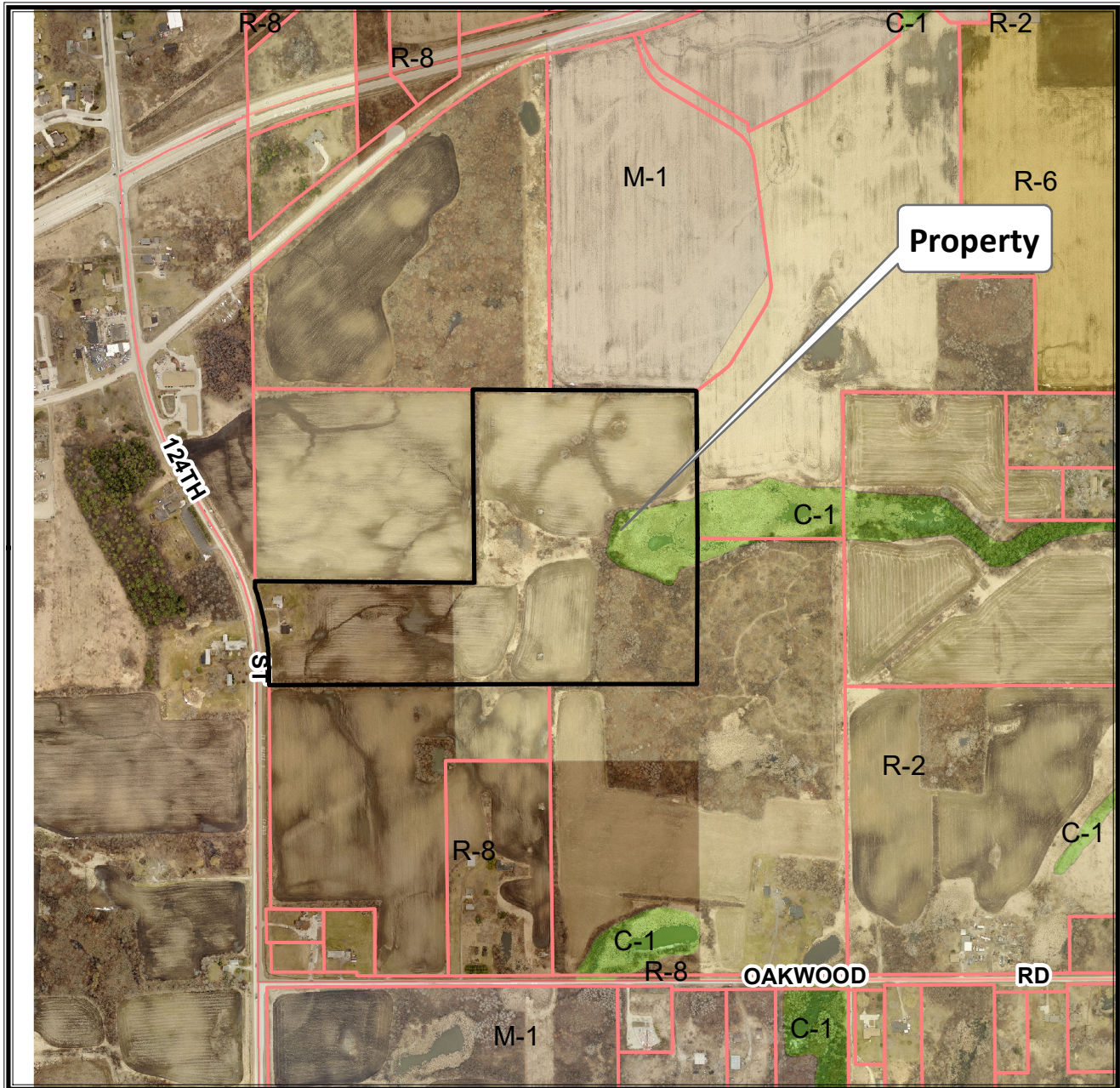
Dated this ____ day of _____, 2020.

Arthur Skowron, Chairman

Attest:

Wesley Cannon, Vice-Chairman

10082 S. 124th Street
TKN: 939 9994 000



Planning Department
(414) 425-4024

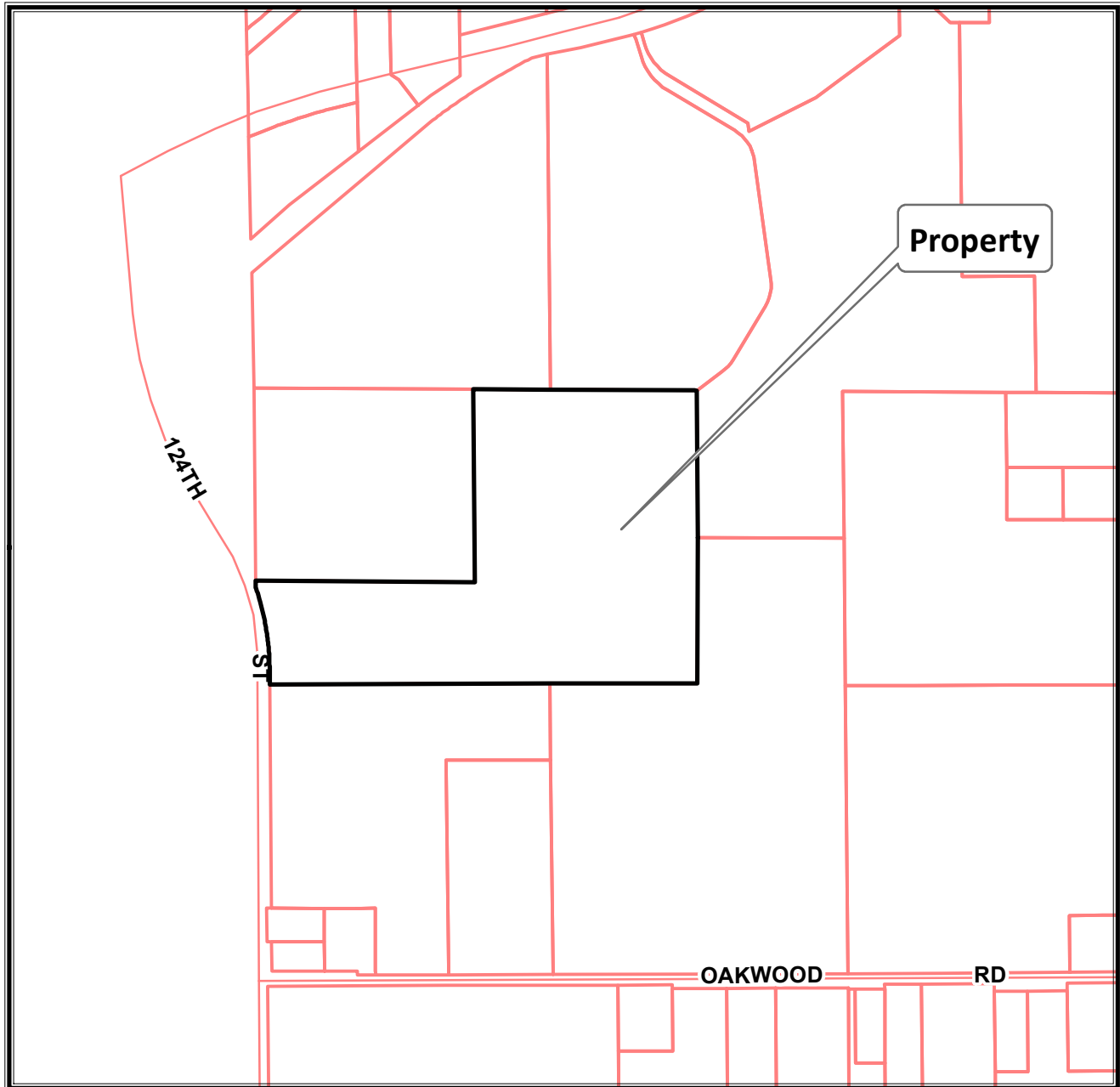
0 435 870 1,740 Feet

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


NORTH
2017 Aerial Photo



10082 S. 124th Street
TKN: 939 9994 000



Planning Department
(414) 425-4024

0 435 870 1,740 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.





March 16, 2020

Ms. Marion Ecks
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Re: Mills Hotel Wyoming – Natural Resource Special Exception

Dear Ms. Ecks:

Bear Development is pleased to submit this letter and the enclosed submittal materials as formal application for a Natural Resource Special Exception. Bear Development is acting on behalf and with authorization of the owner of record, the Mathson Family.

Property Information

Bear Development, LLC is the contract purchaser owner of approximately thirteen (13) acres of vacant land in the City of Franklin. The land is located directly south, and adjacent to, the Ryan Meadows /Loomis Business Park development.

The property in question is included in a Certified Survey Map and zoning reclassification which was approved by the City Council on December 17, 2019. The property is planned for further Industrial development.

The property subject to the Natural Resource Special Exception is part of Tax Key 939-9994-000. The property is vacant and actively farmed for traditional row crops. According to historical air photos, the subject property has been continuously farmed since at least 1937.

Specific Request

Bear Development, LLC is requesting approval of a Natural Resource Special Exception to impact 10,000 square feet of wetland.

Enclosed as part of this submittal, are the following permits which have been secured for the area in question:

- U. S. Army Corps of Engineers- Nationwide Permit
- Wisconsin Department of Natural Resources - General

Natural Resource Protection Plan

As part of our due diligence, a wetland delineation was completed on the subject property. Heartland Ecological Group identified the specific area as wetland.

Existing Conditions

The specific area exists as a actively farmed wetland. It exhibits depressional topography and acts as an overland drainage course. The wetland does not include natural vegetation or habitat.

Other Natural Resource Features

The subject property does include other wetland features on site. The Assured Wetland Delineation was submitted to the Army Corps of Engineers for a jurisdictional determination. It was determined that the identified wetlands are not waters of the United States and therefore are exempt from ACOE regulation. Because the wetlands are less than 10,000 square feet in size and are not jurisdictional, they are considered exempt from State of Wisconsin regulation and are treated the same as artificial wetland. Copies of the Jurisdictional Determination, wetlands exemptions, WDNR General Permit and Federal Nationwide Permits have been provided to City Staff.

Proposed Use

Bear Development, LLC has secured a Certified Survey Map and M-2 zoning on the subject property. The property is proposed as an extension of industrial commercial uses which are proposed within the Loomis Business Park and those uses existing along STH 45.

Because of the shape, size and orientation of the farmed wetland. This property cannot be practically or economically developed without the Natural Resources Special Exception.

The particular wetland has been evaluated and analyzed by both the U.S. Army Corps of Engineers and the Wisconsin Department of Natural Resources. Both agencies have granted permits to impact the wetland.

We appreciate your time and consideration of this matter and respectfully request approval of the Natural Resource Exception to disturb the identified feature on the project site. Please note that our project includes the permanent preservation of significant open space including Conservation and Landscape Bufferyard Easements which will be recorded with the approved Certified Survey Map.

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

Thank you for your time and consideration.

