



FRANKLIN CITY HALL CHAMBERS  
9229 W. LOOMIS ROAD  
FRANKLIN, WISCONSIN

**PLAN COMMISSION MEETING AGENDA**  
**Thursday, April 4, 2024 at 6:00 P.M.**

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

**B. Approval of Minutes**

1. Approval of the regular meeting of March 21, 2024.

**C. Public Hearing Business Matters**

1. **StorageMart, Special Use, and Site Plan.** Request to allow for a mini warehouse/self-storage facility upon property located at 7045 South Lovers Lane Road (747 9992 005).
2. **Wamser, Area Exception.** Request for approval of an Area Exception to allow for a lot coverage increase for the installation of stairs upon property located at 7481 S Cambridge Drive (754 0082 000).

**D. Citizen comment period.** Citizens may comment upon the Business Matter items set forth on this Meeting Agenda.

**E. Business Matters**

1. **Boomtown LLC, Certified Survey Map (CSM).** Request to create four residential lots upon property located at 11607 W Ryan Road (891 9989 005).
2. **Cape Crossing Addition No. 1, Final Plat** consisting of twenty-five single-family lots upon property located at 12200 W Ryan Road (890 9991 001 & 890 9991 002).
3. **Firewise Barbecue Company LLC, Temporary Use.** Request for approval of a Temporary Use Permit for a Food Truck Operation until October 31, 2024, upon property located at 10925 W Speedway Drive (704 1007 000).
4. **Franklin Public School District Site Plan Amendment.** Request for approval of a Site Plan Amendment for a building addition, parking lot, landscaping, lighting, soccer fields, playground, detached storage building, and storm water management facilities upon property located at 8225, 8255, 8429, and 8459 West Forest Hill Avenue (838 9978 001).

**F. Adjournment**

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The YouTube channel "City of Franklin WI" will live stream the Plan Commission meeting so the public can watch and listen to it at <https://www.youtube.com/c/CityofFranklinWIGov>. Any questions on this agenda may be directed to the Department of City Development's office at 414-425-4024, Monday through Friday, 8 AM – 4:30 PM.

\*Supporting documentation and details of these agenda items are available at City Hall during regular 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: April 18, 2024.



**City of Franklin**  
**Plan Commission Meeting**  
**March 21, 2024**  
**Minutes**

unapproved

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

Alderdwoman Courtney Day called the March 21, 2024 Plan Commission meeting to order at 6:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderdwoman Courtney Day, City Engineer Glen Morrow and Commissioners Kevin Haley, Patrick Leon and Patricia Hogan. Excused were Mayor John Nelson and Commissioner Michael Shawgo. Also present were City Attorney Jesse Wesolowski, Principal Planner Régulo Martínez-Montilva and Director of Economic Development, John Regetz.

**B. Approval of Minutes – Regular Meeting of March 7, 2024**

Commissioner Leon moved and Commissioner Hogan seconded a motion to approve the March 7, 2024 meeting minutes with corrections. On voice vote, all voted ‘aye’; motion carried (4-0-1).

**C. Public Hearing Business Matters**

**1. Update to the Unified Development Ordinance (UDO) fee schedule** for zoning and land division procedures, UDO Section 15-9.0401.

Principal Planner Martínez presented the request.

The Official Notice of Public Hearing for zoning and land division procedures, UDO Section 15-9.0401 was read in to the record by Principal Planner Martínez and the Public Hearing opened at 6:13 pm and closed at 6:13 pm.

Commissioner Leon moved and Commissioner Haley seconded a motion to put over to a meeting date to be determined by staff. On voice vote, all voted ‘aye’; motion carried (4-0-1).

**2. Amendment to Plan Commission administrative procedures.** Proposal to change meeting frequency to once a month.

Principal Planner Martinez-Montilva presented the request.

The Official Notice of Public Hearing for a proposal to change meeting frequency to once a month was read in to the record by Principal Planner Martinez-Montilva and the Public Hearing opened at 6:34 pm and closed at 6:34 pm.

City Engineer Morrow moved and Commissioner Leon seconded a motion to deny the subject item. On voice vote, all voted ‘aye’; motion carried (4-0-1).

3. **Jilly's LLC, Extension of Special Use.** Request for renewal of Special Use Res. No. 2023-7959, to allow for a drive-through car wash facility (Jilly's Car Wash), upon property located at 5484 W Rawson Ave. (741 9002 000).

Principal Planner Martinez-Montilva presented the request and application. Applicant's representative Shawn Cursey was present.

The Official Notice of Public Hearing for renewal of Special Use Res. No. 2023-7959, to allow for a drive-through car wash facility (Jilly's Car Wash), upon property located at 5484 W Rawson Ave. (741 9002 000) was read in to the record by Principal Planner Martinez-Montilva and the Public Hearing opened at 6:51 pm and closed at 6:52 pm.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend approval of a Resolution to amend Resolution No. 2023-7959, a Resolution imposing conditions and restrictions for the approval of a Special Use for the development of a single-story building housing offices and a car wash facility (Jilly's Car Wash), with adjacent parking for vacuum stalls as well as general parking, three separate pay stations, landscaping and lighting upon property located at 5484 West Rawson Avenue (by Jonathan J. Zimmerman, president, Jilly's, LLC, applicant, Devo Properties/Rawson LLC, property owner), to extend the time for commencement of the special use development. On voice vote, all voted 'aye'; motion carried (4-0-1).

#### **D. Business Matters**

1. **Allis Roller Special Use amendment.** Request to allow for parking and drives without curb and gutter, as well as outdoor storage, upon property located at 5801 W. Franklin Drive (931 9001 000). [The Plan Commission held a public hearing on this matter on March 7, 2024]

Principal Planner Martinez-Montilva and Fire Chief Mayer presented the Special Use Amendment application. Applicants Dave Dohl and Operation Manager, Matthew were present.

Commissioner Hogan moved and City Engineer Morrow seconded a motion to recommend approval of a Resolution to amend Resolution No. 2003-5502 imposing conditions and restrictions for the approval of a Special Use for 5801 West Franklin Drive (Allis Roller LLC, property owner). On voice vote, all voted 'aye'; motion carried (4-0-1).

4. **Potential Utilization of a Public Hearing Process When So Determined by a Decision-Making Body When Such Process Is Not Required by Federal or State Law or Local Government Ordinance.**

City Attorney Wesolowski presented this item.

City Engineer Morrow moved and Commissioner Leon seconded a motion to amend the administrative procedures to allow for a public comment period under business matter related to business matters only on the agenda. On voice vote, all voted 'aye'; motion carried (4-0-1).

Commissioner Leon left the meeting at 7:57 p.m.

- 2. Boomtown LLC, Certified Survey Map (CSM).** Request to create four residential lots upon property located at 11607 W Ryan Road (891 9989 005).

City Engineer Morrow moved and Commissioner Hogan seconded a motion to table to the April 4, 2024 Plan Commission meeting. On voice vote, all voted 'aye'; motion carried (4-0-2).

- 3. Dorner Inc. Temporary Use.** Request to allow for the storage of construction materials and equipment for City of Franklin Water Transmission Main Project until May 31, 2024 upon property located at 9954 W St. Martins Road (840 9984 000).

Principal Planner Martinez-Montilva presented the Temporary Use.

Commissioner Hogan moved and Alderwoman Day seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Temporary Use for the storage of construction materials and equipment located at 9954 W. St. Martins Road, (Dorner, Inc., applicant). On voice vote, all voted 'aye'; motion carried (4-0-2).

- 5. Department of City Development Annual Report: 2023.**

Principal Planner Martinez-Montilva presented this item.

City Engineer Morrow moved and Commissioner Hogan seconded a motion to accept and place on file. On voice vote, all voted 'aye'; motion carried (4-0-2).

**E. Adjournment**

Commissioner Haley moved and Commissioner Hogan seconded to adjourn the meeting at 8:06 p.m.. On voice vote, all voted 'aye'; motion carried (4-0-2).



**CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION**

**Meeting of April 4, 2024**

**Special Use and Site Plan**

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**RECOMMENDATION:** Department of City Development staff recommends approval of the Special Use and Site Plan Application for the StorageMart development, subject to the conditions in the draft resolutions.

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<b>Project Name:</b>	StorageMart Special Use and Site Plan
<b>Project Address/Tax Key:</b>	Not Assigned / 747 9992 005
<b>Property Owner:</b>	TKG III Acquisition LLC
<b>Applicant:</b>	TKG III Acquisition LLC
<b>Aldermanic District:</b>	District 6
<b>Zoning District:</b>	B-5 Highway Business District
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate

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**Introduction**

Please note:

- Staff recommendations are *underlined, in italics* and are included in the draft ordinance.
- Staff suggestions are only underlined and are not included in the draft ordinance.

On December 11, 2023, the applicant submitted an application for a Special Use and Site Plan for the development of a mini warehouse/self-storage facility upon property located along South Lovers Lane Road bearing Tax Key No. 747 9992 005.

**Project Description/Analysis**

**Special Use:**

The Special Use Application requests approval of a self-storage facility consisting of primarily climate-controlled storage units within two separate buildings. The development is an expansion of the existing facility located upon property to the north, which was approved in 2014.

According to the applicant’s narrative, office hours are between 9:00 a.m. and 6:00 p.m. Monday through Friday and 10:00 a.m. to 2:00 p.m. on Saturdays, and closed on Sundays. Tenants are able to access their storage units every day of the year between 6:00 a.m. and 10:00 p.m. Access may be granted outside of this timeframe with special approval.

The proposed use also includes a request to rent parking spaces for longer term and seasonal parking of personal RVs, Trucks, and campers. Section 15-5.0202G.3. requires that any vehicle over 8,000 pounds rated Gross Vehicle Weight (GVW) may be parked overnight with Special Use approval. Staff has concerns of the feasibility of this with only five proposed striped parking spaces, and would object to parking and storage of vehicles outside of designated, striped spaces.

The applicant has not yet developed a complete floor plan of the larger building, but anticipates the development consisting of about 450 units.

The applicant has indicated agreement with operational requirements of Section 15-3.0703T. of the UDO. To ensure compliance with these requirements, staff recommends the condition below be included as part of the Special Use Resolution.

Storage units shall be used and operated in conformance with Section 15-3.0703T. of the Unified Development Ordinance as follows:

1. Limitations on Use of Facilities. Such facilities shall be used only for the storage of materials or articles and shall not be used for assembly, fabrication, processing, or repair.
2. Services and Sales Activities Prohibited. No services or sales shall be conducted from any storage unit. Garage sales and/or flea market type activities are prohibited.
3. Practice Rooms, Meeting Rooms, and Residences Prohibited. Facilities shall not be used for practice rooms, meeting rooms, or residences.
4. Outdoor Storage Prohibited. No outdoor storage shall be permitted.
5. Storage of Explosive or Highly Flammable Material Prohibited. Storage of explosive or highly flammable material shall be prohibited.

The applicant's project narrative provides responses to the Special Use standards of Sections 15-3.0701A., B., and C. of the UDO for Plan Commission review.

#### Site Plan:

The subject parcel has an area of approximately 3.81. The proposed site plan consists of two self-storage buildings totaling 74,550 square feet. The larger building has an area of 67,200 square feet. The smaller building is 7,350 square feet. The buildings contain mini warehousing units that will vary in size.

The site is currently vacant. The applicant is proposing a Landscape Surface Ratio of 0.42, which is in conformance of the B-5 District minimum LSR of 0.40.

The site plan also consists of a six-foot-tall black, aluminum or wrought iron, security fence, storm water management facility, landscaping, and lighting.

Note the Fire Department recommends an additional fire hydrant(s) be required to protect the far west end of the proposed development.

Access:

The site plan includes access to Lovers Lane Road (STH 100), which is subject to Wisconsin Department of Transportation review and approval. There is also a cross-access connection included on the west side of the property to connect to StorageMart's existing facility to the north. A draft Declaration of Cross-Access Easement has been provided. Staff recommends that the applicant provide a copy of a recorded cross-access easement to the Planning Department, prior to issuance of a Building Permit.

The driveway width at the property line is about 35-feet. As such, the applicant is requesting a wider drive in accordance with Section 15-5.0207B. below.

“Openings. Openings for vehicular ingress and egress shall not exceed 24 feet at the street right-of-way line and 30 feet at the roadway, unless a greater distance is approved by the Plan Commission in a non-residential district.”

Parking:

Table 15-5.0203 of the UDO requires a Standard Parking Ratio of 1 space per 10 storage units. Assuming the site contains 450 storage units, 45 parking spaces are recommended. The applicant is providing five striped parking spaces, including one ADA accessible space. This does not count parking in front of individual exterior accessible storage units. With those included, it is estimated that the site includes about 45 to 50 parking spaces.

The applicant has noted that there is no need for employee parking as that is already in place at the facility to the north. It was also stated that tenants generally park in front of their storage units to load and unload.

Arguably, parking is met if parking spaces located in front of units are counted. Staff did suggest that additional parking be added on the north side of the smaller building, similar to the parking on the south end of the building. The building would have to be reduced in size to accommodate additional parking.

Staff does not object to counting spaces in front of units as well as interior spaces for the drive through accessible units as the drive widths through the site accommodate vehicles parking parallel to their units and still allow for two-way traffic through the site. Staff also finds it would not be reasonable to include 45 separate parking spaces onsite as that would not be commensurate with the parking demands of these types of facilities.

If deemed necessary, the UDO allows the Plan Commission to approve a reduction in parking as long as the applicant submits reasonably sufficient proof that the minimum number of required parking spaces would exceed the proposed use's projected parking demand. Evidence may include, but not limited to, parking standard comparisons and/or comparisons of parking demand for existing similar uses.

### Landscaping:

Table 15-5.0302 of the UDO requires one canopy/shade tree, one evergreen tree, one decorative tree and one shrub for every five provided parking spaces. A 20% increase is also required per Section 15-5.0302C.1. of the UDO as the property abuts less intense residential uses to the south, east and west.

Considering the parking spaces in front of units, about 50 parking spaces are provided. As such, 12 plantings of each type are required, which includes the 20% increase. Staff recommends that the Landscape Plan be revised to update the Planting Table and Calculations to show and provide the correct minimum number of plantings required for each type of planting. Canopy/Shade Trees, Decorative Trees, Evergreens, and Shrubs. The Landscape Plan shall also conform to Section 15-5.0302F. of the UDO regarding minimum number of species provided.

