## CITY OF FRANKLIN PLAN COMMISSION MEETING\* FRANKLIN CITY HALL COUNCIL CHAMBERS 9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN AGENDA THURSDAY, JANUARY 23, 2020, 7:00 P.M.

## A. Call to Order and Roll Call

- B. Approval of Minutes
  - 1. Approval of regular meeting of January 9, 2020.
- C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)
  - 1. WAUKESHA WATER UTILITY OUTFALL FACILITIES RELATED TO REQUIRED RETURN FLOW FOR SOURCING LAKE MICHIGAN WATER: RETURN FLOW PIPELINE TO THE LAKE MICHIGAN WATERSHED VIA THE ROOT RIVER IN THE CITY OF FRANKLIN. Comprehensive Master Plan Amendment, Rezoning, Certified Survey Map and Site Plan applications by Daniel S. Duchniak, General Manager of Waukesha Water Utility (Judith E. Gyuro and Evelyn A. Farchione (deceased), property owners), to:

<u>Comprehensive Master Plan Amendment</u>: amend the 2025 Future Land Use Map use designation for Lot 1 of the proposed Certified Survey Map from Recreational Use and Areas of Natural Resource Features Use to Institutional Use, current zoning R-2 Estate Single-Family Residence District and FW Floodway District; <u>Rezoning</u>: change the zoning of Lot 1 of the proposed Certified Survey Map from R-2 Estate Single-Family Residence District and FW Floodway District to I-1 Institutional District, current zoning of Lot 1: R-2 Estate Single-Family Residence District, FW Floodway District, FC Floodplain Conservancy District and C-1 Conservancy District. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS REZONING APPLICATION**;

<u>Certified Survey Map</u>: divide one (1) existing lot into four (4) proposed lots, subject property owned by Judith E. Gyuro & Evelyn A. Farchione (deceased) (approximately 76 acres); proposed Lot 1, 2.40 acres, will contain most of the outfall facilities improvements; Lot 2, 7.64 acres, is intended for future improvements; the current owners will maintain ownership of Lot 3, 7.75 acres; Lot 4, remaining 57.75 acres, will contain the proposed 30 inch buried pipeline which connects the proposed infrastructure improvements within Lot 1 to a proposed outfall at the Root River streambank [the land division request essentially allows Waukesha Water Utility to purchase the proposed lots 1, 2 and 4], current zoning R-2 Estate Single-Family Residence District, FW Floodway District, FC Floodplain Conservancy District and C-1 Conservancy District;

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Site Plan: develop most of the Outfall Facility improvements within Lot 1, including an access drive, parking area and a building to house and screen essential services (these improvements will be located outside the 100-year floodplain), current zoning R-2 Estate Single-Family Residence District and FW Floodway District, property located at 5207 West Oakwood Road, at the southeast corner of the intersection of South 60th Street and West Oakwood Road; Tax Key No. 948-9998-001. A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE REZONING APPLICATION AS AFOREMENTIONED.

- D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)
  - 1. None.

#### E. Adjournment

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

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

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

#### **REMINDERS**:

Next Regular Plan Commission Meeting: February 6, 2020

unapproved

## City of Franklin Plan Commission Meeting January 9, 2020 Minutes

A. Call to Order and Roll Call

Mayor Steve Olson called the January 9, 2020 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Commissioners Kevin Haley, Adam Burckhardt and Patrick Leon and Alderman Mark Dandrea and City Engineer Glen Morrow. Excused was Commissioner Patricia Hogan. Also present were Planning Manager Joel Dietl, Associate Planner Regulo Martinez-Montilva and City Attorney Jesse Wesolowski.

#### **B.** Approval of Minutes

1. Regular Meeting of December 5, 2019.

Commissioner Haley moved and Alderman Dandrea seconded approval of the December 5, 2019, minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (5-0-1).

#### C. Public Hearing Business Matters

**INNER WISDOM &** 1. WELLNESS, LLC; "AMUSEMENT AND RECREATION SERVICES, **NOT ELSEWHERE CLASSIFIED" USE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT AND SPECIAL USE.** Unified Development Ordinance Text Amendment and Special Use applications by Linda B. Scherrer, RYT200 (Registered Yoga Teacher at the 200 hour level), RMT (Reiki Master Teacher), Certified Essential Oils Coach (Ancient Apothecary & Young Living Oils), owner of Inner Wisdom & Wellness, LLC, (Betty Buss, property owner) to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 7999 "Amusement and recreation services, not elsewhere classified" to allow for such Use as a Special Use, City-wide, in the B-2 General Business District, B-3 Community Business District and the B-

Planning Manager Joel Dietl presented the request by Linda B. Scherrer, RYT200 (Registered Yoga Teacher at the 200 hour level), RMT (Reiki Master Teacher), Certified Essential Oils Coach (Ancient Apothecary & Young Living Oils), owner of Inner Wisdom & Wellness, LLC, (Betty Buss, property owner) to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 7999 "Amusement and recreation services, not elsewhere classified" to allow for such Use as a Special Use, City-wide, in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District, in conjunction with a Special Use application (which is contingent upon approval of the concurrent Unified Development Ordinance Text Amendment) to allow for the Linda B. Scherrer, Yoga, Reiki and essential oils, meditation and mindfulness instruction studio (Inner Wisdom & Wellness, LLC) use, in the Franklin Village multi-tenant building located at 7127 South 76th Street, property zoned B-3 Community Business District; Tax Key No. 755-0038-001.

The Official Notice of Public Hearing was read into the record by Associate Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:12 pm and closed at 7:13 pm. 4 South 27th Street Mixed-Use Commercial District, in conjunction with a Special Use application (which is contingent upon approval of the concurrent Unified Development Ordinance Text Amendment) to allow for the Linda B. Scherrer, Yoga, Reiki and essential oils, meditation and mindfulness instruction studio (Inner Wisdom & Wellness, LLC) use, in the Franklin Village multi-tenant building located at 7127 South 76th Street, property zoned B-3 Community Business District; Tax Key No. 755-0038-001.

#### 2. SPLIT LOT ZONING EXCEPTION UNIFIED DEVELOPMENT ORDINANCE AMENDMENT. Unified Development

Ordinance Text Amendment application by the City of Franklin, to Amend Unified Development Ordinance §15-3.0103.A.3. Split Zoning of Newly Created Lots Not Allowed, to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only.

#### **Unified Development Ordinance Text Amendment**

Commissioner Burckhardt moved and Commissioner Leon seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance text at table 15-3.0603 standard industrial classification title No. 7999 "amusement and recreation services, not elsewhere classified", to allow for such use as a Special Use in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District. On voice vote, all voted 'aye'; motion carried. (5-0-1).

The Official Notice of Public Hearing was read into the record by Associate Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:25 pm and closed at 7:26 pm.

#### **Special Use**

Commissioner Haley moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a yoga, reiki and essential oils, meditation and mindfulness instruction studio use upon property located at 7127 South 76th Street. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Planning Manager Joel Dietl presented the request by the City of Franklin, to Amend Unified Development Ordinance §15-3.0103.A.3. Split Zoning of Newly Created Lots Not Allowed, to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only.

The Official Notice of Public Hearing was read into the record by Associate Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:48 pm and closed at 7:50 pm.

Alderman Dandrea moved and Commissioner Leon seconded a motion to recommend approval of an Ordinance to amend Unified Development Ordinance §15-3.0103.A.3. split zoning of newly created lots not allowed, to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment. On voice vote, 4 voted 'aye', 1 voted 'nay'; motion carried. (4-1-1).

#### Plan Commission – Minutes January 9, 2020

#### 3. NATURAL RESOURCE PROTECTION PLAN AND SITE INTENSITY AND CAPACITY CALCULATION EXCLUSIONS UNIFIED DEVELOPMENT ORDINANCE AMENDMENT.

Unified Development Ordinance Text Amendment application by the City of Franklin, to Amend Unified Development Ordinance §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to additionally provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only.

#### D. Business Matters

## 1. THE GLEN AT PARK CIRCLE CONDOMINIUM DEVELOPMENT

**MONUMENT SIGN.** Sign Review and Release of Easement Restriction applications by Park Circle LLC, for a monument sign with a 2 foot 8 inch by 5 foot 6 inch (14.67 square feet) face constructed of cedar, with raised lettering, suspended from an aluminum support and attached to two 8 inch by 8 inch white oak timbers, with an overall height of 5 feet, and to allow for the entrance monument sign within the "30 Foot Landscape Planting Buffer" along the entire 76th Street frontage at 7614 Park Circle Way (the northwest corner of West Park Way Circle and South 76th Street), property zoned R-8 MultiplePlanning Manager Joel Dietl presented the request by the City of Franklin, to Amend Unified Development Ordinance §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to additionally provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only.

The Official Notice of Public Hearing was read into the record by Associate Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:55 pm and closed at 7:56 pm.

#### **Unified Development Ordinance Text Amendment**

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of an Ordinance to amend Unified Development Ordinance §15-3.0501.C. exclusions (when natural resource protection and site intensity and capacity calculations are not required), to provide for and exclude certain minor land divisions involving an established residential use not currently intended for redevelopment. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Planning Manager Joel Dietl presented the request by Park Circle LLC, for a monument sign with a 2 foot 8 inch by 5 foot 6 inch (14.67 square feet) face constructed of cedar, with raised lettering, suspended from an aluminum support and attached to two 8 inch by 8 inch white oak timbers, with an overall height of 5 feet, and to allow for the entrance monument sign within the "30 Foot Landscape Planting Buffer" along the entire 76th Street frontage at 7614 Park Circle Way (the northwest corner of West Park Way Circle and South 76th Street), property zoned R-8 Multiple-Family Residence District; Tax Key No. 896-1001-000.

#### **Release of Easement**

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution authorizing the installation of a monument sign within the 30 foot landscape planting buffer plat restriction in The Glen at Park Circle Condominium development. On voice vote, all voted 'aye'; motion carried. (5-0-1). Family Residence District; Tax Key No. 896-1001-000.

## 2. RYANWOOD MANOR ADDITION NO. 1 (FORMERLY KNOWN AS OAKWOOD AT RYAN CREEK) SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.

Sign Review and Release of Easement Restriction applications by Oakwood at Ryan Creek, LLC, for a monument sign with a 10 foot 9 inch by 3 foot 4 inch (35.83 square feet) face constructed of weathered cedar within a steel frame, supported by steel rails and posts mounted on split faced granite veneer column and wall, with an overall height of 7 feet and 1 inch. and to allow for the entrance monument sign within the existing stormwater management access easement, generally located at the northwest corner of West Oakwood Road and South 76th Street. specifically within Outlot 2, property zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-9992-010.

#### E. Adjournment

## **Monument Sign**

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution approving a monument sign for The Glen at Park Circle Condominium development. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Planning Manager Joel Dietl presented the request by Oakwood at Ryan Creek, LLC, for a monument sign with a 10 foot 9 inch by 3 foot 4 inch (35.83 square feet) face constructed of weathered cedar within a steel frame, supported by steel rails and posts mounted on split faced granite veneer column and wall, with an overall height of 7 feet and 1 inch and to allow for the entrance monument sign within the existing stormwater management access easement, generally located at the northwest corner of West Oakwood Road and South 76th Street, specifically within Outlot 2, property zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-9992-010.

## **Release of Easement**

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution authorizing the installation of a monument sign within the stormwater management access easement plat restriction in the Ryanwood Manor single-family residential development. On voice vote, all voted 'aye'; motion carried. (5-0-1).

#### **Monument Sign**

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution approving a monument sign for the Ryanwood Manor singlefamily residential development. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Commissioner Haley moved and Commissioner Leon seconded a motion to adjourn the Plan Commission meeting of January 9, 2020 at 8:10 p.m. On voice vote, all voted 'aye'; motion carried. (5-0-1).

# 🎜 CITY OF FRANKLIN 🇊

## **REPORT TO THE PLAN COMMISSION**

## Meeting of January 23, 2020

#### Certified Survey Map, Comprehensive Master Plan Amendment, Rezoning, and Site Plan

**RECOMMENDATION:** Department of City Development staff recommends approval of the Comprehensive Master Plan Amendment, Rezoning, Certified Survey Map (CSM) and Site Plan.

Project Name:	Great Water Alliance
<b>General Project Location:</b>	5207 Oakwood Road
Property Owner:	Judith Gyuro & Evelyn Farchione
Applicant:	Waukesha Water Utility
Agent:	Daniel Duchniak
Current Zoning:	R-2
2025 Comprehensive Plan:	Recreational and Areas of Natural Resources
Use of Surrounding Properties:	Single-family residential (R-2) to the north, Single-family residential (R-2) & floodway (FW) to the East, floodway (FW) to the South, and floodway (FW) to the west.
Applicant's Action Requested:	Approval of Comprehensive Master Plan Amendment, Rezoning, Certified Survey Map (CSM) and Site Plan.

#### **INTRODUCTION:**

Please note:

- Staff recommendations are *<u>underlined</u>, in <i>italics* and are included in the draft ordinance.
- Staff suggestions are only <u>underlined</u> and are not included in the draft ordinance.

In 2016, the Great Lakes Compact Council approved the City of Waukesha's application to source water from Lake Michigan to the City of Waukesha. As part of the application approval, Waukesha Water Utility (WWU) is required to return water diverted from Lake Michigan back to the Lake Michigan watershed. To fulfill this requirement, water treated at the City of Waukesha's Clean Water Plant will be returned to the Lake Michigan watershed through an approximately 23-mile, 30-inch pipeline via the Root River in Franklin. Due to the complexity of this effort, the full project has been divided into multiple smaller projects. The project before the Plan Commission at this time includes only the proposed outfall facilities at 5207 Oakwood Road in Franklin.

The proposed outfall facilities consist of infrastructure and equipment need to meet the permitted discharge levels of dissolved oxygen and temperature for water being returned to the Root River and Lake Michigan watershed. Proposed improvements include driveway access, parking area, reaeration building which includes a reaeration structure, and outfall pipe to the Root River.

The applicant has submitted applications for Certified Survey Map (CSM), Comprehensive Master Plan amendment, Rezoning, and Site Plan related to proposed outfall facilities.

According to Section 15-9.0309-C of the UDO, the Common Council shall approve, approve conditionally and thereby require resubmission of corrected Certified Survey Map, or reject such Certified Survey Map within 90 days from the date of filing of the map unless time is extended by agreement with the Subdivider. The applicant submitted this CSM application on November 6, 2019, so February 4, 2020, is the 90-day deadline for this application.

## **PROJECT DESCRIPTION AND ANALYSIS:**

## **Certified Survey Map**

The proposed CSM divides one existing lot into four proposed lots. The subject property is owned by Judith Gyuro & Evelyn Farchione and is approximately 76 acres in area. The proposed Lot 1 would have 2.40 acres and contain most of the proposed improvements, while Lot 2 is 7.64 acres and intended for future improvements. The current owners will maintain ownership of Lot 3, which would have 7.75 acres. The remaining 57.75 acres would be Lot 4. The applicant is proposing a 30-inch buried pipline to a proposed outfall at the Root River. The land division request essentially allows Waukesha Water Utility to purchase the proposed Lots 1, 2 and 4.

Lot 1 meets the minimum lot area and lot width requirements for the proposed I-1 Institutional zoning district. Lot 2, Lot 3, and Lot 4 meet the minimum lot area and lot width requirements for the existing R-2 Estate Single-Family Residence zoning district.

## **Comprehensive Master Plan Amendment:**

The applicant is proposing to amend the designation of the proposed Lot 1 in the Future Land Use Map 2025 from "Recreational" and "Areas of Natural Resources" to "Institutional." The applicant is not requesting to change the future land use designation of the proposed Lots 2, 3, or 4.

The Root River corridor, which runs across the southwest corner of Lot 4, is a Primary Environmental Corridor, as identified by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). According to the Comprehensive Master Plan, the Root River is one of the most (if not the most) important natural resource feature in Franklin. Much of the drainage basin is designated as primary environmental corridor by SEWRPC and includes both the Root River and Root River Canal branch. This entire area is identified in the Comprehensive Master Plan as a Protection/Conservation Priority. Additionally, the Comprehensive Master Plan recommends a recreational trail along the Root River.

## Comprehensive Master Plan Consistency:

The Department of City Development believes that the proposed project, and its associated Certified Survey Map, Comprehensive Master Plan Amendment, Rezoning, and Site Plan requests, is consistent with the City's Comprehensive Plan. The proposed outfall facility of this nature is not anticipated or addressed by the City's Comprehensive Master Plan. However, the Plan generally supports the development of infrastructure and other essential services, with a goal to "provide adequate infrastructure and public services to meet existing and future conditions" (page 8-4 of Plan). Further, the Comprehensive Master Plan recommends "that the City of Franklin continue to remain aware of, and participate in to the extent that the Common Council may determine from time to time, other regional planning efforts" (page 9-19), which would apply to efforts approved by the Great Lakes Compact Council. Additionally, essential services such as the proposed outfall facilities, which help prepare clean water to be returned to the Lake Michigan watershed, supports regional water quality goals.

## **Rezoning:**

A Rezoning application is sought to change the zoning of the proposed Lot 1 from R-2 Estate Single-Family Residence District and FW Floodway to I-1 Institutional General to enable the proposed the outfall facility. The applicant is not proposing to rezone the proposed Lot 2, 3 and 4, remaining as currently zoned (R-2, FW, FC and C-1 districts).

The proposed rezoning to I-1, Institutional would be consistent with the proposed Comprehensive Master Plan amendment (Institutional). The resulting "spot zoning" of I-1 surrounded by R-2 zoning is common for essential services and is not a concern to the Department of City Development.

## Site Plan:

The applicant is proposing most of the outfall facilities within Lot 1, including an access drive from Oakwood Road, parking area, and a building to house and screen essential services. These improvements will be located outside the 100-year floodplain. Within Lot 4, the applicant is proposing a 30-inch buried pipe connecting the proposed building/infrastructure on Lot 1 to a proposed outfall at the Root River. The applicant is not proposing any improvements in Lots 2 and 3 as part of this application, but Lot 2 is anticipated for future phases of infrastructure improvements.

## Natural Resource Protection Plan

The southern half of the site is predominately 100-year floodplain and wetland. About half of the wetland area is currently farmed. The portion of the wetland that is not farmed is mostly grass with few trees. No woodlands or steep slopes are present on the site. The Root River runs through the southwest corner of the site.

The proposed reaeration building and paved area are located outside of natural resource areas. The proposed pipeline and outfall coincide with natural resources, including the wetland buffer, wetland, shoreline buffer, and Root River. As an Essential Services use, defined in UDO 15-11.0103, natural resource protection standards are not applicable. However, areas of disturbance of natural resource features to provide for said essential services shall be restored to the restoration standards of Section 15-4.0102I.

## Parking

The proposed building is served by a 12-foot wide asphalt driveway accessed from Oakwood Road, with an asphalt parking lot containing two angled parking spaces. <u>Staff recommends that that the driveway be widened to 24 feet wide, per UDO 15-5.0202A.</u>

The UDO requires two parking spaces, including one ADA parking space, and therefore <u>Staff</u> recommends that one of the parking spaces be designated as ADA space with a minimum with of <u>13 feet, per UDO 15-5.0202D. Staff further recommends that concrete curb and gutter be</u> installed surrounding the driveway and parking lot, per UDO 15-5.0202D, although Staff acknowledges that Plan Commission may wish to waive this requirement as curb and gutter is not installed on Oakwood Road.

## Landscaping

Shade trees and shrubs are proposed surrounding the parking lot and building. A cluster of shrubs are proposed surrounding a proposed manhole above the pipeline about 150 feet south of the proposed building, and a variety of plantings are proposed at the outfall at the Root River. Because Lot 1 will be surrounded by R-2 zoning district on three sides, a bufferyard is required.

## Architecture

The reaeration building is of burnished block construction with a standing steam gable metal roof. The pitched roof, use of natural materials, and neutral colors are designed to blend in with adjacent residential development Louvers are incorporated on the building façade to mimic windows.

## Outdoor Lighting

Two 15-foot light poles are proposed on the parking area perimeter, and a wall-mounted light is proposed over the door, located on the east side of the reaeration building. Lighting meets the requirements of the UDO.

## Signage

No signage is proposed. Staff has notified the applicant that any signage desired in the future must approved by the City.

## Stormwater Management

No stormwater infrastructure is proposed on the site, other than a proposed culvert under the proposed driveway within Lot 1, which maintains the drainage ditch parallel to Oakwood Road.

## **STAFF RECOMMENDATION:**

The Department of City Development staff recommends approval of the Comprehensive Master Plan Amendment, Rezoning, Certified Survey Map (CSM) and Site Plan, subject to the conditions in the draft resolutions and draft ordinances.

## **Recommended Motions**

Motions to recommend approval of the Comprehensive Master Plan Amendment, Rezoning, Certified Survey Map (CSM) applications and a motion to approve the Site Plan application.

With regards to the conditions of approval for the Site Plan Resolution, the applicant is requesting the following:

- Condition No. 7. The applicant is requesting to allow for a 12-foot driveway.
- Conditions No. 8. The applicant is requesting to not require one ADA parking space.
- Condition No. 9. The applicant is requesting to not require curb and gutter for the parking and driveway.
  - Staff comment: The Plan Commission may wish to waive this requirement as curb and gutter is not installed on Oakwood Road.
- Condition No. 10. The applicant is requesting to not require on-site irrigation.
  - <u>Staff comment: Alternatively, staff suggests to replace this condition as follows:</u>

Pursuant to Unified Development Ordinance § 15-5.0303.G3, any plant materials included in an approved landscaping plan that do not survive a plant establishment period of two years after installation shall be replaced with plant material(s) of the same or like species of equal size within the next planting season, but in any event, within six months of the plant's demise.

For further details about these requests, please see waiver request letters submitted by the applicant.

unapproved

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#### Special Use

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Alderman Dandrea moved and Commissioner Leon seconded a motion to recommend approval of an Ordinance to amend Unified Development Ordinance §15-3.0103.A.3. split zoning of newly created lots not allowed, to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment. On voice vote, 4 voted 'aye', 1 voted 'nay'; motion carried. (4-1-1).

#### Plan Commission – Minutes January 9, 2020

## 3. NATURAL RESOURCE PROTECTION PLAN AND SITE INTENSITY AND CAPACITY CALCULATION EXCLUSIONS UNIFIED DEVELOPMENT ORDINANCE AMENDMENT.

Unified Development Ordinance Text Amendment application by the City of Franklin, to Amend Unified Development Ordinance §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to additionally provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only.

#### D. Business Matters

## 1. THE GLEN AT PARK CIRCLE CONDOMINIUM DEVELOPMENT

**MONUMENT SIGN.** Sign Review and Release of Easement Restriction applications by Park Circle LLC, for a monument sign with a 2 foot 8 inch by 5 foot 6 inch (14.67 square feet) face constructed of cedar, with raised lettering, suspended from an aluminum support and attached to two 8 inch by 8 inch white oak timbers, with an overall height of 5 feet, and to allow for the entrance monument sign within the "30 Foot Landscape Planting Buffer" along the entire 76th Street frontage at 7614 Park Circle Way (the northwest corner of West Park Way Circle and South 76th Street), property zoned R-8 MultiplePlanning Manager Joel Dietl presented the request by the City of Franklin, to Amend Unified Development Ordinance §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to additionally provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only.

The Official Notice of Public Hearing was read into the record by Associate Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:55 pm and closed at 7:56 pm.

#### **Unified Development Ordinance Text Amendment**

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of an Ordinance to amend Unified Development Ordinance §15-3.0501.C. exclusions (when natural resource protection and site intensity and capacity calculations are not required), to provide for and exclude certain minor land divisions involving an established residential use not currently intended for redevelopment. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Planning Manager Joel Dietl presented the request by Park Circle LLC, for a monument sign with a 2 foot 8 inch by 5 foot 6 inch (14.67 square feet) face constructed of cedar, with raised lettering, suspended from an aluminum support and attached to two 8 inch by 8 inch white oak timbers, with an overall height of 5 feet, and to allow for the entrance monument sign within the "30 Foot Landscape Planting Buffer" along the entire 76th Street frontage at 7614 Park Circle Way (the northwest corner of West Park Way Circle and South 76th Street), property zoned R-8 Multiple-Family Residence District; Tax Key No. 896-1001-000.

#### **Release of Easement**

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution authorizing the installation of a monument sign within the 30 foot landscape planting buffer plat restriction in The Glen at Park Circle Condominium development. On voice vote, all voted 'aye'; motion carried. (5-0-1). Family Residence District; Tax Key No. 896-1001-000.

## 2. RYANWOOD MANOR ADDITION NO. 1 (FORMERLY KNOWN AS OAKWOOD AT RYAN CREEK) SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.

Sign Review and Release of Easement Restriction applications by Oakwood at Ryan Creek, LLC, for a monument sign with a 10 foot 9 inch by 3 foot 4 inch (35.83 square feet) face constructed of weathered cedar within a steel frame, supported by steel rails and posts mounted on split faced granite veneer column and wall, with an overall height of 7 feet and 1 inch. and to allow for the entrance monument sign within the existing stormwater management access easement, generally located at the northwest corner of West Oakwood Road and South 76th Street. specifically within Outlot 2, property zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-9992-010.