Respectfully,

Daniel Szczap
Bear Development, LLC

City of Franklin

Department of City Development

Date: March 6, 2020

To: Franklin Mills, LLC

From: City Development Staff

RE: Bear Franklin Natural Resource Special Exception – Staff Comments

Please be advised that staff has reviewed the above referenced materials. Department comments are as follows for the Natural Resource Special Exception (NRSE) materials submitted by Mr. Daniel Szczap of Bear Development LLC, on behalf of Franklin Mills, LLC date stamped by the City of Franklin on January 24, 2020.

Unified Development Ordinance (UDO) Requirements:

Natural Resources

1. Clearly illustrate and enumerate all natural resource features as required by §15-4.0102 and §15-7.0201.I. If a category of natural resource is not present, indicate that in the table on the map.
Included in the resubmittal is a revised Natural Resource Protection Plan which identifies all natural resource features.
2. In accordance with §15-40102.K and §15-3.0501.B, and §15-7.0201.N, please provide site intensity calculations using the methodology described in Division 15-3.0500
Site Intensity Calculations are provided.
3. Pursuant to §15-4.0102.K and §15-7.0201.J of the UDO, please clearly indicate the amount and type of natural resource features to be impacted.
 - a. Pursuant to §15-4.0102.I of the UDO, please indicate the amount of *wetland*, and wetland *setbacks* and *buffers*, both total and to be impacted.

Wetland:	9,969 SF
Wetland Buffer:	19,628 SF
Wetland Setback:	34,002 SF
 - b. Any areas of temporary disturbance (construction access, staging areas, etc.) should be noted separately.
N/A
 - c. Calculations should include information about all wetlands to be impacted. Wetlands that have been designated as artificial do not need to be included.
Completed.

4. Pursuant to §15-4.0102.K. of the UDO, please clearly indicate the amount and type of any areas of overlapping natural resource features.

There are no overlapping natural resources.

5. Pursuant to §15-4.0102.K. of the UDO, please indicate the amount of each natural resource feature to be protected by a conservation easement.

A Conservation Easement Exhibit has been provided.

6. Pursuant to §15-4.0103 and §15-10.0208.B.3.b., please describe the mitigation you will provide for the natural resource impacts. Note that, as required by §15- 4.0103.B.1.d, land upon which the mitigation is to take place shall be protected by a conservation easement as permanent natural resource features. Please submit the required easement and exhibits.

- a. Note that the standard for wetland mitigation is 1.5 acres of compensation for each 1 acre of impact.

A narrative and map regarding potential mitigation areas has been provided.

Natural Resource Protection Plan (NRPP)

7. As required by §15-7.0201.C, please names, addresses, and telephone numbers of the owners, subdividers, lessee and/or developer(s) of the property and of the designer of the plan shall be shown on the plan.

Completed.

8. In accordance with §15-7.0201.F and §15-7.0201.K, please show the location of any current or proposed easements on the subject property on the NRPP. Likewise, in accordance with §15-7.0201.H indicate the location and dimensions of all permanent easements on the subject property boundary lines and adjacent to the site.

Please see attached Conservation Easement Exhibit.

9. Conservation easements are required for those natural resources to be protected, pursuant to §15-7.0201.K. of the UDO. Staff notes that a conservation easement has been submitted for the remaining wetland areas and is under review. Easements for mitigation areas need to be submitted.

The easement for the mitigation area will be provided when the mitigatoion area has been identified.

Natural Resource Special Exception (NRSE)

10. Pursuant to §15-9.0110.A. of the UDO, please indicate the name and address of all abutting property owners.

Provided.

11. As required by §15-9.0110.B, please provide an electronic copy of the Plat of Survey for the portion of the subject property owned by Franklin Mills LLC

Provided.

12. Pursuant to §15-9.0110.C.5, please provide the date of any previous application or request for a Special Exception pertinent to the subject property, and the disposition of that previous application or request.

N/A.

Additional Staff Recommendations

13. Staff recommends that the Project Summary be revised to include information about all the natural resources on the property, including those which have received exemptions from other units of government.

Provided.

14. Staff recommends that the applicant provide a copy of the proposed future site plan with the NRSE.

Provided.

Engineering Department Comments

Lot 84 of Ryan Meadows does not exist yet. See the address W. Loomis Rd & W. Ryan Rd, 10082 South 124th Street.

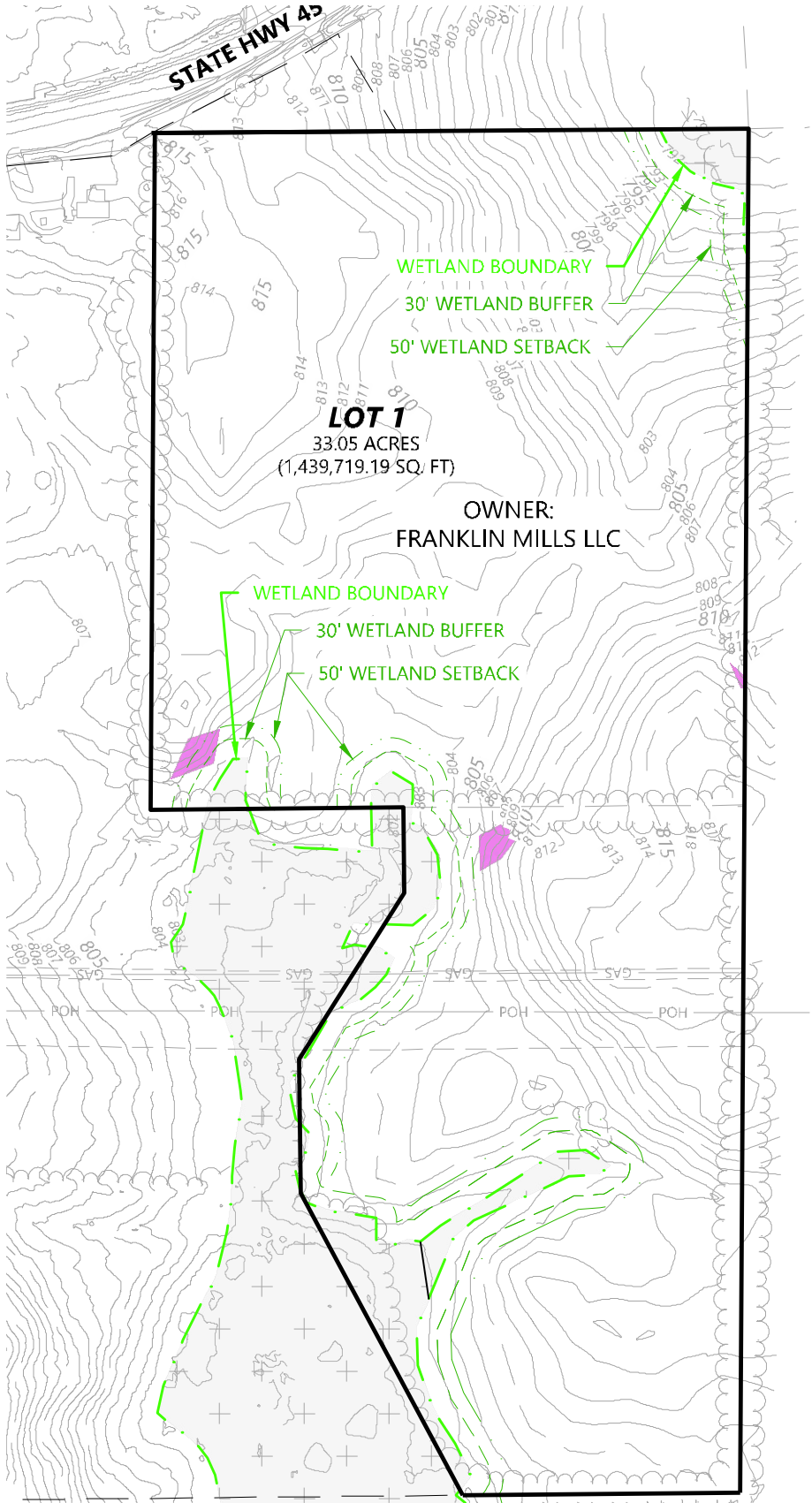
N/A

Police Department Comments

The Franklin Police Department has reviewed the Natural Resource Exception Application for Lot 84 Ryan Meadows. The Police Department has no issues with this request.

Fire Department Comments

The fire department has no position on the NRSE at this location.



NATURAL RESOURCE FEATURE AREAS	
RESOURCE TYPE	LOT 1
<div></div> STEEP SLOPES (10%-20%)	0.11 AC (4,748 SF)
<div></div> STEEP SLOPES (20%-30%)	0 AC (0 SF)
<div></div> STEEP SLOPES (30%+)	0 AC (0 SF)
<div></div> DELINEATED WETLAND*	1.62 AC (70,687 SF)
<div></div> DELINEATED WETLAND BUFFER (30' OFFSET)	2.29 AC (99,539 SF)
<div></div> DELINEATED WETLAND SETBACK (50' OFFSET)	3.99 AC (174,009 SF)
<div></div> MATURE WOODLAND***	0 AC (0 SF)

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

NATURAL RESOURCE FEATURE AREAS	
RESOURCE TYPE	LOT 1
LAKES & PONDS	0 AC (0 SF)
STREAMS	0 AC (0 SF)
SHORE BUFFERS	0 AC (0 SF)
FLOODPLAINS/FLOODWAYS	0 AC (0 SF)
OVERLAPPING RESOURCES	.03 AC (1,300 SF)



0' 250' 500'

N:\0023687\00\DWG\CONCEPTS & EXHIBITS\0023687\SK05-LOT 1 ONLY.DWG

FRANKLIN PROPERTY

FRANKLIN PROPERTY
FRANKLIN, WI

Westwood

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

NATURAL
RESOURCES
PROTECTION PLAN -
LOT 1

SHEET NUMBER:

1 OF 1

DATE: 03/11/2020

0023687.00

Table 15-3.0502**Worksheet for the Calculation of Base Site Area for Both Residential and Nonresidential Development**

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	33.05	acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	1.6	acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	0	acres
STEP 4:	In the case of "Site Intensity and Capacity Calculations" for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of "Site Intensity and Capacity Calculations" for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	0	acres
STEP 5:	Equals "Base Site Area"	31.45	acres