Debatably, only 5 striped parking spaces are provided; however, staff finds if credit is given of the parking spaces in front of units to meet the parking standard, those spaces should then count towards the required landscaping calculations.

### Lighting:

The applicant has provided a Lighting Plan with photometrics as well as cut sheets for all lighting provided. The Lighting Plan provides one light pole and twenty-one building lights. The light pole is located adjacent to the provided parking between the two buildings.

The Lighting Plan does not include lights that are directed towards adjacent residential uses. Footcandle levels are at 0.0 at the property lines.

### Architecture:

According to the applicant and elevations provided, this development and building materials match the StorageMart development to the north. This includes architectural panels, stone, and brick. The overhead doors will also be the same style doors as the existing StorageMart development.

The proposed roof height of the smaller building is about 12-feet and the larger building has a roof height of 22-feet and a peak height of about 24-feet.

All rooftop and ground mounted mechanicals shall be screened from public view as determined appropriate by the Planning Department.

### Signage:

A wall sign is anticipated; however, any signage proposed shall conform to the City's Sign Ordinance and be subject to the review and approval of the Planning Department and issuance of a Sign Permit.

### Stormwater Management:

A storm water management facility is proposed in front of the building adjacent to S. Lovers Lane Road. Staff recommends that the applicant shall obtain final approval of the stormwater management plan from the City Engineer, prior to any land disturbance.

Natural Resource Protection Plan and Conservation Easement:

The NRPP and Site Intensity and Capacity Calculations indicate the site contains 1.3-acres of young woodland, a wetland of about .23-acres and associated wetland buffer (.41-acres) and wetland setback.

The applicant is proposing to eliminate .62 acres of the young woodland. The wetland, wetland buffer, and wetland setback will not be disturbed. The UDO allows a maximum disturbance of 50% of young woodlands or .65 acres in this case. As such, this standard is met.

The wetlands were delineated on January 16, 2023. No impacts to wetlands, wetland buffers, or wetland setbacks are proposed.

Staff recommends submittal of a separate written Conservation Easement agreement for Common Council review and approval and recording with Milwaukee County.

**Staff Recommendation**

Department of City Development staff recommends approval of the Special Use and Site Plan Applications, subject to the conditions in the draft resolutions.



RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A SPECIAL USE FOR A SELF STORAGE FACILITY USE UPON  
PROPERTY LOCATED AT 7045 SOUTH LOVERS LANE ROAD  
(TKG III ACQUISITION LLC (D/B/A STORAGEMART), APPLICANT)

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WHEREAS, TKG III Acquisition, LLC having petitioned the City of Franklin for the approval of a Special Use within a B-5 Highway Business District under Standard Industrial Classification Title No. 4225 “General warehousing and storage”, to allow for a self storage facility use upon property located at 7045 South Lovers Lane Road, bearing Tax Key No. 747 9992 005, more particularly described as follows:

Parcel 3 of Certified Survey Map No. 5403 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on April 18, 1990 in Reel 2439, Images 869 to 872, as Document No. 6371353, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 5, Town 5 North, Range 21 East, in the city of Franklin, County of Milwaukee, State of Wisconsin. Said Parcel 3 contains 3.77 acres more or less; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 4th day of April, 2024, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of TKG III Acquisition LLC, for the approval of a Special Use for the property particularly described in the preamble to this

TKG III ACQUISITION LLC – SPECIAL USE  
RESOLUTION NO. 2024-\_\_\_\_\_

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Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by TKG III Acquisition LLC, successors and assigns, as a retail self-storage facility use, which shall be developed in substantial compliance with, and operated and maintained by TKG III Acquisition LLC, pursuant to those plans City file-stamped **March 26, 2024** and annexed hereto and incorporated herein as Exhibit A.
2. TKG III Acquisition LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the TKG III Acquisition LLC self-storage facility development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon TKG III Acquisition LLC, and the self-storage facility use for the property located at 6951 South Lovers Lane 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.
4. Storage units shall be used and operated in conformance with Section 15-3.0703T. of the Unified Development Ordinance as follows:
  - a. Limitations on Use of Facilities. Such facilities shall be used only for the storage of materials or articles and shall not be used for assembly, fabrication, processing, or repair.
  - b. Services and Sales Activities Prohibited. No services or sales shall be conducted from any storage unit. Garage sales and/or flea market type activities are prohibited.
  - c. Practice Rooms, Meeting Rooms, and Residences Prohibited. Facilities shall not be used for practice rooms, meeting rooms, or residences.
  - d. Outdoor Storage Prohibited. No outdoor storage shall be permitted.
  - e. Storage of Explosive or Highly Flammable Material Prohibited. Storage of explosive or highly flammable material shall be prohibited.
5. A recorded cross-access agreement for access to the StorageMart development to the north shall be provided to the Department of City Development, prior to the issuance of an Occupancy Permit.

TKG III ACQUISITION LLC – SPECIAL USE  
RESOLUTION NO. 2024-\_\_\_\_\_

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6. Applicant shall obtain final approval of the stormwater management plan from the City Engineer, prior to any land disturbance.
7. A separate written Conservation Easement agreement shall be submitted for Common Council review and approval and recording with Milwaukee County Register of Deeds, prior to the issuance of a Building Permit.
8. Applicant shall obtain approval from the Wisconsin Department of Transportation of the proposed development, prior to issuance of a Building Permit.
9. Any signage shall conform to the City's Sign Ordinance and be subject to the review and approval of the Planning Department and issuance of a Sign Permit.
10. [other conditions, etc.]

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

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

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

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

TKG III ACQUISITION LLC – SPECIAL USE  
RESOLUTION NO. 2024-\_\_\_\_\_

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

Introduced at a regular meeting of the Common Council of the City of Franklin this 16th day of April, 2014.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 16th day of April, 2014.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

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

## RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION APPROVING A SITE PLAN TO ALLOW FOR A SELF STORAGE  
FACILITY DEVELOPMENT UPON PROPERTY LOCATED AT APPROXIMATELY  
7045 SOUTH LOVERS LANE ROAD  
(TKG III ACQUISITIONS LLC (D/B/A STORAGE MART), APPLICANT)

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WHEREAS, TKG III Acquisition LLC, having applied for approval of a proposed site plan to allow for a self-storage facility development, upon property located at approximately 7045 South Lovers Lane Road, within a B-5 Highway Business District; and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0305 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 to allow for a self-storage facility development, as depicted upon the plans City dated **March 26, 2024**, 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 Plans for the TKG III Acquisition LLC self-storage facility development City dated **March 26, 2024**.
2. TKG III Acquisition LLC, successors and assigns, and any developer of the TKG III Acquisition LLC self-storage facility development 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 TKG III Acquisition LLC self-storage facility development 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 TKG III Acquisition LLC self-storage facility development project, located at approximately 7045 South Lovers Lane Road, within a B-5 Highway Business District: (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. An additional fire hydrant(s) shall be provided to protect the far west end of the proposed development as recommended by the Fire Department.
5. A recorded cross-access agreement for access to the StorageMart development to the north shall be provided to the Department of City Development, prior to the issuance of an Occupancy Permit.
6. The Landscape Plan shall be revised to update the Planting Table and Calculations to show and provide the correct minimum number of plantings required for each type of planting, Canopy/Shade Trees, Decorative Trees, Evergreens, and Shrubs.
7. The Landscape Plan shall conform to Section 15-5.0302F. of the UDO regarding minimum number of species provided.
8. All rooftop and ground mounted mechanicals shall be screened from public view as determined appropriate by the Planning Department.
9. Any signage shall conform to the City’s Sign Ordinance and be subject to the review and approval of the Planning Department and issuance of a Sign Permit.
10. Applicant shall obtain final approval of the stormwater management plan from the City Engineer, prior to any land disturbance.
11. A separate written Conservation Easement agreement shall be submitted for Common Council review and approval and recording with Milwaukee County Register of Deeds, prior to the issuance of a Building Permit.
12. Applicant shall obtain approval from the Wisconsin Department of Transportation of the proposed development, prior to issuance of a Building Permit
13. [other conditions, etc.]

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 4th day of April, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 4th day of April, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Chairman

ATTEST:

\_\_\_\_\_

TKG III ACQUISITION LLC – SITE PLAN  
RESOLUTION NO. 2024-\_\_\_\_\_

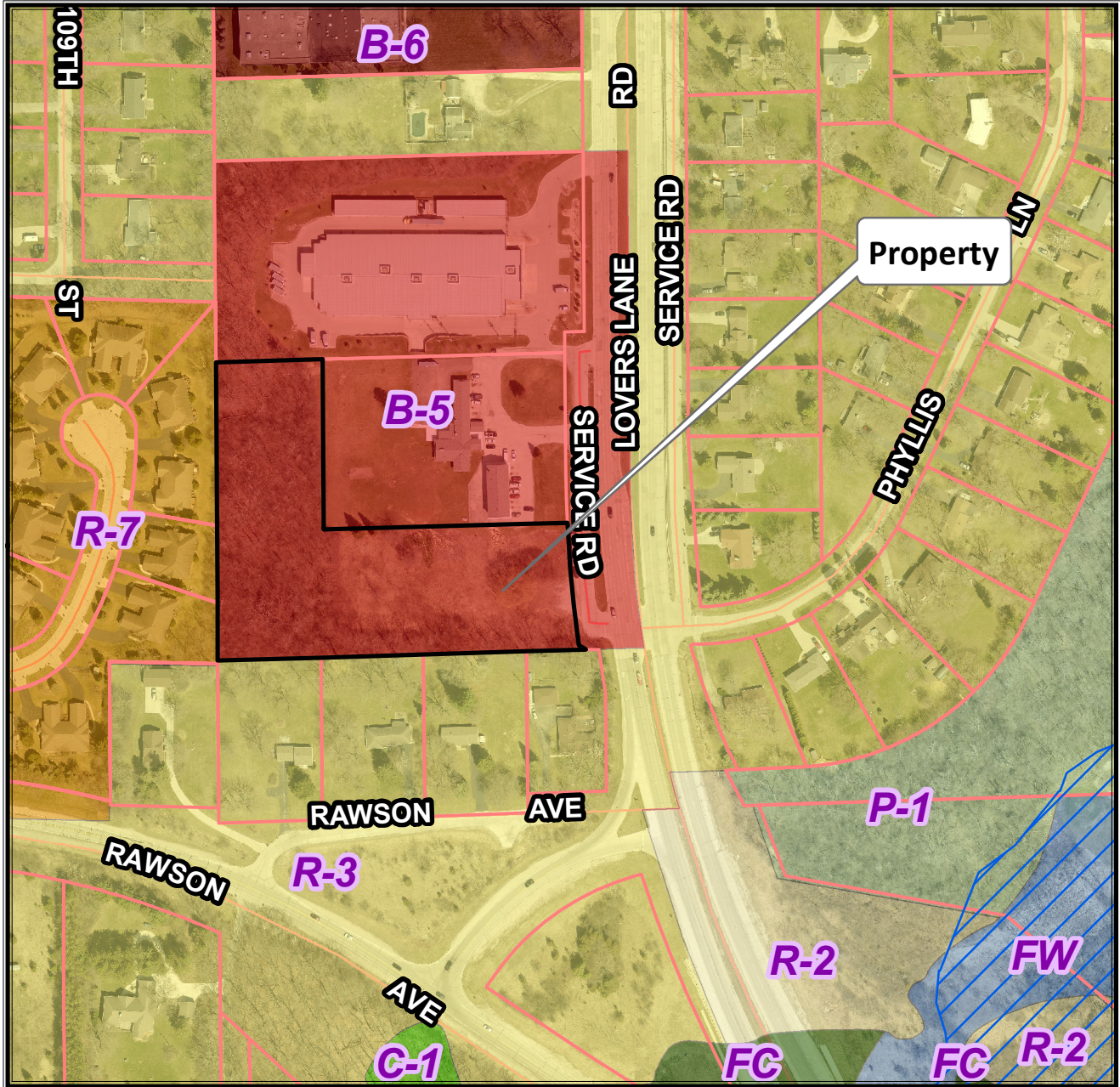
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Shirley J. Roberts, City Clerk

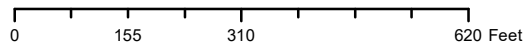
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_