#### E. Adjournment

## **Monument Sign**

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution approving a monument sign for The Glen at Park Circle Condominium development. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Planning Manager Joel Dietl presented the request by Oakwood at Ryan Creek, LLC, for a monument sign with a 10 foot 9 inch by 3 foot 4 inch (35.83 square feet) face constructed of weathered cedar within a steel frame, supported by steel rails and posts mounted on split faced granite veneer column and wall, with an overall height of 7 feet and 1 inch and to allow for the entrance monument sign within the existing stormwater management access easement, generally located at the northwest corner of West Oakwood Road and South 76th Street, specifically within Outlot 2, property zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-9992-010.

## **Release of Easement**

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution authorizing the installation of a monument sign within the stormwater management access easement plat restriction in the Ryanwood Manor single-family residential development. On voice vote, all voted 'aye'; motion carried. (5-0-1).

#### **Monument Sign**

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution approving a monument sign for the Ryanwood Manor singlefamily residential development. On voice vote, all voted 'aye'; motion carried. (5-0-1).

Commissioner Haley moved and Commissioner Leon seconded a motion to adjourn the Plan Commission meeting of January 9, 2020 at 8:10 p.m. On voice vote, all voted 'aye'; motion carried. (5-0-1).

STATE OF WISCONSIN

## CITY OF FRANKLIN PLAN COMMISSION

#### RESOLUTION NO. 2020-

## A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT 5207 WEST OAKWOOD ROAD FROM RECREATIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO INSTITUTIONAL USE, PURSUANT TO WIS. STAT. § 66.1001(4)(b)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, Daniel S. Duchniak, General Manager of Waukesha Water Utility (Judith E. Gyuro and Evelyn A. Farchione (deceased), property owners) having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 5207 West Oakwood Road, from Recreational Use and Areas of Natural Resource Features Use to Institutional Use, such property bearing Tax Key No. 948-9998-001, more particularly described as follows:

Commencing at the Northwest Corner of Section 35, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, Thence North 88°32'06" East along the North line of Section 35 and the centerline of West Oakwood Road, 819.76 feet; Thence South 01°27'54" East, 40.00 feet to a point on the South right of way line of West Oakwood Drive to the Point of Beginning; Thence North 88°32'06" East along said South right of way line, 330.00 feet; Thence South 01°27'54" East, 317.00 feet; Thence South 88°32'06" West, 330.00 feet; Thence North 01°27'54" West, 317.00 feet to the Point of Beginning (2.40 acres); and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on January 23, 2020, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable

RESOLUTION NO. 2020 -\_\_\_\_ Page 2

and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 5207 West Oakwood Road, from Recreational Use and Areas of Natural Resource Features Use to Institutional Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_\_, 2020.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES NOES ABSENT

#### CITY OF FRANKLIN

#### **RESOLUTION NO. 2020-**

## A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY, APPLICANTS, JUDITH E. GYURO AND EVELYN A. FARCHIONE (DECEASED), PROPERTY OWNERS) (5207 WEST OAKWOOD ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a division of the North 1/2 of the Northwest 1/4 of Section 35, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 5207 West Oakwood Road, bearing Tax Key No. 948-9998-001, Daniel S. Duchniak, General Manager of Waukesha Water Utility, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Daniel S. Duchniak, General Manager of Waukesha Water Utility, as described above, be and the same is hereby approved, subject to the following conditions:

- 1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicants, prior to recording.
- 2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
- 3. Each and any easement shown on the Certified Survey Map shall be the subject of

## DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY – CERTIFIED SURVEY MAP RESOLUTION NO. 2020-\_\_\_\_ Page 2

separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

- 4. Daniel S. Duchniak, General Manager of Waukesha Water Utility, successors and assigns, and any developer of the Waukesha Water Utility 4 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
- 5. The approval granted hereunder is conditional upon Daniel S. Duchniak, General Manager of Waukesha Water Utility and the 4 lot certified survey map project for the property located at 5207 West Oakwood Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
- 6. The applicant shall revise the Certified Survey Map to add the required setbacks for the I-1 Institutional District and R-2 Estate Single-Family Residence District, including front yard, corner side yard, side yard and rear yard, for Department of City Development review and approval, prior to recording of the Certified Survey Map.
- 7. The applicant shall submit a written conservation easement and landscape bufferyard easement documents, said easements shall be reviewed by City staff, and approved by the Common Council, for recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map.
- 8. Pursuant to the 2025 Comprehensive Master Plan of the City of Franklin and the 2007 Milwaukee County Trail Network Plan, the applicant shall revise the conservation easement to allow a future trail easement for site improvements associated with proposed recreation trails.

## BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP RESOLUTION NO. 2019-\_\_\_\_ Page 3

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Judith E. Gyuro and Evelyn A. Farchione (deceased), be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, Judith E. Gyuro and Evelyn A. Farchione (deceased), 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 \_\_\_\_\_\_\_, 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 \_\_\_\_\_

STATE OF WISCONSIN

## CITY OF FRANKLIN PLAN COMMISSION

#### RESOLUTION NO. 2020-

## A RESOLUTION APPROVING A SITE PLAN FOR CONSTRUCTION OF OUTFALL FACILITIES RELATED TO THE WAUKESHA WATER UTILITY PIPELINE TO SOURCE WATER FROM LAKE MICHIGAN (5207 WEST OAKWOOD ROAD) (DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY, APPLICANTS, JUDITH E. GYURO AND EVELYN A. FARCHIONE (DECEASED), PROPERTY OWNERS)

WHEREAS, Daniel S. Duchniak, General Manager of Waukesha Water Utility having applied for approval of a proposed site plan for construction of Outfall Facility improvements related to the Waukesha Water Utility Pipeline to source water from Lake Michigan, mostly within Lot 1 of Certified Survey Map No. \_\_\_\_\_, approved concurrently herewith upon the date of adoption of this Resolution, located at 5207 West Oakwood Road, including an access drive, parking area and a building to house and screen essential services (these improvements will be located outside the 100-year floodplain); and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan for the construction of Outfall Facility improvements related to the Waukesha Water Utility Pipeline to source water from Lake Michigan, mostly within Lot 1 of Certified Survey Map No. \_\_\_\_\_, approved concurrently herewith upon the date of adoption of this Resolution, located at 5207 West Oakwood Road, including an access drive, parking area and a building to house and screen essential services, as depicted upon the plans dated January 10, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

- 1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Waukesha Water Utility Outfall Facilities dated January 10, 2020.
- 2. Daniel S. Duchniak, General Manager of Waukesha Water Utility, successors and assigns, and any developer of the Waukesha Water Utility Outfall Facilities construction project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Waukesha Water Utility Outfall

## DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY – SITE PLAN RESOLUTION NO. 2020-\_\_\_\_ Page 2

Facilities construction project, 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 the Waukesha Water Utility Outfall Facilities construction project (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. That the Waukesha Water Utility Outfall Facilities construction project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
- 5. Areas of disturbance of natural resource features to provide for the proposed essential services in Lots 1 and 4 shall be restored to the restoration standards of Unified Development Ordinance §15-4.0102.I.
- 6. This site plan approval is conditional upon and no development shall occur prior to approval of concurrent Comprehensive Master Plan Amendment and Rezoning applications.
- 7. Pursuant to Unified Development Ordinance §15-5.0202.A., the applicant shall revise the site plan to increase the driveway width to 24 feet, prior to issuance of building permits.
- 8. Pursuant to Unified Development Ordinance §15-5.0202.I., the applicant shall revise the site plan to designate one parking space as ADA space with a minimum with of 13 feet, prior to issuance of building permits.
- 9. Pursuant to Unified Development Ordinance §15-5.0202.E., the applicant shall revise the site plan to add curb and gutter surrounding the driveway and parking lot, prior to issuance of building permits.
- 10. Pursuant to Unified Development Ordinance §15-5.0303.D., the applicant shall revise the landscape plan to provide for on-site irrigation, prior to issuance of building permits.

## DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY – SITE PLAN RESOLUTION NO. 2020-\_\_\_\_ Page 3

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_\_, 2020.

APPROVED:

ATTEST:

Stephen R. Olson, Chairman

Sandra L. Wesolowski, City Clerk

AYES NOES ABSENT

STATE OF WISCONSIN

#### CITY OF FRANKLIN

#### ORDINANCE NO. 2020-\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOT 1 OF CERTIFIED SURVEY MAP NO. \_\_\_\_\_ FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND FW FLOODWAY DISTRICT TO I-1 INSTITUTIONAL DISTRICT (LOCATED AT 5207 WEST OAKWOOD ROAD) (APPROXIMATELY 2.40 ACRES) (DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY, APPLICANT, JUDITH E. GYURO AND EVELYN A. FARCHIONE (DECEASED), PROPERTY OWNERS)

WHEREAS, Daniel S. Duchniak, General Manager of Waukesha Water Utility having petitioned for the rezoning of approximately 2.40 acres of land, Lot 1 of Certified Survey Map No. \_\_\_\_\_, from R-2 Estate Single-Family Residence District and FW Floodway District to I-1 Institutional District, such land located at 5207 West Oakwood Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 23rd day of January, 2020, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

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

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for Lot 1 of Certified Survey Map No. \_\_\_\_\_, described below, be changed from R-2 Estate Single-Family Residence District and FW Floodway District to I-1 Institutional District:

> Commencing at the Northwest Corner of Section 35, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, Thence North 88°32'06" East along the North line of Section 35 and the

ORDINANCE NO. 2020-\_\_\_\_ Page 2

centerline of West Oakwood Road, 819.76 feet; Thence South 01°27'54" East, 40.00 feet to a point on the South right of way line of West Oakwood Drive to the Point of Beginning; Thence North 88°32'06" East along said South right of way line, 330.00 feet; Thence South 01°27'54" East, 317.00 feet; Thence South 88°32'06" West, 330.00 feet; Thence North 01°27'54" West, 317.00 feet to the Point of Beginning. Tax Key No. 948-9998-001.

- SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.
- SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.
- SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2020, by Alderman \_\_\_\_\_\_.

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

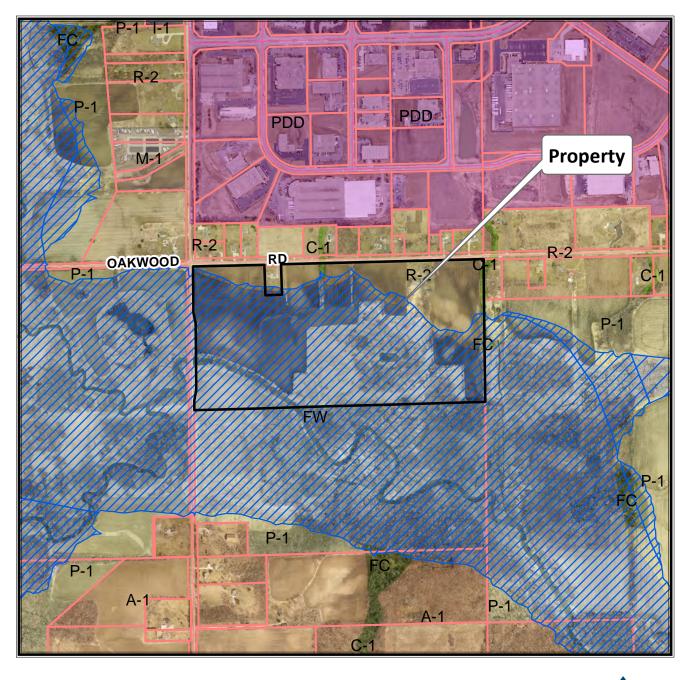
ATTEST:

Sandra L. Wesolowski, City Clerk

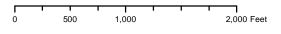
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_



## 5207 W. Oakwood Road TKN: 948 9998 001

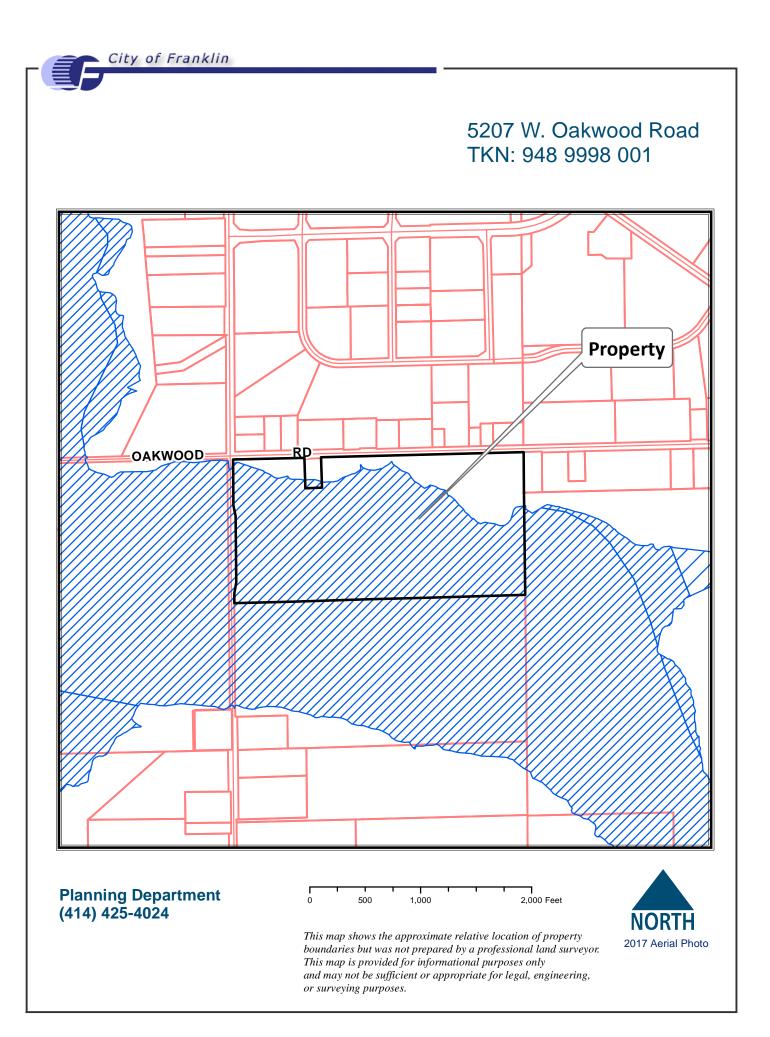


## Planning Department (414) 425-4024





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



# **City of Franklin Department of City Development**

Date: January 2, 2020

To: Daniel Duchniak (Waukesha Water Utility)

From: City Development Staff

RE: Waukesha Water Utility Comprehensive Master Plan Amendment, Rezoning, and Site Plan – Staff Comments

Please be advised that City Staff has reviewed the above application for the property located at 5207 West Oakwood Road. Department comments are as follows for the Comprehensive Master Plan Amendment, Rezoning, and Site Plan Applications submitted by the Waukesha Water Utility and City file-stamped November 6, 2019.

## **Unified Development Ordinance (UDO) requirements**

## <u>Rezoning</u>

1. Per UDO § 15-9.0203, please provide a "Rezoning Exhibit" that illustrates the site boundaries, future recreational trail, boundaries for proposed Lots 1-4, and label the current and proposed zoning district on each of the proposed lots.

## Site Plan

- 2. Per UDO § 15-7.0103, please provide the following information on the Proposed Site Development Plan:
  - B. **Owner &/or Developer's Name and Address.** Owner's and/or developer's name and address noted on site plan. - <u>Waukesha Water</u> <u>Utility's address should be added to site plan.</u>
  - D. Date. Date of Site Plan submittal with all dates of revision. - October 2019 is noted on Site Plan – We will need a precise submittal date for revised submittal.
  - G. Soils Data. The characteristics and types of soils related to contemplated specific uses. Soil borings may be required by the City Engineer, Zoning Administrator, and/or Plan Commission.
  - N. North Arrow. North arrow. - North arrow needed on Sheet SP-2.
  - BB. **Financial Plan for Project Implementation to be provided.** A financial plan for project implementation, acceptable to the Plan Commission. - Only general total cost information is provided in project summary. Please provide a financial plan for project implementation.
  - DD. Please show building dimensions on Site Plan.
  - DD. Please show parking lot and driveway dimensions on Site Plan

- 3. I-1 Zoning District standards, UDO requirements listed on site plan are all met except:
  - A. Minimum Landscape Surface Ratio (LSR): The UDO requires a minimum of LSR of 0.40 in the I-1 zoning district, but Sheet SP-2 lists the proposed LSR as 0.05. Please recalculate the Landscape Surface Ratio by dividing the area of landscaped surface by the base site area. (The proposed site plan appears to meet the 0.40 LSR requirement.)

## Natural Resource Protection Plan

- 4. On the Natural Resource Protection Plan (NRPP), please include the individual's name that performed the wetland delineations in addition to the company's name.
- 5. Per UDO Division 15-4.0100, please measure and graphically indicate the following on the Natural Resource Protection Plan (NRPP):
  - B. Steep slopes. If no steep slopes are present on the subject property, please indicate that none are present.
  - C. Woodlands and forests (mature and young). If no such features are present on the subject property, please indicate that none are present.
  - D. Lakes and ponds. If no such features are present on the subject property, please indicate that none are present.
  - E. Streams. Please provide the area of the Root River in square feet and acres.
  - F. Wetlands Buffers. Please provide the area of Wetlands Buffers in square feet and acres.
  - G. Wetlands and Shoreland Wetlands. Please provide the area of Wetlands and Shoreland Wetlands in square feet and acres.
- 6. Provide a topographic drawing on which steep slopes are measured and graphically indicated.
- 7. Please be aware that according to footnote (b) of Table 15-4.0100, which states that natural resource protection standards shall not be applicable to essential services and their associated easements (as defined in Section 15-11.0103 of this Ordinance); however, areas of disturbance of natural resource features to provide for said essential services shall be restored to the restoration standards of Section 15-4.0102I.
- 8. Please complete the Worksheet for the Calculation of Site Intensity and Capacity for \*Nonresidential\* Development (Table 15-3.0505). Use the regulations for the I-1 district, not the R-2. (The applicant has completed Residential version of the table in error.)
- 9. On the "Worksheet for the Calculation of Natural Resource Protection Land," please provide the number of acres of land in streams and shore buffers present on the subject property.
- 10. In the Natural Resources Protection Plan Technical Memorandum, "steep slopes" appears on both the list of present regulated natural resources and the list of absent regulated natural resources (see Section 3). Please correct this.

11. Attached is conservation easement template.

## Parking

- 12. Driveways shall be at least 24 feet wide, per UDO 15-5.0202A.
- 13. One ADA space is required per Table 15-5.0202(I)(1) of the UDO. Please label one ADA accessible parking spaces on the site plan. Also note that the UDO requires a minimum 13-foot width for ADA parking spaces.
- 14. Concrete curb and gutter shall be installed surrounding the driveway and parking lot, per UDO 15-5.0202D. It is noted that This provision may be waived by the Plan Commission for additions to existing structures located in areas without a predominance of curb and gutter when curb and gutter is not installed on the adjacent street right-of-way, or is not anticipated to be constructed on the street right-of-way in a future street reconstruction in a reasonable period of time." (per UDO 15-5.0202D).

Are you requesting to waive this requirement? Please confirm.

- 15. Only passenger automobiles, panel trucks, vans or pick-up trucks, each individually not exceeding 8,000 pounds manufactured Gross Vehicle Weight, may be parked onsite, per UDO 15-5.0202G.
- 16. Minimum width of off-street parking rows and aisles must meet the requirements of Table 15-5.0204. Increasing driveway width to 24 feet will help with this.

## Landscaping

- 17. Please provide a 30' wide landscape bufferyard along proposed zoning district boundaries per UDO 15-5.0302C., 15-5.0109, 15-7.0301, and 15-7.0702P. All screening and plant material shall be a minimum of six feet in height at the time of installation.
- 18. Staff recommends additional trees species be provided to comply with UDO minimum landscaping standards (15-5.0302 F). For site with 12-20 trees plantings, a minimum of 4 trees of each species is required. The landscaping plan meets this requirement for shrubs and herbaceous plantings, but not for tree species.
- Is irrigation provided? The UDO requires permanent, on-site irrigation (underground or drip irrigation, hose bibs, etc.) per Section 15-5.0303 of the UDO. If hose bibs are used, they must be located within 100 feet of any landscaped area.
- 20. Please note a two year planting guaranty on the Landscape Plan for compliance with Section 15-5.0303 G.3. of the UDO.
- 21. Attached is landscape bufferyard easement template

## Lighting Plan

22. Lighting Plan meets all requirements for luminaires with angle less than 90 degrees.

## Architecture

23. Please provide specific names of colors of proposed building materials on building elevations (particularly for burnished block, roof, and louvers). Visible sloped roofs must be neutral in color, such as gray, black, or dark brown, per UDO 15-3.0355B.4.f. The colors depicted on the 3D rendering *appear* to meet requirements for building materials and colors described in UDO 15-3.0355B.3.

## Additional City Development comments

#### Comprehensive Master Plan Amendment

24. Please provide an exhibit labeled "Comprehensive Master Plan Amendment Exhibit" that illustrates the site boundaries, future recreational trail, boundaries for proposed Lots 1-4, and label the current and proposed future land use designations on each of the proposed lots.

#### Architecture

- 25. Please consider the following comments and recommendations related to the architecture of the building:
  - 1. Add corner features to the building, particularly where the building is viewed from the public right-of-way.
  - 2. Add decorative molding at roofline.
  - 3. Add window treatments throughout.

#### Sign Plan

26. Is any signage proposed? If so, staff recommends submittal of sign details, such as the location and base material for approval as part of the Site Plan Application. Please also be aware that a Sign Permit will be required for any proposed sign, prior to installation. Please contact the Building Inspection Department at 414-425-0084 regarding the approval process and any required application.

#### **Engineering Department Comments**

- 27. The proposed certified survey map is still in the process of review. The Engineering Department has no comments on the Rezoning, Site Plan Amendment and Comprehensive Master Plan Amendment.
- 28. Note: The Engineering Department will still need to review the engineering aspects of the entire site. Engineering may need to require additional information to complete the review.
- 29. On page 1 of 5; Add the note "LOT 1, 2, 3 & 4 IS NOT SERVED BY PUBLIC SANITARY SEWER AND WATER"
- On page 5 of 5; Under Common Council Approval insert the word "Dedication". It should be written "Approved and dedication accepted by the ....." (see attached).
- 31. The Mayor's name should be changed to Stephen Olson.





January 13, 2020

Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Revised documents for Site Plan/Site Plan Amendment Application, Certified Survey Map Application, Rezoning Application and Comprehensive Master Plan Application for the Outfall Facilities

Dear Mr. Dietl,

The Waukesha Water Utility (WWU) is submitting the following revised documents to accompany the Site Plan/Site Plan Amendment approval, the Certified Survey Map (CSM) Application approval, the Rezoning Application approval and the Comprehensive Master Plan Application approval for the Outfall Facilities located in Section 35, Township 5 North, Range 21 East, at the southeast corner of the intersection of South 60<sup>th</sup> Street and West Oakwood Road in the City of Franklin, Milwaukee County, Wisconsin.

Please find enclosed the following materials for the Outfall Facilities including:

- One (1) original and six (11) copies of the following:
  - Project Summary
  - Response letter containing responses to comments from the Department of City Development and Engineering Department.
  - o Waiver request letters for:
    - The requirement for curb and gutter
      - The requirement for an irrigation system
    - The requirement for an Americans with Disabilities Act (ADA) parking space
    - The requirement for 24-foot wide driveway
  - Natural Resources Protection Plan Technical Memorandum including the Site Intensity and Capacity for Nonresidential Development Worksheet.
  - CSM showing the area (Lot 1, 2, 3 and 4) with property boundaries and dimensions. (CSM will be stamped and signed after City of Franklin approval).
  - Final draft Conservation Easement document (easement will be executed after City of Franklin approval).
  - Final draft Bufferyard Easement document (easement will be executed after City of Franklin approval).
  - Reduced size (11" x 17") Site Plan, building drawings, grading plans, building drawings and elevations, NRPP drawings and Landscaping plans and details included in drawing package.
  - Wetland and Waterway Delineation Report (due to its size, is only included on the USB Flash Drive)
- One (1) USB Flash Drive containing one copy of the documents listed above.





If you have any questions or concerns, please feel free to contact me at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

Amberchick

Andrew G. Schrank, P.E. Project Manager

Encl. (1): Documents listed above

C: Daniel Ducniak/WWU Catharine Richardson/Greeley and Hansen File





# Site Plan Application Project Summary For the City Of Franklin

Project Name: Outfall Facilities

In June of 2016, the Great Lakes Compact Council approved the City of Waukesha's application to source water from Lake Michigan to the City of Waukesha. The Waukesha Water Utility (WWU) created the Great Water Alliance (GWA). A website (greatwateralliance.com) was established to educate, communicate and provide information flow to the public and impacted communities. As part of the application approval, WWU is required to return water (return flow) diverted from Lake Michigan back to the Lake Michigan watershed. To fulfill this requirement, water treated at the City of Waukesha's Clean Water Plant (CWP), will be returned through an approximately 23-mile, 30" pipeline to the Lake Michigan watershed via the Root River in Franklin, Wisconsin. Due to the complexity of this overall effort, the design and implementation of the entire return flow piping system is broken up into multiple contract packages issued as part of the GWA. The Outfall Facilities is included within Contract Package 6.

The location of returning water to the Root River (see Figure 1 below) was evaluated based on land with river access and land available for purchasing. The final selection is located at 5207 Oakwood Road (parcel tax key 9489998001) in the City of Franklin in Section 35, Township 5 North, Range 21 East, at the southeast corner of the intersection of South 60th Street and West Oakwood Road in the City of Franklin, Milwaukee County, Wisconsin. The current owners are Judith Gyuro and Evelyn Fachione, 4604 West Thorncrest Drive, Franklin, WI 53132.