Table 15-3.0503

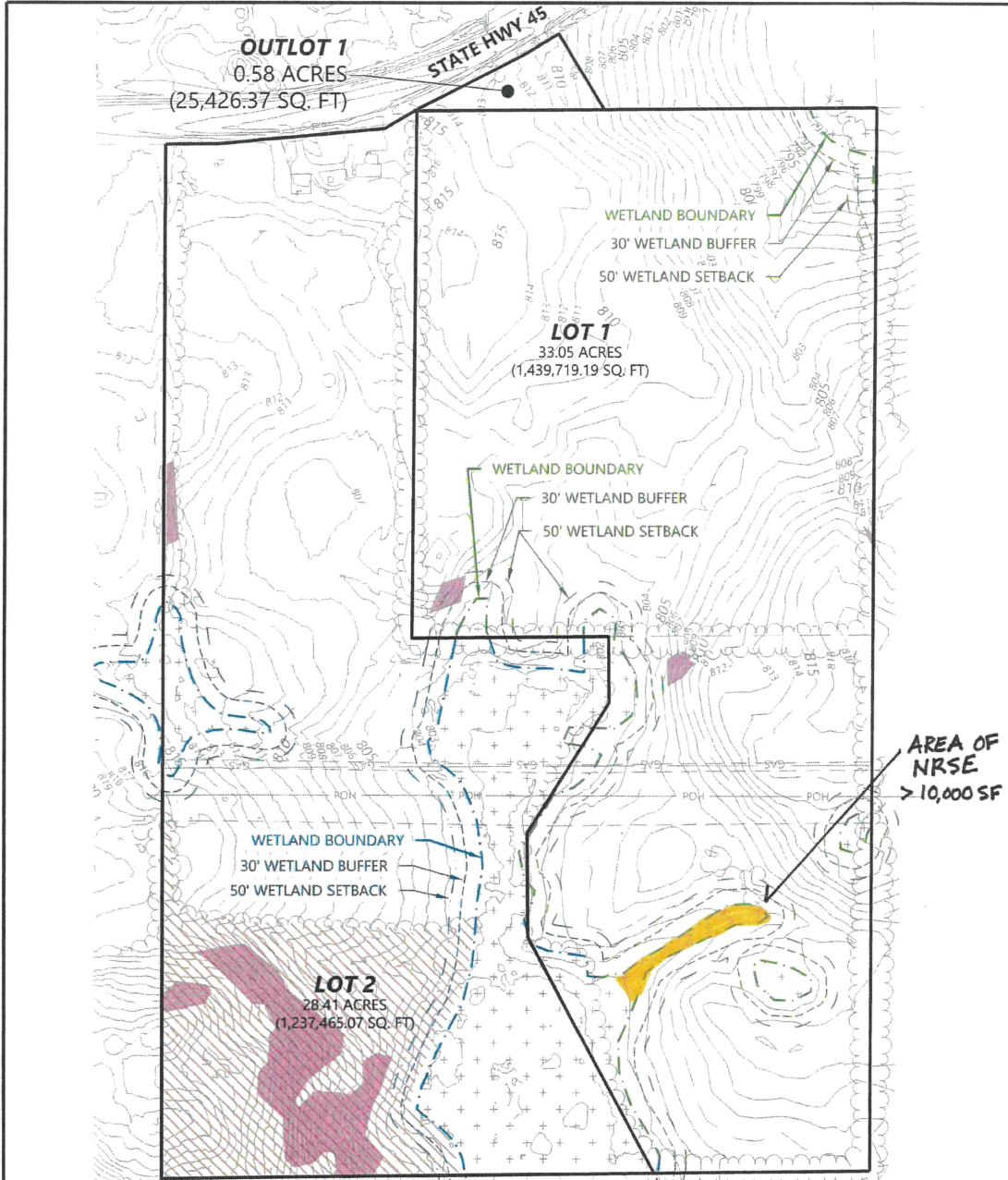
Worksheet for the Calculation of Resource Protection Land

Natural Resource Feature	Protection Standard Based Upon Zoning District Type			Acres of Land in Resource Feature	
	Agricultural	Residential	Non-Residential		
Steep Slopes:					
10-19%	0.00	0.60	0.40	.40x.08=	0.03
20-30%	0.65	0.75	0.70	-	-
+30%	0.90	0.85	0.80	-	-
Woodlands & Forests:					
Mature	0.70	0.70	0.70	-	-
Young	0.50	0.50	0.50	-	-
Lakes & Ponds	1.00	1.00	1.00		
Streams	1.00	1.00	1.00	-	-
Shore Buffer	1.00	1.00	1.00	-	-
Floodplains	1.00	1.00	1.00	-	-
Wetland Buffers	1.00	1.00	1.00	1x2.29	2.29
Wetlands & Shoreland	1.00	1.00	1.00	1x1.62	1.62
Total Resource Protection Land				3.94	Acres

Table 15-3.0505

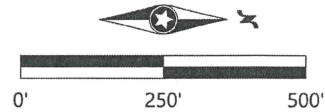
Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development

STEP 1:	Calculate minimum required landscape surface: Base Site Area x Landscape Surface Ratio = Minimum Required On-Site Landscape Surface	11.01	acres
STEP 2:	Calculate Net Buildable Site Area: Base Site Area - Total Resource Protection Land or Min. Required Landscape Surface = Net Buildable Site Area	20.44	acres
STEP 3:	Calculate Maximum Net Floor Area Yield of Site: Net Buildable Site Area x NFAR = Maximum Net Floor Area Yield of Site	17.38	acres
STEP 4:	Calculate Maximum Gross Floor Area Yield of Site: Base Site Area x GFAR = Maximum Gross Floor Area Yield of Site	17.30	acres
STEP 5:	Determine Maximum Permitted Floor Area of Site: Lowest of MNFAY/MGFAY x 43,560	17.30	



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

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



N:\0023687\00.DWG\CONCEPTS & EXHIBITS\0023687SK05.DWG

FRANKLIN PROPERTY

FRANKLIN PROPERTY
FRANKLIN, WI

Westwood

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

NATURAL
RESOURCES
PROTECTION PLAN

SHEET NUMBER:
1 OF 1
DATE: 10/03/19

0023687.00

January 22, 2020

Regulo Martinez-Montilva
Associate Planner-Department of City Development
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Re: Franklin Mills – Natural Resource Special Exception Application

Dear Mr. Martinez-Montilva:

Please accept this letter as authorization for Daniel Szczap of Bear Development, LLC to make application for a Natural Resources Special Exception application for the property identified as Tax Key No. 939-9994-000. The property is owned by the Mathson Family and is currently under contract to purchase with Bear Development, LLC.

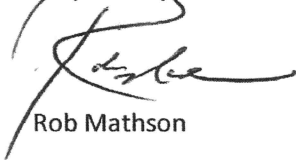
The application submitted by Bear Development; LLC is fully supported by the Mathson Family. We understand that the Natural Resource Special Exception is related to a portion of land which was delineated as a wetland by the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

The subject property has been continually farmed during the period in which the Mathson family has owned the property. It exists and remains as a farmed portion of our property. The size, shape and orientation of this "wetland" is an impediment to future development potential for the property. As such, we support the application and urge the Environmental Commission, Plan Commission and Common Council to approve the Natural Resource Exception as proposed.

Thank you for your initial review and comment related to the required Landscape Bufferyard Easements proposed

Should you have any questions or concerns, please contact me. I can be reached at (262) 370-3850

Respectfully,

A handwritten signature in black ink, appearing to read "Rob Mathson", written over a horizontal line.

Rob Mathson

Abutting Property Owners

891-9007-000

Strauss Investments, LLC
5129 N. Franklin Drive
Franklin, WI 53132

891-9999-000

Franklin One, LLC
333 Bishop's Way #160
Brookfield, WI 53005

939-9994-000

Daniel & Virginia Mathson
19370 Killarney Way
Brookfield, WI 53045

891-9010-000

Mills Hotel Wyoming, LLC
4015 80th Street
Kenosha, WI 53142

MSKC2260998001

Bethlehem Evangelical Lutheran Church
W124 S9995 North Cape
Muskego, WI 53150

D&J and Sons, LLC

S95 W14509 Ryan Drive
Muskego, WI 53150-4717

Franklin Mills Natural Resources Special Exception

Mitigation Proposal

Franklin Mills, LLC is proposing to impact 9,969 square feet of wetland.

The wetland buffer associated with the impacted wetland is 19,268 square feet.

Per City of Franklin requirements Franklin Mills will work to provide the following to off-set the impacted wetland:

Wetland: 9969 SF x 1.5= 14,953 SF of wetland

Wetland Buffer: 19,268 x1.5 = 28,902 of wetland buffer

A total area of 43,855 of land must be included in a Conservation Area to compensate for the 9,969 square feet of impact.

We have identified areas located on our property within Franklin and within the watershed that may be suitable for mitigation. The most effective areas to evaluate for mitigation are areas directly adjacent to existing wetlands that can be manipulated to increase the footprint and hydrology of the wetland resource. Another alternative, if acceptable to the City, would be wetland enhancement, by which a degraded or farmed wetland is enhanced to provide an ecological lift to a given resource.

Please note that the wetland we propose to impact is a highly degraded farmed wetland, which lacks native vegetation. Therefore, it has a very low ecological value. This wetland has been evaluated by the Army Corps of Engineers and Wisconsin Department of Natural Resources. Both agencies have granted wetland impact permits without any mitigation requirements.

While we understand the intent of the City of Franklin to require wetland mitigation, the process and requirements are not well-defined. When required by the ACOE or WDNR to mitigate wetlands, wetland credits are purchased from an approved commercial wetland mitigation bank. This does not appear to be an option provided by the UDO.

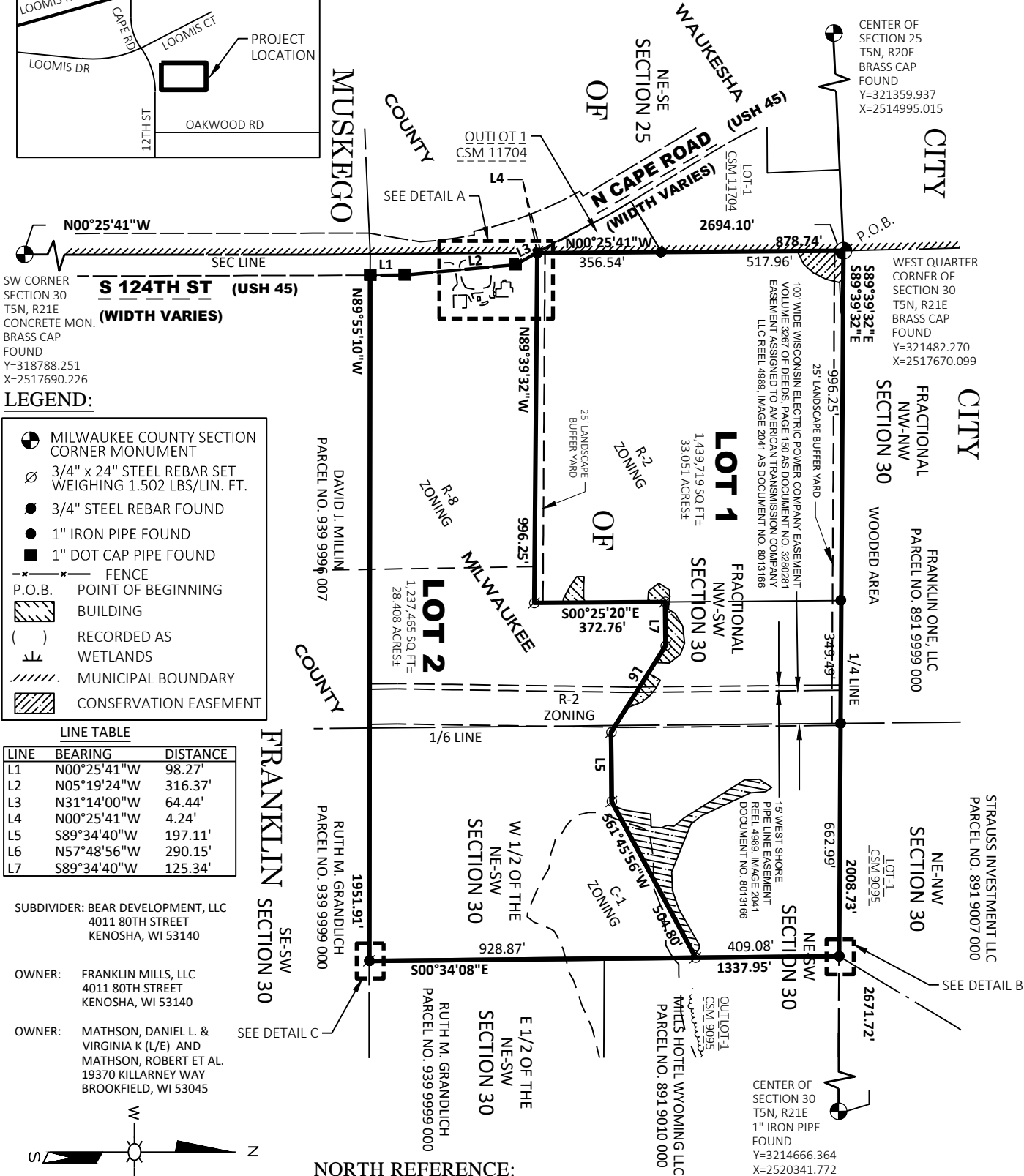
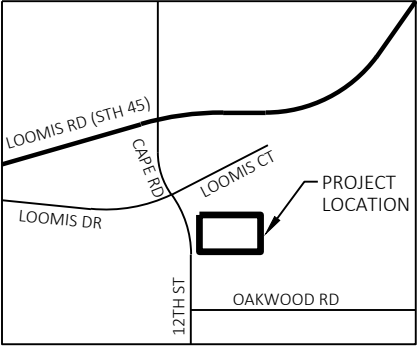
Wetland mitigation is a mix of science and art and requires the ideal situation to be successful near and long term. It will take significant time, study and resources to perform wetland mitigation on a site this small and in the limited area in which to establish an artificial wetland. The City may consider accepting a bond or other surety until a suitable site can be identified.