7045 S. Lovers Lane Road  
TKN 747 9992 005



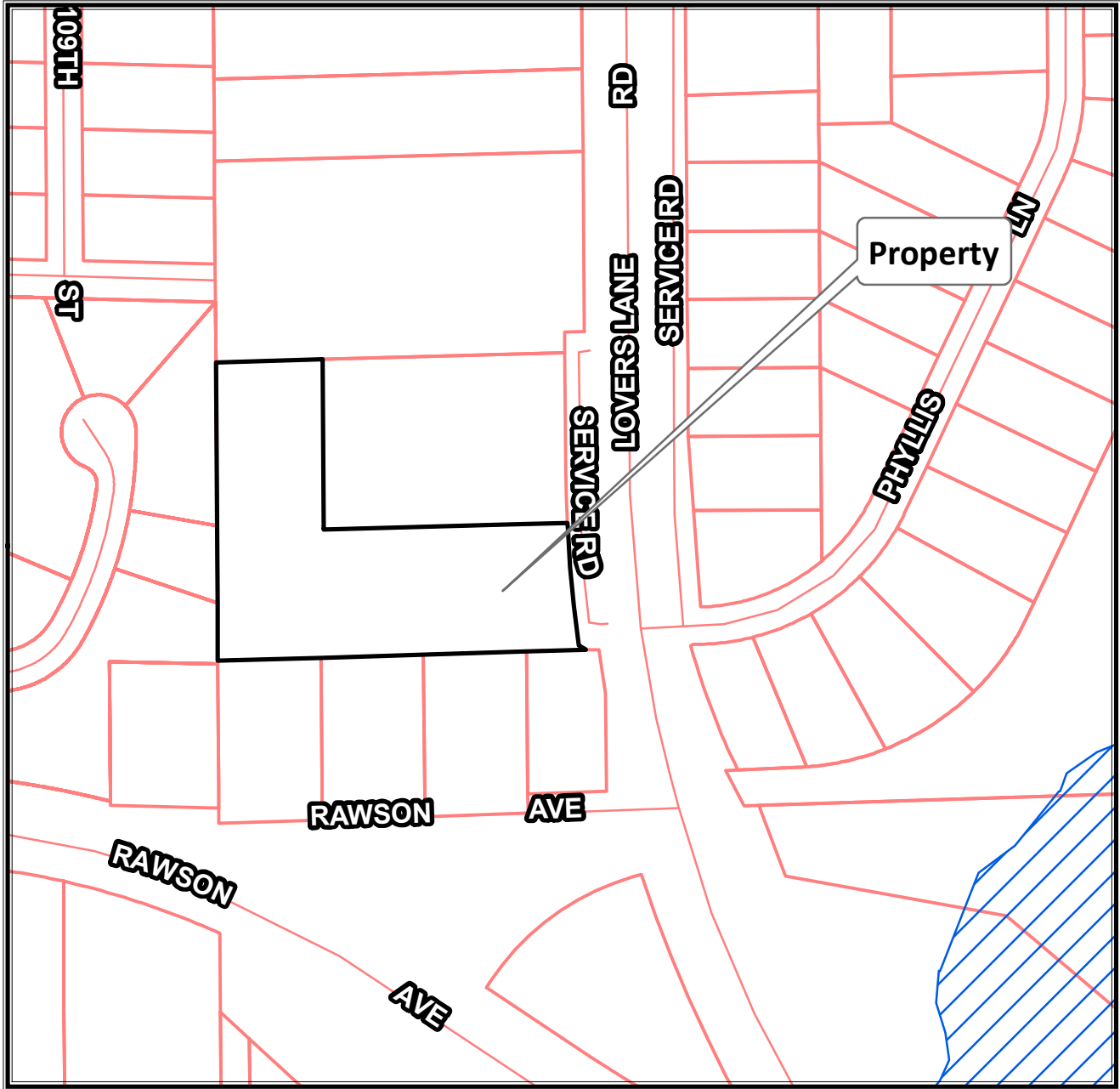
Planning Department  
(414) 425-4024



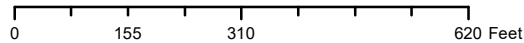
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



7045 S. Lovers Lane Road  
TKN 747 9992 005



Planning Department  
(414) 425-4024



2021 Aerial Photo

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

# HUSCH BLACKWELL

Jake Remington  
Senior Counsel

511 North Broadway, Suite 1100  
Milwaukee, WI 53202  
Direct: 414.978.5527  
Fax: 414.223.5000  
Jake.Remington@huschblackwell.com

March 21, 2024

## VIA FEDERAL EXPRESS

Nick Fuchs  
Planning Associate  
Planning Department, City of Franklin  
9229 West Loomis Road  
Franklin, WI 53132

Re: Application for Site Plan and Special Use  
Applicant: TKG III Acquisition, LLC  
Property: 0 South Lovers Lane Road, Taxkey: 747-9992-003

Dear Mr. Fuchs:

Our firm is counsel to TKG III Acquisition, LLC d/b/a StorageMart (“StorageMart”). StorageMart is the current owner of the 3.769-acre parcel directly south of 6991 S. Lovers Lane Road, 0 S. Lovers Land Road, Taxkey 747-9992-003 (the “Property”).



Dedicated to providing clean, well-lit storage units, and friendly customer service, StorageMart is the largest family operated self-storage company in the world, and the owner of twelve existing facilities in the Milwaukee community.

StorageMart seeks to build an expansion next to its existing facility at 6951 S. Lovers Lane Road. Franklin has been StorageMart’s best performing submarket of Milwaukee, with its existing store consistently staying above 90% occupancy since it was purchased in September of 2021. Much of StorageMart’s success can be attributed to the low supply in Franklin compared to other suburban markets around the country. The city boasts a units per

# HUSCH BLACKWELL

March 21, 2024

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capita ratio of 0.06, well below the 0.1 figure that StorageMart starts to consider a market oversupplied. These supply figures and StorageMart's high historical occupancy at its existing location suggest that the proposed expansion will be utilized by customers and will not oversaturate the market.

StorageMart also seeks to impact the communities it calls home. We do this through our operation practices and through partnering with charities in the community. Operationally, we are increasing sustainability and enhanced operational efficiency by installing low-E glass, higher grade insulation for climate-controlled buildings, and Cool-Roof systems on exterior buildings. Through the "Store it Forward" charitable giving program, StorageMart is donating over \$80,000 annually to its national partners Big Brothers Big Sisters of America, FAST, and Sleep in Heavenly Peace.

## **The Proposed Development**

As depicted in the attached site plan package, StorageMart is proposing to construct two additional buildings in addition to its existing facility to the north for the purpose of operating a retail self-storage primarily climate-controlled facility (with related accessory ambient temperature structural units) (the "Facility"). The Facility and the existing facility to the north will be connected via an asphalt drive and subject to a private cross-access easement. The Property is zoned B-5 (Highway Business District). The proposed use is designated a special use in the B-5 zoning district. (See UDO Attachment 3b (Table 15-3.0603).)

In accordance with the City's regulations regarding mini-warehouses, the Facility will only be used for the storage of materials or articles and shall not be used for assembly, fabrication, processing, or repair. The Facility will not permit services or sales to be conducted from any storage unit and will likewise prohibit garage sales or flea market type activities on the Property. The Facility will not permit practice rooms, meeting rooms, or residential use, will not permit outdoor storage, and will prohibit storage of explosive or highly flammable material.

## **The Request**

On behalf of StorageMart, we are seeking (1) Plan Commission review and approval of the signage and site plan and (2) Plan Commission review and Common Council approval of a special use (retail self-storage primarily climate-controlled (with related accessory ambient temperature structural units)).

Office hours will be 9:00 a.m. – 6:00 p.m., Monday-Friday, and 10:00 a.m. – 2:00 p.m., Saturday (closed on Sundays). Access hours will be 6:00 a.m. – 10:00 p.m., Monday through Sunday, with 24/7 access with special approval.

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## **A. Site Plan**

The Property is current vacant and has an area of approximately 3.81 acres. The proposed site plan consists of two buildings totaling 74,550 square feet. The primary building (67,200 square feet) will sit 22 feet from the finished floor and have a second “mezzanine” level 12 feet from the finished floor. The second building (7,350 square feet) will sit 12 feet above the finished floor.

The final unit mix has not been determined as it will depend on the approved size and height of the facility. Typically, the design is based on 75% of the GSF at an average unit size of 120 SF, which would equate to approximately 450 units. StorageMart’s intent is construct the larger facility for climate-controlled units and the smaller facility for traditional non-climate-controlled storage.

## **B. Special Use**

The proposed use meets the general standards, special standards, and considerations found in sections 15-3.0701(A), (B), and (C) of the UDO.

### *1. Ordinance and Comprehensive Master Plan Purposes and Intent.*

The proposed use and Facility will be in harmony with the general and specific purposes of the UDO. By Ordinance No. 2014-2130, the Mayor and Common Council, via recommendation from the Plan Commission, amended the UDO to permit the proposed use as a special use in the B-5 zoning district. In doing so, the City recognized the use was consistent with the 2025 Comprehensive Master Plan and would serve to further orderly growth and development and promote the health, safety and welfare of the community.

### *2. No Undue Adverse Impact.*

The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood. The Facility has been designed as a compliment to the existing facility, with an eye toward an aesthetically pleasing development that accounts for, and is in harmony with, the existing properties in the area. The west and south elevations (facing residential properties) have been designed with architectural panels and stone material. (See Elevations, A200.)

### *3. No Interference with Surrounding Development.*

March 21, 2024

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The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations. The Facility will complement the existing facility to the north, as well as the Whitnall View Motel immediately to the north. Customers utilizing the Facility will have ingress and egress capabilities between the two StorageMart facilities. 1.08 of existing native woodland will be preserved on the Property, along the south and west property lines.

#### *4. Adequate Public Facilities.*

The proposed Facility will be adequately served by the existing public facilities. The application includes drawings for sanitary sewer and water line details, storm sewer profile and details, a utility plan, and erosion control and storm sewer details. The design of the proposed Facility was done with the 2014 approved plans and storm water management plan for the existing facility.

#### *5. No Traffic Congestion.*

The additional traffic generated by the proposed Facility will be minimal – it is estimated that approximately 50 daily trips to the proposed facility based on existing facilities of similar size in terms of square footage. No regular semi-truck traffic is expected. Semi-truck use is tied to customer move in and out. StorageMart does not accept deliveries on behalf of customers, so no commercial traffic is expected on a regular basis.

StorageMart allows for parking of licensed, insured, and operable vehicles on the property overnight. Any overnight vehicles will be parked at the rear of the property. StorageMart does not desire to rent parking spaces for longer term / seasonal parking to personal RVs, trucks, and campers. StorageMart does not record or limit the number and sizes (length and GVW) of vehicles other than based on the size and available number of parking spaces on the property.

Based on its experience with several other similarly sized facilities, parking and traffic studies that show low customer access and parking needs. (*See Trip Study for Similar Facility.*) Existing customers do not come to the office; they instead temporarily park in front of their unit or at the nearest loading point for loading and unloading. Only new customers utilize the parking spaces. In addition, this facility will be served by the existing office at the facility to the north. No additional employee parking will be needed at this facility.

Building A will have pull-in loading approximately in the center of the building. Additionally, they will have pedestrian doors in likely three locations to facilitate emergency egress and loading of interior units.

#### *6. No Destruction of Significant Features.*

March 21, 2024

Page 5

The proposed Facility will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. As noted above, 1.08 acres of existing native woodland will be preserved. Additionally, the Facility will not be sufficiently buffered and setback from the existing wetland in the southwest corner of the Property.

## 7. *Compliance with Standards.*

### a. *Public Benefit.*

Self-storage facilities are an essential component of a thriving community, offering numerous benefits that positively impact the local area and its residents. The existing site to the north has been well received by the public as it is StorageMart's best performing facility in the Milwaukee in terms of occupancy.

### b. *Alternative Locations.*

StorageMart selected the Property because the Facility can be integrated to its existing facility to the north.

### c. *Mitigation of Adverse Impacts.*

StorageMart has approached this project thoughtfully with an eye towards the aesthetics of the Facility and the effect of the use on neighboring properties. As depicted in the elevations, the Facility will utilize architectural panels, stone, and brick to match its existing facility to the north. Existing natural resources will be protected and additional landscaping is being proposed to the south to provide additional screening to adjacent residential properties.

### d. *Establishment of Precedent of Incompatible Uses in the Surrounding Area.*

The proposed use will not establish precedent of incompatible uses in the surrounding area. To the contrary, the proposed use is consistent with the existing StorageMart facility to the north and will serve to address the high occupancy rate at the current facility together with a market that calls for additional supply.

We look forward to presenting this project and to StorageMart's continued investment in the City of Franklin.

# HUSCH BLACKWELL

March 21, 2024

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Respectfully submitted,

HUSCH BLACKWELL LLP



Jake Remington  
Senior Counsel

Enclosures:

- (A) Site Plan & Special Use Applications;
- (B) Legal Description;
- (C) Trip Study
- (D) Civil Plans:
  - (1) Existing Features Plan;
  - (2) National Resource Protection & Demolition Plan;
  - (3) Erosion Control Plan;
  - (4) Grading Plan;
  - (5) Utility Plan;
  - (6) Storm Sewer Profile & Details;
  - (7) Site Plan;
  - (8) Sanitary Sewer & Water Line Details;
  - (9) Site Construction Details; and
  - (10) Erosion Control & Storm Sewer Details;
- (E) Elevations;
- (F) Lighting Plan;
- (G) Renderings;
- (H) Site Intensity & Capacity Calculations;
- (I) Conservation Easement;
- (J) Access Agreement.

cc: StorageMart



Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 (414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: \_\_\_\_\_

STAMP DATE: \_\_\_\_\_ city use only

## PLAN COMMISSION REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: Weyen Burnam	NAME: James C. Remington
COMPANY: TKG III ACQUISITION, LLC d/b/a StorageMart	COMPANY: Husch Blackwell LLP
MAILING ADDRESS: 215 N Stadium Blvd., Suite 207	MAILING ADDRESS: 511 North Broadway
CITY/STATE: _____ ZIP: _____ Columbia, MO 65203	CITY/STATE: _____ ZIP: _____ Milwaukee, WI 53202
PHONE: 573-449-0091	PHONE: 414-978-5527
EMAIL ADDRESS: weyen.burnam@storage-mart.com	EMAIL ADDRESS: jake.remington@huschblackwell.com

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 0 S. Lovers Land Road	TAX KEY NUMBER: 747 9992 003
PROPERTY OWNER: TKG III ACQUISITION LLC	PHONE: 573-449-0091
MAILING ADDRESS: 215 N Stadium Blvd., Suite 207	EMAIL ADDRESS: weyen.burnam@storage-mart.com
CITY/STATE: _____ ZIP: _____ Columbia, MO 65203	DATE OF COMPLETION: _____ office use only

### APPLICATION TYPE

**Please check the application type that you are applying for**

Building Move  
  Sign Review  
  Site Plan / Site Plan Amendment  
  Temporary Use

Most requests require Plan Commission review and approval.

Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

### SIGNATURES

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

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

I, the applicant, certify that I have read the following page detailing the requirements for plan commission approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: <i>Weyen Burnam</i>	APPLICANT SIGNATURE: <i>Weyen Burnam</i>
NAME & TITLE: _____ DATE: _____ <b>Weyen Burnam, CCO</b> <b>12-11-23</b>	NAME & TITLE: _____ DATE: _____ <b>Weyen Burnam, CCO</b> <b>12-11-23</b>
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE: <i>J.C. Remington</i>
NAME & TITLE: _____ DATE: _____	NAME & TITLE: _____ DATE: _____ <b>James C. Remington, Senior Counsel</b>



## CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

### BUILDING MOVE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 ½" X 11") of the plat of survey, *showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.*  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

### SIGN REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than ½" = 1'. *Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).*
  - Three (3) scaled copies of the Site Plan, *showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.*
- Email or flash drive with all plans / submittal materials.
  - Required for signage in Planned Development Districts (PDD) No. 7 and 18. Additional materials / copies may be required for board/commission meetings.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

### SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (*lot size ≤ 1 acre*)
  - Tier 3: \$500 (*≤ 10% increase or decrease in total floor area of all structures with no change to parking: or change to parking only*).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. *The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)*
- One (1) colored copy of the building elevations on 11" X 17" paper, *if applicable.*
- One (1) copy of the Site Intensity and Capacity Calculations, *if applicable (see division 15-3.0500 of the UDO)*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

### TEMPORARY USE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, *see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.*
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 (414) 425-4024  
[franklinwi.gov](http://franklinwi.gov)



APPLICATION DATE: \_\_\_\_\_

STAMP DATE: \_\_\_\_\_ city use only \_\_\_\_\_

## COMMON COUNCIL REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: Weyen Burnam	NAME: James C. Remington
COMPANY: TKG III ACQUISITION, LLC d/b/a StorageMart	COMPANY: Husch Blackwell LLP
MAILING ADDRESS: 215 N Stadium Blvd., Suite 207	MAILING ADDRESS: 511 North Broadway
CITY/STATE: Columbia, MO ZIP: 65203	CITY/STATE: Milwaukee, WI ZIP: 53202
PHONE: 573-449-0091	PHONE: 414-978-5527
EMAIL ADDRESS: <a href="mailto:weyen.burnam@storage-mart.com">weyen.burnam@storage-mart.com</a>	EMAIL ADDRESS: <a href="mailto:jake.remington@huschblackwell.com">jake.remington@huschblackwell.com</a>

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS:	TAX KEY NUMBER: 747 9992 003
PROPERTY OWNER: TKG III ACQUISITION LLC	PHONE: 573-449-0091
MAILING ADDRESS: 215 N Stadium Blvd., Suite 207	EMAIL ADDRESS: <a href="mailto:weyen.burnam@storage-mart.com">weyen.burnam@storage-mart.com</a>
CITY/STATE: Columbia, MO 65203 ZIP:	DATE OF COMPLETION: office use only

### APPLICATION TYPE

**Please check the application type that you are applying for**

- Concept Review  
  Comprehensive Master Plan Amendment  
  Planned Development District  
  Rezoning  
 Special Use / Special Use Amendment  
  Unified Development Ordinance Text Amendment

Most requests require Plan Commission review and Common Council approval.

Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

### SIGNATURES

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

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

- I, the applicant, certify that I have read the following page detailing the requirements for plan commission and common council approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: <i>Weyen Burnam</i>	APPLICANT SIGNATURE: <i>Weyen Burnam</i>
NAME & TITLE: Weyen Burnam, CCO DATE: 12-11-23	NAME & TITLE: Weyen Burnam, CCO DATE: 12-11-23
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE: <i>J.C. Remington</i>
NAME & TITLE: DATE:	NAME & TITLE: James C. Remington, Senior Counsel DATE:

## CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

### CONCEPT REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$250 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) copies of the Preliminary Site/Development Plan of the subject property(ies) and immediate surroundings on 8 ½" X 11" or 11" X 17" paper (i.e., a scaled map identifying the subject property and immediate environs, including existing and proposed parcels, existing and proposed structures, existing and proposed land uses, existing and proposed zoning, existing and proposed infrastructure and utilities [approximate locations only], and existing and proposed site conditions/site constraints [i.e. approximate locations of public road access, rights-of-way, natural resources/green space and drainage issues/concerns, etc.])
  - Three (3) colored copies of building elevations on 11" X 17" paper if applicable.
- Email or flash drive with all plans / submittal materials.

### COMPREHENSIVE MASTER PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$125 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded copies of a Site Development Plan / Map, drawn to reasonable scale, at least 11" X 17" paper or as determined by the City Planner or City Engineer, identifying the subject property and immediate environs, including parcels, structures, land use, zoning, streets and utilities, and natural resource features, as applicable.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
  - Requires a Class I Public Hearing Notice at least 30 days before the Common Council Meeting

### PLANNED DEVELOPMENT DISTRICT (PDD)

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - \$6,000: New PDD
  - \$3,500: PDD Major Amendment
  - \$500: PDD Minor Amendment
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, of the Site Plan Package, drawn to scale copies, on 24" x 36" paper, including Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc. (See Sections 15-7.0101, 15-7.0301, and 15-5.0402 of the UDO for information that must be denoted or included with each respective plan.)
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- One (1) copy of the Site Intensity and Capacity Calculations, if applicable (see division 15-3.0500 of the UDO)
- Email or flash drive with all plans / submittal materials.
  - PDD and Major PDD Amendment requests require Plan Commission review, a public hearing, and Common Council approval.
  - Minor PDD Amendment requests require Plan Commission review and Common Council approval.

### REZONING

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - \$1,250
  - \$350: one parcel residential.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded copies of a Plot Plan or Site Plan, drawn to reasonable scale, at least 11" X 17" paper or as determined by the City Planner or City Engineer, and fully dimensioned showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
  - Additional notice to and approval required for amendments or rezoning in the FW, FC, FFO, and SW Districts
  - Requires a Class II Public Hearing notice at Plan Commission.

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - \$1,500: New Special Use > 4000 square feet.
  - \$1,000: Special Use Amendment.
  - \$750: New Special Use < 4000 square feet.
- Word Document legal description of the subject property.
- One copy of a response to the General Standards, Special Standards, and Considerations *found in Section 15-3.0701(A), (B), and (C) of the UDO available at [www.franklinwi.gov](http://www.franklinwi.gov).*
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded copies of the Site Plan package, drawn to scale at least 24" X 36", *The submittal should include only those plans/items as set forth in Section 15-7.0101, 15-7.0301 and 15-5.0402 of the UDO that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.*
- One (1) colored copy of the building elevations on 11" X 17" paper, *if applicable.*
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
  - Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval.

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Three (3) project narratives, *including description of the proposed text amendment.*
  - Requires a Class II Public Hearing notice at Plan Commission.
  - The City's Unified Development Ordinance (UDO) is available at [www.franklinwi.gov](http://www.franklinwi.gov).

### **LEGAL DESCRIPTION**

Parcel 3 of Certified Survey Map No. 5403 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on April 18, 1990 in Reel 2439, Images 869 to 872, as Document No. 6371353, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 5, Town 5 North, Range 21 East, in the city of Franklin, County of Milwaukee, State of Wisconsin.

Taxkey: 7479992005

March 26, 2018

Mr. Tim Crockett, PE  
Crockett Engineering  
1000 W Nifong Boulevard, Bldg. 1  
Columbia, Missouri 65203

RE: Trip Generation Assessment – Proposed Storage Mart  
3920 South State Route 291  
Lee’s Summit, Missouri  
CBB Job No. 25-18

Dear Mr. Crockett:

As requested, CBB has prepared a Trip Generation Assessment related to the proposed Storage Mart expansion in Lee’s Summit, Missouri. The existing Storage Mart is located off the State Route 291 Outer Road (SW Raintree Drive), south of Missouri Highway 150. The location of the Storage Mart relative to the surrounding area is depicted in **Figure 1**.

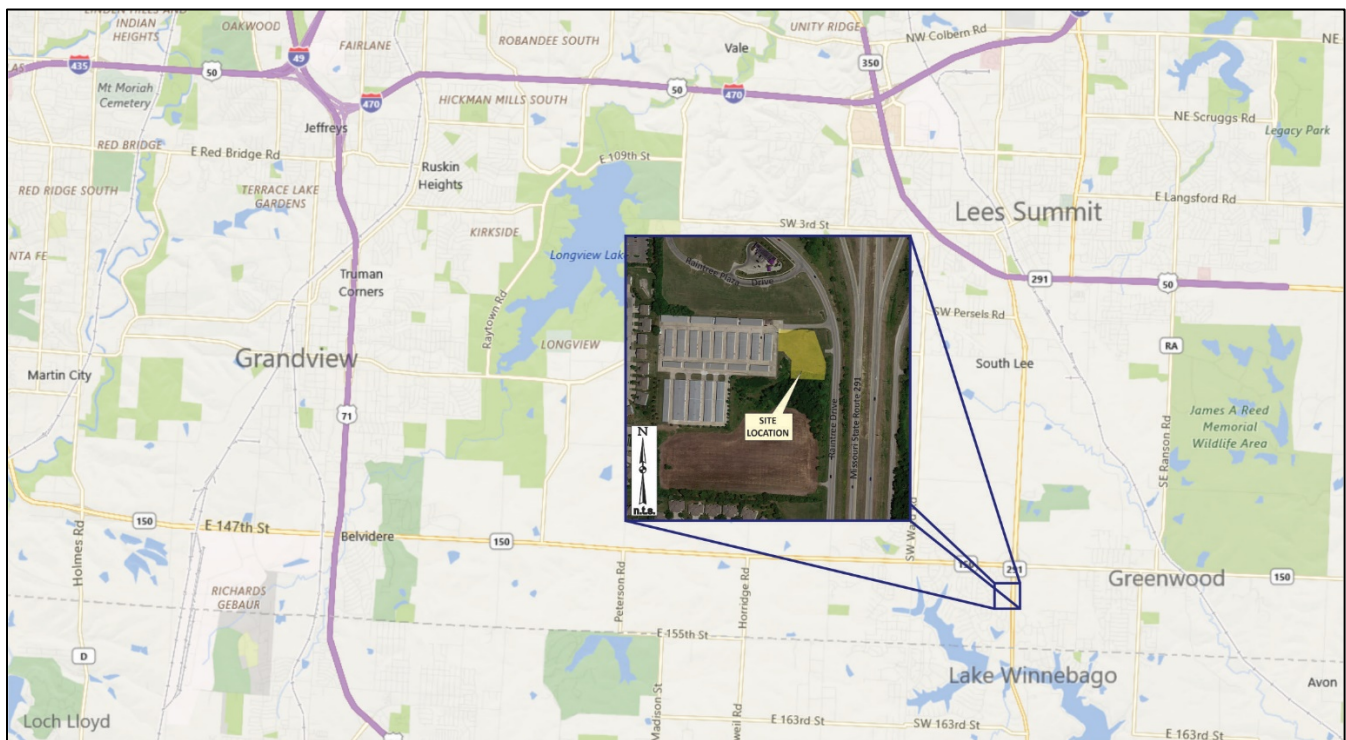


Figure 1: Project Location Map





It should be noted that this Trip Generation Assessment does not represent a traffic impact study, but rather an estimate of the anticipated traffic levels associated with the proposed expansion of the existing Storage Mart. No specific evaluations of operational levels of service are included in this assessment.

The existing Storage Mart facility has 731 garage door type outdoor units with a total of 137,070 square feet. The existing facility has gated access accessible by customers with keypad access. Based on the site plan provided by Crockett Engineering Consultants, the proposed expansion would consist of approximately 35,130 square feet with 42 exterior units and 152 interior storage units of various sizes. The storage building with the interior units will be climate controlled and customers will have the ability to drive inside the building to load and unload their items. Access to the site is proposed to remain via the existing main entrance on State Route 291 Outer Road (SW Raintree Drive). The existing curb cut just south of the main entrance is proposed to be removed. A schematic of the site plan for the proposed Storage Mart expansion is shown in **Figure 2**.



Figure 2: Excerpt from Proposed Site Plan (Provided by Others)



Forecasts were prepared to estimate the amount of traffic that the proposed self-storage facility would generate during the weekday AM and PM commuter peak periods. These forecasts were based upon information provided in the 10<sup>th</sup> Edition of the *Trip Generation Manual*, published by the Institute of Transportation Engineers (ITE). This manual, which is a standard resource for transportation engineers, is based on a compilation of nationwide studies documenting the characteristics of various land uses. Estimates for the proposed development were based upon Land Use: 151 – mini-warehouse. The data provided for Peak Hour of the Adjacent Street was used for the traditional weekday AM and PM peak hour forecasts. The trip generation estimates for the proposed expansion of the self-storage facility based on the approximate square footage and the number of units are summarized in **Table 1**.

Table 1: Trip Generation Estimate

Land Use	Size	Daily Trips	Weekday AM Peak Hour			Weekday PM Peak Hour		
			In	Out	Total	In	Out	Total
Self-Storage	35,130 ft <sup>2</sup>	53	2	2	4	3	3	6
Self-Storage	194 Units	35	2	1	3	2	2	4

As shown in the table, the estimates derived from the ITE Trip Generation Manual based on the square footage resulted in slightly more trips than the trip generation based on the number of units. However, whether generating 3 to 4 trips during the AM peak hour or 4 to 6 trips during the PM peak hour, the estimated trip generation for the proposed self-storage is inconsequential.

It is worth mentioning that most agencies, including MoDOT, typically do not require a Traffic Study unless a proposed development generates at least 100 trips during the peak hour. As such, given the very little traffic generated by the proposed self-storage a traffic impact study is not necessary. It is our belief that the additional traffic would not have a noticeable impact upon current traffic conditions on the adjacent roadways.

We trust that this trip generation assessment is useful in evaluating the proposed Storage Mart expansion in Lee’s Summit, Missouri. Should there be any questions regarding this information, please contact me at 314-449-9572 or [swhite@cbbtraffic.com](mailto:swhite@cbbtraffic.com).