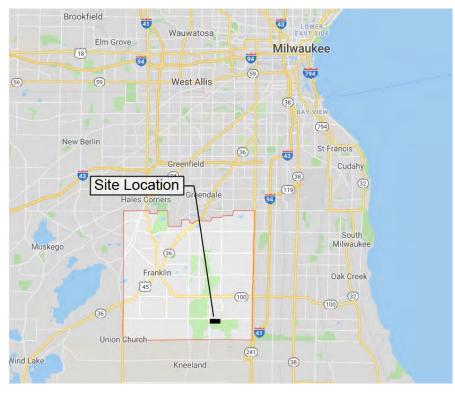


Figure 1. Return Flow Facilities Site Location

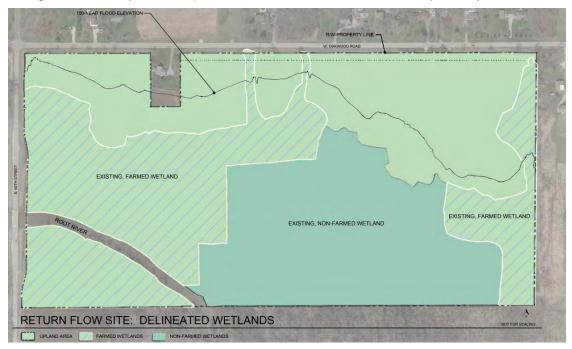
Site Plan Application Project Summary For the City Of Franklin



Figure 2. Return Flow Facilities Site Existing Conditions

## **Existing Site Conditions**

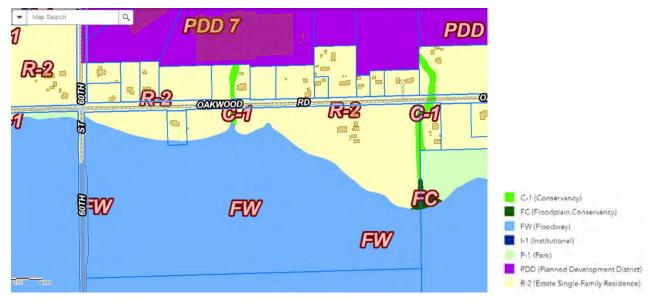
A key component of the return flow system is the approximate 76-acre parcel, as shown in Figure 2, in order to build essential services to fulfill the requirements set by the Great Lakes Compact Council approval. Presently, this parcel includes a vacant farmhouse, with associated farm and accessory buildings and in the far northeast corner. Much of the property is presently farmed and is located within the 100-year floodplain. With its proximity to the Root River, a large portion of the property is classified as wetland based on WDNR criterial. A large portion of the delineated wetlands on site are presently farmed as indicated in Figure 3. The portion of the existing wetlands which are not currently farmed exhibit primarily reed grass vegetation with minimal tree canopy and scrubby plant material. The shoreline of the Root River, which runs in the southwest quadrant of the site, is vegetated primarily up to the top of bank with sparse riparian trees and reed grass. Areas beyond the top of bank elevation of the Root River are presently farmed.



**Figure 3. Existing Delineated Wetlands** 

## **Existing and Proposed Zoning Districts**

Lands to the north of the site are presently zoned by the City of Franklin R-2 Estate Single-Family Residence and include single family homes and vacant land, with a Planned Development District comprised of primarily industrial land uses beyond the R-2 Estate Single-Family Residence. The site is primarily zoned Floodway to the west and south. Lands to the east of the site are also zoned R-2 Estate Single-Family Residence and Floodway. There are no planned improvements within Conservancy and Floodplain Conservancy Zoning Districts.



#### Figure 4. Current City of Franklin Zoning in and around the Return Flow Site

WWU is proposing to divide the Outfall Facilities parcel, as shown in Figure 4 into four parcels as shown on the Certified Survey Map (CSM) included with the attached Site Plan Application and backup information packet. The applicant proposes to divide the property in this manner to balance needed improvements along with maintaining the direction of future development as indicated within the current City of Franklin 2025 Comprehensive Plan. The City of Waukesha on behalf of the WWU is planning to purchase Lots 1, 2, and 4 as shown in the CSM.

#### Lot 1

WWU is proposing for Lot 1 (as shown in the CSM), to develop most of the Outfall Facility improvements, including an access driveway, parking area, and a building to house and screen essential services outside the 100-year floodplain, or outside of the FW Zoning District, within the proposed parcel of Lot 1. The existing zoning for the proposed Lot 1 area is primarily R-2, with FW along the southern boundary. The applicant requests to rezone the area within proposed Lot 1 to Institutional, due to the proposed land use of essential services is more conducive for an Institutional Zoning District. The applicant wishes to rezone Lot 1 to Institutional only rather than the entire parcel as shown in Figure 2. In the City of Franklin's 2025 Comprehensive Plan, the entire parcel, as shown in Figure 5 is slated for a Recreational land use primarily in north and west areas of the site, while the rest of the parcel is designated as an Area of Nature Resource Features. The proposed boundaries of Lot 1, if re-zoned to Institutional would be located within the proposed Recreational land use, leaving all remaining Lots 2-4 slated for Recreational land use and an Area of Natural Resource Features more consistent with the 2025 Comprehensive Plan.

Site Plan Application Project Summary For the City Of Franklin



#### Figure 5. City of Franklin 2025 Comprehensive Plan for the Return Flow Facilities Site

#### Lot 2

WWU is not proposing and does not anticipate any improvements for this application within Lot 2 as shown in the CSM but wishes to maintain ownership of this property if future phases of infrastructure improvements are required from environmental regulated levels around temperature and dissolved oxygen set by the Wisconsin Department of Natural Resources (WDNR). If in the event that the proposed improvements within this application are sufficient in meeting regulations set by the WDNR, and it is deemed by regulators that improvements will not be required in the future, Lot 2 would remain developable in accordance with the 2025 Comprehensive Plan or a future Comprehensive Plan. The land within proposed Lot 2 is currently farmed and will continue to be farmed into the foreseeable future.

#### Lot 3

The current land owner wishes to maintain ownership of Lot 3 as shown in the CSM. No improvements are planned as part of this application.

#### Lot 4

The City of Waukesha is proposing a 30" buried pipeline which connects the proposed infrastructure improvements within Lot 1 to a proposed outfall located at the Root River. No other improvements are expected as part of the application. The site within Lot 4 will be restored to existing conditions, with the exception of minor grading to accommodate the new outfall at the Root River streambank. Current farming activities within Lot 4 will continue into the foreseeable future.

#### **Proposed Outfall Facilities**

The Outfall Facilities will comprise of infrastructure and equipment required in meeting permitted discharge levels of dissolved oxygen and temperature for water being returned to the Root River. The infrastructure planned for the site is critical in meeting these regulations, as well as returning water back to the Lake Michigan watershed. Proposed improvements include driveway access, parking area, reaeration building which encloses a reaeration structure, and outfall pipe to the Root River.

The reaeration building will be located 35-ft. south the City of Franklin's proposed 80-ft. right-of-way (ROW). The reaeration building was sited across from vacant lands, considering view impacts of adjacent residents. The reaeration building was sited so the building itself, along with proposed grading and site

improvements would not impact existing natural resources types and maintain natural drainage patterns. The building was designed to mimic the character and context of the existing single-family homes located across Oakwood Road to minimize visual impact. Vegetation such as trees, shrubs, and native grasses are proposed to fulfill the landscape requirements set within the City of Franklin Unified Development Ordinance (UDO), but also includes additional proposed vegetation, beyond UDO requirements, to mimic the character of the surrounding uses, as well as provide screening from the east and west views for existing residents on Oakwood Road. Native grasses are proposed in lieu of turf grasses to provide greater stormwater absorption and minimize mowing frequency and chemical use.

The driveway access from Oakwood Road, as well as the parking area will be asphalt. The City of Waukesha will periodically utilize light-duty maintenance trucks to access the site, for periodic maintenance of the Outfall Facilities. On the parking area perimeter, there will be two light poles with motion-sensor lighting for continuous security, but also to minimize energy consumption. The parking area will be screened per the City of Franklin UDO requirements.

The reaeration building itself is approximately 49 ft. by 39 ft., burnished block construction with a standing seam gable metal roof. Overall roof height at its peak is 17'- 4". To blend into the residential character of the area, louvers were incorporated to look like windows and are primarily located on the east and west sides. No windows are planned. There is one set of double doors on the east side with a required exterior emergency light above the door. This light is also on a motion sensor to provide continuous security while minimizing energy consumption.

A 30" buried Return Flow Pipeline from the City of Waukesha CWP crosses the north portion of the property from west to east and enters the north side of the Reaeration Building. A 30-inch pipe leaves the south side of the building and gravity flows through an inverted siphon to the Root River. The streambank at the proposed outfall at the Root River will be restored with native riparian vegetation and erosion control fabric to maintain the integrity of the streambank while vegetation can establish. The outfall and respective grading are proposed so no existing trees will be removed during construction. Tree protection is proposed for existing trees. Drawings and colored rendering are included in attached backup.

The natural drainage on this site the parcel (including Lot 1) generally flows from north to south at a 5% to 7% slope. All proposed grading in Lot 1 will also follow the natural drainage and will provide sheet flow away from the building and parking area. There is no proposed stormwater infrastructure, other than a proposed culvert under the proposed driveway, within Lot 1, to maintain drainage in the existing swale that runs parallel to Oakwood Road.

Construction duration is approximately 9 months. Hauling of material offsite is not anticipated. Contractors limits of construction are delineated on the attached drawing package and does not permanently impact wetland setback and buffer zones. Permanent impacts to the site are minimal, including the driveway, parking area, the Reaeration building with respective grading, the outfall at the Root River, and two at grade manholes along the pipeline route to the river. After the pipeline is installed, the land currently farmed will be regraded and returned to a farming use, except for the upland areas around the proposed Reaeration Building in Lot 1, which will be restored with native grasses. The total construction cost is estimated to be \$2,600,000.





Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Response to City of Franklin City Development Staff comments on the Certified Survey Map (CSM) dated December 5, 2019 and comments on the Comprehensive Master Plan Amendment, Rezoning, and Site Plan dated January 2, 2019

Dear Mr. Dietl,

Waukesha Water Utility (WWU) submitted documents related to the Site Plan/Site Plan Amendment approval, the Comprehensive Master Plan Amendment approval, the Certified Survey Map (CSM) Application approval and the Rezoning Application approval for the Outfall Facilities located in the City of Franklin, Milwaukee County, Wisconsin on November 6, 2019.

Below are responses to the Certified Survey Map (CSM) comments from City of Franklin Development Staff dated December 5, 2019.

#### **Department of City Development Comment:**

Lot 1 meets the minimum lot area and lot width requirements for the existing R-2 Estate Single-Family Residence zoning district and proposed I-1 Institutional zoning district. . Lot 2, Lot 3 and Lot 4 meet the minimum lot area and lot width requirements for the existing R-2 Estate Single-Family Residence zoning district.

#### WWU Response: Noted.

#### **Unified Development Ordinance (UDO) requirements**

1. Per UDO Section 15-9.0309.E, it is recommended that Natural Resources be located within conservation easements and outlots. Please see attached template.

### WWU Response: Conservation Easement added on pages 5 and 6 of the CSM. An unsigned conservation easement form is included and will be fully signed after review.

2. Please add all required building setbacks to the CSM per UDO 15-7.0702B.

#### WWU Response: Setbacks added on page 1 of the CSM.

3. Please add map dates and revision dates to the CSM per UDO 15-7.0702H.





#### WWU Response: Map dates have been added on all sheets of the CSM.

4. Correct the existing zoning labeled as R-1 on page one of the CSM to R-2 Estate Single-Family Residence District, FW Floodway District, C-1 Conservancy District and FC Floodplain Conservancy District. Additionally, please add the zoning boundary lines per UDO 15-7.0702M.

### WWU Response: Zoning label on page 1 of the CSM has been corrected and zoning boundary lines added on page 3 of the CSM.

5. It is noted that UDO Section 15-3.0202 requires that lots within the R-2 zoning district be served by public sanitary sewer and water supply. Are the proposed lots served by public water and sewer? Please add a note on the face of the CSM with information about the availability of public water and sewer for the proposed lots.

#### WWU Response: Note from Comment 6 below added to page 1 of the CSM.

- 6. For those lots not served by both public water and sewer, please add the following note on the face of the CSM:
  - Common Council approval of development without public facilities is required for lots [add lot numbers] upon future development, with the exception of essential services.

#### WWU Response: Note added to the CSM.

7. Please submit certificate with signature from Land Surveyor, per UDO 15-7.0704.

### WWU Response: Land Surveyor will stamp and sign hard copies of the CSM will be fully signed after review.

8. Please provide a 30' wide landscape bufferyard easement per UDO 15-5.0302C., 15-5.0109, 15-7.0301, and 15-7.0702P.

#### WWU Response: Bufferyard easement added to page 1 of the CSM.

9. Please prepare all revisions as may be requested by Milwaukee County and all other approving authorities per UDO 15-9.0309B.5. and 6.

### WWU Response: Received comments from the Milwaukee County Register of Deeds and all comments were addressed on the CSM.

10. Please prepare all revisions as may be requested by the Engineering Department per UDO 15-7.0701.





### WWU Response: No comments have been received from the Engineering Department. The comments will be addressed if and when they are received.

#### Additional staff comments

11. The 2007 Milwaukee County Trail Network Plan depicts a proposed snowmobile trail on the site. Staff recommends that you contact the Milwaukee County Parks Department and the Rolling Dice Riders snowmobile club for potential impact of the CSM upon the proposed snowmobile trail.

WWU Response: The Milwaukee County Parks were contacted and indicated they may be interested in shifting a proposed trail from the west side of 60th street to the east side which could possibly impact the site. The Rolling Dice Riders snowmobile club was also contacted and indicated they may also pursue a. snowmobile trail on the subject property. No changes to the CSM will be made at this time due to the uncertainty of the location and timing of the proposed trail(s).

12. Staff recommends that a time extension be granted in regard to the review of the subject CSM so that simultaneous review of the associated rezoning, site plan, and comprehensive master plan amendment may occur. Please be aware that absent such simultaneous reviews, it is possible that changes to the rezoning, site plan, and/or comprehensive master plan may necessitate changes to the CSM.

#### WWU Response: We understand and agree with the proposed extension.

13. Staff recommends that a Consent of Corporate Mortgagee page be included with the CSM. If there is no mortgage for the subject property, the page may be stamped "NONE".

### WWU Response: There will be no mortgage for the property, but a page was added to the CSM and stamped "NONE" as recommended.

Below are responses to the Comprehensive Master Plan Amendment, Rezoning, and Site Plan comments received from the City of Franklin Development Staff dated January 2, 2019.

#### **Unified Development Ordinance (UDO) requirements**

Rezoning

1. Per UDO § 15-9.0203, please provide a "Rezoning Exhibit" that illustrates the site boundaries, future recreational trail, boundaries for proposed Lots 1-4, and label the current and proposed zoning district on each of the proposed lots.

WWU Response: Drawing SP-1 Overall Site Plan includes site boundaries, proposed Lots 1-4 boundaries and current and proposed zoning districts (in table Site Plan Land Development Requirements). The Milwaukee County Parks and The Rolling Dice Riders snowmobile club were contacted and indicated they may be interested in a proposed trail. No changes to the SP-1 will be made at this time due to the uncertainty of the location and timing of the proposed trail(s).





#### Site Plan

- 2. Per UDO § 15-7.0103, please provide the following information on the Proposed Site Development Plan:
  - B. **Owner &/or Developer's Name and Address.** Owner's and/or developer's name and address noted on site plan. - Waukesha Water Utility's address should be added to site plan.

### WWU Response: Owners name and address has been added to the proposed site plan along with the City of Waukesha as a potential future owner.

D. **Date.** Date of Site Plan submittal with all dates of revision. - - <u>October 2019 is noted on</u> <u>Site Plan – We will need a precise submittal date for revised submittal.</u>

#### WWU Response: Submittal dates have been added to the drawings.

G. Soils Data. The characteristics and types of soils related to contemplated specific uses. Soil borings may be required by the City Engineer, Zoning Administrator, and/or Plan Commission.

WWU Response: Geotechnical investigations were completed at the site previously. Soil boring information can be provided if requested.

N. North Arrow. North arrow. - - North arrow needed on Sheet SP-2.

WWU Response: North arrow is on this drawing in the upper right-hand corner.

BB. **Financial Plan for Project Implementation to be provided.** A financial plan for project implementation, acceptable to the Plan Commission. - - Only general total cost information is provided in project summary. Please provide a financial plan for project implementation.

WWU Response: The construction of the Outfall Facilities, along with the Return Flow Pipeline, will be paid for by WWU. The costs of the project will be paid by a combination of WWU's capital funds and low-interest loans from Clean Water Fund through the Wisconsin Department of Natural Resources.

DD. Please show building dimensions on Site Plan.

WWU Response: Building dimensions have been added to the Site Plan (drawing SP-1).

DD. Please show parking lot and driveway dimensions on Site Plan

WWU Response: Parking lot and driveway dimensions are shown on drawing SP-2.





- 3. I-1 Zoning District standards, UDO requirements listed on site plan are all met except:
  - A. Minimum Landscape Surface Ratio (LSR): The UDO requires a minimum of LSR of 0.40 in the I-1 zoning district, but Sheet SP-2 lists the proposed LSR as 0.05. Please recalculate the Landscape Surface Ratio by dividing the area of landscaped surface by the base site area. (The proposed site plan appears to meet the 0.40 LSR requirement.)

### WWU Response: The landscape Surface Ratio has been recalculated and the table has been updated.

#### Natural Resource Protection Plan

4. On the Natural Resource Protection Plan (NRPP), please include the individual's name that performed the wetland delineations in addition to the company's name.

### WWU Response: The individual's name and company who performed the wetland delineation has been added to the NRPP.

- 5. Per UDO Division 15-4.0100, please measure and graphically indicate the following on the Natural Resource Protection Plan (NRPP):
  - B. Steep slopes. If no steep slopes are present on the subject property, please indicate that none are present.

### WWU Response: There are no steep slopes present on the property and a note that none are present has been added.

C. Woodlands and forests (mature and young). If no such features are present on the subject property, please indicate that none are present.

### WWU Response: There are no mature or young woodlands and forests present on the property and a note that none are present has been added.

D. Lakes and ponds. If no such features are present on the subject property, please indicate that none are present.

### WWU Response: There are no lakes or ponds present on the property and a note that none are present has been added.

E. Streams. Please provide the area of the Root River in square feet and acres.

### WWU Response: The area of the Root River in square feet and acres has been added to the legend on NRPP-1.

F. Wetlands Buffers. Please provide the area of Wetlands Buffers in square feet and acres.





## WWU Response: The area of the wetland buffers in square feet and acres has been added to the legend on NRPP-1.

G. Wetlands and Shoreland Wetlands. Please provide the area of Wetlands and Shoreland Wetlands in square feet and acres.

### WWU Response: The area of wetlands and shoreland wetlands in square feet and acres has been added to the legend on NRPP-1.

6. Provide a topographic drawing on which steep slopes are measured and graphically indicated.

## WWU Response: Existing grading on SP-2 is shown and a note no steep slopes are present was added.

7. Please be aware that according to footnote (b) of Table 15-4.0100, which states that natural resource protection standards shall not be applicable to essential services and their associated easements (as defined in Section 15-11.0103 of this Ordinance); however, areas of disturbance of natural resource features to provide for said essential services shall be restored to the restoration standards of Section 15-4.0102I.

#### WWU Response: The disturbed areas will be restored after construction as noted.

8. Please complete the Worksheet for the Calculation of Site Intensity and Capacity for \*Nonresidential\* Development (Table 15-3.0505). Use the regulations for the I-1 district, not the R-2. (The applicant has completed Residential version of the table in error.)

#### WWU Response: A revised Worksheet for the Calculation of Site Intensity and Capacity for \*Nonresidential\* Development has been completed and is included with the revised documents.

9. On the "Worksheet for the Calculation of Natural Resource Protection Land," please provide the number of acres of land in streams and shore buffers present on the subject property.

### WWU Response: The streams and shoreland buffers present on the property have been added to the Worksheet for the Calculation of Natural Resource Protection Land.

10. In the Natural Resources Protection Plan Technical Memorandum, "steep slopes" appears on both the list of present regulated natural resources and the list of absent regulated natural resources (see Section 3). Please correct this.

#### WWU Response: The correction has been made and will be submitted with the revised documents.

11. Attached is conservation easement template.

WWU Response: The conservation easement has been completed and will be submitted with the revised documents and will be fully signed after review.





Parking 12. Driveways shall be at least 24 feet wide, per UDO 15-5.0202A.

WWU Response: WWU has submitted a request of waiver of this requirement based on the minimal use of the driveway. This facility will be unmanned and monitored remotely. Access to the site by City of Waukesha staff will be minimal and is anticipated to be approximately once per month by a single WWU truck. In order to minimize impacts to the site, a waiver for a driveway less than 24-feet wide will be requested.

13. One ADA space is required per Table 15-5.0202(I)(1) of the UDO. Please label one ADA accessible parking spaces on the site plan. Also note that the UDO requires a minimum 13-foot width for ADA parking spaces.

WWU Response: The WWU would like to request a waiver of this requirement. Access to the site by only be by City of Waukesha staff to service equipment. No public is allowed on site. The 2015 IBC, Chapter 11: Accessibility, paragraph 1103.2.9 Equipment Spaces state: "Spaces frequented by service personnel for maintenance, repair or occasional monitoring of equipment are not required to comply with this Chapter". The Wisconsin Commercial Building Code or the City of Franklin UDO does not amend the IBC paragraph 1103.2.9.

14. Concrete curb and gutter shall be installed surrounding the driveway and parking lot, per UDO 15-5.0202D. It is noted that This provision may be waived by the Plan Commission for additions to existing structures located in areas without a predominance of curb and gutter when curb and gutter is not installed on the adjacent street right-of-way, or is not anticipated to be constructed on the street right-of-way in a future street reconstruction in a reasonable period of time." (per UDO 15-5.0202D).

Are you requesting to waive this requirement? Please confirm.

### WWU Response: Yes, the WWU would like to request a waiver of this requirement. There are no curb and gutter on the adjacent Oakwood Drive.

15. Only passenger automobiles, panel trucks, vans or pick-up trucks, each individually not exceeding 8,000 pounds manufactured Gross Vehicle Weight, may be parked onsite, per UDO 15-5.0202G.

### WWU Response: No Passenger automobiles, panel trucks, vans or pick-up trucks, each individually exceeding 8,000 pounds will be allowed onsite.

16. Minimum width of off-street parking rows and aisles must meet the requirements of Table 15-5.0204. Increasing driveway width to 24 feet will help with this.

#### WWU Response: The minimum off-street parking meets the requirements of Table 15-5.0204.

Landscaping





17. Please provide a 30' wide landscape bufferyard along proposed zoning district boundaries per UDO 15-5.0302C., 15-5.0109, 15-7.0301, and 15-7.0702P. All screening and plant material shall be a minimum of six feet in height at the time of installation.

# WWU Response: A 30 feet wide landscape bufferyard has been added to the CSM and Drawing L800. The plantings will be a minimum of six feet in height at the time of installation Tthe plantings have not been located within the bufferyard area for the following reasons:

- Provides better screening of the building and parking area from Oakwood Drive and neighbors.
- Minimize construction impacts to the site.
- The quantity of plantings meets or exceeds the requirements of UDO

#### See Drawing L800 for the landscape plan.

18. Staff recommends additional trees species be provided to comply with UDO minimum landscaping standards (15-5.0302 F). For site with 12-20 trees plantings, a minimum of 4 trees of each species is required. The landscaping plan meets this requirement for shrubs and herbaceous plantings, but not for tree species.

## Waukesha Water Utility Response: See Landscape Requirements table on drawing L800. The site has at least 4 trees of each type.

19. Is irrigation provided? The UDO requires permanent, on-site irrigation (underground or drip irrigation, hose bibs, etc.) per Section 15-5.0303 of the UDO. If hose bibs are used, they must be located within 100 feet of any landscaped area.

### WWU Response: The WWU requests a waiver of this requirement. There is no city water at this site and is not required for the purpose of WWU.

20. Please note a two-year planting guaranty on the Landscape Plan for compliance with Section 15-5.0303 G.3. of the UDO.

## WWU Response: A two-year planting guaranty is included in the specifications, and a note has been added to the drawing.

21. Attached is landscape bufferyard easement template

# WWU Response: The landscape bufferyard easement has been completed with the exception of City of Franklin required resolution information and will be submitted with the revised documents and will be executed after review.

#### Lighting Plan

22. Lighting Plan meets all requirements for luminaires with angle less than 90 degrees.

#### WWU Response: Noted





#### Architecture

23. Please provide specific names of colors of proposed building materials on building elevations (particularly for burnished block, roof, and louvers). Visible sloped roofs must be neutral in color, such as gray, black, or dark brown, per UDO 15-3.0355B.4.f. The colors depicted on the 3D rendering appear to meet requirements for building materials and colors described in UDO 15-3.0355B.3.

## WWU Response: Specific names and colors of the building materials has been added to building elevations on Drawing SP-4.

#### **Additional City Development comments**

Comprehensive Master Plan Amendment

24. Please provide an exhibit labeled "Comprehensive Master Plan Amendment Exhibit" that illustrates the site boundaries, future recreational trail, boundaries for proposed Lots 1-4, and label the current and proposed future land use designations on each of the proposed lots.