CERTIFIED SURVEY MAP NUMBER

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

LOCATION MAP:



LEGEND:

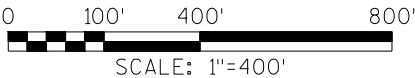
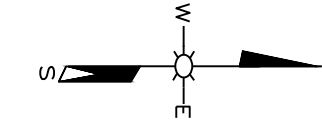
- MILWAUKEE COUNTY SECTION CORNER MONUMENT
- 3/4" x 24" STEEL REBAR SET WEIGHING 1.502 LBS/LIN. FT.
- 3/4" STEEL REBAR FOUND
- 1" IRON PIPE FOUND
- 1" DOT CAP PIPE FOUND
- FENCE
- P.O.B. POINT OF BEGINNING
- BUILDING
- RECORDED AS
- WETLANDS
- MUNICIPAL BOUNDARY
- CONSERVATION EASEMENT

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

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

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

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



NORTH REFERENCE:

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

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

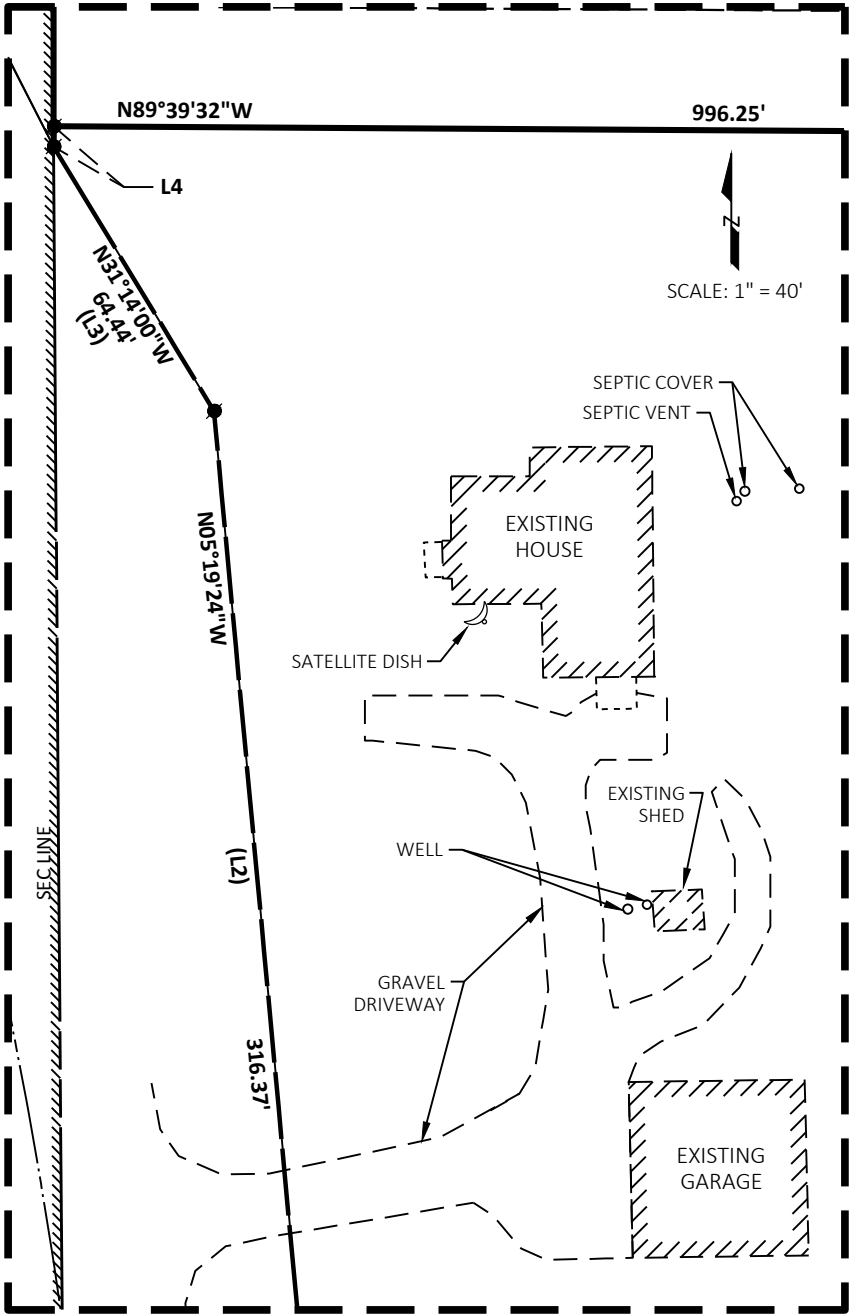
SURVEY FOR:	CITY OF FRANKLIN CSM
	SECTION 30, T5N, R21E
	CITY OF FRANKLIN
	MILWAUKEE COUNTY, WISCONSIN

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

CERTIFIED SURVEY MAP NUMBER

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

DETAIL A



NORTH REFERENCE:

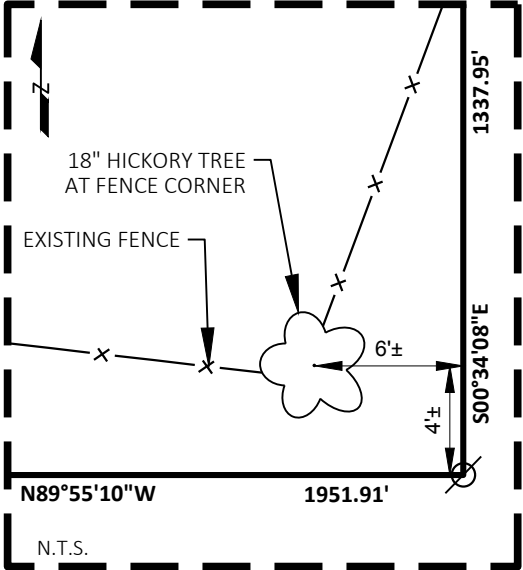
BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27) (JAN. 2016) WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, T5N, R21E ASSUMED TO BEAR S89°39'32"E

LEGEND:

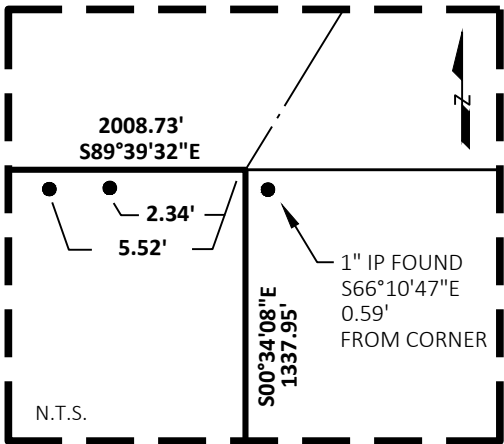
- MILWAUKEE COUNTY SECTION CORNER MONUMENT
- 3/4" x 24" STEEL REBAR SET WEIGHING 1.502 LBS/LIN. FT.
- 3/4" STEEL REBAR FOUND
- 1" IRON PIPE FOUND
- 1" DOT CAP PIPE FOUND
- FENCE
- P.O.B. POINT OF BEGINNING
- BUILDING
- RECORDED AS
- WETLANDS