Sincerely,

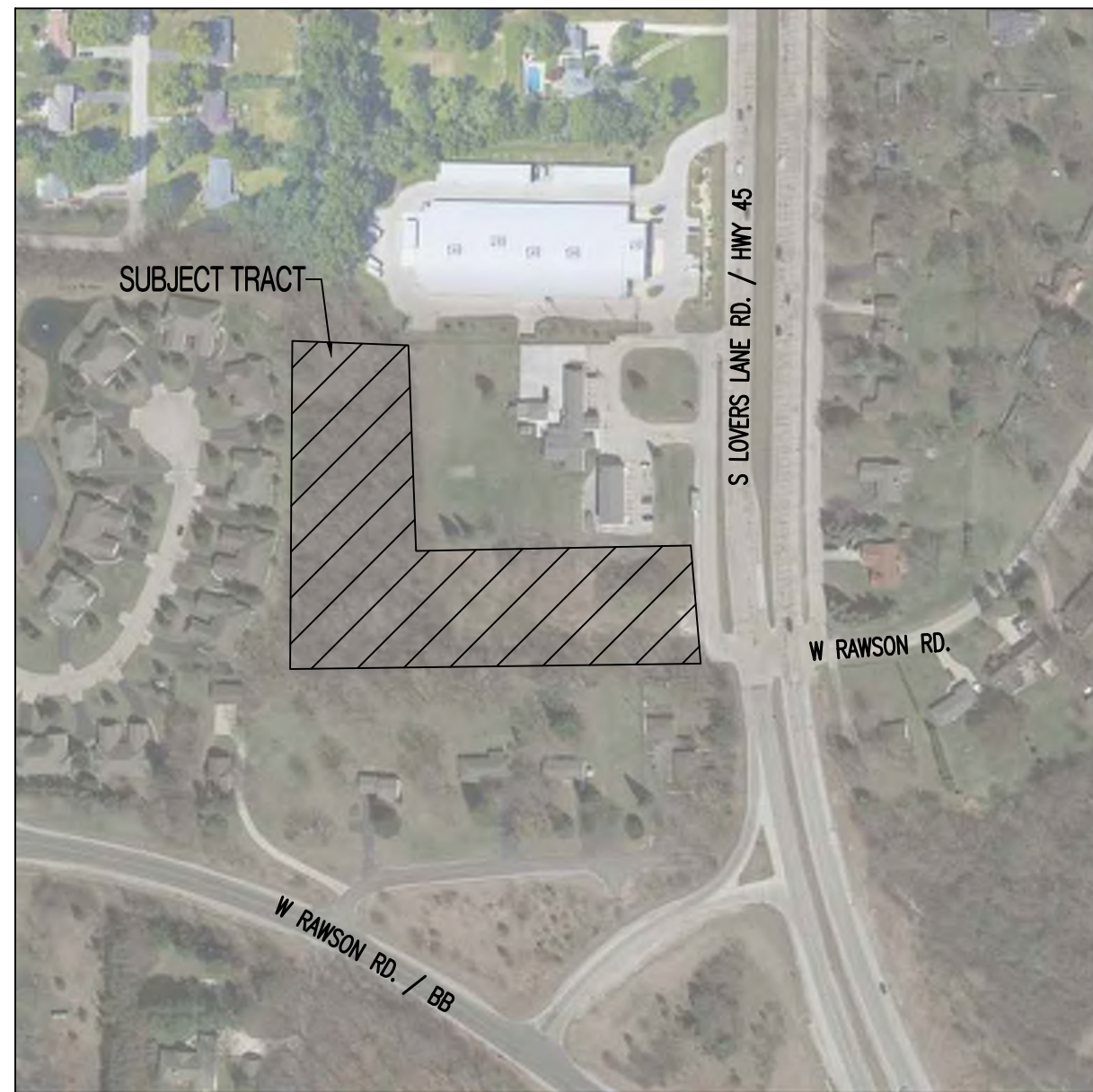
Shawn Derai White, P.E., PTOE  
Associate - Senior Traffic Engineer



# STORAGE MART

## SOUTH LOVERS LANE

### LOCATION MAP



### GENERAL NOTES:

ALL STREET, STORM DRAIN, AND SANITARY SEWER CONSTRUCTION TO BE IN ACCORDANCE WITH THE CITY OF FRANKLIN STREET, STORM DRAIN, AND SANITARY SEWER SPECIFICATIONS AND STANDARDS.

ANY CITY DETAILS SHOWN ON THIS SET OF PLANS ARE FOR REFERENCE ONLY. CONTRACTOR TO HAVE A COPY OF THE CITY'S LATEST EDITION OF SPECIFICATIONS AND STANDARDS FOR ALL STREET, STORM, AND SANITARY CONSTRUCTION ON SITE AT ALL TIMES DURING CONSTRUCTION.

CONTRACTOR WILL BE RESPONSIBLE FOR PLACEMENT AND MAINTENANCE OF TRAFFIC CONTROL DEVICES NECESSARY TO COMPLETE THEIR PORTION OF WORK. THE DEVICES AND METHODS EMPLOYED WILL COMPLY WITH THE CURRENT VERSION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

THIS PLAT CONTAINS APPROXIMATELY 3.81 ACRES.

THIS TRACT IS ZONED B-5.

THE STORM SEWER NETWORK DESIGN FOR THIS PROJECT IS BASED ON OPEN CHANNEL FLOW; THEREFORE THE HYDRAULIC GRADE LINE IS AT OR LESS THAN THE CROWN OF THE PIPE.

EXISTING UTILITIES SHOWN FOR REFERENCE ONLY. CONTRACTOR SHALL COORDINATE LOCATES (HORIZONTAL AND VERTICAL) PRIOR TO ANY EXCAVATION.

ALL EXCAVATION TO BE IN ACCORDANCE STATUTES OF THE STATE OF WISCONSIN. SUCH COMPLIANCE SHALL NOT, HOWEVER, EXCUSE ANY PERSON MAKING ANY EXCAVATION FROM DOING SO IN A CAREFUL AND PRUDENT MANNER, NOR SHALL IT EXCUSE SUCH PERSON FROM LIABILITY FOR ANY DAMAGE OR INJURY TO UNDERGROUND UTILITIES RESULTING FROM THE EXCAVATION.

A GEOTECHNICAL EVALUATION OF THE SUBSURFACE SOIL, GROUNDWATER CONDITIONS, AND A SLOPE STABILITY ANALYSIS HAS NOT BEEN PERFORMED BY THIS ENGINEER. THE OWNER SHALL SATISFY THEMSELVES OF ALL GEOTECHNICAL CONDITIONS PRIOR TO ANY CONSTRUCTION.

A GEOTECHNICAL EVALUATION HAS BEEN PERFORMED BY \_\_\_\_\_ REFER TO REPORT NUMBER \_\_\_\_\_ DATED \_\_\_\_\_ BY \_\_\_\_\_.

ALL LAND DISTURBANCE ACTIVITIES SHALL BE IN ACCORDANCE WITH CITY OF FRANKLIN CODE OF ORDINANCES.

ANY FILL PLACEMENT WITHIN STREET RIGHT-OF-WAY SHALL BE INSPECTED BY THE CITY OF FRANKLIN AND WISDOT.

REFER TO STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR NARRATIVE REPORT AND BMP DESCRIPTIONS AND DETAILS.

ALL SLOPES ARE 3:1 OR FLATTER UNLESS OTHERWISE NOTED.

ALL DISTURBED AREAS WITHIN THE "LIMITS OF DISTURBANCE" SHALL BE FINE GRADED, SEEDED, AND MULCHED.

THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL EROSION CONTROL DEVICES AND REMOVING THEM ONCE THE SITE IS STABILIZED.

ALL SEWERLINES SHALL BE CONSTRUCTED AT LEAST 10 FEET HORIZONTALLY, EDGE TO EDGE, FROM ANY WATERLINE AND AT LEAST 24 INCHES VERTICALLY BETWEEN THE OUTSIDE LIMITS OF THE SANITARY SEWER AND WATERLINE. FOR CONDITIONS OTHER THAN THOSE IDENTIFIED ABOVE, CONTACT THE ENGINEER FOR SPECIFIC INSTRUCTIONS.

ALL LATERAL LINES SHALL HAVE TRACER WIRE INSTALLED.

ALL HDPE PIPE SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. REFER TO DETAIL FOR PIPE BEDDING REQUIREMENTS.

LAND DISTURBANCE SITES SHOULD BE INSPECTED AT LEAST ONCE EVERY SEVEN (7) CALENDAR DAYS AND WITHIN 48 HOURS AFTER ANY STORM EVENT EQUAL TO OR GREATER THAN A 2-YEAR, 24-HOUR STORM HAS CEASED DURING A NORMAL WORK DAY OR WITHIN 72 HOURS IF THE RAIN EVENT CEASES DURING A NON-WORK DAY SUCH AS A WEEKEND OR HOLIDAY. ANY DEFICIENCIES SHALL BE NOTED IN A WEEKLY REPORT OF THE INSPECTION AND CORRECTED WITHIN SEVEN CALENDAR DAYS OF THE REPORT. CONTRACTORS ARE REQUIRED TO SUBMIT TO CITY INSPECTION STAFF COPIES OF THEIR INSPECTION REPORTS REQUIRED BY THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) ON A MONTHLY BASIS IF REQUESTED.

TOTAL DISTURBED AREA ON SITE = 2.44 AC.

LAND DISTURBANCE PERMIT NUMBER PENDING.

### SHEET INDEX:

SHEET NUMBER	SHEET TITLE	SUP SUBMITTAL	SUP COMMENTS
CE 0	COVER SHEET	11/20/2023	3/18/2024
CE 1	EXISTING FEATURES PLAN	X	X
CE 2	NATURAL RESOURCE PROTECTION & DEMOLITION PLAN	X	X
CE 3	EROSION CONTROL PLAN	X	X
CE 4	GRADING PLAN	X	X
CE 5	UTILITY PLAN	X	X
CE 6	STORM SEWER PROFILE & DETAILS	X	
CE 7	SITE PLAN	X	X
CE 8	SANITARY SEWER & WATER LINE DETAILS	X	
CE 9	SITE CONSTRUCTION DETAILS	X	
CE 10	EROSION CONTROL & STORM SEWER DETAILS	X	
LS1	LANDSCAPING PLAN		X

### LEGEND OF SYMBOLS:

-----	EXISTING CURB	FF=XXXX	FINISH FLOOR OF STRUCTURE
-----	PROPOSED CURB	XXXX.XX TC	PROPOSED TOP OF CURB ELEVATION
XXXXXX	RIP RAP	XXXX.XX TP	PROPOSED TOP OF PAVEMENT ELEVATION
XXXXXX	EXISTING STRUCTURE	XXXX.XX FG	PROPOSED FINISH GRADE ELEVATION
XXXXXX	EXISTING TREELINE	XXXX.XX TW	PROPOSED TOP OF WALL
XXXXXX	PROPOSED TREELINE	XX	LOT NUMBER
-----	EDGE OF WATERWAY	X	STORM SEWER STRUCTURE LABEL
---W---	EXISTING WATERLINE	X	SANITARY SEWER STRUCTURE LABEL
---W---	PROPOSED WATERLINE	H.P.	HIGH POINT
---G---	EXISTING GAS LINE	L.P.	LOW POINT
---G---	PROPOSED GAS LINE	---	EXISTING SIGNS
---UT---	EXISTING UNDERGROUND TELEPHONE	∅	EXISTING POWER POLE
---UTV---	EXISTING UNDERGROUND CABLE TELEVISION	∅	EXISTING GAS VALVE
---HVE---	EXISTING HIGH VOLTAGE ELECTRIC	∅	EXISTING WATER VALVE
---OE---	EXISTING OVERHEAD ELECTRIC	∅	EXISTING GAS METER
---UE---	EXISTING UNDERGROUND ELECTRIC	∅	EXISTING WATER METER
---OETV---	EXISTING OVERHEAD ELEC. & TV	∅	EXISTING FIRE HYDRANT
---OETV---	EXISTING OVERHEAD ELEC., TV & TELE.	∅	MANHOLE
---S---	EXISTING SANITARY SEWER	∅	EXISTING SANITARY SEWER LATERAL
---S---	PROPOSED SANITARY SEWER	∅	PROPOSED SANITARY SEWER LATERAL
.....XXX.....	EXISTING MINOR CONTOUR	∅	PROPOSED TRACER WIRE TEST STATION BOX
---XXX---	EXISTING MAJOR CONTOUR	[AC]	EXISTING AIR CONDITIONER
---XXX---	PROPOSED MINOR CONTOUR	∅	EXISTING TELEPHONE PEDESTAL
---XXX---	PROPOSED MAJOR CONTOUR	∅	EXISTING ELECTRICAL TRANSFORMER
TTTTTTTT	100 YEAR FLOOD PLAIN	∅	EXISTING ELECTRIC METER
TTTTTTTT	FLOODWAY	∅	EXISTING LIGHT POLE
---	ORDINARY HIGH WATER MARK	→	EXISTING GUY WIRE
---	STREAM SIDE BUFFER		
-----	OUTER STREAM BUFFER		

### FLOOD PLAIN STATEMENT:

THIS TRACT IS LOCATED IN ZONE X UNSHADED -- AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOOD AS SHOWN ON THE FEMA F.I.R.M. PANEL #55079C0141E, DATED SEPT. 26, 2008.

### LEGAL DESCRIPTION:

PARCEL 3 OF CERTIFIED SURVEY MAP NO. 5403 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MILWAUKEE COUNTY, WISCONSIN, ON APRIL 18, 1990 IN REEL 2439, IMAGES 869 TO 872, AS DOCUMENT NO. 6371353, BEING A PART OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 5, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

### UTILITY COMPANIES:

#### LOCATES:

WISCONSIN DIGGERS HOTLINE  
800-242-8511

#### SEWER/WATER:

FRANKLIN WATER & WASTEWATER DEPARTMENT  
5550 W AIRWAYS AVENUE  
FRANKLIN, WI 53132  
414-421-2613  
414-425-2522 - POLICE

#### ELECTRIC/GAS:

WE ENERGIES  
231 W MICHIGAN ST.  
MILWAUKEE, WI 53203  
800-662-4797 - ELECTRIC  
800-261-5325 - GAS

### REVISIONS:

NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024

THIS SHEET HAS BEEN SIGNED, SEALED AND DATED ELECTRONICALLY

**PRELIMINARY**  
(NOT FOR CONSTRUCTION)

TIMOTHY D. CROCKETT  
MO LICENSE: 200400075

PREPARED BY:  
**CROCKETT**  
ENGINEERING CONSULTANTS  
1000 W. MILWAUKEE BLVD. 2ND FL.  
COLUMBIA, MISSOURI 65203  
(314) 487-0292  
www.crockettengineering.com  
Crockett Engineering Consultants, LLC

OWNER:  
TRIG ACQUISITION, LLC  
26 N STADIUM BLVD, STE 200  
COLUMBIA, MO 65203

**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

### DRAWING INCLUDES:

COVER SHEET

DESIGNED: TDC

DRAWN: DRM

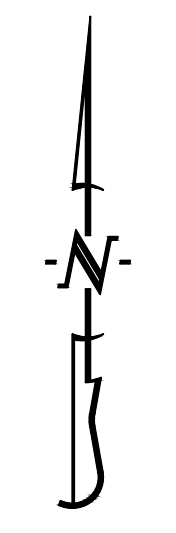
PROJECT NO: 190265

SHEET:

CE 0



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SCALE: 1"=30'