WWU Response: An exhibit labeled "Comprehensive Master Plan Amendment Exhibit" has been prepared including site and lot boundaries and current and proposed future land use. The Milwaukee County Parks and The Rolling Dice Riders snowmobile club were contacted and indicated they may be interested in a proposed trail. No changes to the Exhibit will be made at this time due to the uncertainty of the location and timing of the proposed trail(s).

Architecture

- 25. Please consider the following comments and recommendations related to the architecture of the building:
  - 1. Add corner features to the building, particularly where the building is viewed from the public right-of-way.

### WWU Response: Gutters and fascia provided at roofline. See notes on drawing SP-4 Reaeration Building Rendering.

2. Add decorative molding at roofline.

### WWU Response: Gutters and fascia provided at roofline. See notes on drawing SP-4 Reaeration Building Rendering.

3. Add window treatments throughout.

#### WWU Response: There are no windows on this building, only louvers.

#### <u>Sign Plan</u>

26. Is any signage proposed? If so, staff recommends submittal of sign details, such as the location and base material for approval as part of the Site Plan Application. Please also be aware that a Sign Permit will be required for any proposed sign, prior to installation. Please contact the





Building Inspection Department at 414-425-0084 regarding the approval process and any required application.

#### WWU Response: There will be no signage for the site or building.

#### **Engineering Department Comments**

27. The proposed certified survey map is still in the process of review. The Engineering Department has no comments on the Rezoning, Site Plan Amendment and Comprehensive Master Plan Amendment.

#### WWU Response: Noted.

28. Note: The Engineering Department will still need to review the engineering aspects of the entire site. Engineering may need to require additional information to complete the review.

#### WWU Response: Noted.

29. On page 1 of 5; Add the note "LOT 1, 2, 3 & 4 IS NOT SERVED BY PUBLIC SANITARY SEWER AND WATER"

#### WWU Response: Note has been added on page 1 of the CSM.

30. On page 5 of 5; Under Common Council Approval – insert the word "Dedication". It should be written "Approved and dedication accepted by the ....." (see attached). The Mayor's name should be changed to Stephen Olson.

### WWU Response: Change has been made under Common Council Approval and Mayor's name changed to Stephan Olson on the CSM.

If you have any questions or concerns, please feel free to contact me at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

- hul

Andrew G. Schrank, P.E. Project Manager

Encl. (1): Documents listed above

C: Daniel Ducniak/WWU





Catharine Richardson/Greeley and Hansen File





Mr. Joel Dietl Planning Manager Franklin City Hall - Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Waukesha Water Utility – Concrete Curb and Gutter Waiver Request for Site Plan Application for a Reaeration Building, City of Franklin, Wisconsin

Dear Mr. Dietl,

Waukesha Water Utility (WWU) submits this Concrete Curb and Gutter waiver request to accompany the Site Plan application of the proposed property located at 5207 West Oakwood Drive, City of Franklin, in Section 34, Township 5 North, Range 21 East, at the southeast corner, Milwaukee County, Wisconsin on the southeast corner of South 60<sup>th</sup> Street and West Oakwood Road.

The Great Water Alliance (Program) will transition the City of Waukesha's water supply from groundwater to Lake Michigan water at a net zero water balance with the Lake Michigan watershed. As part of the Program, a Reaeration Building and Outfall Facilities are required at the site at South 60<sup>th</sup> Street and West Oakwood Road in the City of Franklin as flow is returned to the Root River. This letter is to request a waiver to the requirement for Concrete Curb and Gutter for a proposed driveway and parking area at the site for the following reasons:

- Per the City of Franklin Unified Development Ordinance (UDO), curb and gutter shall be installed surrounding the driveway and parking lot, per UDO 15-5.0202E.
- The subject property's access is from Oakwood Drive. Oakwood Drive in the vicinity of this property does not have concrete curb and gutter.

WWU respectfully requests your review of the information above to obtain a waiver to provide Concrete Curb and Gutter for the subject property. If you have any questions or concerns, please feel free to contact me at (262) 409-4440 or Andrew Schrank at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

Waukesha Water Utility

Daniel S. Duchniak, P.E. General Manager, Waukesha Water Utility

Andrew Schrank/Jacobs Catharine Richardson/Greeley and Hansen File





Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Waukesha Water Utility – Permanent On-site Irrigation Waiver Request for Site Plan Application for a Reaeration Building, City of Franklin, Wisconsin

Dear Mr. Dietl,

Waukesha Water Utility (WWU) submits this Concrete Curb and Gutter waiver request to accompany the Site Plan application of the proposed property located at 5207 W. Oakwood Drive, City of Franklin in Section 34, Township 5 North, Range 21 East, at the southeast corner, Milwaukee County, Wisconsin on the southeast corner of South 60<sup>th</sup> Street and west Oakwood Road.

The Great Water Alliance (Program) will transition the City of Waukesha's water supply from groundwater to Lake Michigan water at a net zero water balance with the Lake Michigan watershed. As part of the Program, a Reaeration Building and Outfall Facilities are required at the site at South 60<sup>th</sup> Street and West Oakwood Road in the City of Franklin as flow is returned to the Root River. This letter is to request a permanent on-site irrigation waiver for the proposed site for the following reasons:

- Per the City of Franklin Unified Development Ordinance (UDO), requires permanent, on-site irrigation (underground or drip irrigation, hose bibs, etc.) per Section 15-5.0303.D of the UDO.
- The subject property does not have access to city water and there is no city water main along Oakwood Drive in the vicinity of the property.
- The Reaeration Building does not require a city water connection for operation or maintenance.
- If required, the City of Waukesha will bring in a pickup truck with a water tank for irrigation during the 2year landscape guarantee period.

WWU respectfully requests your review of the information above to obtain waiver to not install permanent onsite irrigation for the subject property. If you have any questions or concerns, please feel free to contact me at (262) 409-4440 or Andrew Schrank at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

Waukesha Water Utility

Daniel S. Duchniak, P.E. General Manager, Waukesha Water Utility









Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Waukesha Water Utility – ADA Parking Space Waiver Request for Site Plan Application for a Reaeration Building, City of Franklin, Wisconsin

Dear Mr. Dietl,

Waukesha Water Utility (WWU) submits this American with Disabilities Act (ADA) parking space waiver request to accompany the Site Plan application of the proposed property located at 5207 W. Oakwood Drive, City of Franklin in Section 34, Township 5 North, Range 21 East, at the southeast corner, Milwaukee County, Wisconsin on the southeast corner of South 60<sup>th</sup> Street and West Oakwood Road.

The Great Water Alliance (Program) will transition the City of Waukesha's water supply from groundwater to Lake Michigan water at a net zero water balance with the Lake Michigan watershed. As part of the Program, a Reaeration Building and Outfall Facilities are required at the site at South 60<sup>th</sup> and West Oakwood Road in the City of Franklin as flow is returned to the Root River. This letter is to request a waiver for the requirement of an ADA parking space at the site for the following reasons:

- Per the City of Franklin Unified Development Ordinance (UDO), one ADA space is required per Table 15-5.0202(I)(1) of the UDO.
- The equipment inside the Reaeration Building will be accessed by City of Waukesha service personnel only for routine maintenance
- No public will have access to site or the building.
- This project is following the 2018 Wisconsin Commercial Building Code, which modifies the 2015 International Building Code (IBC).
- The 2015 IBC, Chapter 11: Accessibility, paragraph 1103.2.9 Equipment Spaces state: "Spaces frequented by service personnel for maintenance, repair or occasional monitoring of equipment are not required to comply with this Chapter".
- Neither the Wisconsin Commercial Building Code nor the City of Franklin UDO amend the IBC paragraph 1103.2.9.





WWU respectfully requests your review of the information above to obtain an ADA parking space waiver for the subject property. If you have any questions or concerns, please feel free to contact me at (262) 409-4440 or Andrew Schrank at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

Waukesha Water Utility

Daniel S. Duchniak, P.E. ' General Manager, Waukesha Water Utility





Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Waukesha Water Utility – Driveway Width Waiver Request for Site Plan Application for a Reaeration Building, City of Franklin, Wisconsin

Dear Mr. Dietl,

Waukesha Water Utility (WWU) submits this waiver request for a driveway less than 24-feet wide to accompany the Site Plan application of the proposed property located at 5207 W. Oakwood Drive, City of Franklin in Section 34, Township 5 North, Range 21 East, at the southeast corner, Milwaukee County, Wisconsin on the southeast corner of South 60<sup>th</sup> Street and West Oakwood Road.

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- Per the City of Franklin Unified Development Ordinance (UDO), driveways shall be at least 24 feet wide, per UDO 15-5.0202A
- The Reaeration Building will not be manned and will be monitored remotely. A security camera facing the driveway will alert the City of Waukesha/WWU of any non-authorized access to the site.
- It is anticipated that a single pickup truck from WWU or the City of Waukesha will visit the site approximately once per month for routine maintenance and snowplowing, if required for access. No other personnel or public will be accessing the site.
- To decrease the impact to the site, a driveway 12-feet wide is proposed. This is sufficient for the vehicles that will visit the site.

WWU respectfully requests your review of the information above to obtain a modification to the width of the driveway waiver for the subject property. If you have any questions or concerns, please feel free to contact me at (262) 409-4440 or Andrew Schrank at (920) 912-7530 or at Andrew.schrank@jacobs.com





Yours very truly,

Waukesha Water Utility

Daniel S. Duchniak, P.E. General Manager, Waukesha Water Utility





Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Waukesha Water Utility – Permanent On-site Irrigation Waiver Request for Site Plan Application for a Reaeration Building, City of Franklin, Wisconsin

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WWU respectfully requests your review of the information above to obtain waiver to not install permanent onsite irrigation for the subject property. If you have any questions or concerns, please feel free to contact me at (262) 409-4440 or Andrew Schrank at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

Waukesha Water Utility

Daniel S. Duchniak, P.E. General Manager, Waukesha Water Utility

Franklin IANI 132020 City Development









Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

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### Franklin

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City Development





WWU respectfully requests your review of the information above to obtain an ADA parking space waiver for the subject property. If you have any questions or concerns, please feel free to contact me at (262) 409-4440 or Andrew Schrank at (920) 912-7530 or at Andrew.schrank@jacobs.com

Yours very truly,

Waukesha Water Utility

Daniel S. Duchniak, P.E. General Manager, Waukesha Water Utility





Mr. Joel Dietl Planning Manager Franklin City Hall Planning Department 9229 West Loomis Road Franklin, WI 53132

Subject: Waukesha Water Utility – Driveway Width Waiver Request for Site Plan Application for a Reaeration Building, City of Franklin, Wisconsin

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City Development

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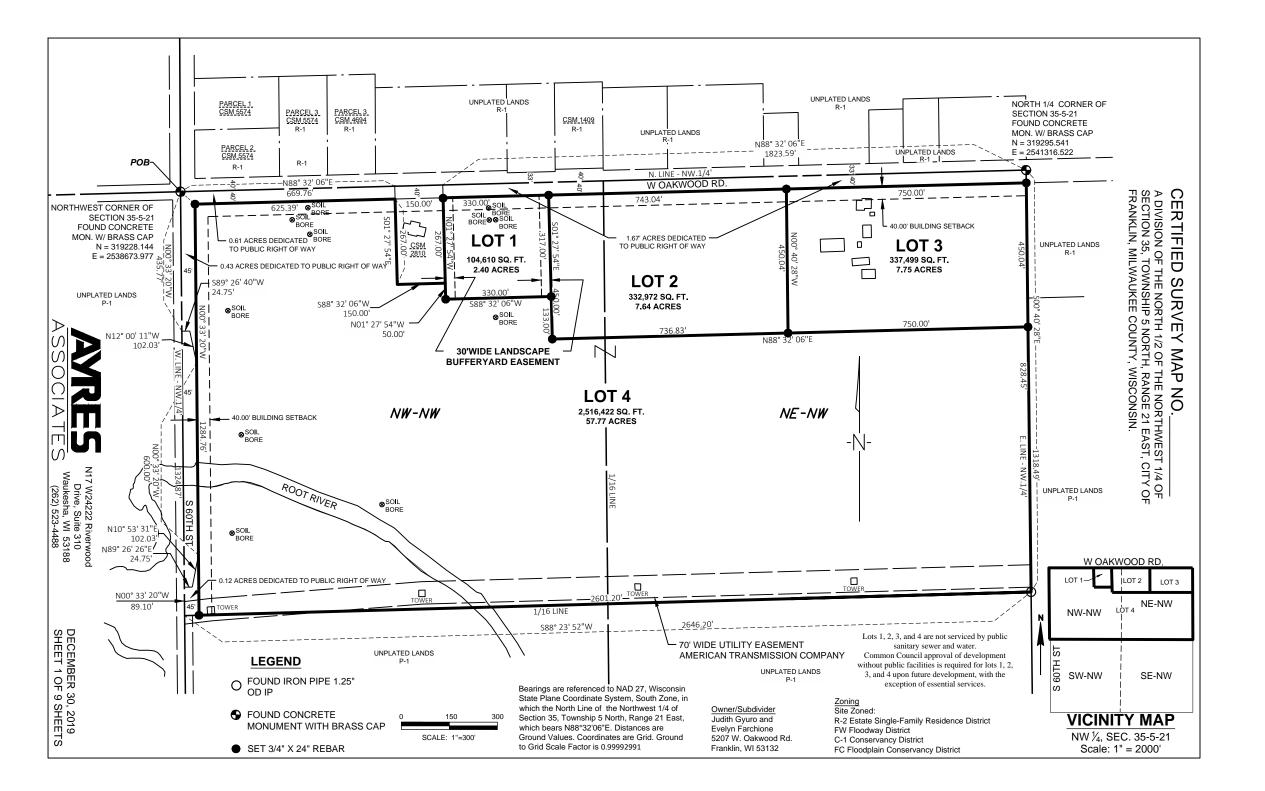


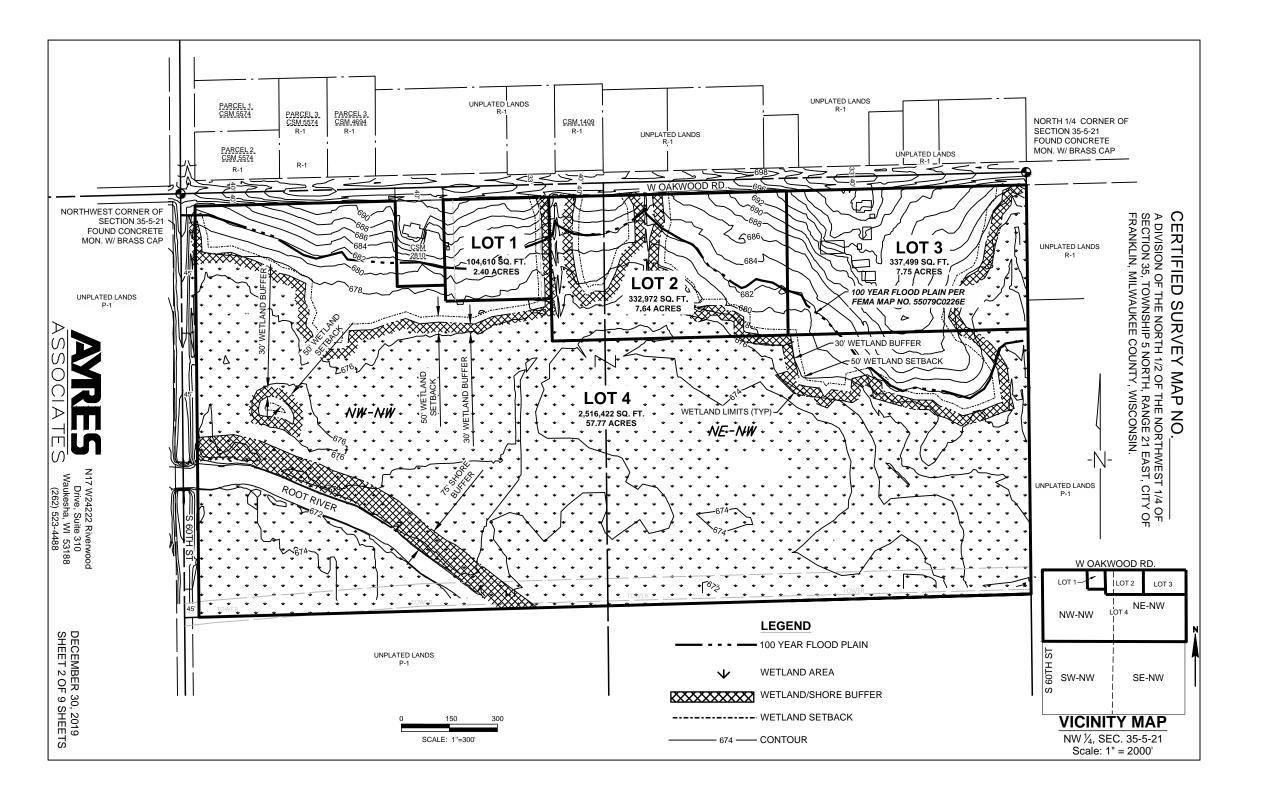


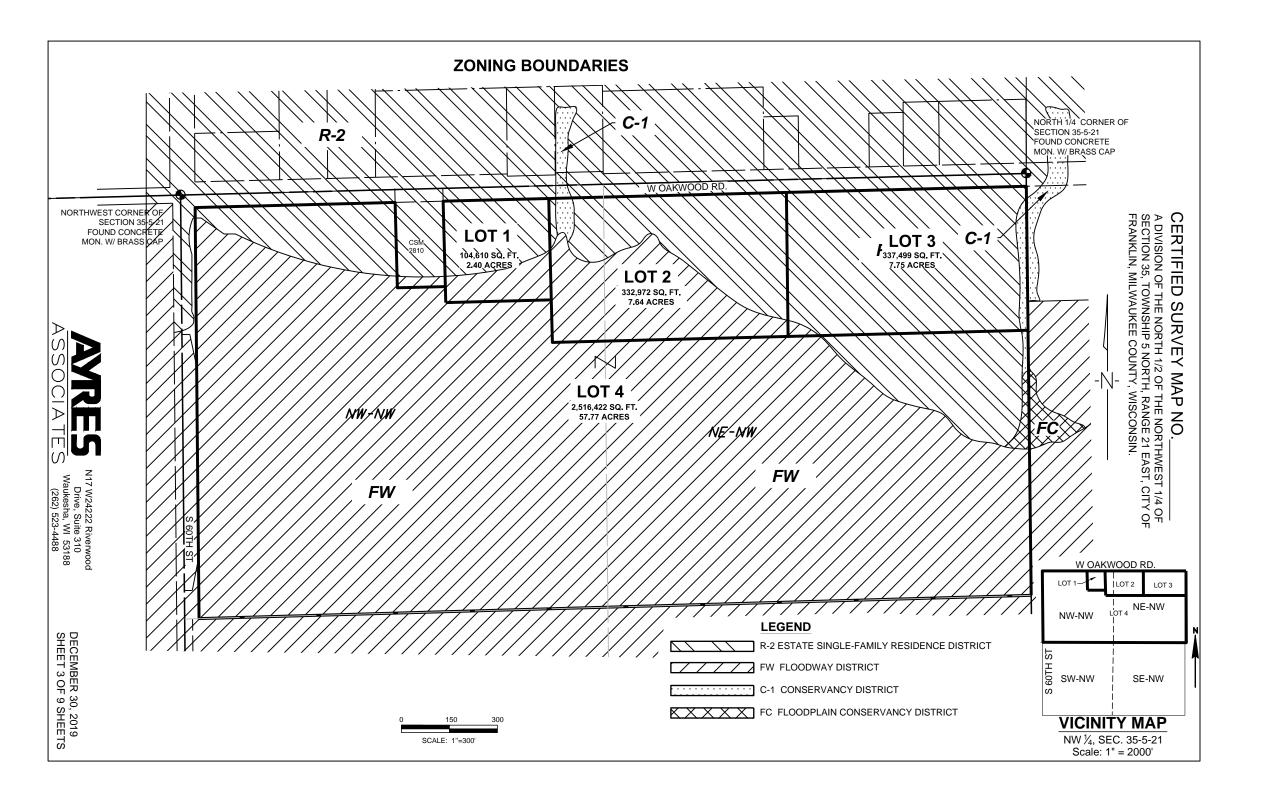
Yours very truly,

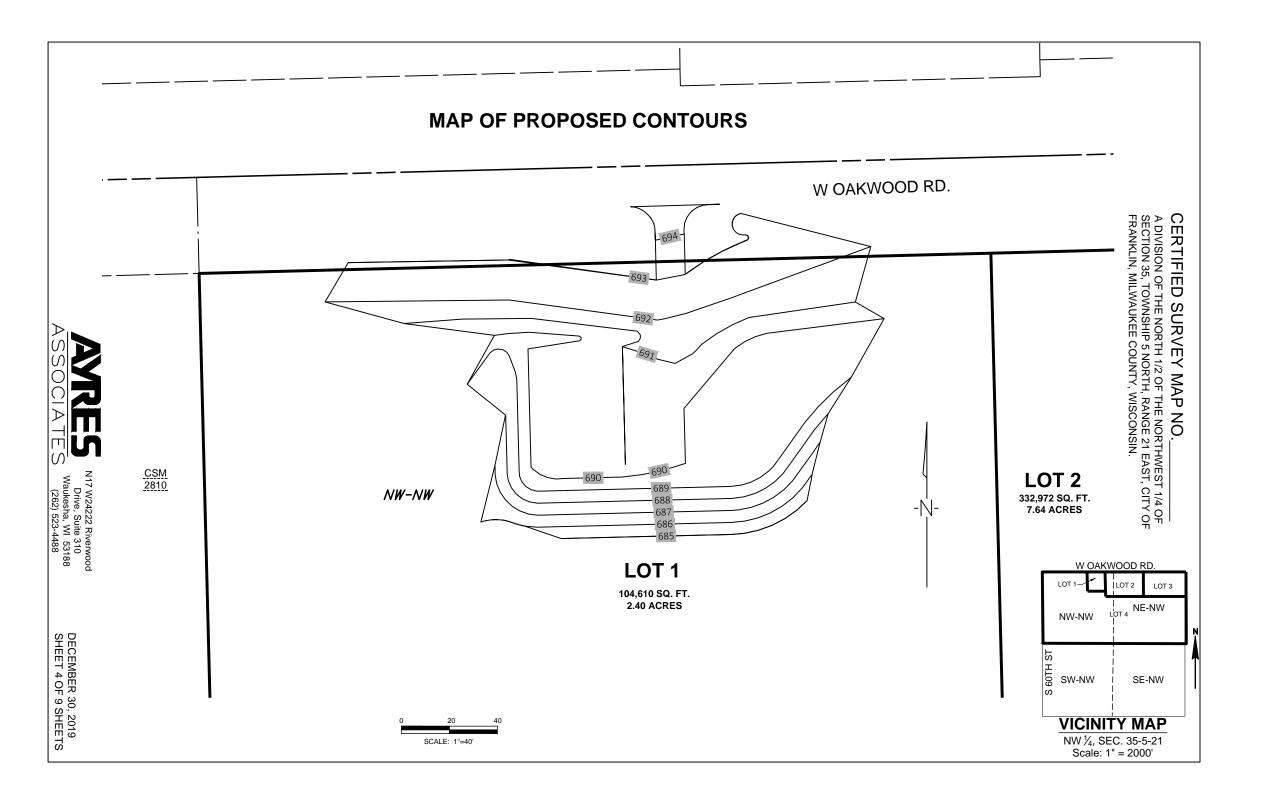
Waukesha Water Utility

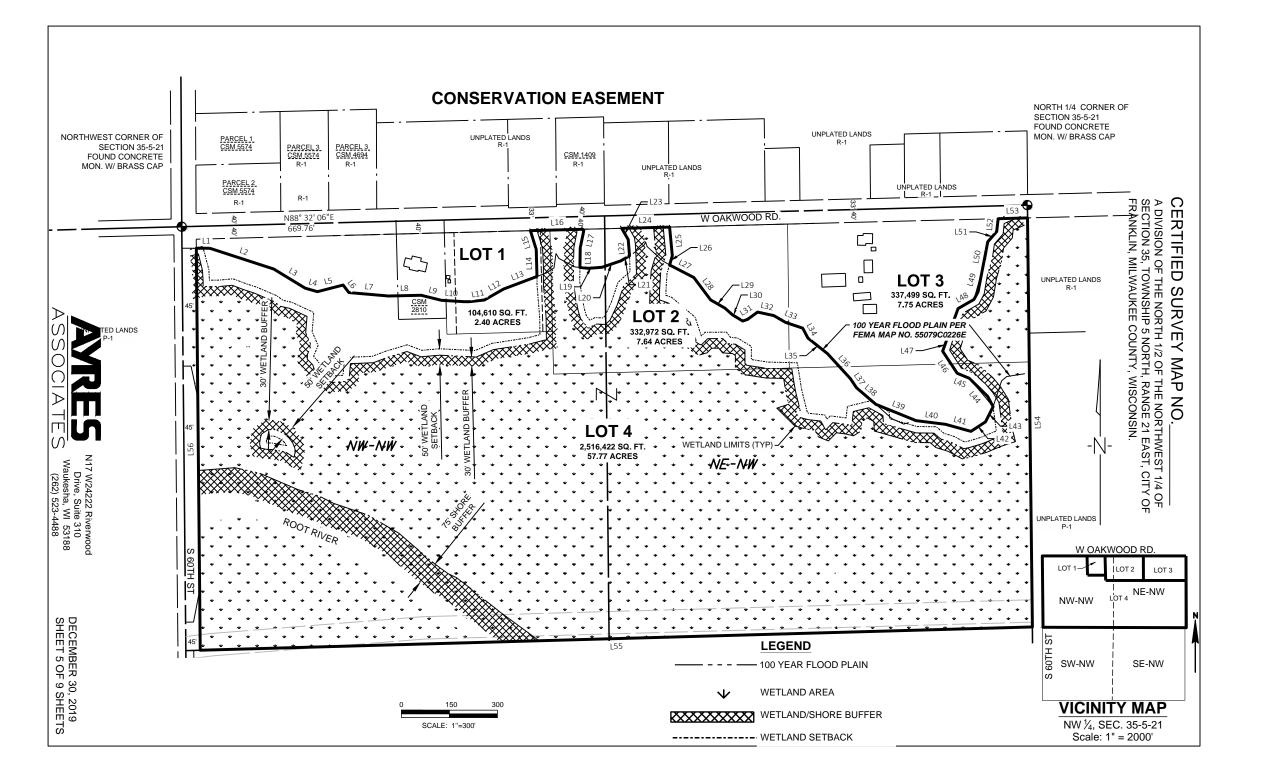
Daniel S. Duchniak, P.E. General Manager, Waukesha Water Utility