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

DETAIL C



DETAIL B



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

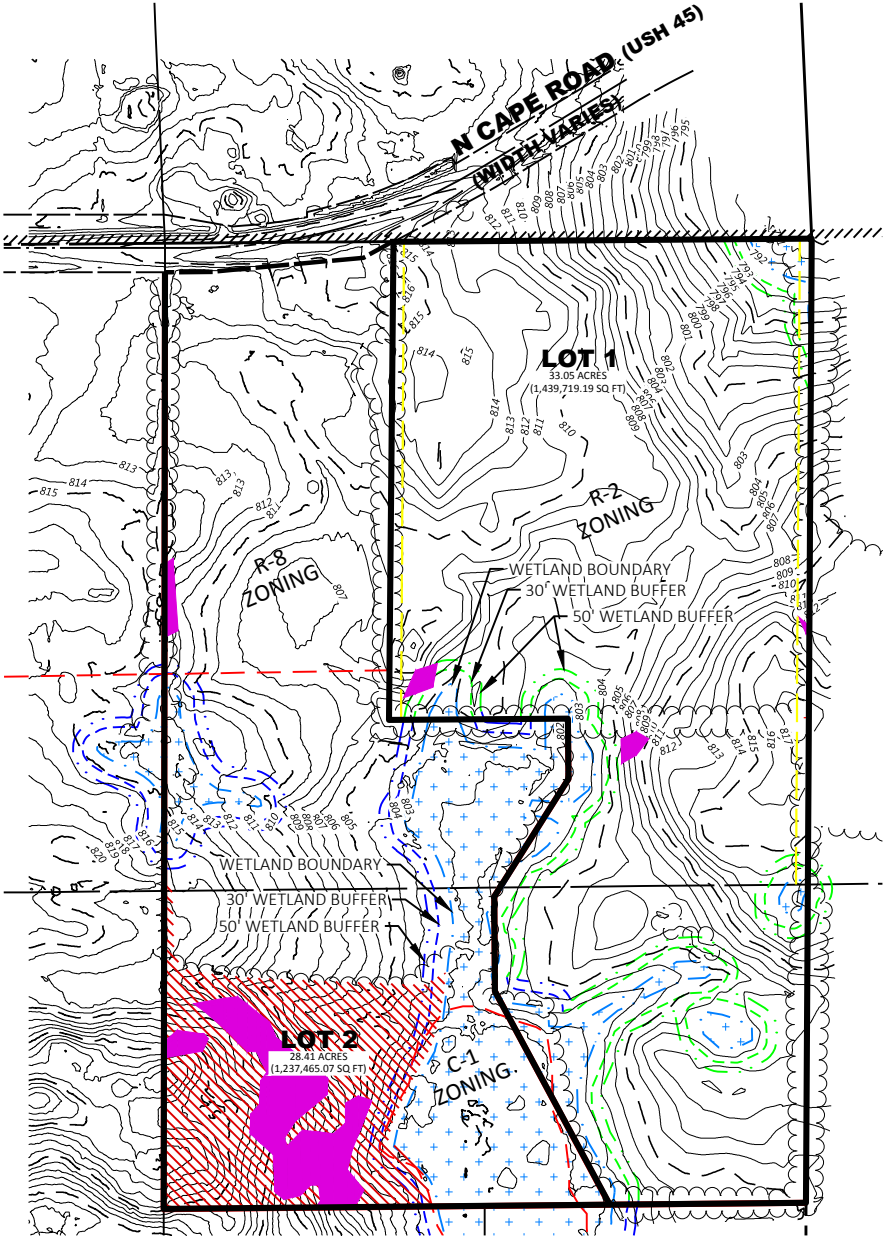
SURVEY FOR: CITY OF FRANKLIN CSM
SECTION 30, T5N, R21E
CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

OMNI ASSOCIATES

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

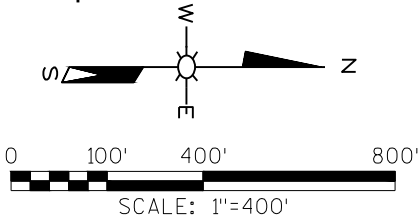
CERTIFIED SURVEY MAP NUMBER

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



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

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



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

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

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

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

CERTIFIED SURVEY MAP NUMBER

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

SURVEYOR'S CERTIFICATE:

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

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 30;
THENCE S89°39'32"E COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, A DISTANCE OF 2008.73 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30;
THENCE S00°34'08"E COINCIDENT WITH THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 1337.95 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF;
THENCE N89°55'10"W COINCIDENT WITH THE SOUTH LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 1951.91 FEET TO THE EXISTING EASTERLY RIGHT-OF-WAY LINE OF S 124TH STREET (U.S.H. "45");
THENCE N00°25'41"W COINCIDENT WITH SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 98.27 FEET;
THENCE N05°19'24"W COINCIDENT WITH SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 316.37 FEET;
THENCE N31°14'00"W COINCIDENT WITH SAID EXISTING EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 64.44 FEET TO A POINT ON WEST LINE OF THE FRACTIONAL NORTHWEST OF THE SOUTHWEST QUARTER OF SECTION 30.
THENCE N00°25'41"W COINCIDENT WITH SAID WEST LINE A DISTANCE OF 878.74 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 61.460 ACRES (2,677,184 SQUARE FEET) MORE OR LESS.

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

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES AND THE UNIFIED DEVELOPMENT ORDINANCE - DIVISION 15 OF THE CITY OF FRANKLIN IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DAVID A. YURK PLS, S-2648

DATED

DATE 10-8-19	DIRECTORY NO. -----	SURVEY FOR: CITY OF FRANKLIN CSM SECTION 30, T5N, R21E CITY OF FRANKLIN MILWAUKEE COUNTY, WISCONSIN	 <div>OMNI ASSOCIATES ONE SYSTEMS DRIVE APPLETON, WI 54914 PHONE (920) 735-6900 FAX (920) 830-6100</div>
PROJECT NO. S3399A19	DRAFTED BY JBM		
SHEET 4 OF 7	DRAWING NAME CSM		

CERTIFIED SURVEY MAP NUMBER

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

NOTES:

1. HORIZONTAL DATUM IS BASE ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM GRID, SOUTH ZONE (NAD-27) BEARINGS AND DISTANCES ARE GROUND VALUES.
2. A LAND DIVISION VARIANCE HAS BEEN GRANTED BY THE CITY OF FRANKLIN PERTAINING TO THE LACK OF ACCESS TO A PUBLIC STREET, SUBJECT TO THE ALLOWED ACCESS VIA EASEMENT THROUGH OUTLOT 1 OF CSM NO. 11704, THAT SUCH ACCESS SHALL BE GRANTED IN PERPETUITY, AND IF AT ANY TIME SHOULD SUCH ACCESS BE REMOVED, THAT THE SUBJECT LOT SHALL BECOME NON-CONFORMING IN REGARD TO SUCH ACCESS.
3. UPON FURTHER LAND DIVISION OR DEVELOPMENT OF LOT 2 A COMPLETE NATURAL RESOURCE PROTECTION PLAN IN COMPLIANCE WITH DIVISION 15-7.0200 OF THE UNIFIED DEVELOPMENT ORDINANCE SHALL BE SUBMITTED TO THE DEPARTMENT OF CITY DEVELOPMENT FOR REVIEW AND APPROVAL. ANY CONSERVATION EASEMENTS SHALL BE DETERMINED THEREAFTER.
4. C-1 ZONING OCCURRING ON LOT 1 AND LOT 2 SHALL BE REZONED WITH ALL PROTECTED NATURAL RESOURCES BEING PROTECTED BY A CONSERVATION EASEMENT UPON FUTURE DEVELOPMENT OF FURTHER LAND DIVISION
5. UPON FURTHER LAND DIVISION OR DEVELOPMENT OF LOT 2, THE PROPERTY SHALL BE REZONED TO A SINGLE ZONING DISTRICT
6. SECTION 15-5.0108 BUILDING SETBACK LINES NOTES BELOW:

A. PLAN COMMISION MAY INCREASE MINIMUM REQUIRED SETBACK LINES. BUILDING SETBACK LINES APPROPRIATE TO THE LOCATION AND TYPE OF DEVELOPMENT CONTEMPLATED, WHICH ARE MORE RESTRICTIVE THAN THE REGULATION OF THE ZONING DISTRICT IN WHICH THE SUBDIVISION, CERTIFIED SURVEY MAP, OR CONDOMINIUM IS LOCATED, MAY BE REQUIRED BY THE PLAN COMMISSION.

B. MINIMUM REQUIRED BUILDING SETBACKS FROM ARTERIAL STREETS AND HIGHWAYS. UNLESS A GREATER SETBACK DISTANCE IS SPECIFIED IN DIVISIONS 15-3.0300, DIVISION 15-3.0400, OR ELSEWHERE IN THIS ORDINANCE, THE MINIMUM REQUIRED SETBACK FROM THE ULTIMATE RIGHT-OF-WAY LINE OF ALL ARTERIAL STREETS AND HIGHWAYS (AS SPECIFIED BY THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN, OR COMPONENTS AND/OR AMENDMENTS THERETO) SHALL BE FORTY (40) FEET. AN EXCEPTION TO THIS REQUIREMENT, HOWEVER, SHALL BE THAT SEGMENT OF W. ST. MARTINS ROAD (CTH MM) WITHIN THAT AREA DEFINED AS THE "VILLAGE OF ST. MARTINS" IN THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN.
7. LOT 1 AND LOT 2 IS NOT SERVED BY PUBLIC SANITARY SEWER AND WATER
8. FOR THOSE WETLANDS DEEMED ARTIFICIAL BY THE WISCONSIN DEPARTMENT OF NATURAL RECOURSES/US ARMY CORPS OF ENGINEERS OR OUTSIDE THEIR JURISDICTIONS, THE REQUIREMENT OF CONSERVATION EASEMENT IS VOID.
9. MUNICIPAL ZONING REQUIREMENTS BELOW:

SITE IS ZONED: C-1 CONSERVANCY DISTRICT

SITE IS ZONED: R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT
MUNICIPAL CODE: SEC. 15-3.0202
SPECIAL USE: PERMITTED USE "CONVENTIONAL SUBDIVISION"
MINIMUM FRONT YARD: 60 FEET
MINIMUM SIDE YARD: 20 FEET (c)
MINIMUM REAR YARD: 30 FEET (c)

SITE IS ZONED: R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT
MUNICIPAL CODE: SEC. 15-3.0209
SPECIAL USE: SINGLE-FAMILY DETACHED D.U.s AND
MAXIMUM TWO-ATTACHED D.U.s (TWO-FAMILY STRUCTURES)
FRONT SETBACK: 25 FEET (e)
SIDE SETBACK: 5 FEET (e)
REAR SETBACK: 25 FEET D.U. & 10 - GARAGE (e)

SITE IS ZONED: R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT
MUNICIPAL CODE: SEC. 15-3.0209
SPECIAL USE: MULTIPLE-FAMILY ATTACHED DWELLING UNITS
WITH MORE THAN TWO D.U.s PER STRUCTURE
FRONT SETBACK: 30 FEET (c)(e)
SIDE SETBACK: 20 FEET (d)(e)
REAR SETBACK: 30 FEET (e)

(c) PLUS ONE (1) ADDITIONAL FOOT FOR EACH TWO (2) FEET
OVER THIRTY-FIVE (35) FEET OF BUILDING HEIGHT.
(d) PLUS FIVE (5) ADDITIONAL FEET FOR EACH ADDITIONAL
STORY ABOVE TWO (2) STORIES OF BUILDING HEIGHT.
(e) SEE SECTION 15-5.0108 FOR INCREASED SETBACK
REQUIREMENTS ALONG ARTERIAL STREETS AND HIGHWAYS.