LEGEND:  
 WOODLANDS

REVISIONS:

NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024

THIS SHEET HAS BEEN SIGNED, SEALED AND DATED ELECTRONICALLY

**PRELIMINARY**  
(NOT FOR CONSTRUCTION)

TIMOTHY D. CROCKETT  
MO LICENSE: 200400075

PREPARED BY:  
**CROCKETT**  
 ENGINEERS & ARCHITECTS  
 1000 W. MILWAUKEE BLVD., 3RD FLOOR  
 COLUMBIA, MISSOURI 65203  
 (314) 487-0292  
 www.crockettengineering.com  
 Crockett Engineering Consultants, LLC

OWNER:  
 TKG II ACQUISITION, LLC  
 26 N STADIUM BLVD, STE 200  
 COLUMBIA, MO 65203

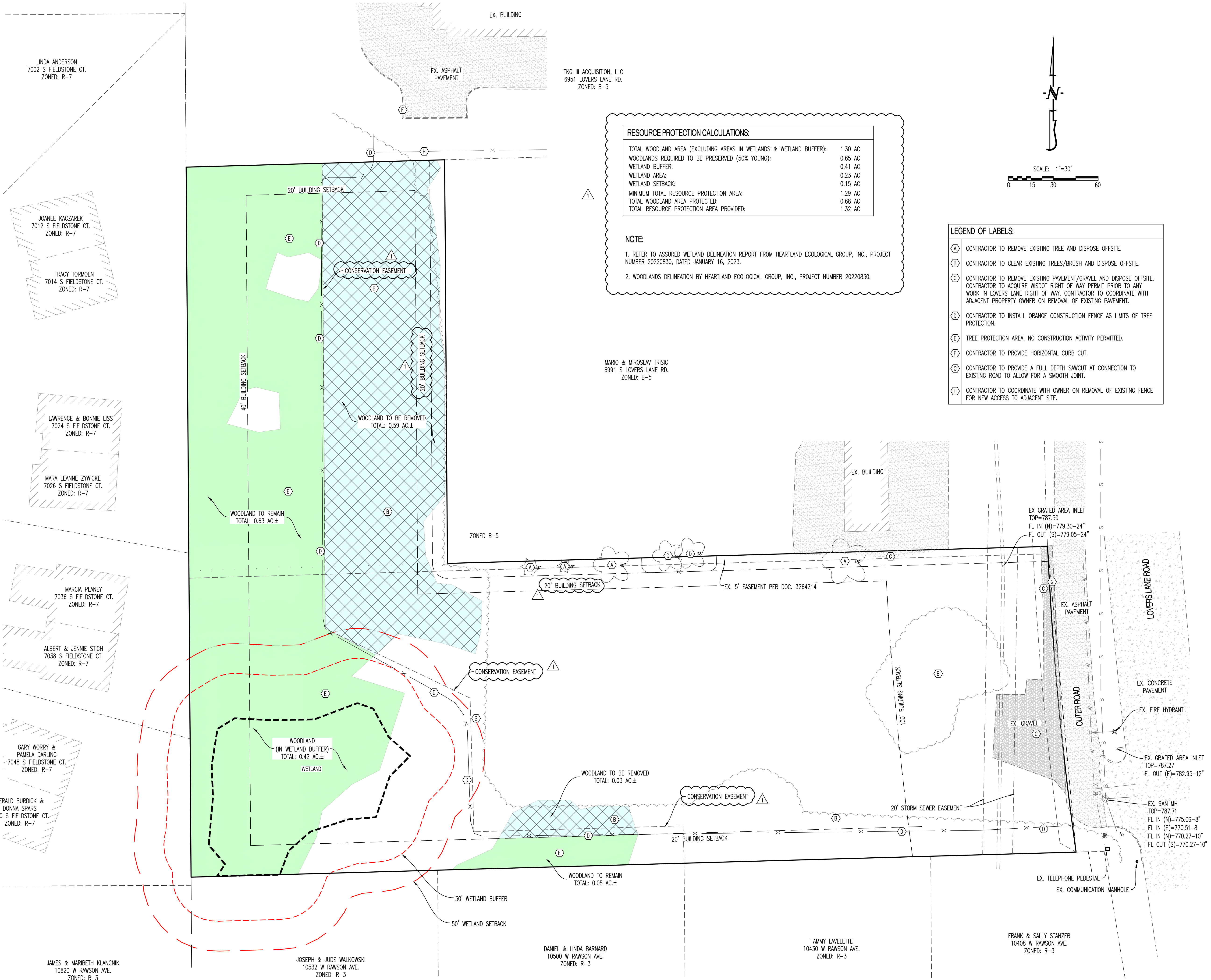
**SOUTH LOVERS LANE RD.**  
 FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

DRAWING INCLUDES:  
 EXISTING FEATURES PLAN

DESIGNED: TDC  
 DRAWN: DRM  
 PROJECT NO: 190265  
 SHEET:  
 CE1



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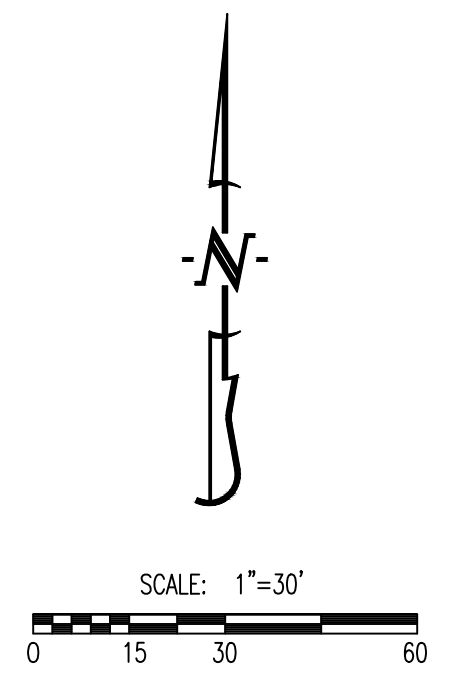
**RESOURCE PROTECTION CALCULATIONS:**

TOTAL WOODLAND AREA (EXCLUDING AREAS IN WETLANDS & WETLAND BUFFER):	1.30 AC
WOODLANDS REQUIRED TO BE PRESERVED (50% YOUNG):	0.65 AC
WETLAND BUFFER:	0.41 AC
WETLAND AREA:	0.23 AC
WETLAND SETBACK:	0.15 AC
MINIMUM TOTAL RESOURCE PROTECTION AREA:	1.29 AC
TOTAL WOODLAND AREA PROTECTED:	0.68 AC
TOTAL RESOURCE PROTECTION AREA PROVIDED:	1.32 AC

**NOTE:**

- REFER TO ASSURED WETLAND DELINEATION REPORT FROM HEARTLAND ECOLOGICAL GROUP, INC., PROJECT NUMBER 20220830, DATED JANUARY 16, 2023.
- WOODLANDS DELINEATION BY HEARTLAND ECOLOGICAL GROUP, INC., PROJECT NUMBER 20220830.

- LEGEND OF LABELS:**
- (A) CONTRACTOR TO REMOVE EXISTING TREE AND DISPOSE OFFSITE.
  - (B) CONTRACTOR TO CLEAR EXISTING TREES/BRUSH AND DISPOSE OFFSITE.
  - (C) CONTRACTOR TO REMOVE EXISTING PAVEMENT/GRAVEL AND DISPOSE OFFSITE. CONTRACTOR TO ACQUIRE WISDOT RIGHT OF WAY PERMIT PRIOR TO ANY WORK IN LOVERS LANE RIGHT OF WAY. CONTRACTOR TO COORDINATE WITH ADJACENT PROPERTY OWNER ON REMOVAL OF EXISTING PAVEMENT.
  - (D) CONTRACTOR TO INSTALL ORANGE CONSTRUCTION FENCE AS LIMITS OF TREE PROTECTION.
  - (E) TREE PROTECTION AREA, NO CONSTRUCTION ACTIVITY PERMITTED.
  - (F) CONTRACTOR TO PROVIDE HORIZONTAL CURB CUT.
  - (G) CONTRACTOR TO PROVIDE A FULL DEPTH SAWCUT AT CONNECTION TO EXISTING ROAD TO ALLOW FOR A SMOOTH JOINT.
  - (H) CONTRACTOR TO COORDINATE WITH OWNER ON REMOVAL OF EXISTING FENCE FOR NEW ACCESS TO ADJACENT SITE.



**REVISIONS:**

NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024

THIS SHEET HAS BEEN SIGNED, SEALED AND DATED ELECTRONICALLY.

**PRELIMINARY**  
(NOT FOR CONSTRUCTION)

TIMOTHY D. CROCKETT  
MO LICENSE: 200400075

**CROCKETT ENGINEERS & ARCHITECTS**  
1000 W. MILWAUKEE BLVD., SUITE 200  
COLUMBIA, MISSOURI 65203  
(314) 487-0292  
www.crockettengineering.com  
Crockett Engineering Consultants, LLC

**OWNER:**  
TNG III ACQUISITION, LLC  
26 N STADIUM BLVD, STE 200  
COLUMBIA, MO 65203

**DRAWING INCLUDES:**  
NATURAL RESOURCE PROTECTION & DEMOLITION PLAN

**DESIGNED:** TDC  
**DRAWN:** DRM  
**PROJECT NO.:** 190265  
**SHEET:** CE 2

**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



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LINDA ANDERSON  
7002 S FIELDSTONE CT.  
ZONED: R-7

JOANEE KACZAREK  
7012 S FIELDSTONE CT.  
ZONED: R-7

TRACY TORMOEN  
7014 S FIELDSTONE CT.  
ZONED: R-7

LAWRENCE & BONNIE LISS  
7024 S FIELDSTONE CT.  
ZONED: R-7

MARA LEANNE ZYWICKE  
7026 S FIELDSTONE CT.  
ZONED: R-7

MARCIA PLANEY  
7036 S FIELDSTONE CT.  
ZONED: R-7

ALBERT & JENNIE STICH  
7038 S FIELDSTONE CT.  
ZONED: R-7

GARY WORRY &  
PAMELA DARLING  
7048 S FIELDSTONE CT.  
ZONED: R-7

GERALD BURDICK &  
DONNA SPARS  
7050 S FIELDSTONE CT.  
ZONED: R-7

JAMES & MARIBETH KLANONIK  
10820 W RAWSON AVE.  
ZONED: R-3

JOSEPH & JUDE WALKOWSKI  
10532 W RAWSON AVE.  
ZONED: R-3

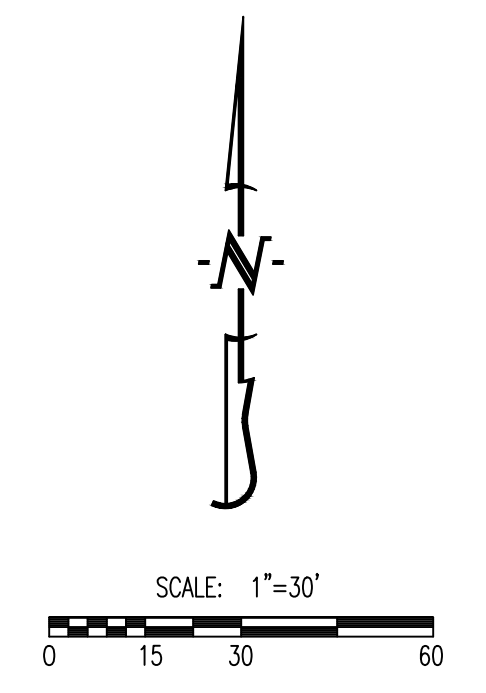
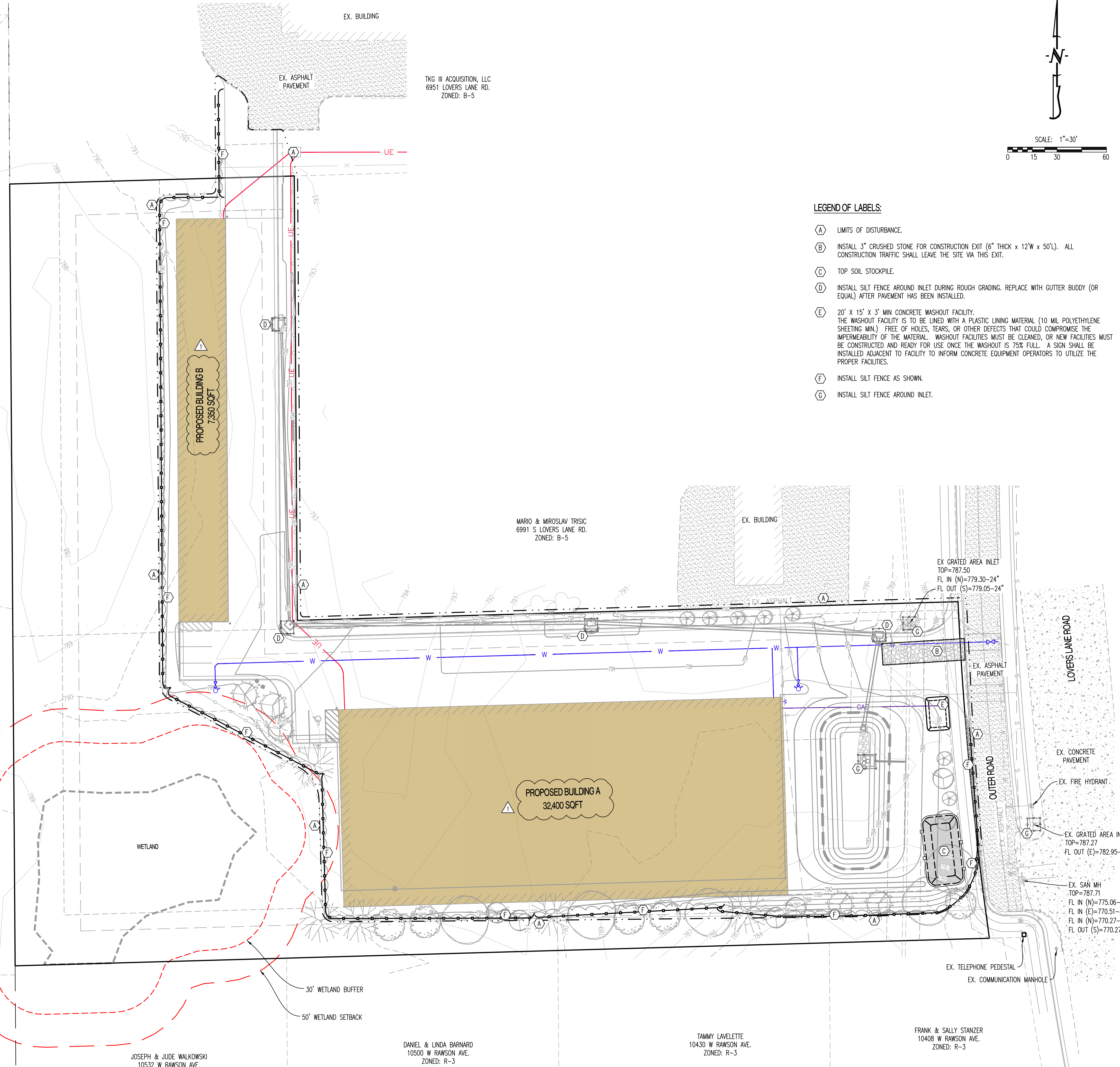
DANIEL & LINDA BARNARD  
10500 W RAWSON AVE.  
ZONED: R-3