DECEMBER 30, 2019 SHEET 6 OF 9 SHEETS

OCIATES N17 W24222 Riverwood Drive, Suite 310 Waukesha, WI 53188 (262) 523-4488



L20	L19	L18	L17	L16	L15	L14	L13	L12	L11	L10	L9	L8	L7	L6	L5	L4	LЗ	5	2	Line #	
62.05	68.91	61.04	60.14	170.18	61.77	84.16	111.43	69.14	30.64	104.06	65.52	102.28	124.08	29.53	83.05	40.01	114.73	210.20	41.92	Length	Line T
N71° 06' 12"E	N89° 33' 31"E	S00° 59' 40"W	S13° 44' 01"W	N88° 32' 06"E	N17° 07' 12"W	N01° 38' 04"W	N69° 16' 10"E	N60° 30' 47"E	N78° 25' 48"E	S87° 11' 12"E	S76° 16' 29"E	N88° 48' 03"E	S85° 02' 37"E	S37° 06' 10"E	N75° 35' 01"E	S74° 10' 19"E	S58° 34' 59"E	S72° 01' 26"E	N90° 00' 00"E	Direction	Table

1 40	L39	L38	L37	L36	L35	L34	L33	L32	L31	L30	L29	L28	L27	L26	L25	L24	L23	L22	L21	Line #	
29.26	135.76	79.75	34.43	106.02	77.74	35.11	98.39	51.92	54.33	68.65	51.61	87.41	85.43	29.93	10.06	149.82	40.85	50.56	31.61	Length	Line T
S82° 58' 08"E	S67° 55' 42"E	S49° 26' 25"E	S33° 42' 00"E	S42° 29' 57"E	S51° 33' 19"E	S27° 38' 20"E	S66° 31' 01"E	S77° 45' 30"E	N58° 54' 41"E	S53° 59' 58"E	S59° 57' 29"E	S36° 55' 43"E	S62° 35' 01"E	S16° 36' 51"W	S05° 18' 07"E	N88° 32' 06"E	N30° 00' 23"W	N04° 26' 20"W	N59° 37' 16"E	Direction	able

L56 12	L55 2601	L54 12	L53 91	L52 4	L51 4	L50 10	L49 8	L48 5	L47 141	L46 8	L45 4	L44 1	L43 5	L42 5	L41 8	Line # Le	
256.38 N	.19	278.49 S	.79	40.39 N	42.83 N	104.17 N1	80.91 N	57.34 N	.70	82.60 N:	40.75 N	116.00 N	53.02 N	54.30 N	82.66 S	Length	Line Table
N00° 33' 20"W	S88° 23' 52"W	S00° 40' 28"E	N88° 32' 06"E	N06° 28' 10"E	N41° 02' 48"E	111° 43' 07"E	N15° 32' 30"E	N60° 10' 30"E	N19° 58' 18"E	N33° 25' 29"W	N67° 28' 03"W	N40° 01' 05"W	N26° 31' 02"E	N56° 40' 05"E	S74° 26' 21"E	Direction	Ű

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CERTIFIED SURVEY MAP NO.

#### CERTIFIED SURVEY MAP NO.

A DIVISION OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE STATE OF WISCONSIN)

MILWAUKEE COUNTY ): ss

I, Benjamin J Larson, Professional Land Surveyor, certify:

That I have surveyed, divided and mapped a part of the North 1/2 of the Northwest 1/4 of Section 35, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin. More particulary described as follows:

Commencing at the Northwest Corner of the Northwest 1/4 of said Section 35 and a point in the intersection of W. Oakwood Rd. and S. 60th St., said point being the POINT OF BEGINNING;

Thence North 88°32'06" East along the North line of the Northwest 1/4 of said Section 35 and the centerline of W. Oakwood Rd., 669.76 feet to the West line of Certified Survey Map 2810, recorded on Reel 926, Image 372, as Document No. 4999405:

Thence South 01°27'54" East along said West line, 307.00 feet to the South line of said Certified Survey Map 2810;

Thence North 88°32'06" East along said South, 150.00 feet to the East line of said Certified Survey Map;

Thence North 01°27'54" West along said East line, 307.00 feet to said North line of the Northwest 1/4 and said Centerline of W. Oakwood Rd;

Thence North 88°32'06" East along said North line and along said Centerline, 1823.59 feet to the East line of said Northwest 1/4:

Thence South  $00^{\circ}40'28''$  East along said East line, 1318.49 feet to the South line of the North 1/2 of said Northwest 1/4; Thence South 88°23'52" West along said South line, 2646.20 feet to the West line of said Northwest 1/4 and a point in the Centerline of S. 60th St.;

Thence North 00°33'20" West along said West line and said Centerline, 89.10 feet;

Thence North 89°26'26" East, 24.75 feet to a point in the East right of way line of S. 60th St.;

Thence North 10°53'31" East along said East right of way line, 102.03 feet;

Thence North 00°33'20" West along said East right of way line, 600.00 feet;

Thence North 12°00'11" West along said East right of way line, 102.03 feet; Thence South 89°26'40" West, 24.75 feet to the West line said Northwest 1/4 and the Centerline of S. 60th St.;

Thence North 00°33'20" West along said West line and said Centerline, 435.77 feet to the POINT OF BEGINNING;

That I have made the survey, land division, and map by the direction of (Judith Gyuro and Evelyn Farchione).

That the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made

That I have fully complied with Chapter 236 of the Wisconsin Statutes and Unified Development Ordinance -Division 15, of the City of Franklin Municipal Code in dividing and mapping the same.

, Registered Wisconsin Land Surveyor, 3006



CERTIFIED SURVEY I A DIVISION OF THE NORTH 1/2 SECTION 35, TOWNSHIP 5 NOR FRANKLIN, MILWAUKEE COUNT	OF THE NORTHWEST 1/4 OF TH, RANGE 21 EAST, CITY OF
OWNER'S CERTIFICATE: As owner(s), We certify that we caused the land descri mapped and dedicated as represented on this map in accorda Wisconsin Statutes and the Unified Development Ordinance -	nce with the provisions of Chapter 236 of the
Witness the hands and seals of said owners this day of _	, 20
	Judith Gyuro
	Evelyn Farchione
STATE OF WISCONSIN)	
WAUKESHA COUNTY ):SS	
Personally came before me this day of Farchione, to me known to be the person's who executed the t (Notary Seal)	
, Notary Public State of Wisconsin My Commission expires	
COMMON COUNCIL APPROVAL: Approved and dedication accepted by the Common Council o , on this day of,	
Stephen Olson, Mayor	Sandra L. Wesolowski, Clerk
City of Franklin	City of Franklin
ASSOCIATES N17 W24222 Riverwood Drive, Suite 310 Waukesha, WI 53188 (262) 523-4488	DECEMBER 30, 2019 SHEET 8 OF 9 SHEETS

CERTIFIED SURVEY MAP I	NO
A DIVISION OF THE NORTH 1/2 OF THE SECTION 35, TOWNSHIP 5 NORTH, RAI FRANKLIN, MILWAUKEE COUNTY, WIS	NGE 21 EAST, CITY OF
CONSENT OF CORPORATE MORGAGEE:	
, a corporation duly organized and existing Wisconsin, mortgagee of the above described land, does hereby con restricting and dedication of the land described on this Certified Surve certificate of, owner.	sent to the surveying, dividing, mapping,
This agreement shall be binding on the undersigned and assig	ns.
In Witness Whereof, has caused the	
, its President; and countersigned by	
, Wisconsin, this day of	19.
In the presences of:	
	(Co. rate Name)
(Witness)	(Print Name), President
(Witness)	(Print Name), Secretary
STATE OF WISCONSIN	
MIL THE COUNTY ):2	
Pe nally came on his day of, 2019 retary of the above named corpo	, President, and pration, to me known as the person who
executed the regoing instrument, and to me known to be the Presid acknowledged at the executed the foregoing instrument as such off authority.	lent and Secretary of the corporation, and
(Notary Seal)	
, Notary Public State of Wisconsin My Commission expires	
ASSOCIATES N17 W24222 Riverwood Drive, Suite 310 Waukesha, WI 53188 (262) 523-4488	DECEMBER 30, 2019 SHEET 9 OF 9 SHEETS

# Great Lakes Water Supply Program





# DRAFT 3 500 D1 Natural Resources Protection Plan Technical Memorandum

October 2019





GREELEY AND HANSEN



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Appendix A - Wetland and Waterway Delineation Report (included on separate flash drive)

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Waukesha Water Utility SGREEL



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PROGRAM TEAM MEMBER CONSULTANTS:









# **EXECUTIVE SUMMARY**

The City of Franklin regulates select natural resources in accordance with the Natural Resource Protection Standards established in their Unified Development Ordinance. The City of Franklin regulates steep slopes, wetlands and waterways, wetland buffers, shoreland wetlands, waterway setbacks, floodplains/floodways/floodlands, young woodlands, and mature woodlands. To comply with the City of Franklin's Unified Development Ordinance, the Great Water Alliance prepared a Natural Resource Protection Plan in accordance with the City of Franklins Unified Development Ordinance. The results of desktop studies and field surveys have determined that the property of interest contains City of Franklin regulated natural resources including steep slopes, wetlands and waterways, shoreline setbacks, shoreland wetlands, wetland buffers, young woodland, and mature woodland.







# SECTION 1 Introduction

The Great Water Alliance (GWA) has developed a Natural Resource Protection Plan (NRPP, Appendix A) for the Root River Facilities and Outfall site, located at 5207 Oakwood Road (parcel tax key 9489998001) in the City of Franklin. The property is approximately 76.35 acres and located in Section 35, Township 5 North, Range 21 East, at the southeast corner of the intersection of South 60<sup>Th</sup> Street and West Oakwood Road in the City of Franklin, Milwaukee County, Wisconsin.

# Landowner Information:

Judith Gyuro and Evelyn Farchione 4604 W Thorncrest Drive Franklin, WI 53132

The purpose of this NRPP was to determine the current location and extent of City of Franklin regulated natural resources for the proposed Root River Facilities and Outfall Site within the parcel. The summary of the study is presented here in terms of methodology, results, and conclusions.

# SECTION 2 Methods

The City of Franklin Unified Development Ordinance (UDO) requires natural resource protection of steep slopes, mature woodlands, young woodlands, lakes and ponds, streams, shore buffers, floodplains/floodways/floodlands, wetland buffers, and wetlands and shoreland wetlands. The following sections describe the methodology used to determine the locations and extents of these natural resources.

Methods used to determine the presence and absence and to delineate the location and extent of City of Franklin regulated natural resources included a desktop review of available resources, wetland and waterway delineation, and field survey for young and mature woodlands. Wetlands were delineated by a WDNR Assured Wetland Professional and subsequently surveyed by a registered land surveyor. The shoreline of the Root River is based on a WDNR determined OHWM and the location surveyed. The shoreline of the unnamed tributary is approximated based on aerial photograph interpretation and field verification and is not based on a WDNR determined OHWM. Young and mature woodland driplines were identified and flagged by a certified Forester and mapped using sub-meter accurate GPS equipment.

# 2.1 Steep Slopes

Three categories of steep slopes are defined within the UDO. These categories are based upon the relative degree of the steepness of the slope as follows: ten (10) to nineteen (19) percent, twenty (20) to thirty (30) percent and greater than thirty (30) percent. No land area is considered a steep slope unless the steep slope area has at least a ten (10) foot vertical drop and has a minimum area of five thousand (5,000) square feet. Steep slopes exclude man-made steep slopes.

Waukesha Water Utility



# 2.2 Mature Woodlands

A mature woodland is an area or stand of trees whose total combined canopy covers an area of one (1) acre or more and at least fifty (50) percent of which is composed of canopies of trees having a diameter at breast height (DBH) of at least (10) ten inches; or any grove consisting of eight (8) or more individual trees having a DBH of at least twelve (12) inches whose combined canopies cover at least fifty (50) percent of the area encompassed by the grove. However, no trees grown for commercial purposes are considered a mature woodland.

# 2.3 Young Woodlands

A young woodland is an area or stand of trees whose total combined canopy covers an area of one-half (0.50) acre or more and at least fifty (50) percent of which is composed of canopies of trees having a DBH of at least three (3) inches. This excludes trees grown for commercial purposes.

# 2.4 Lakes and Ponds

A lake is defined by the UDO as any body of water two (2) acres or larger in size as measured by the shoreline at its maximum. A pond is defined by the UDO as all bodies of water less than two (2) acres in area as measured by the shoreline at its maximum.

# 2.5 Streams

A stream is defined by the UDO as a course of running water, either perennial or intermittent, flowing in a channel.

# 2.6 Shore Buffers

A shore buffer is defined as the undisturbed land area (including undisturbed natural vegetation) within seventy-five (75) feet landward of the ordinary high-water mark of all navigable waters (lakes, ponds, and streams) and parallel to that ordinary high-water mark.

# 2.7 Floodplains/Floodways/Floodlands

A floodplain is an area outside of the floodway that is subject to inundation by the 100-year flood; this ordinance includes the Floodplain Conservancy District and the Floodplain Fringe Overlay District. Floodways are designated portions of the 100-year flood that will safely convey the regulatory flood discharge with small, acceptable upstream and downstream stage increases. Floodlands are areas, including channels, floodways and floodplains of any given reach, which are subject to inundation by the flood with a given recurring frequency. The 100-year flood is generally used for zoning regulation. This ordinance uses the 50-year flood and the 10-year flood events also.





# 2.8 Wetland Buffers (2003-1747 Section 19)

Wetland buffers are the undisturbed land area within thirty (30) feet of the delineated wetland boundary.

# 2.9 Wetlands and Shoreland Wetlands

The UDO defines a wetland as an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. Shoreland wetlands are wetlands located within one thousand (1,000) feet of a lake, pond, or flowage, or three hundred (300) feet from a river or stream, or to the landward side of a floodplain.

# 2.10 Wetland Building Setbacks

Wetland building setback is the distance from the wetland that a building construction is prohibited. The UDO wetland building setback limit is 50 feet.

# SECTION 3 Results

Based on a desktop analysis and field surveys conducted by Program team members, the following City of Franklin Regulated Natural Resources were determined to be present:

- Waterways
- Shoreline setbacks
- Wetlands
- Shoreland wetlands
- Wetland buffers
- Floodplain/floodway/floodland

The following City of Franklin Regulated Natural Resources were determined to be absent:

- Steep slopes
- Lakes and Ponds
- Young woodland
- Mature woodland

# SECTION 4 Discussion

Included in Appendix C is Table 15-3.0502: Worksheet for the Calculation of Base Site Area for Both



Residential and Nonresidential Development, Table 15-3.0505, Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development and Worksheet for the Calculation of Natural Resource Protection Land.

# SECTION 5 Conclusion

This NRPP was prepared for the purposes of subdividing land at the Outfall Facilities site at the Root River. Based on the results of the desktop studies, field surveys, and proposed activity, the protection requirement of all present regulated natural resources is being met. Changes in the City of Franklin's UDO or the interpretation of the UDO or changes to the project's design may result in changes to the findings of this NRPP. Note that natural resource features that were approximated or not surveyed by a registered land surveyor may need to be finalized and surveyed and a subsequent NRPP prepared before land disturbing activities can take place in close proximity to these features.





# Appendix A – Wetland Delineation Report

This report is on a separate flash drive due to its size.



# **Appendix B**

# **Calculation Worksheets**

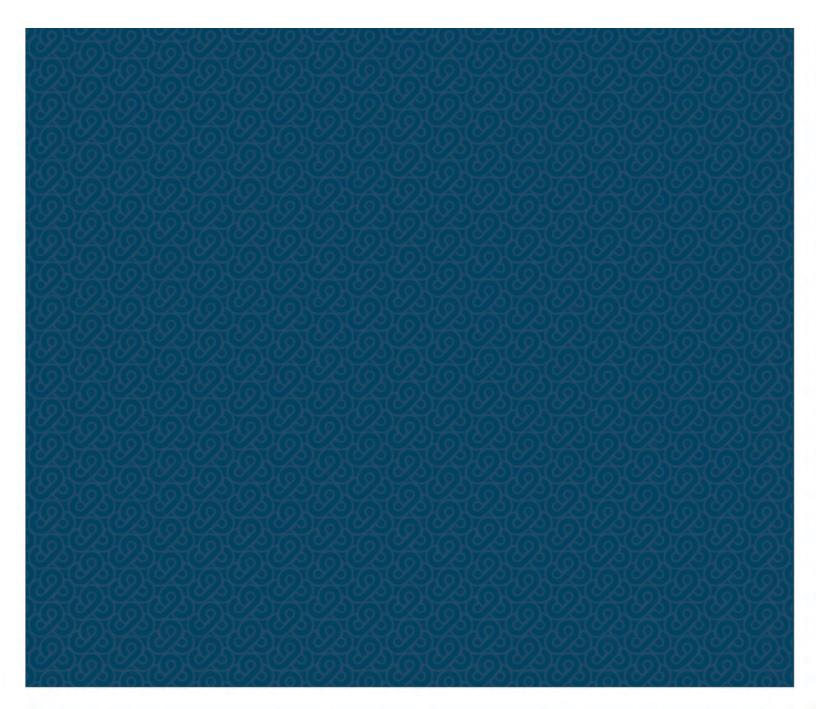


	Table 15-3.0502		
Works	heet for the Calculation of Base Site Area for	Both Residential and N	Ionresidential
	Development		
	Indicate the total gross site area (in acres)		
	as determined by an actual on-site		
	boundary survey of the property.		
Step 1			2.40 Acres
1	Subtract (-) land which constitutes 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		
Step 2	area.	0.00 Acres	2.40 Acres
	Subtract (-) land which, as a part of a		
	previously approved development or land		
	division, was reserved for open space.		
Step 3		0.00 Acres	2.40 Acres
	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		
Step 4	proposed for residential uses.	0.00 Acres	2.40 Acres
Step 5	Equals "Base Site Area"		2.40 Acres

## Table 15-3.0505

## WORKSHEET FOR THE CALCULATION OF SITE INTENSITY AND CAPACITY FOR NONRESIDENTIAL DEVELOPMENT

	CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE:	
	Take Base Site Area (from Step 5 in Table 15-3.0502):    2.4 acres	
STEP 1:	Multiple by Minimum Landscape Surface Ratio (LSR)(see specific zoning district LSR standard):X0.4	
	Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =	0.96 acres
	CALCULATE NET BUILDABLE SITE AREA:	
	Take Base Site Area (from Step 5 in Table 15-3.0502):    2.4 acres	
STEP 2:	Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required Landscape Surface</i> (from Step 1 above), whichever is greater: - <u>0.96 acres</u>	
	Equals NET BUILDABLE SITE AREA =	0.96 acres
	CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:	
	Take Net Buildable Site Area (from Step 2 above):   0.96 acres	
STEP 3:	Multiple by Maximum <i>Net Floor Area Ratio (NFAR)</i> (see specific nonresidential zoning district NFAR standard): X <u>0.63</u>	
	Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =	0.605 acres
	CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:	
	Take Base Site Area (from Step 5 of Table 15-3.0502):    2.4 acres	
STEP 4:	Multiple by Maximum <i>Gross Floor Area Ratio (GFAR)</i> (see specific nonresidential zoning district GFAR standard): X <u>0.38</u>	
	Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =	0.912 acres
	DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:	
STEP 5:	Take the <i>lowest</i> of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above):	0.605 acres
	(Multiple results by 43,560 for maximum floor area in square feet):	( 26,354 s.f.)

Worksheet for the Calculation of Natural Resource Protection Land (Calculations are based on exclusion of non-federal exempt wetlands)					
Natural Resource Feature	Zoning District Type: Residential (a) Protection Standard (%)	Acres of Land in Resource Feature	Protection Requirement (acres)	Area of Proposed Disturbance in Study Area (acres)	
Steep Slopes:					
10 - 19%	60%	0.00	0.00	0.00	
20 - 30%	75%	0.00	0.00	0.00	
> 30%	85%	0.00	0.00	0.00	
Woodlands & Forests:					
Mature	70%	0.00	0.00	0.00	
Young	50%	0.00	0.00	0.00	
Lakes & Ponds	100%	0.00	0.00	0.00	
Streams	100%	0.05	0.05	0.00	
Shore Buffer	100%	1.98	1.98	0.17	
Floodplains/Floodlands	100%	4.30	4.30	0.05	
Wetland Buffer 30'	100%	3.91	3.91	0.03	
Wetlands & Shoreland Wetlands	100%	44.61	44.61	0.90	
Total Resource Protection Land		52.82	52.82		
* The 50' Wetland Setback also includes the land within the 30' Wetland Buffer.					
*Land disturbance proposed to occur in Wetland Building Setback but no buildings/impervious surfaces					

\*Land disturbance proposed to occur in Wetland Building Setback but no buildings/impervious surfaces are being proposed in the Wetland Building Setback.



741 N. Grand Ave., Suite 308 Waukesha, WI 53186

#### **CONSERVATION EASEMENT**

### Greater Water Alliance Outfall Facilities

This Conservation Easement is made by and between the City of Franklin, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Judith Gyuro and Evelyn Farchione, private owners, hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to § 700.40(2)(b) of the Wisconsin Statutes.

#### WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, wetlands, waterways, wetland buffers, shoreland wetlands, waterway setbacks, floodplains, floodways, and floodlands according to the Wetland and Waterway Delineation Report dated November 2018, and the Natural Resources Protection Plan Technical Memorandum, dated October 2019, both prepared by TRC Companies, Inc. on behalf of the Greater Water Alliance (GWA), which Plan is on file in the office of the City of Franklin Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

WHEREAS, Grantee is a "holder", as contemplated by § 700.40(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under § 62.23 and § 236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this conservation easement; and

WHEREAS, the Grantee is willing to accept this conservation easement subject to the reservations and to the covenants, terms, conditions and restrictions set out herein and imposed hereby;

WHEREAS, there is no, mortgagee of the protected property ("Mortgagee"), consents to the grant of this conservation easement by Grantor to Grantee and Mortgagee's consent is attached hereto and identified as "Mortgage Holder Consent".

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over and across the protected property.

Grantee's rights hereunder shall consist solely of the following:

- 1. To view the protected property in its natural, scenic, and open condition;
- 2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act; and
- 3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:

- 1. Construct or place buildings or any structure;
- 2. Construct or make any improvements, with the exception of agricultural activities and constructon of and required future maintenance of the outfall facility and appurtenances of the outfall facility, from Lot 1, as described in the Certified Survey Map, dated December 30, 2019, to the Root River, unless, notwithstanding Covenant 1. above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like;
- 3. Excavate, dredge, grade, mine, drill or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees and the exceptions listed in Convent 2 above;
- 4. Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste or other landscape materials, ashes, garbage, or debris;
- 5. Plant any vegetation not native to the protected property or not typical wetland vegetation;
- 6. Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles with the exception to construct and also perform future required maintenance of the outfall facility and appurtenances of the outfall facility from Lot 1 to the Root River.

To have and to hold this conservation easement unto the Grantee forever. Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant. Grantor shall be responsible for the payment of all general property taxes levied, assessed or accruing against the protected property pursuant to law.

The covenants, terms, conditions and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity. This grant may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns. Notices to the parties shall be personally delivered or mailed by U.S. Mail registered mail, return receipt requested, as follows:

	City of Fran	klin			
Judith Gyuro and Evelyn Farchione 4604 W Thorncrest Drive Franklin, WI. 53132		Office of the City Clerk			
		9229 West Loomis Road			
		Franklin, Wisconsin 53132			
s set <i>their</i> hands on this	s date of	, 2020.			
	By:				
)					
) ss					
)					
	s set <i>their</i> hand <i>s</i> on this ) ) ss ) d before me on the	e Office of the 9229 West I Franklin, W s set <i>their</i> hands on this date of By: ) ) ss ) d before me on the day of	9229 West Loomis Road Franklin, Wisconsin 53132 s set <i>their</i> hands on this date of, 2020. By:		

the foregoing conservation easement and acknowledged the same as the voluntary act and deed of said Judith Gyuro and Evelyn Farchione.