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

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



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

CERTIFIED SURVEY MAP NUMBER

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

OWNER'S CERTIFICATE:

AS OWNERS, DANIEL L. MATHSON AND VIRGINIA K. MATHSON, AS LIFE TENANT AND ROBERT MATHSON, LESLIE MATHSON AND THOMAS P. POBEREZNY AND SHARON M. POBEREZNY, AS CO-TRUSTEE'S OF THE POBEREZNY REVOCABLE TRUST. WE DO HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED, AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP. I ALSO CERTIFY THAT THIS CSM IS REQUIRED BY S. 236.10 OR 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF FRANKLIN

DANIEL L. MATHSON
DATE

LESLIE MATHSON
DATE

VIRGINIA K. MATHSON
DATE

THOMAS P. POBEREZNÝ	DATE
---------------------	------

ROBERT MATHSON
DATE

SHARON M. POBEREZNYY _____ DATE _____

STATE OF WISCONSIN:

SS

COUNTY OF _____ :

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

NOTARY PUBLIC COUNTY, WISCONSIN

MY COMMISSION EXPIRES _____

CITY OF FRANKLIN COMMON COUNCIL APPROVAL:

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

SIGNED THIS _____ DAY OF _____, 2019

STEPHEN OLSON, MAYOR	DATE
----------------------	------

SANDRA L. WESOLOWSKI, CITY CLERK DATE

DATE 10-8-19	DIRECTORY NO. -----
PROJECT NO. S3399A19	DRAFTED BY JBM
SHEET 6 OF 7	DRAWING NAME CSM

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

Omni
ASSOCIATES

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

CERTIFIED SURVEY MAP NUMBER

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

OWNER'S CERTIFICATE:

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

MEMBER _____ DATE _____

STATE OF WISCONSIN:

SS
COUNTY OF _____ :

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

NOTARY PUBLIC _____ COUNTY, WISCONSIN

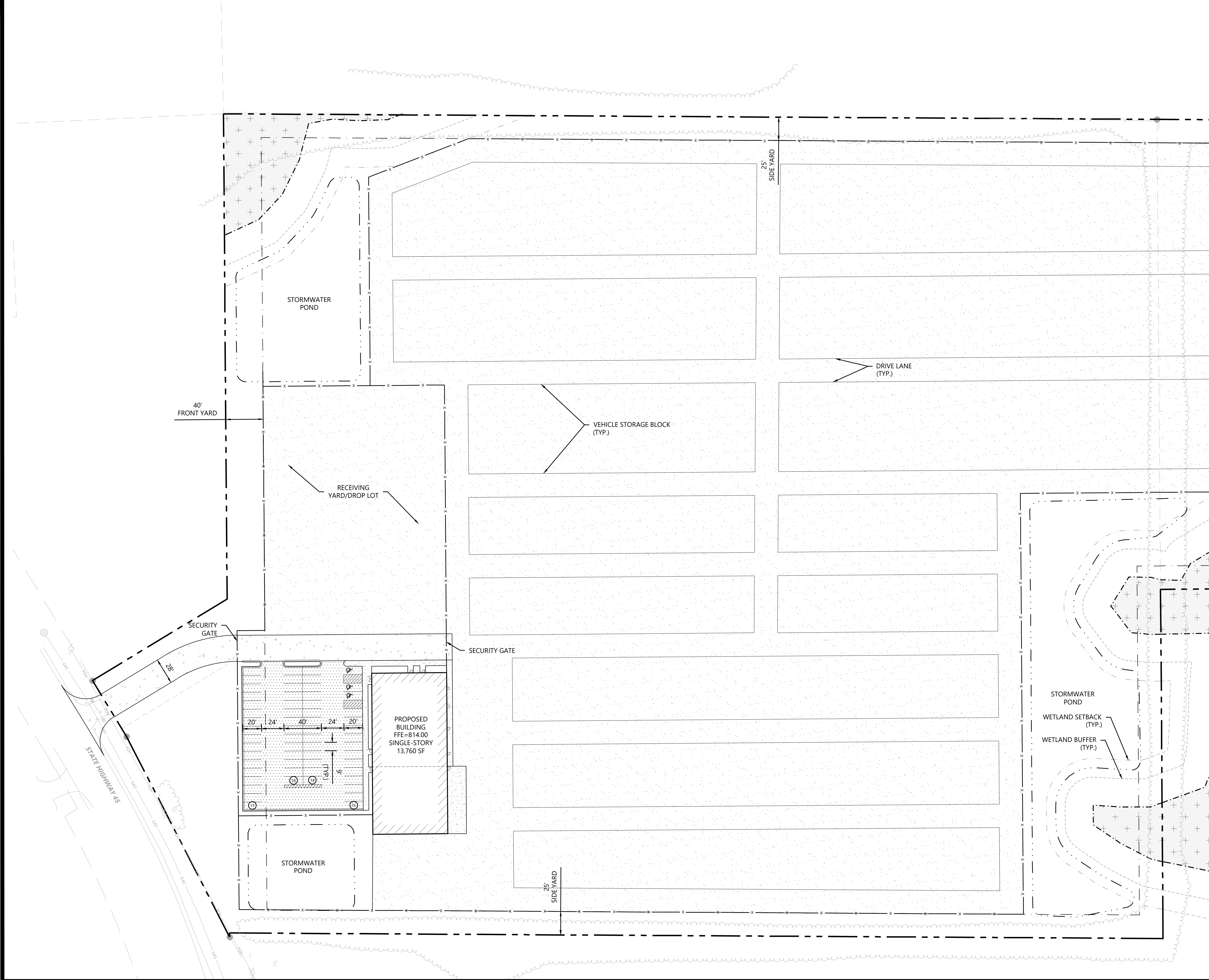
MY COMMISSION EXPIRES _____

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

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



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



SITE LEGEND

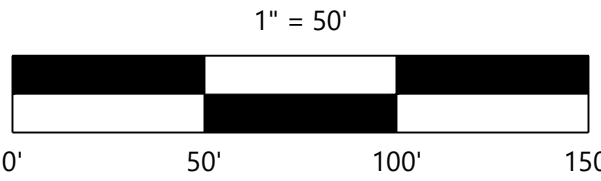
EXISTING	PROPOSED	
		PROPERTY LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		MASONRY FENCE
		METAL PANEL FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		BITUMINOUS PAVEMENT
		ROCK OR GRAVEL SURFACING
		WETLAND
		NUMBER OF PARKING STALLS
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

GENERAL SITE NOTES

- BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY OMNNI ASSOCIATES, APPLETON, WI, 08/06/19.
- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- ALL CURB RADII ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE 6" VFCC&G UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

SITE DEVELOPMENT SUMMARY

EXISTING ZONING:	R-2, ESTATE SINGLE-FAMILY RESIDENCE
PROPOSED ZONING:	M-2, GENERAL INDUSTRIAL
PARKING SPACE/DRIVE AISLE:	9' WIDE X 20' LONG, 24' AISLE
PARKING PROVIDED:	60 STALLS



DESIGNED:	JSR
CHECKED:	BCW
DRAWN:	JSB
HORIZONTAL SCALE:	50'
VERTICAL SCALE:	10' OR 5'

INITIAL ISSUE:	XX/XX/XX
REVISIONS:	

PREPARED FOR:

FRANKLIN PROPERTY
FRANKLIN, WI

Westwood

Phone (320) 253-9495 3701 12th Street North, Suite 206
Fax (820) 358-2001 St. Cloud, MN 56303
Toll Free (800) 270-9495 westwoodps.com
Westwood Professional Services, Inc.

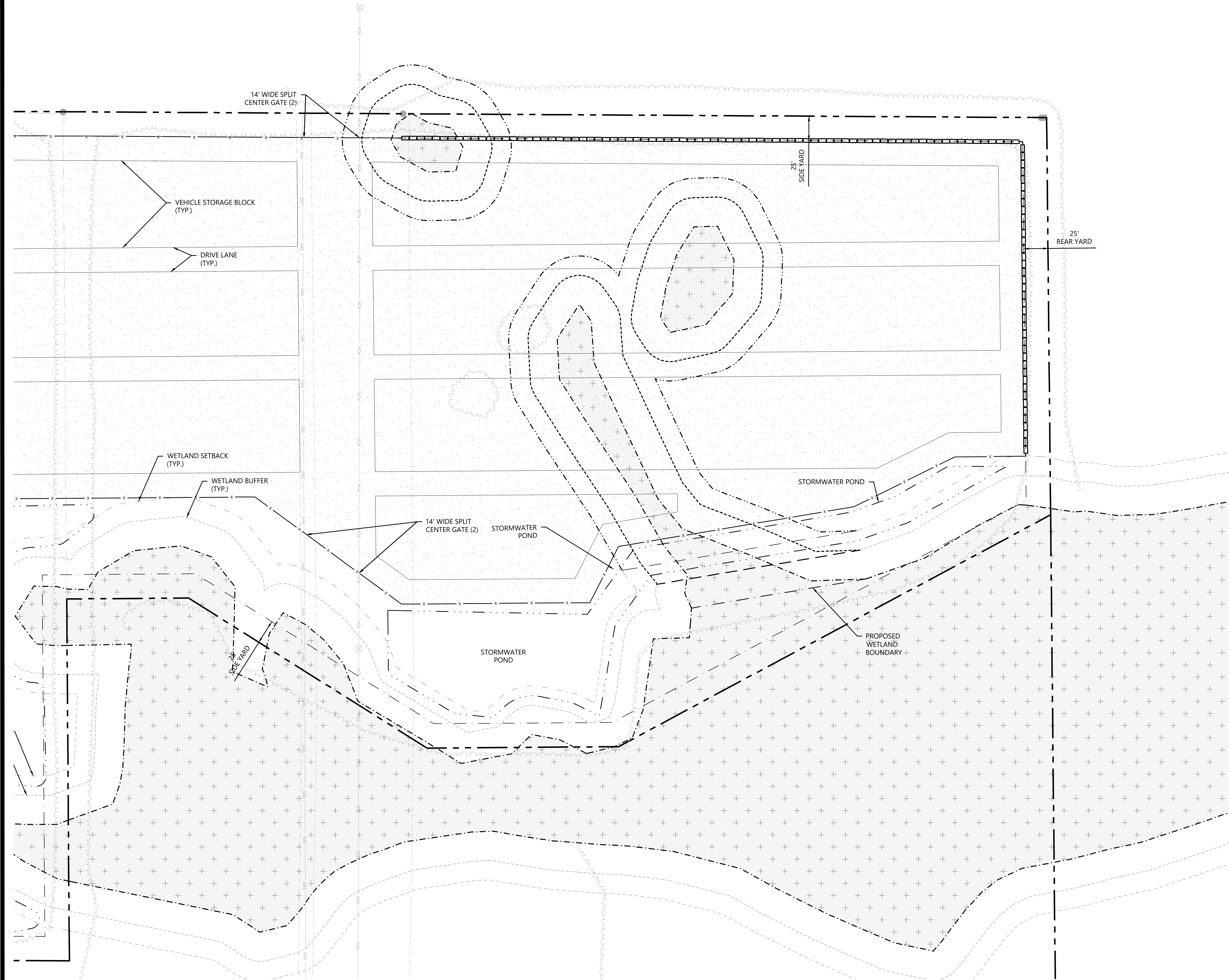
SITE PLAN - WEST

PROJECT NUMBER: 0023687.00

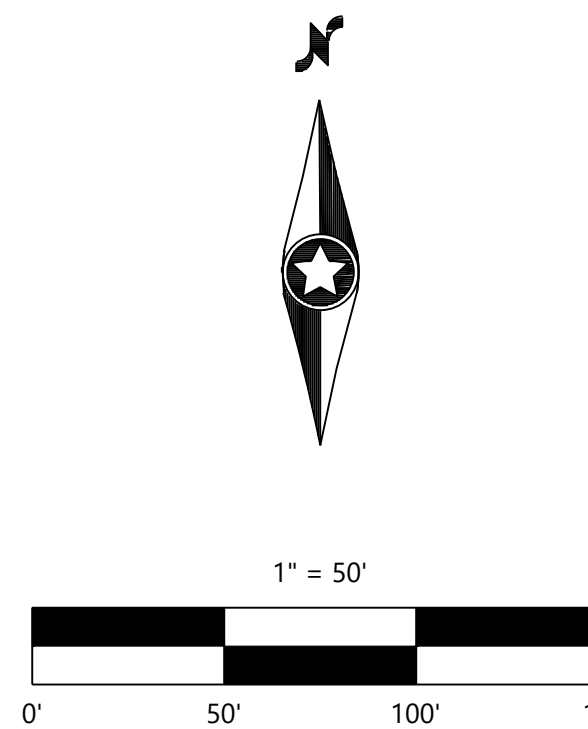
SHEET NUMBER:
1 OF 5
DATE: 11/14/19

© 2019 Westwood Professional Services, Inc.