TAMMY LALETTE  
10430 W RAWSON AVE.  
ZONED: R-3

FRANK & SALLY STANZER  
10408 W RAWSON AVE.  
ZONED: R-3

TKG III ACQUISITION, LLC  
6951 LOVERS LANE RD.  
ZONED: B-5

MARIO & MIROSLAV TRISIC  
6991 S LOVERS LANE RD.  
ZONED: B-5



- LEGEND OF LABELS:**
- (A) LIMITS OF DISTURBANCE.
  - (B) INSTALL 3" CRUSHED STONE FOR CONSTRUCTION EXIT (6" THICK x 12'W x 50'L). ALL CONSTRUCTION TRAFFIC SHALL LEAVE THE SITE VIA THIS EXIT.
  - (C) TOP SOIL STOCKPILE.
  - (D) INSTALL SILT FENCE AROUND INLET DURING ROUGH GRADING. REPLACE WITH GUTTER BUDDY (OR EQUAL) AFTER PAVEMENT HAS BEEN INSTALLED.
  - (E) 20' x 15' x 3' MIN CONCRETE WASHOUT FACILITY. THE WASHOUT FACILITY IS TO BE LINED WITH A PLASTIC LINING MATERIAL (10 MIL POLYETHYLENE SHEETING MIN.) FREE OF HOLES, TEARS, OR OTHER DEFECTS THAT COULD COMPROMISE THE IMPERMEABILITY OF THE MATERIAL. WASHOUT FACILITIES MUST BE CLEANED, OR NEW FACILITIES MUST BE CONSTRUCTED AND READY FOR USE ONCE THE WASHOUT IS 75% FULL. A SIGN SHALL BE INSTALLED ADJACENT TO FACILITY TO INFORM CONCRETE EQUIPMENT OPERATORS TO UTILIZE THE PROPER FACILITIES.
  - (F) INSTALL SILT FENCE AS SHOWN.
  - (G) INSTALL SILT FENCE AROUND INLET.

REVISIONS:

NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024

THIS SHEET HAS BEEN SIGNED, SEALED, AND DATED ELECTRONICALLY.

**PRELIMINARY**  
(NOT FOR CONSTRUCTION)

TIMOTHY D. CROCKETT  
MO LICENSE: 200400075

PREPARED BY:

**CROCKETT**  
ENGINEERS & ARCHITECTS  
1008 W. MILWAUKEE BLVD., SUITE 200  
COLUMBIA, MISSOURI 65203  
(314) 487-0299  
www.crockettengineering.com  
Crockett Engineering Consultants, LLC  
Missouri Certificate of Authority  
#000000001

OWNER:

TKG III ACQUISITION, LLC  
26 N STADIUM BLVD, STE 200  
COLUMBIA, MO 65203

**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

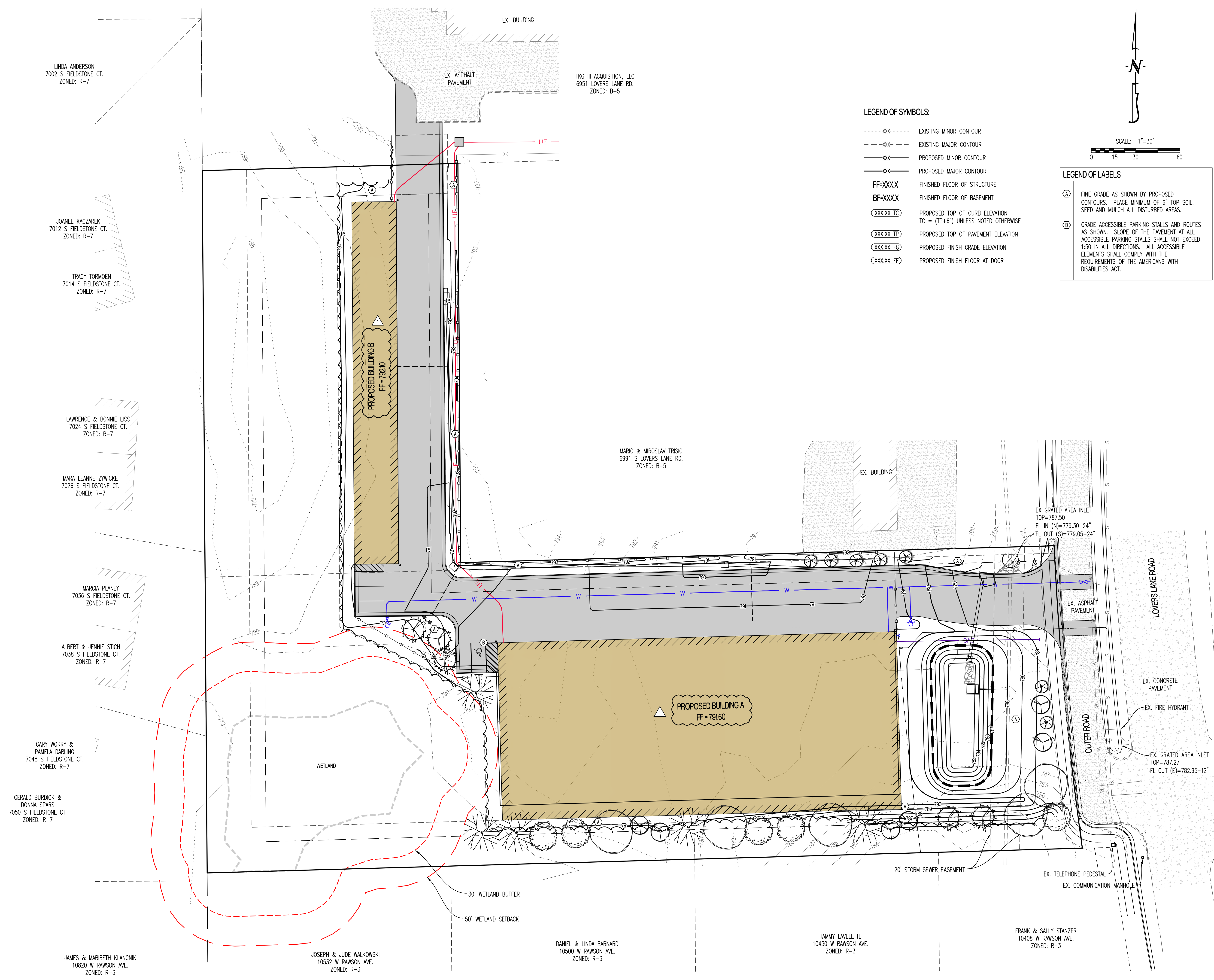
DRAWING INCLUDES:

EROSION CONTROL PLAN

DESIGNED: TDC  
DRAWN: DRM  
PROJECT NO: 190265  
SHEET: CE 3



Y:\2019\190265- Storage Mart\6951 S Lovers Lane Rd, Franklin, WI\Civil\ACAD Files\Construction Plans\190265\_GradeBase.dwg



**LEGEND OF SYMBOLS:**

- XXX--- EXISTING MINOR CONTOUR
- - -XXX- - - EXISTING MAJOR CONTOUR
- XXX--- PROPOSED MINOR CONTOUR
- XXX--- PROPOSED MAJOR CONTOUR
- FF-XXXX FINISHED FLOOR OF STRUCTURE
- BF-XXXX FINISHED FLOOR OF BASEMENT
- (XXX.XX TC) PROPOSED TOP OF CURB ELEVATION  
TC = (TP+6") UNLESS NOTED OTHERWISE
- (XXX.XX TP) PROPOSED TOP OF PAVEMENT ELEVATION
- (XXX.XX FG) PROPOSED FINISH GRADE ELEVATION
- (XXX.XX FF) PROPOSED FINISH FLOOR AT DOOR

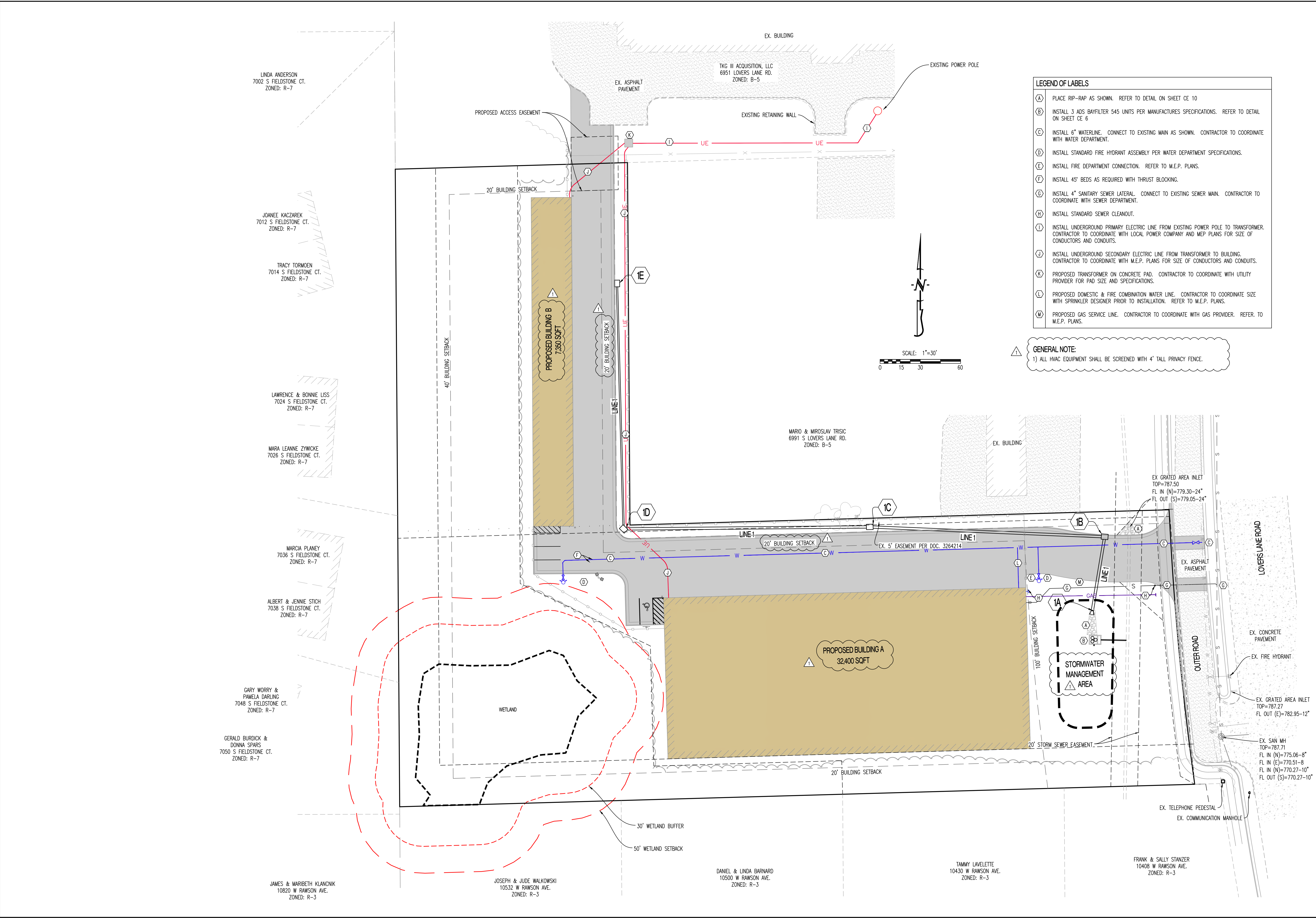
**LEGEND OF LABELS**

- (A) FINE GRADE AS SHOWN BY PROPOSED CONTOURS. PLACE MINIMUM OF 6" TOP SOIL, SEED AND MULCH ALL DISTURBED AREAS.
- (B) GRADE ACCESSIBLE PARKING STALLS AND ROUTES AS SHOWN. SLOPE OF THE PAVEMENT AT ALL ACCESSIBLE PARKING STALLS SHALL NOT EXCEED 1:50 IN ALL DIRECTIONS. ALL ACCESSIBLE ELEMENTS SHALL COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT.