My commission expires \_\_\_\_\_

#### Acceptance

The undersigned does hereby consent to and accepts the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement. In consideration of the making of such Grant Of Conservation Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by § 236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

CITY OF FRANKLIN

Stephen R. Olson, Mayor

By:

) ) ss

)

By:

STATE OF WISCONSIN COUNTY OF MILWAUKEE

Personally came before me this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2020, the above named Stephen R. Olson, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2020.

Sandra L. Wesolowski, City Clerk

Notary Public

My commission expires \_\_\_\_\_

This instrument was drafted by the City of Franklin.

Approved as to contents:

Régulo Martínez-Montilva Associate Planner Department of City Development

Approved as to form only:

Jesse A. Wesolowski City Attorney Date

Date

### MORTGAGE HOLDER CONSENT

The undersigned, (Does not apply), a *Wisconsin* banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering the protected property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on \_\_\_\_\_\_, 20\_\_\_\_, as Document No. \_\_\_\_\_\_, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

IN WITNESS WHEREOF, Mortgagee has caused these presents to be signed by its duly authorized officer, and its corporate seal to be hereunto affixed, as of the day and year first above written.

	a Wisconsin Banking Corporation
	Ву:
	Name:
	Ťitle:
STATE OF WISCONSIN	) )ss
COUNTY OF MILWAUKEE	
On this, the	
appearedNA, as	ofNA, a <i>Wisconsin</i> banking corporation, and acknowledged ent on behalf of said corporation, by its authority and for the purposes therein
	Name:NA   Notary Public, State of Wisconsin My commission expires

# Exhibit A

Certified Survey Map (CSM) Dated December 30, 2019

### LANDSCAPE BUFFERYARD EASEMENT

#### Greater Water Alliance Outfall Facilities

This Landscape Bufferyard easement is made by and between the City of Franklin, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Judith Gyuro and Evelyn Farchione hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Landscape Bufferyard Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes.

#### WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, a part of the North ½ of the Northwest ¼ of Section 35, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor is required by Section 15-5.0102A of the City of Franklin Unified Development Ordinance to provide a thirty (30) foot-wide planting strip adjacent to a protion along West Oakwood Road and boundaries along east and west boundaries of Lot 1, ad described in attached Exhibit B,

V	VHEREAS, Judith C	Jyuro and Evelyn	Farchione was the a	pplicant for a propo	osed Certifie	ed Survey Map ap	proval,
Site Plan	Amendment, and Re	zoning Application	ons as set forth in Ci	ty of Franklin Plan		[ord	linance
and/or	resolution	number],	conditionally	approving	[or	approving]	а
			[type of	application and nar	ne of the pr	oject], and the Cit	ty Plan
Commission [or Common Council] adopted [ordinance and/or resolution number], on							
[date]. [if	applicable] Condition	on of		[ordinance and/or re	esolution nu	mber] thereof pro	viding:
			[condition te	ext]; and			

WHEREAS, Grantee is a "holder", as contemplated by §700.40(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the Landscape Bufferyard Easement on, over, and across the protected property, desire to reserve the area for the planting of trees and shrubs and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this Landscape Bufferyard Easement; and

WHEREAS, the Grantee is willing to accept this Landscape Bufferyard Easement subject to the reservations and to the covenants, terms, conditions, and restrictions set out herein and imposed hereby;

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a Landscape Bufferyard Easement in perpetuity on, over, and across the protected property.

Grantee's rights hereunder shall consist solely of the following:

- 1. To establish and ensure the continuance of an area reserved for the planting of trees and shrubs for the private use by the owners of the underlying fee simple interests, to the exclusion of all others, for the purpose of buffering the properties adjoining Lot 1 as described in attached Exhibit B by requiring this protected property to be open space in perpetuity; the protected property shall consist of natural existing vegetation and approved landscaping of trees, shrubs, fences, and/or berms, designed to provide a screen and buffer between West Oakwood Drive along the north parcel boundary of Lot 1 and adjacent properties on east and west boundaries of Lot 1\_as described in attached Exhibit B, property and adjacent property or right-of-way adjacent to the landscape buffer;
- 2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time

to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act; and

3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over, or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:

- Construct or place buildings or any structure, beyond those buildings and structures and improvements as identified on any engineering or construction plans approved by the City of Franklin, including, without limitation, the civil engineering plans approved on \_\_\_\_\_\_ [date] as City of Franklin \_\_\_\_\_\_ [ordinance and/or resolution number], are specifically permitted and allowed within the limits of the Easement Area in compliance with this Landscape Bufferyard Easement;
- 2. Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the, by the Plan Commission of the City of Franklin, by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the open space buffer value of the protected property to the occupants of land adjoining or neighboring the protected property including, but not limited to fences, berms, and the like.

To have and to hold this Landscape Bufferyard Easement unto the Grantee forever. Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant. Grantor shall be responsible for the payment of all general property taxes levied, assessed, or accruing against the protected property pursuant to law.

The covenants, terms, conditions, and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity. This grant may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns. Notices to the parties shall be personally delivered or mailed by U.S. Mail registered mail, return receipt requested, as follows:

To Grantor:				
Judith Gyuro and Evelyn Farchio	ne	То	Grantee:	
4604 W Throncrest Drive		Cit	y of Franklin	
Franklin, Wisconsin 53132		Office of the City Clerk		
		92	29 W. Loomis Road	
		Fra	nklin,Wisconsin53132	
In witness whereof, the grantor ha	as set its hand and seals this	s on this d	ate of	, 2020.
		[busine	ss name]	
		By:		
			Authorized Officer and Signa	itory
STATE OF WISCONSIN	)			
	) ss			
COUNTY OF MILWAUKEE	)			
This instrument was acknowledge	ed before me on the	day of	, A.D. 2020 b	y
as A	uthorized Officer and Sign	atory of _		[business name]
To me known to be the person(s)	who executed the foregoin	ng Easeme	nt and acknowledged the same	as the voluntary act and

deed of said \_\_\_\_\_ [business name].

Notary Public

My commission expires \_\_\_\_\_

### Acceptance

The undersigned does hereby consent to and accepts the Landscape Bufferyard Easement granted and conveyed to it under and pursuant to the foregoing Grant of Landscape Bufferyard Easement. In consideration of the making of such Grant Of Landscape Bufferyard Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by §236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2020.

	OTTA	
	CITY	OF FRANKLIN
	By:	Stephen R. Olson, Mayor
		Stephen R. Olson, Mayor
	By:	Sandra L. Wesolowski, City Clerk
		Sundru L. Wesonowski, City Clerk
STATE OF WISCONSIN	)	
COUNTY OF MILWAUKEE	) ss )	
Mayor and Sandra L. Wesolowski, such Mayor and City Clerk of said	City Clerk, of th municipal corp unicipal corpora	_ day of, 2020, the above named Stephen R. Olson, e above named municipal corporation, City of Franklin, to me known to be oration, and acknowledged that they executed the foregoing instrument as tion by its authority and pursuant to Resolution No, adopted by
	_ day 01	, 2020.
	_ day of	Notary Public
This instrument was drafted by the		Notary Public My commission expires
		Notary Public My commission expires

Approved as to form only:

Jesse A. Wesolowski City Attorney

Date

### MORTGAGE HOLDER CONSENT

The undersigned, does not apply a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering encumbering the Property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on \_\_\_\_\_\_\_, 20\_\_\_\_, as Document No. \_\_\_\_\_\_\_, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

IN WITNESS WHEREOF, Mortgagee has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed, as of the day and year first above written.

		<u>Name of Mortgagee</u> a Wisconsin Banking Corporation
		By:
		Name:
		Title:
STATE OF WISCONSIN	)	
COUNTY OF MILWAUKEE	)ss )	
On this the	day of	20 before me the undersigned personal

On this, the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_, before me, the undersigned, personally appeared name of officer of mortgagee, the (title of office, i.e.: VP) of (name of mortgagee), a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

Name:
-------

Notary Public, State of Wisconsin

My commission expires \_\_\_\_\_

### Exhibit A

[\_\_\_\_\_ [business name] property upon which the open space buffer lands are located is legally described as follows:

## LEGAL DESCRIPTION

A map depicting the open space buffer lands is annexed hereto. The open space buffer lands are legally described as as set forth on EXHIBIT B annexed hereto.]

# WAUKESHA WATER UTILITY **GREAT LAKES WATER SUPPLY PROGRAM**

# **PERMIT DRAWINGS: CITY OF FRANKLIN** SITE PLAN APPLICATION **OUTFALL FACILITIES**

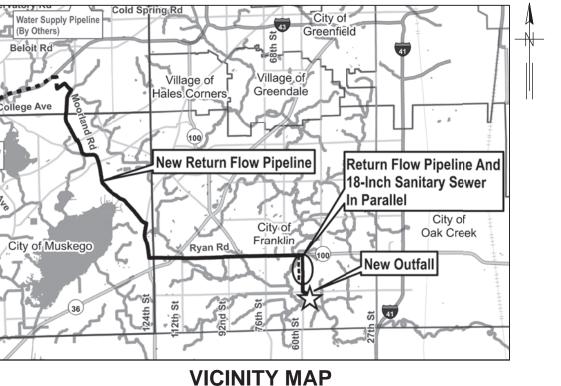






741 N. GRAND AVE, SUITE 308 WAUKESHA, WI 53186





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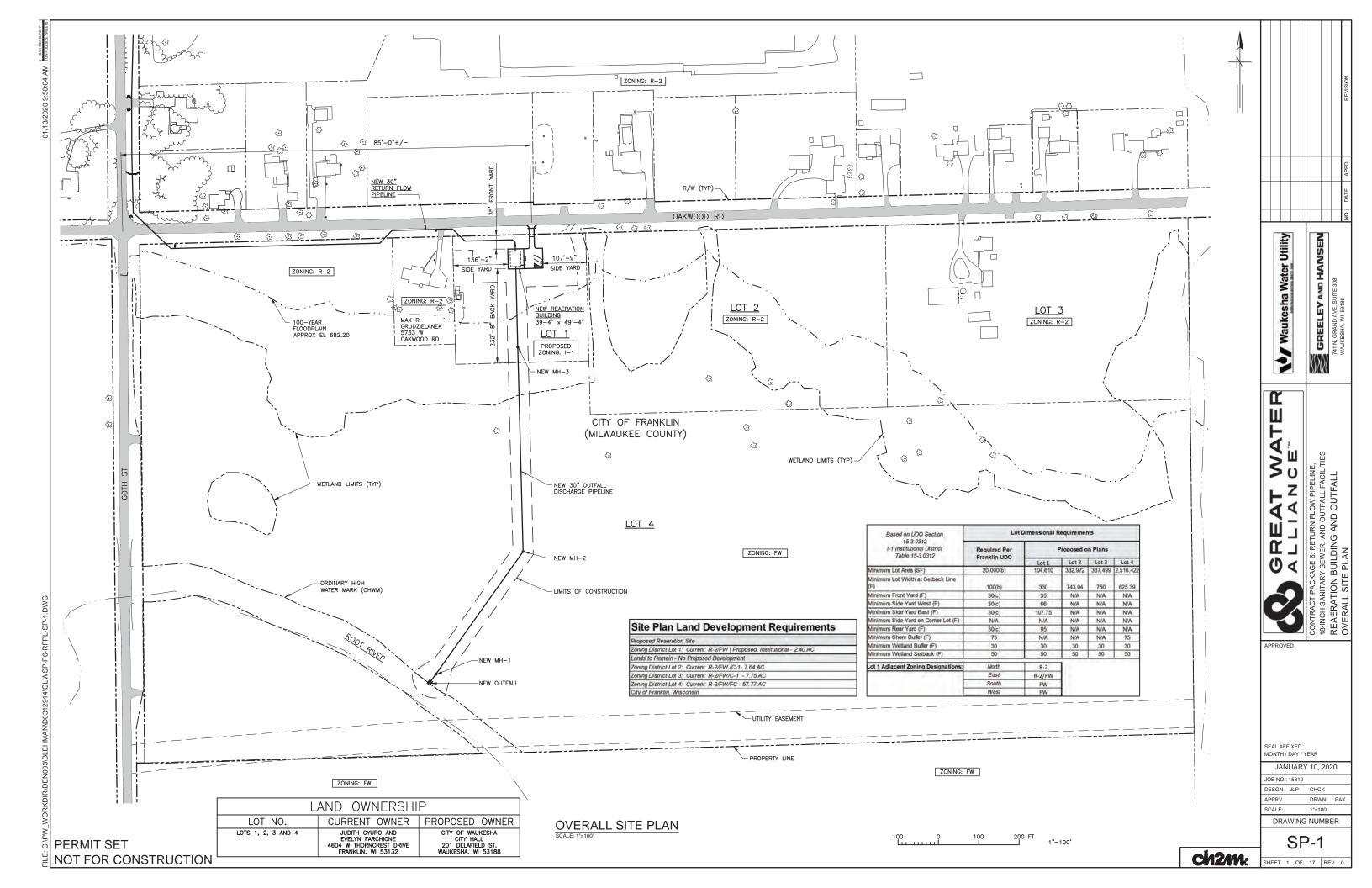
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2	SP-2	SIT
3	SP-3	SI
4	SP-4	RE
5	SP-5	RE
6	C801	SIT
7	C802	SI
8	C805	CI\
9	L800	SIT
10	L801	SIT
11	L802	LA
12	E801	EL
13	NRPP-1	٥V
14	NRPP-2	NA
15	NRPP-3	NA
16	NRPP-4	CC
17	A800	RE

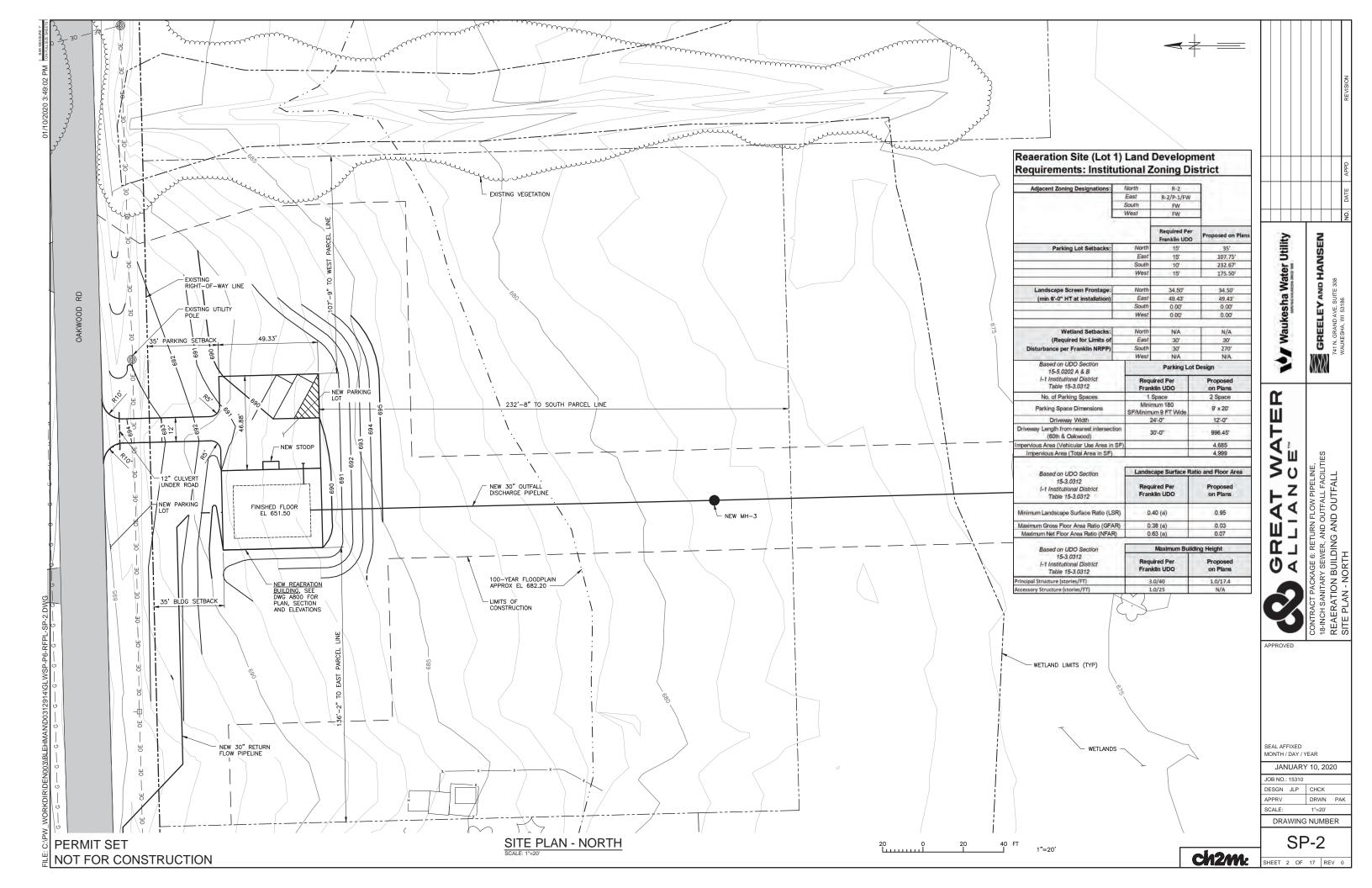
## **INDEX TO DRAWINGS**

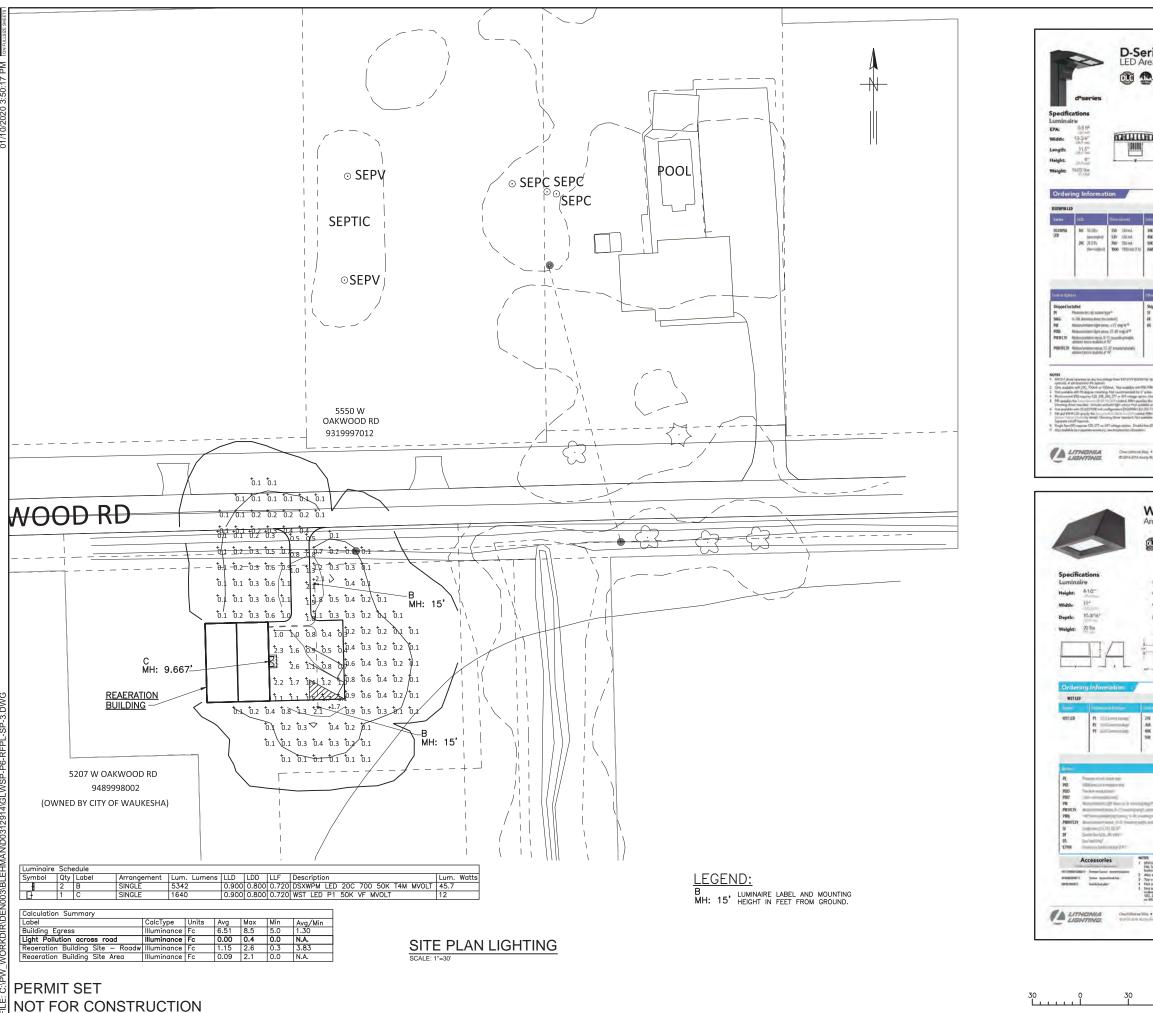
TITLE

ND OUTFALL VERALL SITE PLAN ITE PLAN - NORTH ITE PLAN LIGHTING EAERATION BUILDING RENDERING EAERATION BUILDING SITE RENDERING ITE GRADING AND EROSION CONTROL PLAN - NORTH ITE GRADING AND EROSION CONTROL PLAN - SOUTH **VIL DETAILS, SECTIONS AND ELEVATION** ITE LANDSCAPING PLAN - NORTH ITE LANDSCAPING PLAN - SOUTH NDSCAPING SCHEDULES AND STANDARD DETAILS ECTRICAL SITE PLAN VERALL NATURAL RESOURCE PROTECTION PLAN ATURAL RESOURCE PROTECTION PLAN - NORTH ATURAL RESOURCE PROTECTION PLAN - SOUTH OMPREHENSIVE MASTER PLAN AMENDMENT EXHIBIT EAERATION BUILDING PLAN, SECTION AND ELEVATIONS

# **JANUARY 10, 2020**







ries Pole Mount	P Datility Hartison F Martin			
lighting lights	"los"	2		REVISION
	Introduction The O-Sense Pole Jolution for area and ella applications traggandel EED solution for area and ella applications features a limit, modern degra and a cardiniti engon to privide long-fatting averagi-initianel. Eduring with performance. With an approximate and perform to carametrized performance. 2020/mmeth Index annex (Brid on exclusions) and and a sense and a sense and a one 20 years of right use and up to 74% in anings estimate on the proof inter that was executional lighting location that proof inter that was executional.	ooredi imme it is		
EXAMPLE: DSXWPM I	ED 20C 1000 40K T5M MVOLT SPUMBA DDB	KD C		APPD
Cales temperature Ditribuitine	Verlage Akonsting '			DATE
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www.mbd HMA light for readium.	ASINE Assesses allows 2771 PUNKA Space of our synthet Severesis office 1401 4801 subsection adoption		lity	EN
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WST LED Architectural Wall Sconce	Introduction The traditional, trapezoidal abape offers a soft, non-poilated light source of or nod-user vasa comfort. For emergency sgress lighting remote. For additional code compliance and emergy swings, there is also all-level motion sensor option. With so many standard and optional features, three lumer packages, and high LPAV, the WST LED Payour "go to" luminaire for most any application. XXMMPLE: WST LED P1 40K VF MVOLT DDEDD	T	GREAT WATE	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILITIES REAERATION BUILDING AND OUTFALL SITE PLAN LIGHTING
Official Control         Antiferration           025         3300 V         VF         Summaries thrown between thro	Million         Support included           507021         207         Support included           206         300         Support included           206         480         Support included           208         480         Support included           209         100         User         Include to the support included           209         100         User         Include to the support included           209         100         User         Include to the support includes		APPROVED	CONTRAC 18-INCH S REAERA SITE PL
EXMM EXMM 1 // I	BLERS resulting of the formation of the second	2	JOB NO.: 15310 DESGN RM APPRV SCALE:	YEAR Y 10, 2020 CHCK DRWN PAK 1°=30' 3 NUMBER
60 FT 1"=30	у,	ch2m:	SHEET 3 OF	<b>P-3</b>