N:\0023687\DWG\CIVIL\00236875901.DWG



SITE LEGEND		
EXISTING	PROPOSED	
		PROPERTY LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		MASONRY FENCE
		METAL PANEL FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		BITUMINOUS PAVEMENT
		ROCK OR GRAVEL SURFACING
		WETLAND
		NUMBER OF PARKING STALLS
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST



DESIGNED: JSB	INITIAL ISSUE: XX/XX/XX
CHECKED: BCW	REVISIONS:
DRAWN: JSB	
HORIZONTAL SCALE: 50'	
VERTICAL SCALE: 10' OR 5'	

PREPARED FOR:

FRANKLIN PROPERTY
FRANKLIN, WI

Westwood

Phone (320) 253-9495 3701 12th Street North, Suite 206
Fax (320) 358-2001 St. Cloud, MN 56303
Toll Free (800) 270-8495 westwoodps.com
Westwood Professional Services, Inc.

SITE PLAN - EAST

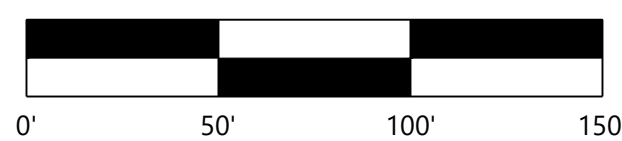
PROJECT NUMBER: 0023687.00

SHEET NUMBER:
2 OF 5
DATE: 11/14/19

<u>EXISTING</u>	<u>PROPOSED</u>	
		PROPERTY LINE
		INDEX CONTOUR
		INTERVAL CONTOUR
		CURB AND GUTTER
		POND NORMAL WATER LEVEL
		STORM SEWER
		FLARED END SECTION (WITH RIPRAP)
		WATER MAIN
		SANITARY SEWER
		RETAINING WALL
		DRAIN TILE
		RIDGE LINE
		GRADING LIMITS
		SPOT ELEVATION
		FLOW DIRECTION
		TOP AND BOTTOM OF RETAINING WALL
		EMERGENCY OVERFLOW
		SOIL BORING LOCATION

GRADING NOTES

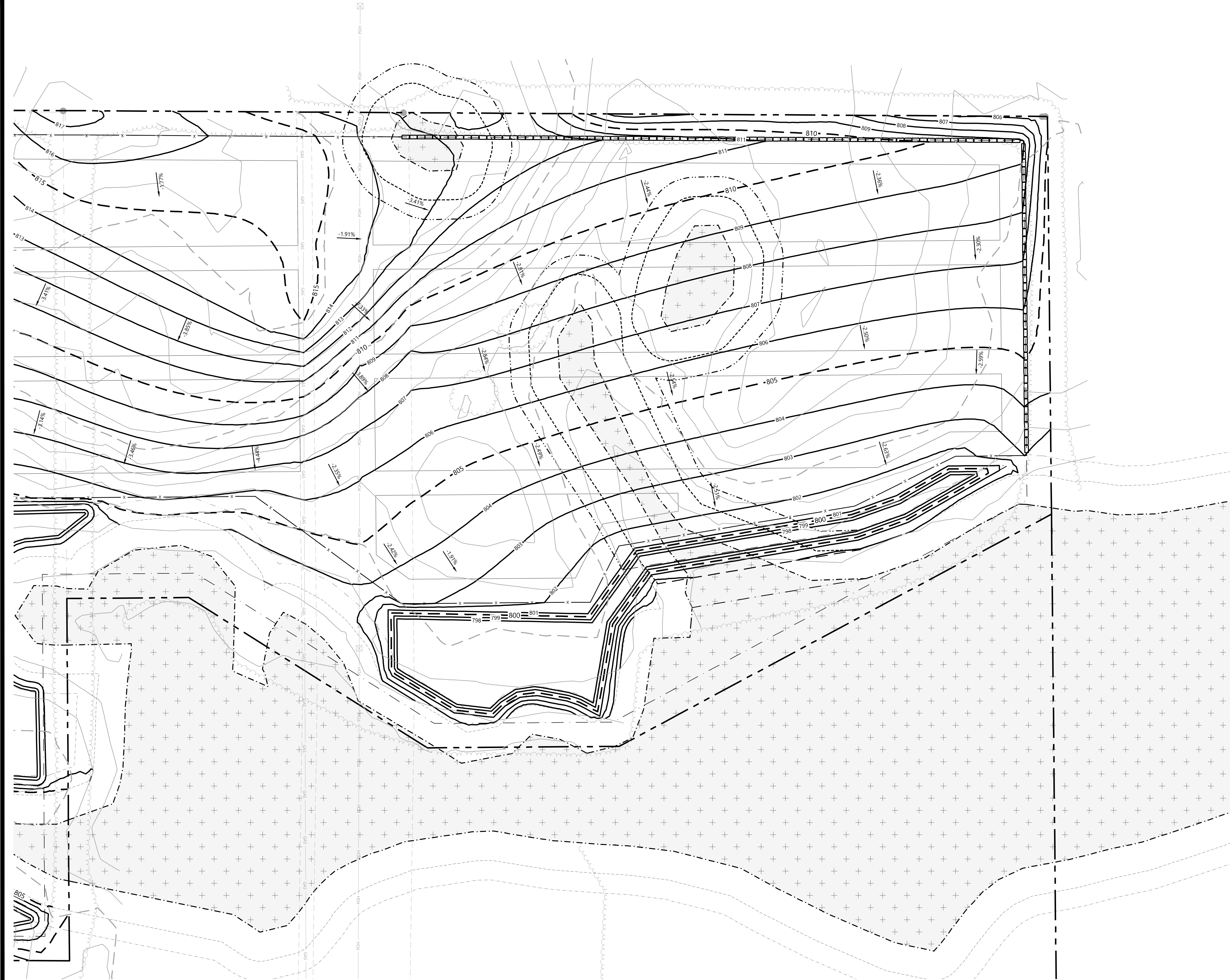
1. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
2. CONTRACTORS SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULE, SLOPED PAVEMENT, EXIT PORCHES, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, EXACT BUILDING UTILITY ENTRANCE LOCATIONS, AND EXACT LOCATIONS AND NUMBER OF DOWNSPOUTS.
3. ALL EXCAVATION SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR TRENCH EXCAVATION AND BACKFILL/SURFACE RESTORATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA.
4. ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL AND SOD OR SEED. THESE AREAS SHALL BE WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. SEE LANDSCAPE PLAN FOR PLANTING AND TURF ESTABLISHMENT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
6. ALL SLOPES SHALL BE GRADED TO 3:1 OR FLATTER, UNLESS OTHERWISE INDICATED ON THIS SHEET.
7. CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING AND PROVIDE A SMOOTH FINISHED SURFACE WITH UNIFORM SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN OR BETWEEN SUCH POINTS AND EXISTING GRADES.
8. **SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVEMENT ELEVATIONS & GUTTER FLOW LINE UNLESS OTHERWISE NOTED. PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.**
9. SEE SOILS REPORT FOR PAVEMENT THICKNESSES AND HOLD DOWNS.
10. CONTRACTOR SHALL DISPOSE OF ANY EXCESS SOIL MATERIAL THAT EXISTS AFTER THE SITE GRADING AND UTILITY CONSTRUCTION IS COMPLETED. THE CONTRACTOR SHALL DISPOSE OF ALL EXCESS SOIL MATERIAL IN A MANNER ACCEPTABLE TO THE OWNER AND THE REGULATING AGENCIES.
11. CONTRACTOR SHALL PROVIDE A STRUCTURAL RETAINING WALL DESIGN CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER.
12. ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE AND FEDERAL RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
13. PRIOR TO PLACEMENT OF ANY STRUCTURE OR PAVEMENT, A PROOF ROLL, AT MINIMUM, WILL BE REQUIRED ON THE SUBGRADE. PROOF ROLLING SHALL BE ACCOMPLISHED BY MAKING MINIMUM OF 2 COMPLETE PASSES WITH FULLY-LOADED TANDEM-AXLE DUMP TRUCK, OR APPROVED EQUIVALENT, IN EACH OF 2 PERPENDICULAR DIRECTIONS WHILE UNDER SUPERVISION AND DIRECTION OF THE INDEPENDENT TESTING LABORATORY. AREAS OF FAILURE SHALL BE EXCAVATED AND RE-COMPACTED AS SPECIFIED HEREIN.
14. EMBANKMENT MATERIAL PLACED BENEATH BUILDINGS AND STREET OR PARKING AREAS SHALL BE COMPACTED IN ACCORDANCE WITH THE SPECIFIED DENSITY METHOD AS OUTLINED IN MNDOT 2105.3F1 AND THE REQUIREMENTS OF THE GEOTECHNICAL ENGINEER.
15. EMBANKMENT MATERIAL NOT PLACED IN THE BUILDING PAD, STREETS OR PARKING AREA, SHALL BE COMPACTED IN ACCORDANCE WITH REQUIREMENTS OF THE ORDINARY COMPACTION METHOD AS OUTLINED IN MNDOT 2105.3F2.
16. ALL SOILS AND MATERIALS TESTING SHALL BE COMPLETED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. EXCAVATION FOR THE PURPOSE OF REMOVING UNSTABLE OR UNSUITABLE SOILS SHALL BE COMPLETED AS REQUIRED BY THE GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOILS TESTS AND INSPECTIONS WITH THE GEOTECHNICAL ENGINEER.


$$1'' = 50'$$


FRANKI IN PROPERTY

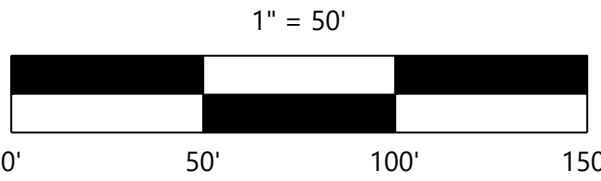
© 2019 Westwood Professional Services, Inc.