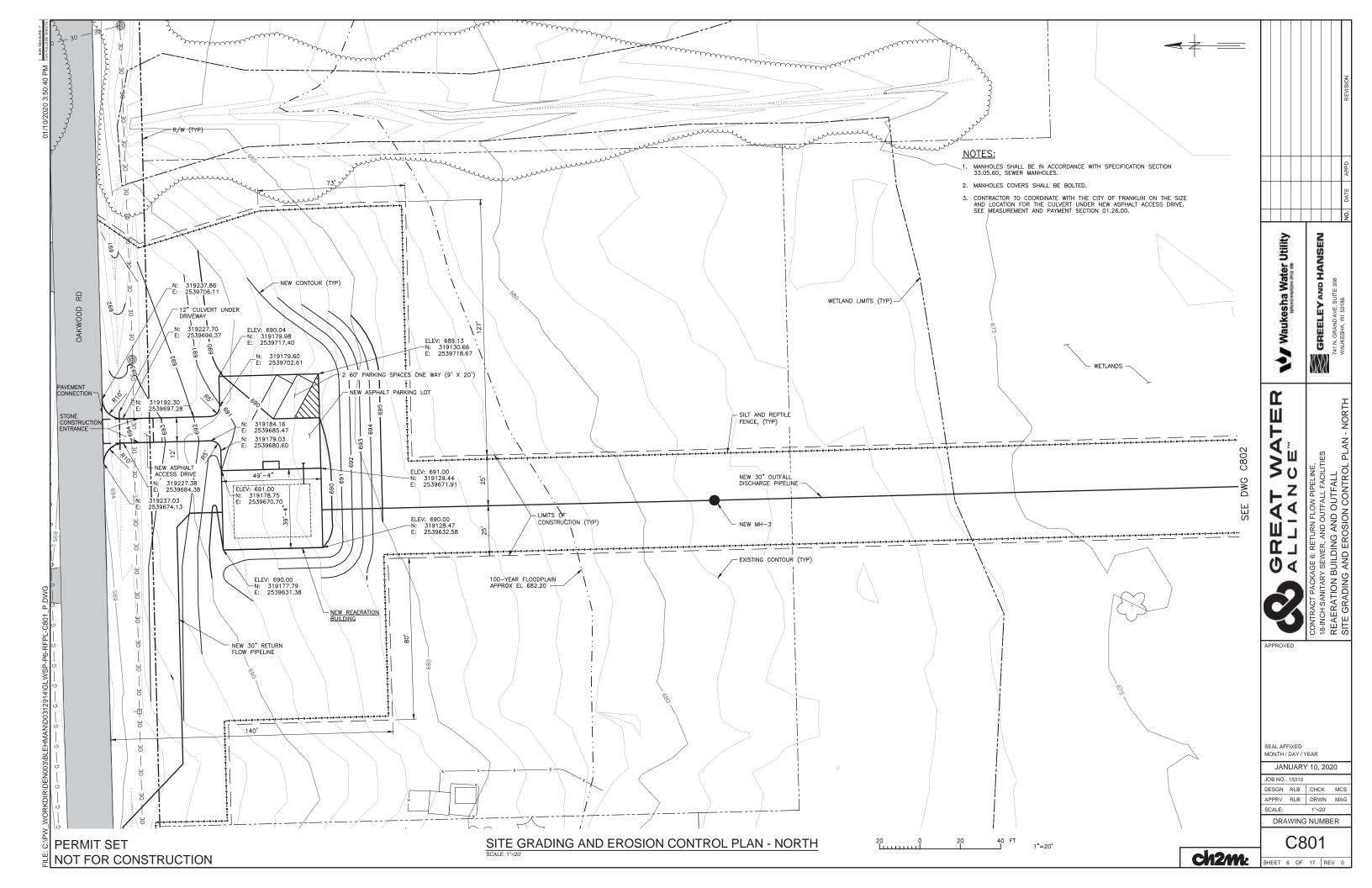


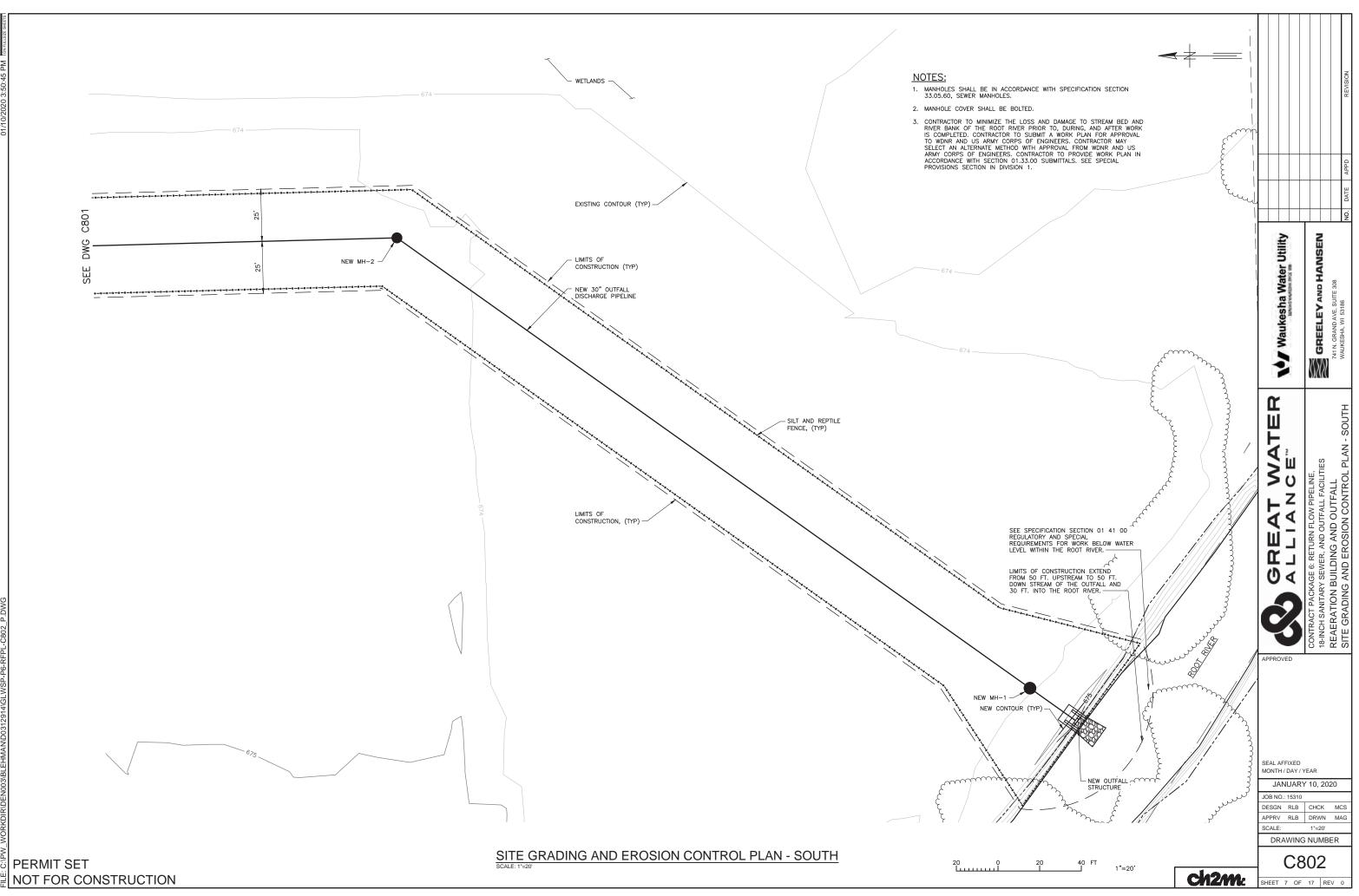
MATERIAL C	OLORS
ITEM	COLOR
LOUVERS	GRAY ALUMINUM
DOORS	GRAY ALUMINUM
WALLS	REDDISH-BROWN BURNISHED BLOCK
ROOF, GUTTERS, DOWNSPOUTS AND FASCIA	WHITE

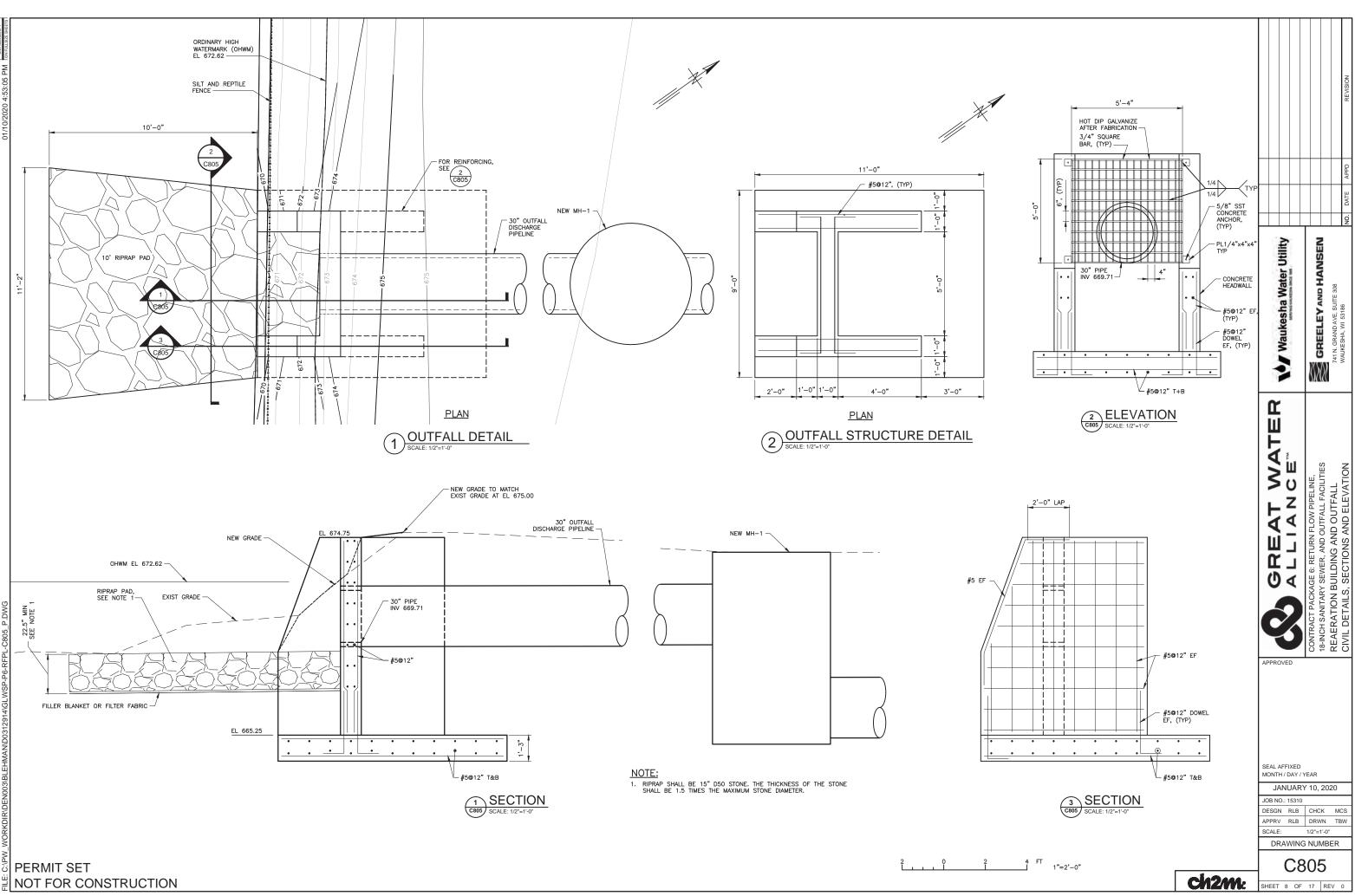
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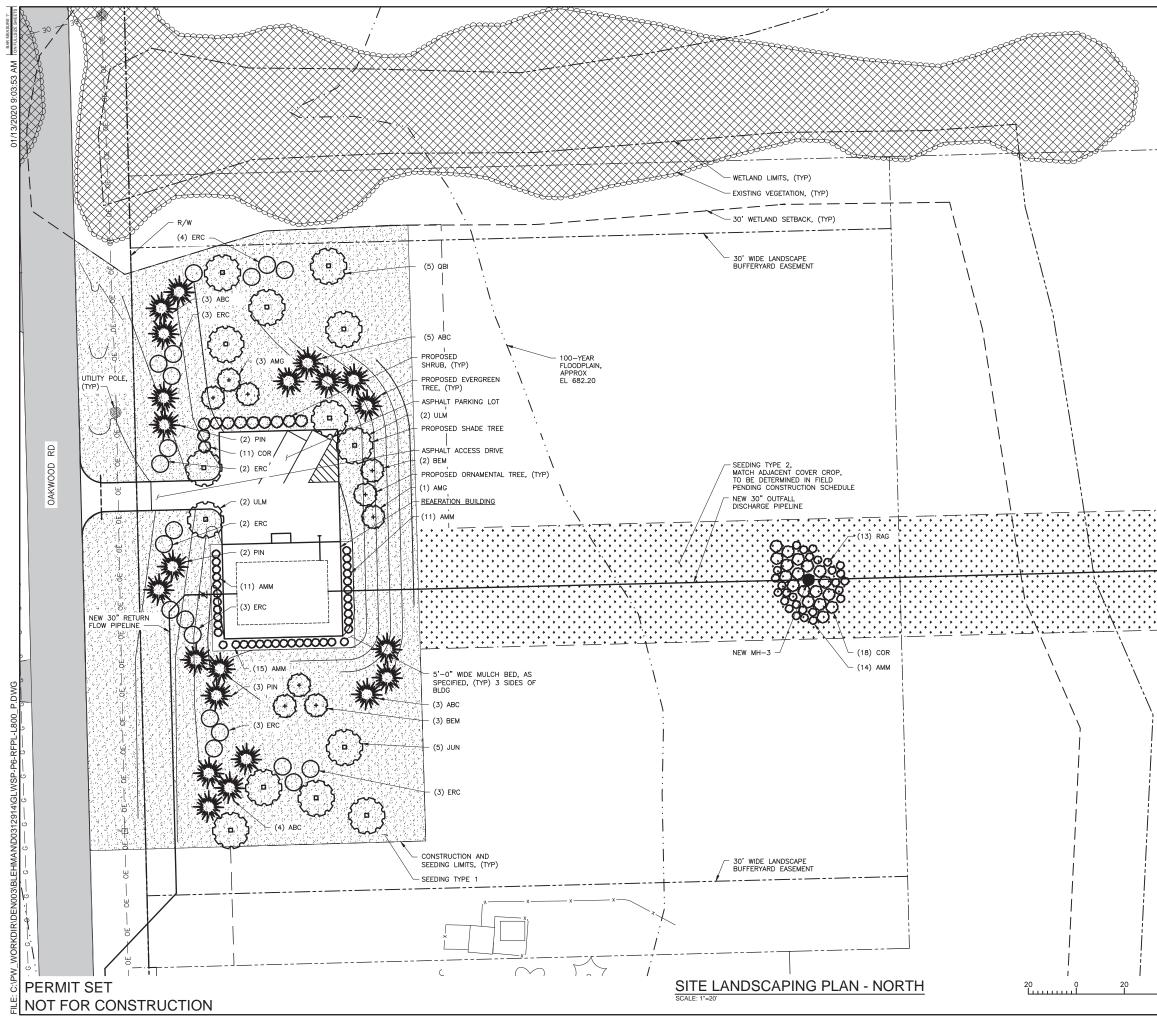


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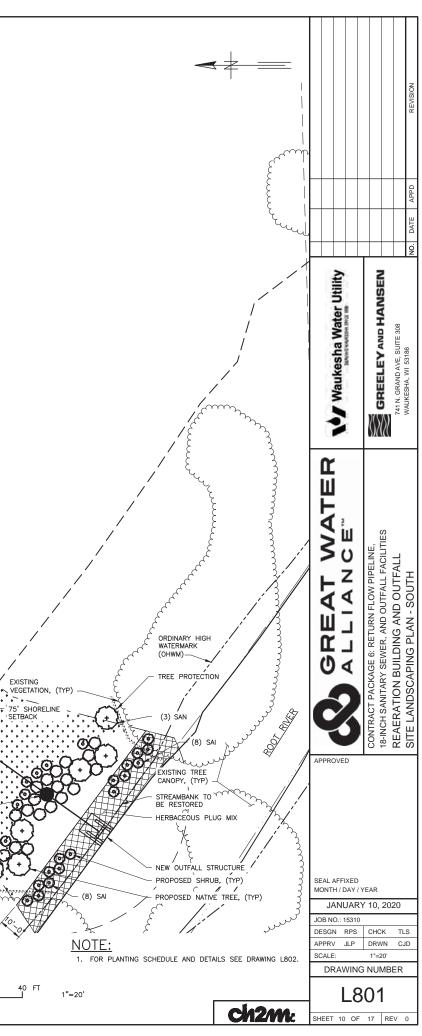


	Landscape	Requireme Required Per Franklin UDO	Proposed on Plans 9 21 6		APPD REVISION
	Total Parking Plantings in Parking Area	31-40	40		DATE
	Total Required Number of Species	4	8		Ŷ
	Total Provided Site Plantings Total Required Number of Species	51 and above 10	251		
~	WETLANDS			Vaukesha Water Utility	GREELEY AND HANSEN 741 N. GRAND AVE. SUITE 308 WAUKESHA, WI 53186
			SEE DWG L801	BABLAN CE	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILITIES REAERATION BUILDING AND OUTFALL SITE LANDSCAPING PLAN - NORTH
10 FT	NOTES: 1. FOR SEEDING AND CONSTR DRAWING CB01. 2. FOR PLANTING SCHEDULE / 1"=20'	AND DETAILS SEE		JOB NO.: 15310 DESGN RPS APPRV JLP SCALE: DRAWING	7EAR 7 10, 2020 DRWN CJD 1*=20' S NUMBER 00 17 REV 0

(13) RAG -(18) COR L800 DWG SEE (14) AMM -NEW MH-2 NEW 30" OUTF ISCHARGE PIPELIN - CONSTRUCTION AND SEEDING LIMITS, (TYP) SEEDING TYPE 2, MATCH ADJACENT COVER CROP, TO BE DETERMINED IN FIELD PENDING CONSTRUCTION SCHEDULE -/- WETLANDS -NEW MH-(7) SAI (19) COR (3) SAN TREE PROTECTION SITE LANDSCAPING PLAN - SOUTH 20 0 \_\_\_\_\_ 20 |

NOT FOR CONSTRUCTION

PERMIT SET



			PLANTING SCHEDULE				
KEY	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	UNIT	SPACING	NOTES
HADE	TREES						
JUN	5	JUGLANS NIGRA	BLACK WALNUT			· · · · · · · · ·	
QBI	5	QUERCUS BICOLOR	SWAMP WHITE OAK	2.5" CAL	EACH	ON PLANS	B& B
SAN	6	SALIX NIGRA	BLACK WILLOW	20 GAL	EACH	ON PLANS	848
ULM	4	ULMUS 'MORTON GLOSSY'	TRIUMPH ELM				
EVERG	REEN TREES	A Contract of the second se		1			
ABC	15	ABIES BALSAMEA	BALSAM FIR				
ERC	20	JUNIPERUS VIRGNIANA	EASTERN RED CEDAR	6' HT.	EACH	ON PLANS	B & B or CONTAINER
PIN	7	PINUS NIGRA	AUSTRIAN PINE				
ORNAM	ENTAL TREES	3					
AMG	4	AMELACHIER GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	1.5" CAL	a sint	au a una	6
BEM	5	BETULA MADISON	WHITE SATIN BIRCH	TOTAL	EACH	ON PLANS	B & B, MULTI-STEM
SHRUB	S						
AMM	65	ARONIA MELANOCARPA 'MORTON'	IROQUOIS BEAUTY BLACK CHOKEBERRY	3#	1.1	3' O.C.	18" WIDTH X 18" HEIGHT
COR	66	CORNUS RACEMOSA	GREY DOGWOOD	6" OA HT		5' O.C.	
RAG	26	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	3#	EACH	3' O.C.	18" WIDTH X 18" HEIGHT
SAI	23	SALIX INTERIOR	SANDBAR WILLOW	3#		3' O.C.	18" WIDTH X 18" HEIGHT
ERBA	CEOUS PLUG	S					
	190	ASCLEPIAS INCARNATA	SWAMP MILKWEED				
	190	CAREX LUPILINA	HOP SEDGE				
-	190	CAREX VULPINOIDEA	FOX SEDGE	1		1000	
	190	ELYMUS CANADENSIS	CANADA RYE	1			
	190	ELYMUS VIRGINICA	VIRGINIA RYE		5.20	No. in	PLANT IN MASSINGS OF
	190	HELIANTHUS GROSSESERRATUS	SAWTOOTH SUNFLOWER	2" PLUGS	EACH	1' O.C.	19-30
	190	JUNCUS EFFUSUS SSP. SOLUTUS	SOFT RUSH				
	190	PANICUM VIRGATUM	SWITCH GRASS				
	190	SCIRPUS ATROVIRENS	DARK GREEN BULRUSH	1			
	190	SCIRPUS TABERMONTANII	SOFT STEM BULRUSH				
SEEDIN	G						
	0.75	SEEDING, TYPE 1	NATIONAL SEED LOW PRO EZ PRAIRIE MIX	1 1	Long		
	1.25	SEEDING, TYPE 2	MATCH ADJACENT COVER CROP	1	ACRE		

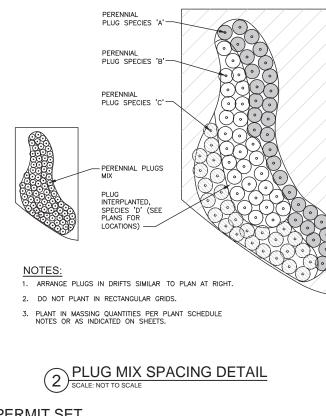


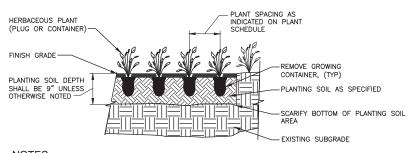
1. PLANTING REPLACEMENT VALUE SHALL BE A MINIMUM OF 2 YEARS.

	RESTORATION SCHEDULE
LAND AREAS TO REMAIN	DISTURBED AND/OR FARMED AS INDICATED ON DWGS
TIMEFRAME	ACTION
APRIL - MAY	SEED WITH CROP SEED. COORDINATE CROP SEED TO BE PLANTED WITH FARMER
JUNE - FIRST FROST	SEED MIX #2 WITH STRAW MAT MULCH
FIRST FROST - MARCH	STRAW MULCH, MIN 1-INCH DEPTH

#### NOTE:

1. TIMEFRAME IS INDICATIVE WHEN FINISHED GRADING IS COMPLETE AND SITE RESTORATION SHALL BEGIN



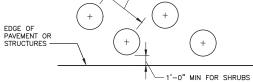


#### NOTES:

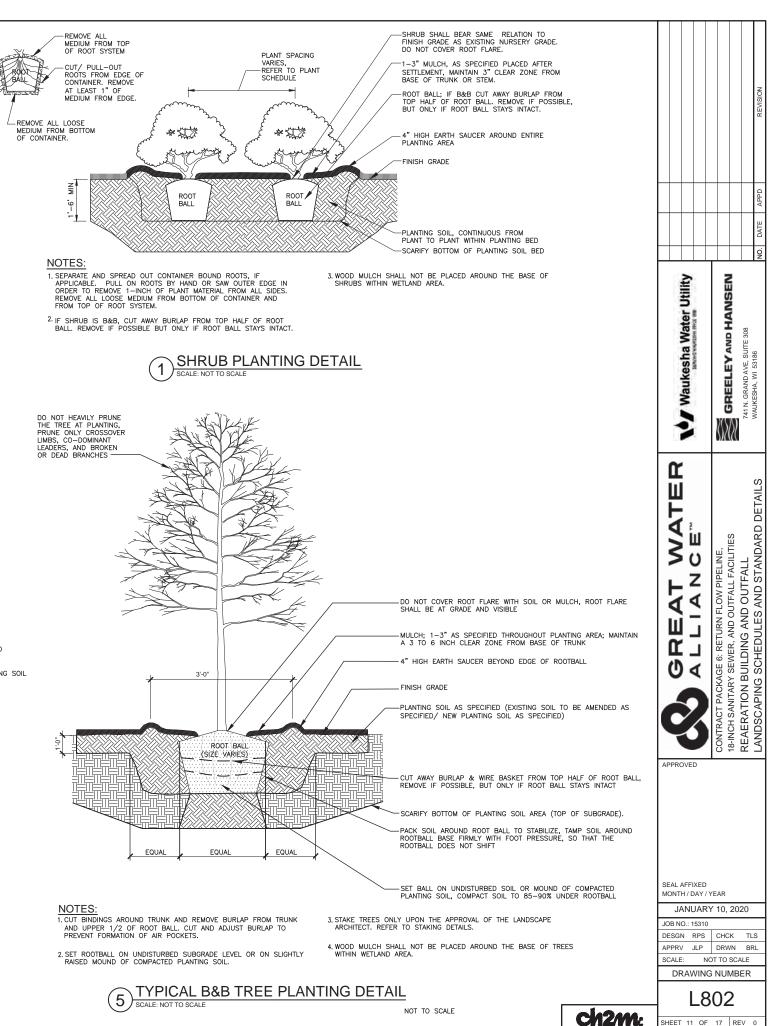
1. SEPARATE AND SPREAD OUT CONTAINER-BOUND ROOTS, IF APPLICABLE.

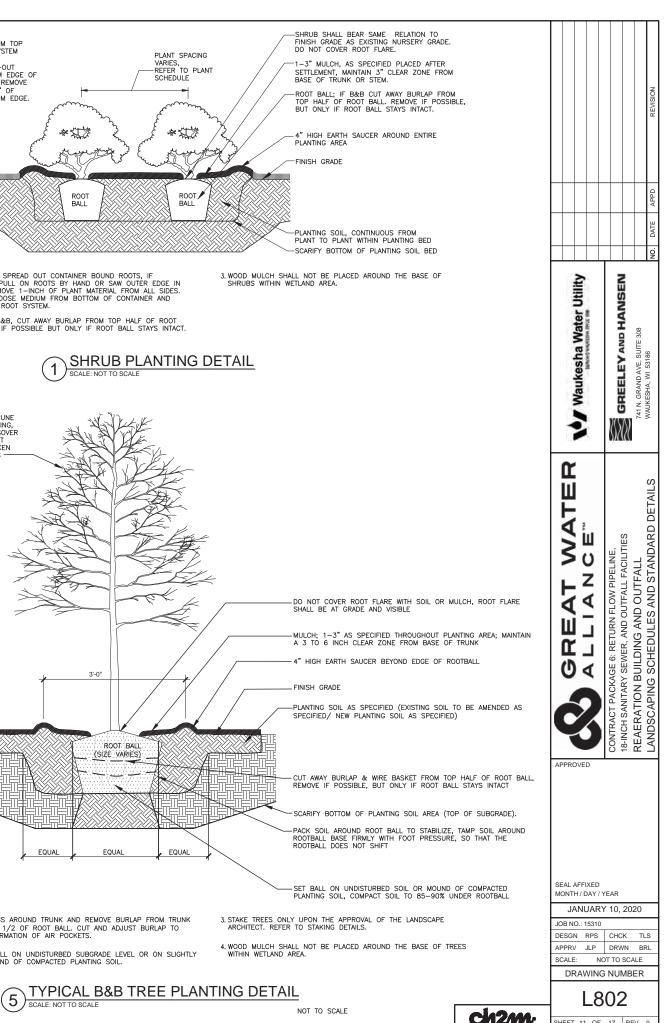
2. PLANTS WHOSE ROOT SYSTEMS COMPRISE MORE THAN 40% OF THE ROOT BALL WILL NOT BE ACCEPTED.

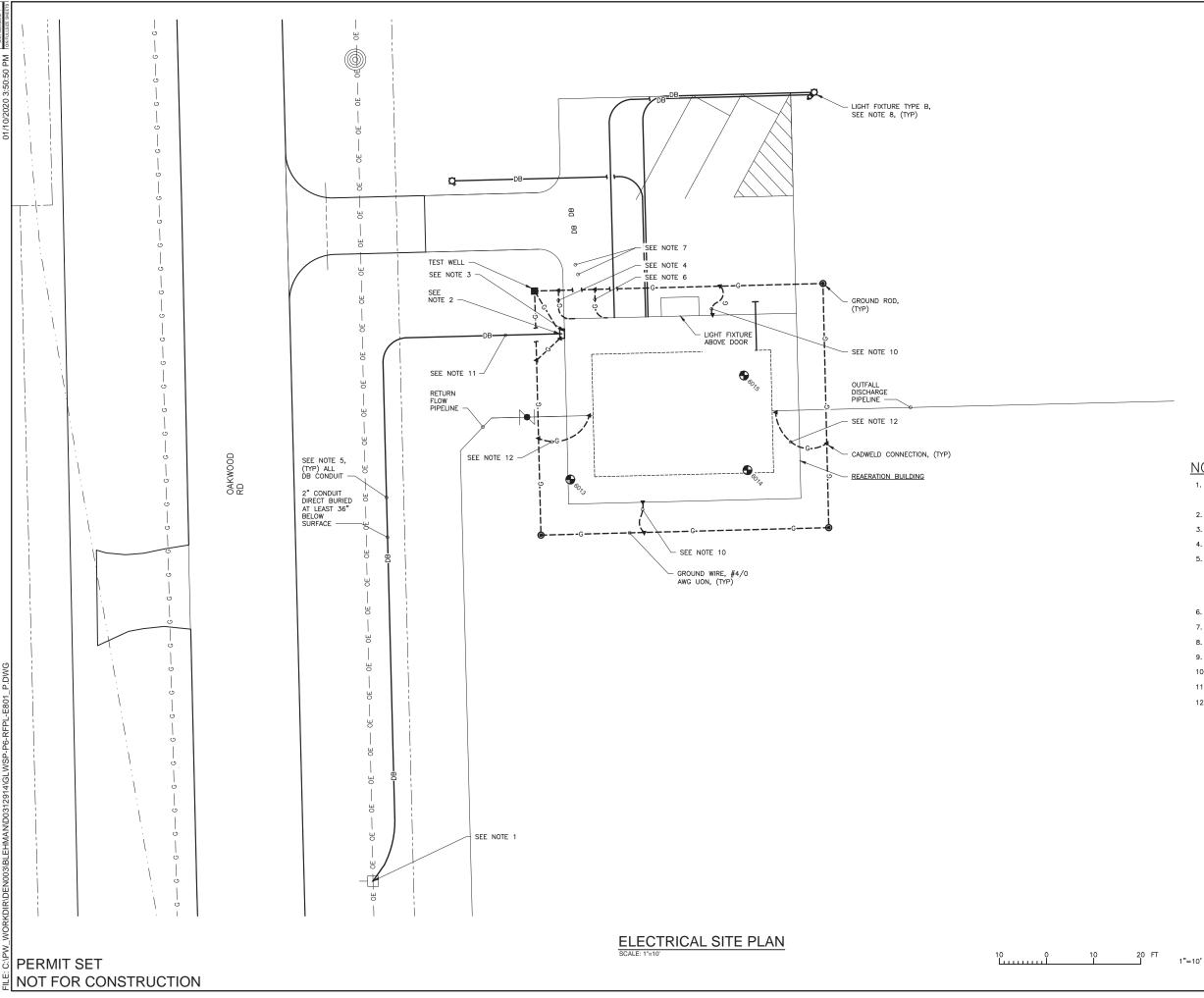




4 PLANT SPACING DETAIL SCALE: NOT TO SCALE







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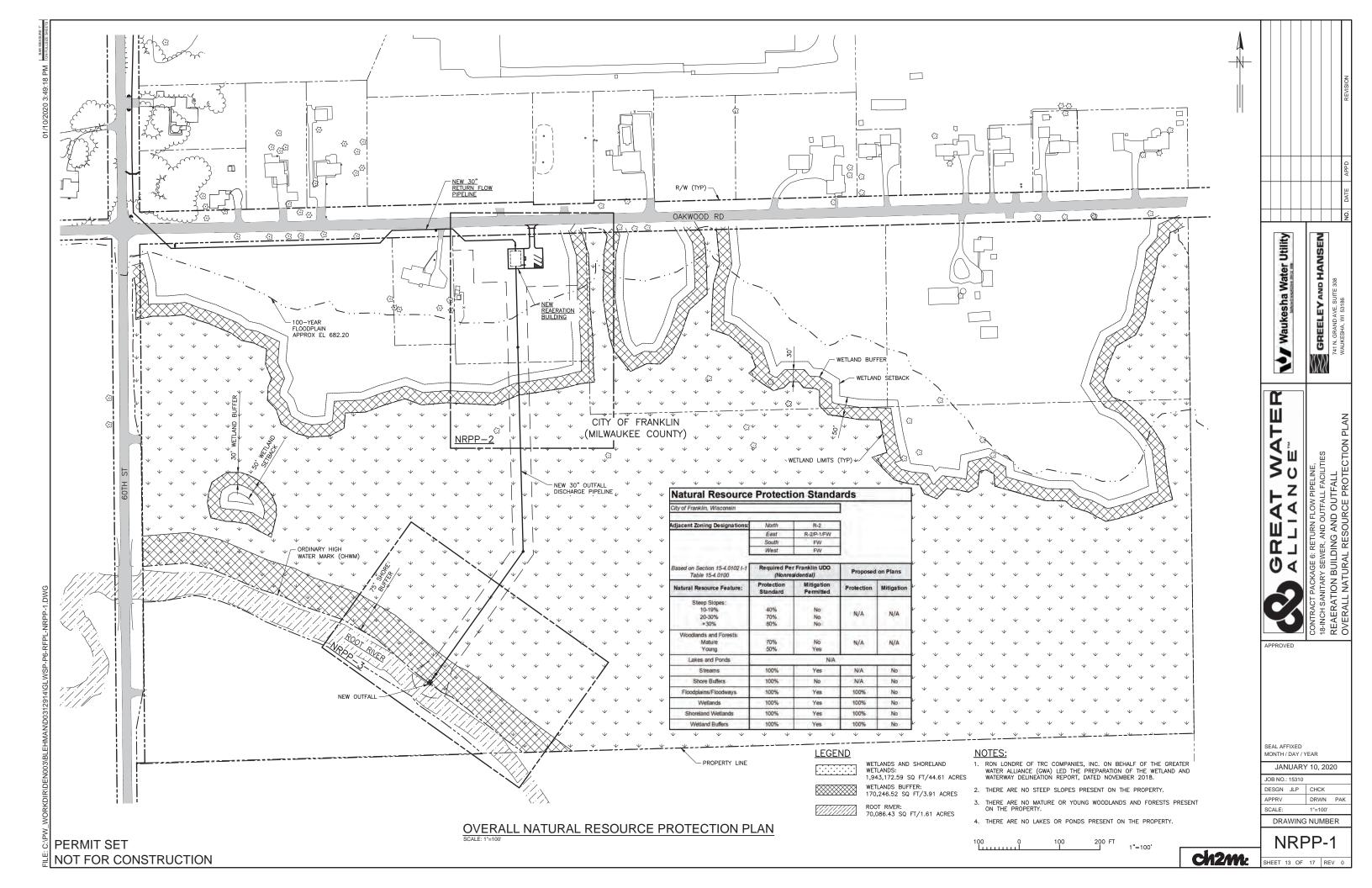
### NOTES:

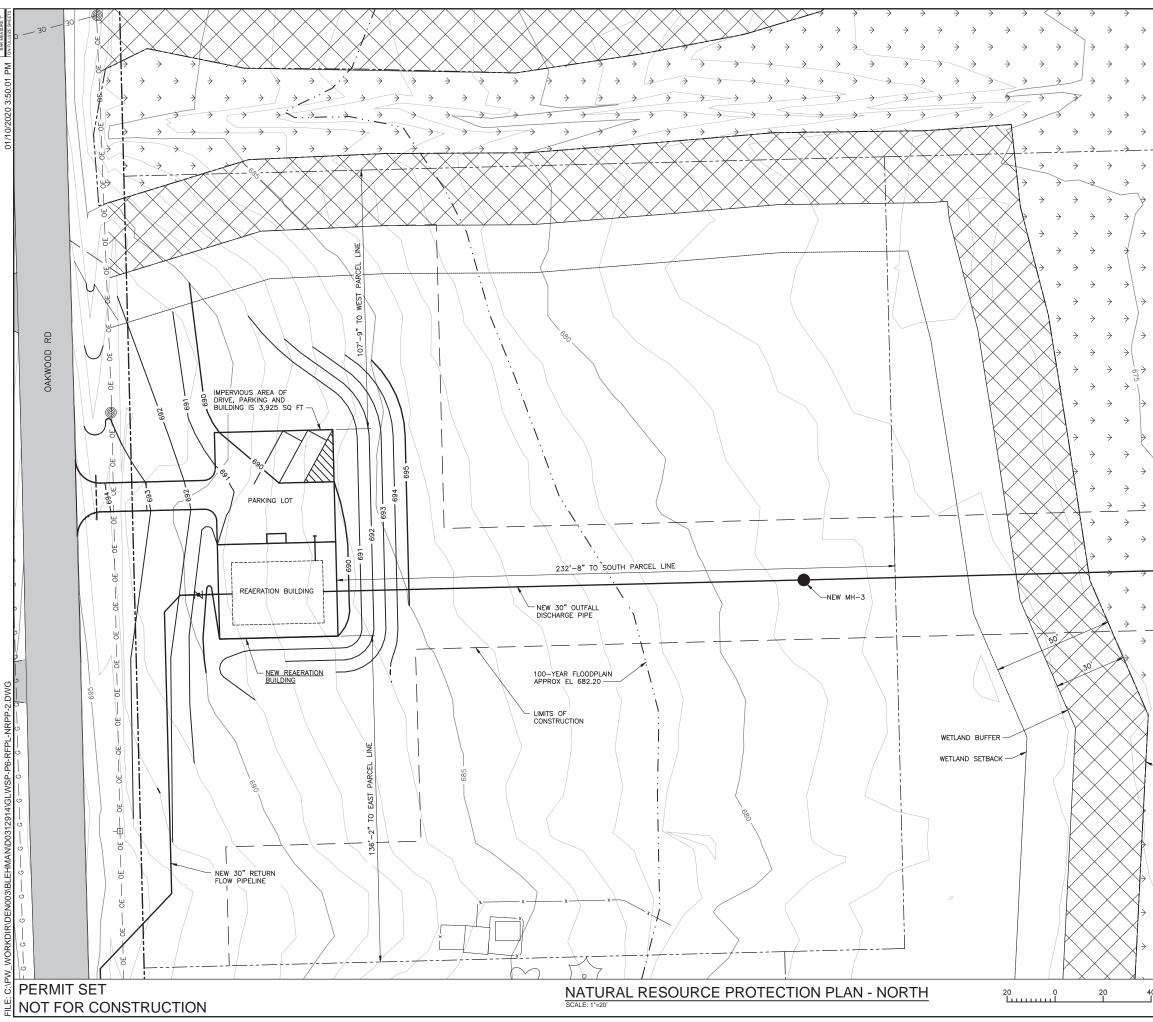
- DIRECT BURIED (DB) CONDUIT TO WE ENERGIES POWER POLE. FIELD VERIFY POWER POLE LOCATION WITH WE ENERGIES.
- 2. WE ENERGIES METER. SOCKET AND BASE BY CONTRACTOR.

- 3. BOND TO SERVICE ENTRANCE DISCONNECT MOUNT.
- 4. BOND TO LIGHTING PANELBOARD, LP-1.
- 5. BENDS TO TRANSITION FROM ABOVE GROUND TO UNDERGROUND TO BE PVC COATED RIGID GALVANIZED STEEL (RGS). ABOVE GROUND CONDUIT TO BE RGS. UNDERGROUND CONDUIT TO BE PVC SCHEDULE 40, OR PVC COATED RGS. ALL BURIED CONDUIT TO BE AT LEAST 24" BELOW SURFACE.
- 6. BOND TO RS-CP-1 CONTROL PANEL ENCLOSURE.
- 7. 2#12 AWG, #12 AWG GROUND IN 3/4" CONDUIT.
- 8. SEE LIGHTING FIXTURE SCHEDULE ON SHEET E800.
- 9. NOT USED.
- 10. BOND TO BUILDING FOUNDATION REBAR.
- 11. 3#2 AWG, #8 AWG GROUND, 2" CONDUIT.
- 12. BOND TO 30" RETURN FLOW PIPELINE AND OUTFALL DISCHARGE PIPELINE.

ch2m:

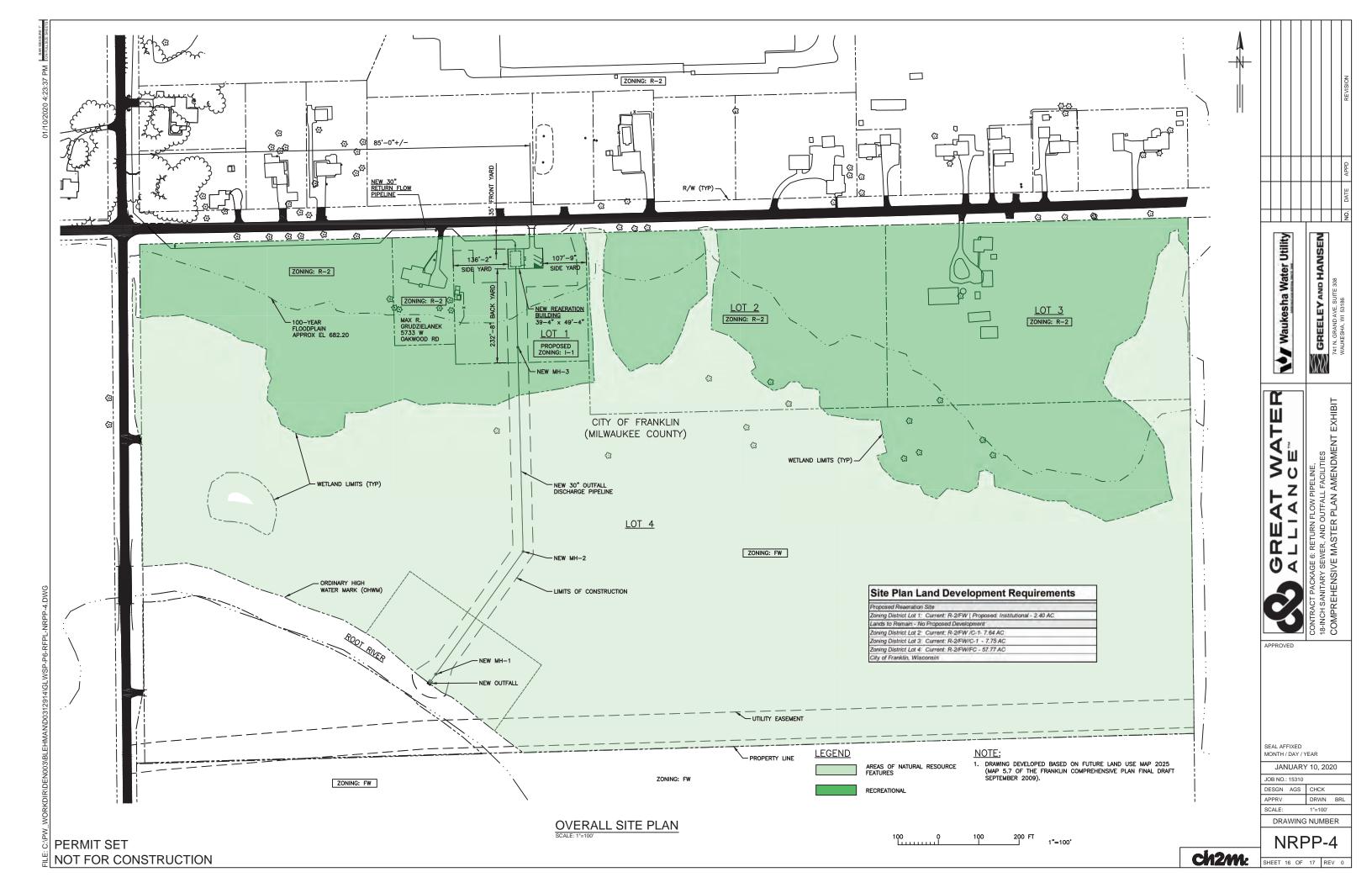
SHEET 12 OF 17 REV 0

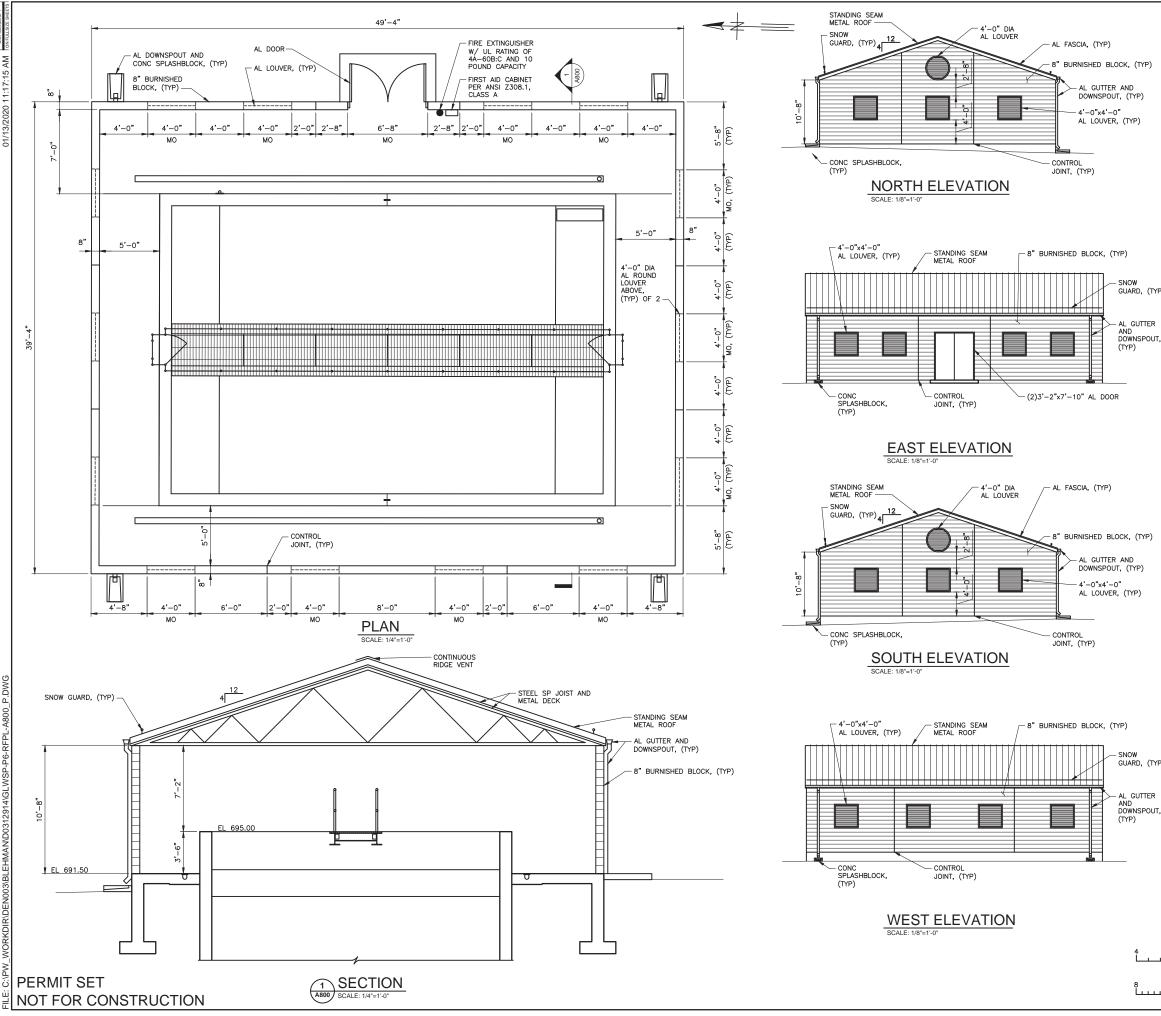




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E	BUILDING CODE	DATA	1.00			
BUILDING CODE:	2018 WISCONSIN COMM MODIFIES THE 2015 INTE (IBC)					
BUILDING NAME: USE AND OCCUPANC	REAERATION STRUCTUR		RUCTION:			
	CLASS (IBC CHAPTER 3):	INDUSTRIAL	ZARD FACTOR	Y		
TYPE OF CONSTRUCT	ION (IBC CHAPTER 6):	TYPE I-B, NONCOMBUS UNPROTECT				
AREA AND HEIGHT LI						
TABULAR AREA (At) (	R FLOOR (Aa = At + [NS x	23,000	SE			
FRONTAGE INCREAS		75%	01			
NON-SPRINKLE AREA		23,000				
ACTUAL AREA PER FL	EA PER FLOOR (Aa) (IBC DOR:	40,250				
MAXIMUM ALLOWABLE			STORIES			
ACTUAL NUMBER OF S	HEIGHT (IBC TABLE 504.3):		FEET			
ACTUAL HEIGHT:			FEET			
EGRESS REQUIREME				<b>N</b>	-	
DESIGN OCCUPANT LO ACTUAL OCCUPANT LO			OCCUPANTS	1		
MIN EGRESS WIDTH (I	BC 1018 AND 1024.2):	3 FEET	o coorritate	3	S	
	L (IBC TABLE 1006.3.2(2)):	75 FEET		-		
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	FIXTURES (IBC TABLE 290)			- ts	≻	E, SI
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INTERIOR BEARING V		0 HOUR				
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FLOOR CONSTRUCT		0 HOUR		Œ		
FIRE PROTECTION:		UNUR				Ì
				- 111 -		
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FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		GREAT WATE	DW PIPELINE, FALL FACILIT	$\cap$
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		SEAT VATE	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILIT	$\cap$
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		APPROVED	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILIT	REAERATION BUILDING AND O
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		SEAL AFFIXE MONTH / DA	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILIT	
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		SEAL AFFIXE MONTH / DA JANUA JOB NO: 153	001 AU 18-INCH SANITARY SEWER, AND OUTFALL FACILIT 18-INCH SANITARY SEWER, AND OUTFALL FACILIT	
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		SEAL AFFIX MONTH / DA JAPPROVED	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILIT 18-INCH SANITARY SEWER, AND OUTFALL FACILIT	
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		APPROVED	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILIT INM 25: CHCK SCHCK 5: CHCK	
FIRE ALARM (IBC 907): ACCESSIBILITY REOL MECHANICAL BUILDING	(IBC 906): IIREMENTS: ISS NOT REQUIRED TO BE A	PROVIDED PROVIDED A NOT REQUIR PROVIDED		APPROVED	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, AND OUTFALL FACILIT 18-INCH SANITARY SEWER, AND OUTFALL FACILIT SMARY SEWER, AND OUTFALL FACILIT	
FIRE EXTINGUISHERS FIRE ALARM (IBC 907): ACCESSIBILITY REQU	(IBC 906):	PROVIDED PROVIDED A NOT REQUIR PROVIDED		APPROVED	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, 18-INCH SANITARY SEWER, AND OUTFALL FACILIT INM 25: CHCK SCHCK 5: CHCK	
FIRE ALARM (IBC 907): ACCESSIBILITY REOL MECHANICAL BUILDING	(IBC 906): IIREMENTS: ISS NOT REQUIRED TO BE A	PROVIDED PROVIDED NOT REQUIR PROVIDED CCESSIBLE		SEAL AFFIX MONTH / DA JANU/ JOB NO: 153 DESON RCO SCALE: DRAWI	CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, CONTRACT PACKAGE 6: RETURN FLOW PIPELINE, AND OUTFALL FACILIT 18-INCH SANITARY SEWER, AND OUTFALL FACILIT SMARY SEWER, AND OUTFALL FACILIT	