N:\0023687\00\DWG\CIVIL\0023687GD01.DWG



GRADING LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		INDEX CONTOUR
		INTERVAL CONTOUR
		CURB AND GUTTER
		POND NORMAL WATER LEVEL
		STORM SEWER
		FLARED END SECTION (WITH RIPRAP)
		WATER MAIN
		SANITARY SEWER
		RETAINING WALL
		DRAIN TILE
		RIDGE LINE
		GRADING LIMITS
		SPOT ELEVATION
		FLOW DIRECTION
		TW=XXXX.XX BW=XXXX.XX
		E.O.F.
		SB-19
		SB-19
		TOP AND BOTTOM OF RETAINING WALL
		EMERGENCY OVERFLOW
		SOIL BORING LOCATION



DESIGNED:	JSB
CHECKED:	BCW
DRAWN:	JSB
HORIZONTAL SCALE:	50'
VERTICAL SCALE:	10' OR 5'

INITIAL ISSUE:	XX/XX/XX
REVISIONS:	
△	
△	
△	
△	
△	
△	

PREPARED FOR:

FRANKLIN PROPERTY
FRANKLIN, WI

Westwood

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

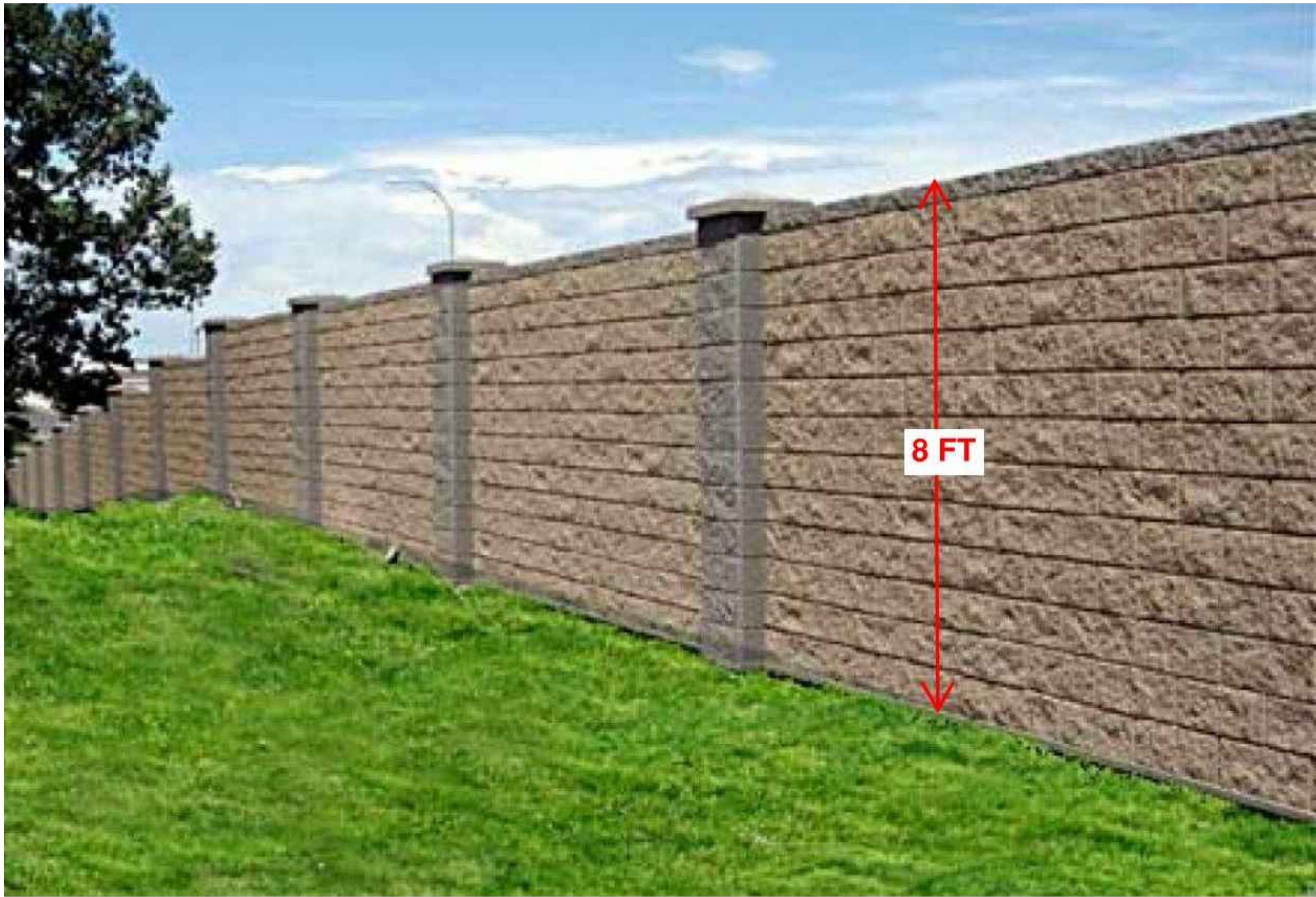
GRADING PLAN - EAST

PROJECT NUMBER: 0023687.00

SHEET NUMBER:
4 OF 5
DATE: 11/14/19



TYPICAL COPART FENCING



DECORATIVE MANSONRY FENCING

DESIGNED: JSR
CHECKED: BCW
DRAWN: JSB
HORIZONTAL SCALE: ###
VERTICAL SCALE: ## OR ##

INITIAL ISSUE: XX/XX/XX
REVISIONS:
△
△
△
△
△
△

PREPARED FOR:



FRANKLIN PROPERTY
FRANKLIN, WI

Westwood

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

DETAILS

PROJECT NUMBER: 0023687.00

SHEET NUMBER:

5 OF

5

DATE: 11/14/19

City of Franklin

Department of City Development

Date: March 6, 2020

To: Franklin Mills, LLC

From: City Development Staff

RE: Bear Franklin Natural Resource Special Exception – Staff Comments

Please be advised that staff has reviewed the above referenced materials. Department comments are as follows for the Natural Resource Special Exception (NRSE) materials submitted by Mr. Daniel Szczap of Bear Development LLC, on behalf of Franklin Mills, LLC date stamped by the City of Franklin on January 24, 2020.

Unified Development Ordinance (UDO) Requirements:

Natural Resources

1. Clearly illustrate and enumerate all natural resource features as required by §15-4.0102 and §15-7.0201.I. If a category of natural resource is not present, indicate that in the table on the map.

I spoke with the City and what they are looking for here is a revised NRPP that only includes Lot 1 of the CSM. We need to remove the two (2) wetlands which were exempted. The table will need to be revised accordingly and include all natural resources protected by Franklin, even if they do not occur on site. Zero out the columns for the natural resources that do not exist on site.

Complete

2. In accordance with §15-40102.K and §15-3.0501.B, and §15-7.0201.N, please provide site intensity calculations using the methodology described in Division 15-3.0500

Using the revised data from the revised NRPP, we need to provide calculations per this section. Looks pretty straight forward. We'll be under the limit of disturbance limits since all the natural resources on the site are being protected outside the 10,000 SF we are requesting exception for. Calculations provided. The only item I see of concern are the two small "steep slope, 10-20%" areas that I am currently showing as being regraded. Is this something that is easily mitigated? Those slope areas are so small and isolated I find it hard to believe it'd be a big deal.

3. Pursuant to §15-4.0102.K and §15-7.0201.J of the UDO, please clearly indicate the amount and type of natural resource features to be impacted.
 - a. Pursuant to §15-4.0102.I of the UDO, please indicate the amount of *wetland*, and *wetland setbacks* and *buffers*, both total and to be impacted.

Per our discussion, need the exact acreage of the wetland, wetland buffer and wetland setback associated with the 10,000 impacts.

Sent in previous email and included with this email.

- b. Any areas of temporary disturbance (construction access, staging areas, etc.) should be noted separately.
N/A
None
- c. Calculations should include information about all wetlands to be impacted. Wetlands that have been designated as artificial do not need to be included.
Only include the 10,000 SF wetland.
Small wetlands have been removed.
- 4. Pursuant to §15-4.0102.K. of the UDO, please clearly indicate the amount and type of any areas of overlapping natural resource features.
I don't believe we have any overlapping resources on Lot 1 except for a small portion of steep slope.
Correct
- 5. Pursuant to §15-4.0102.K. of the UDO, please indicate the amount of each natural resource feature to be protected by a conservation easement.
I will provide
Easement exhibit provided
- 6. Pursuant to §15-4.0103 and §15-10.0208.B.3.b., please describe the mitigation you will provide for the natural resource impacts. Note that, as required by §15- 4.0103.B.1.d, land upon which the mitigation is to take place shall be protected by a conservation easement as permanent natural resource features. Please submit the required easement and exhibits.
 - a. Note that the standard for wetland mitigation is 1.5 acres of compensation for each 1 acre of impact.
This is going to be on us as I do not believe there is room on Lot 1 to expand protected wetlands as expansion of wetlands will automatically expand the setbacks/buffers which will impact the development area.
I will discuss with the City on mitigation off-site or some type of surety for future mitigation.
Exhibits attached

Natural Resource Protection Plan (NRPP)

- 7. As required by §15-7.0201.C, please names, addresses, and telephone numbers of the owners, subdividers, lessee and/or developer(s) of the property and of the designer of the plan shall be shown on the plan.

Please note on the NRPP:

Owner/Developer: Franklin Mills, LLC

Attn: Daniel Szczap

4011 80th Street

Kenosha, WI 53142

(262) 842-0556

Designer:

Westwood

Has been added to the plan.

8. In accordance with §15-7.0201.F and §15-7.0201.K, please show the location of any current or proposed easements on the subject property on the NRPP. Likewise, in accordance with §15-7.0201.H indicate the location and dimensions of all permanent easements on the subject property boundary lines and adjacent to the site.

On a separate exhibit, please incorporate the Conservation Easements. I will provide in a separate attachment the Conservation Areas and Landscape Bufferyard easements.

Exhibit attached

9. Conservation easements are required for those natural resources to be protected, pursuant to §15-7.0201.K. of the UDO. Staff notes that a conservation easement has been submitted for the remaining wetland areas and is under review. Easements for mitigation areas need to be submitted.

The easement for the mitigation area will need to be provided later as it has not been identified.

Noted.

Natural Resource Special Exception (NRSE)

10. Pursuant to §15-9.0110.A. of the UDO, please indicate the name and address of all abutting property owners.

I will provide

Noted

11. As required by §15-9.0110.B, please provide an electronic copy of the Plat of Survey for the portion of the subject property owned by Franklin Mills LLC

I will provide

Noted

12. Pursuant to §15-9.0110.C.5, please provide the date of any previous application or request for a Special Exception pertinent to the subject property, and the disposition of that previous application or request.

N/A

Additional Staff Recommendations

13. Staff recommends that the Project Summary be revised to include information about all the natural resources on the property, including those which have received exemptions from other units of government.

I will provide

Noted

14. Staff recommends that the applicant provide a copy of the proposed future site plan with the NRSE.

I will provide
Noted

Engineering Department Comments

Lot 84 of Ryan Meadows does not exist yet. See the address W. Loomis Rd & W. Ryan Rd, 10082 South 124th Street.

N/A

Police Department Comments

The Franklin Police Department has reviewed the Natural Resource Exception Application for Lot 84 Ryan Meadows.

The Police Department has no issues with this request.

Fire Department Comments

The fire department has no position on the NRSE at this location.