<b>REVISIONS:</b>	
NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024
THIS SHEET HAS BEEN SIGNED, SEALED AND DATED ELECTRONICALLY	
PRELIMINARY (NOT FOR CONSTRUCTION)	
TIMOTHY D. CROCKETT MO LICENSE: 200400075	
 <small>ENGINEERS &amp; ARCHITECTS 1008 W. WILSON BLVD. STE. 200 COLUMBIA, MISSOURI 65203 (314) 487-0299 www.crockettengineering.com Crockett Engineering Consultants, LLC Missouri Certificate of Authority #000001001</small>	
OWNER: TKG III ACQUISITION, LLC 26 N STADIUM BLVD, STE 200 COLUMBIA, MO 65203	
SOUTH LOVERS LANE RD. FRANKLIN, MILWAUKEE COUNTY, WISCONSIN	
<b>DRAWING INCLUDES:</b>	
GRADING PLAN	
<b>DESIGNED:</b> TDC	
<b>DRAWN:</b> DRM	
<b>PROJECT NO.:</b> 190265	
<b>SHEET:</b> CE 4	



Y:\2019\190265- Storage Mart\6951 S Lovers Lane Rd, Franklin, WI\Civil\ACAD Files\Construction Plans\190265\_SiteBase2.dwg



- LEGEND OF LABELS**
- (A) PLACE RIP-RAP AS SHOWN. REFER TO DETAIL ON SHEET CE 10
  - (B) INSTALL 3 ADS BAYFILTER 545 UNITS PER MANUFACTURES SPECIFICATIONS. REFER TO DETAIL ON SHEET CE 6
  - (C) INSTALL 6" WATERLINE. CONNECT TO EXISTING MAIN AS SHOWN. CONTRACTOR TO COORDINATE WITH WATER DEPARTMENT.
  - (D) INSTALL STANDARD FIRE HYDRANT ASSEMBLY PER WATER DEPARTMENT SPECIFICATIONS.
  - (E) INSTALL FIRE DEPARTMENT CONNECTION. REFER TO M.E.P. PLANS.
  - (F) INSTALL 45' BEDS AS REQUIRED WITH THRUST BLOCKING.
  - (G) INSTALL 4" SANITARY SEWER LATERAL. CONNECT TO EXISTING SEWER MAIN. CONTRACTOR TO COORDINATE WITH SEWER DEPARTMENT.
  - (H) INSTALL STANDARD SEWER CLEANOUT.
  - (I) INSTALL UNDERGROUND PRIMARY ELECTRIC LINE FROM EXISTING POWER POLE TO TRANSFORMER. CONTRACTOR TO COORDINATE WITH LOCAL POWER COMPANY AND MEP PLANS FOR SIZE OF CONDUCTORS AND CONDUITS.
  - (J) INSTALL UNDERGROUND SECONDARY ELECTRIC LINE FROM TRANSFORMER TO BUILDING. CONTRACTOR TO COORDINATE WITH M.E.P. PLANS FOR SIZE OF CONDUCTORS AND CONDUITS.
  - (K) PROPOSED TRANSFORMER ON CONCRETE PAD. CONTRACTOR TO COORDINATE WITH UTILITY PROVIDER FOR PAD SIZE AND SPECIFICATIONS.
  - (L) PROPOSED DOMESTIC & FIRE COMBINATION WATER LINE. CONTRACTOR TO COORDINATE SIZE WITH SPRINKLER DESIGNER PRIOR TO INSTALLATION. REFER TO M.E.P. PLANS.
  - (M) PROPOSED GAS SERVICE LINE. CONTRACTOR TO COORDINATE WITH GAS PROVIDER. REFER TO M.E.P. PLANS.

**GENERAL NOTE:**  
1) ALL HVAC EQUIPMENT SHALL BE SCREENED WITH 4' TALL PRIVACY FENCE.

**REVISIONS:**

NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024

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**PRELIMINARY  
(NOT FOR CONSTRUCTION)**

TIMOTHY D. CROCKETT  
MO LICENSE: 200400075

**CROCKETT ENGINEERS & PLANNERS**  
100 W. MIROSLAV BLVD. STE 200  
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(314) 487-0592  
www.crockettengineering.com  
Crockett Engineering Consultants, LLC

**OWNER:**  
TIG II ACQUISITION, LLC  
26 N STADIUM BLVD, STE 200  
COLUMBIA, MO 65203

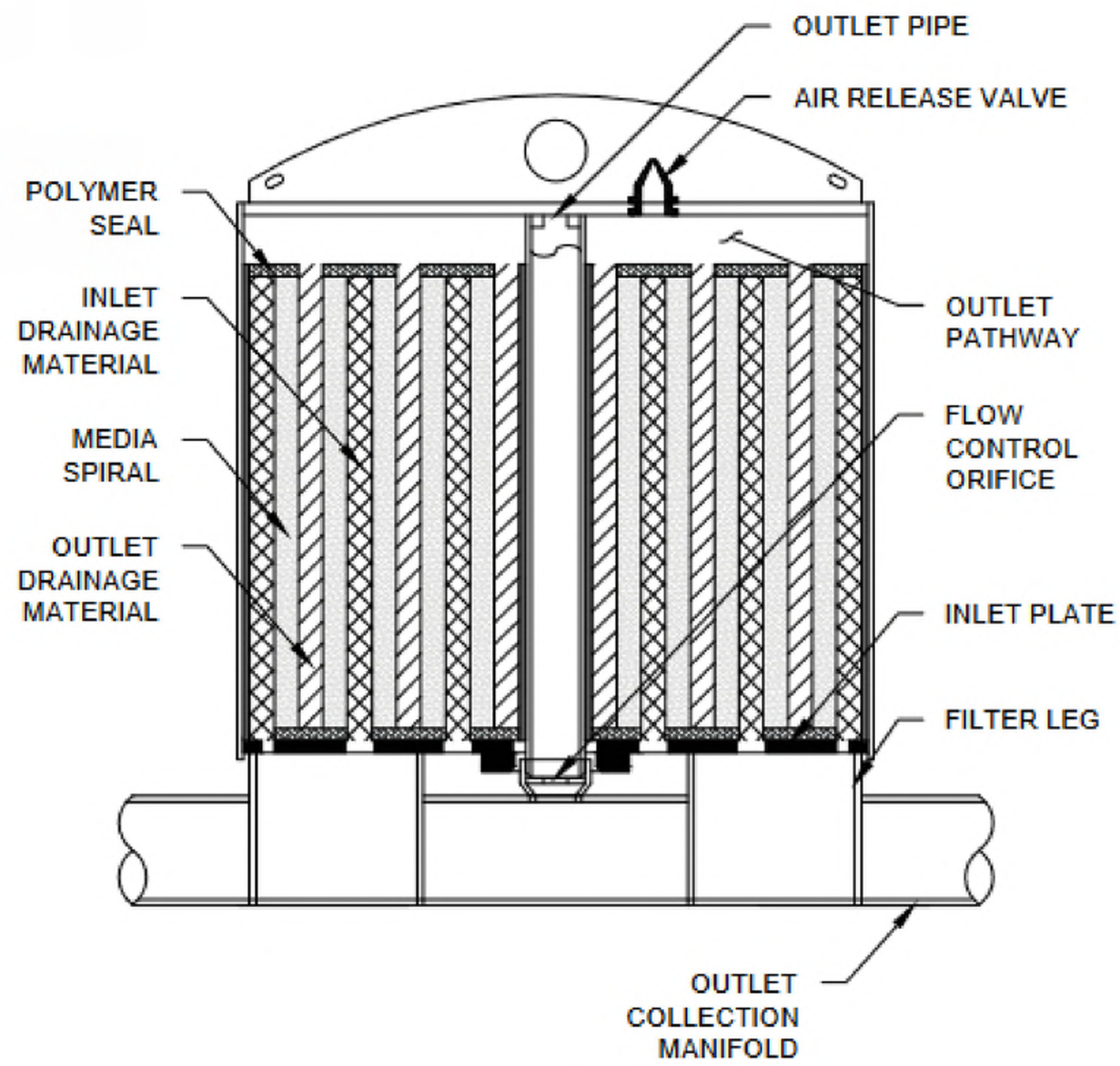
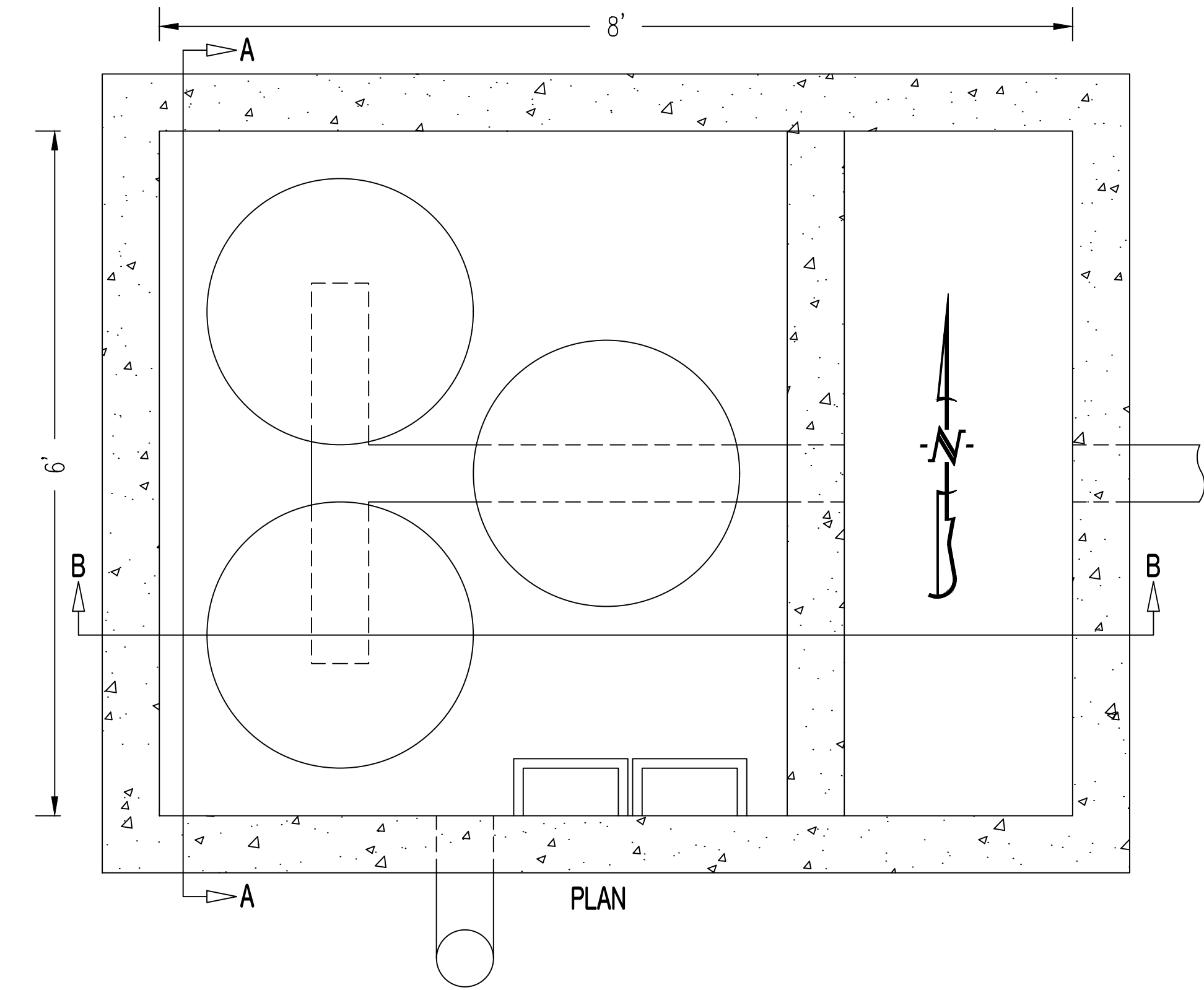
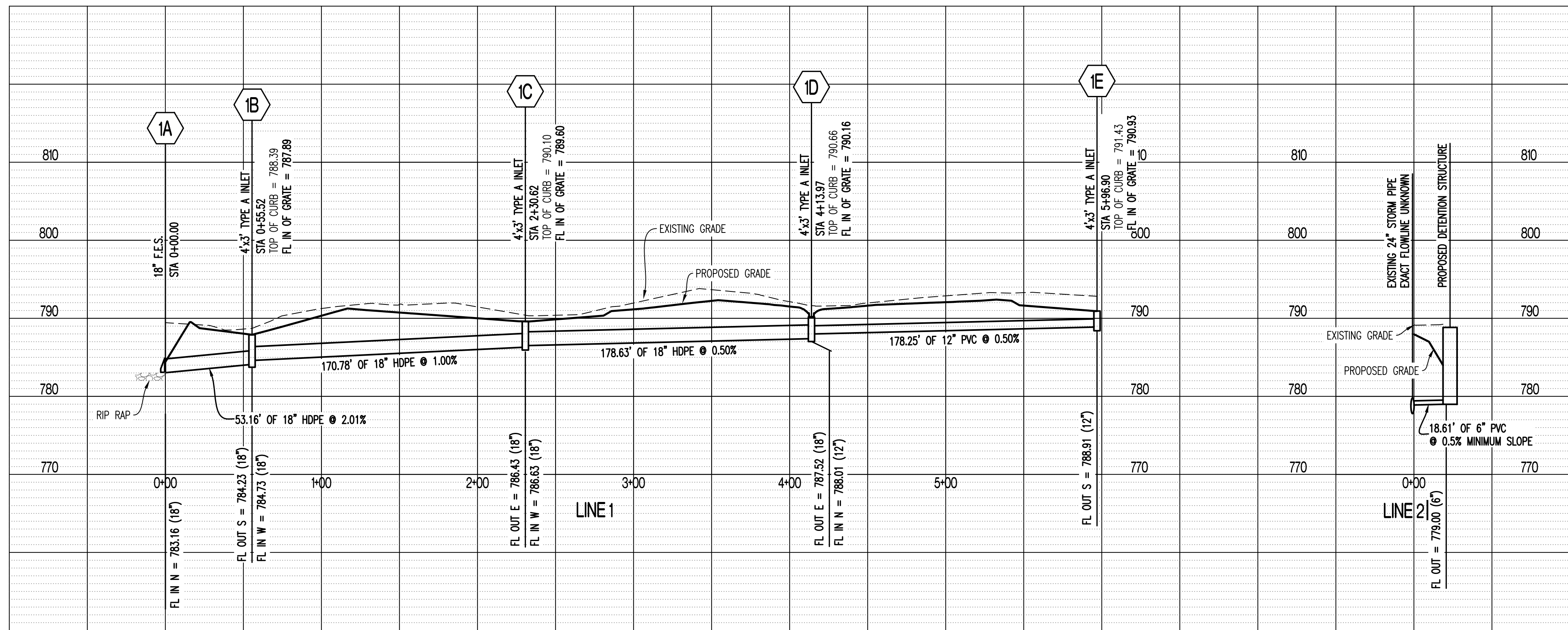
**DRAWING INCLUDES:**  
UTILITY PLAN

**DESIGNED:** TDC  
**DRAWN:** DRM  
**PROJECT NO.:** 190265  
**SHEET:** CE 5

**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

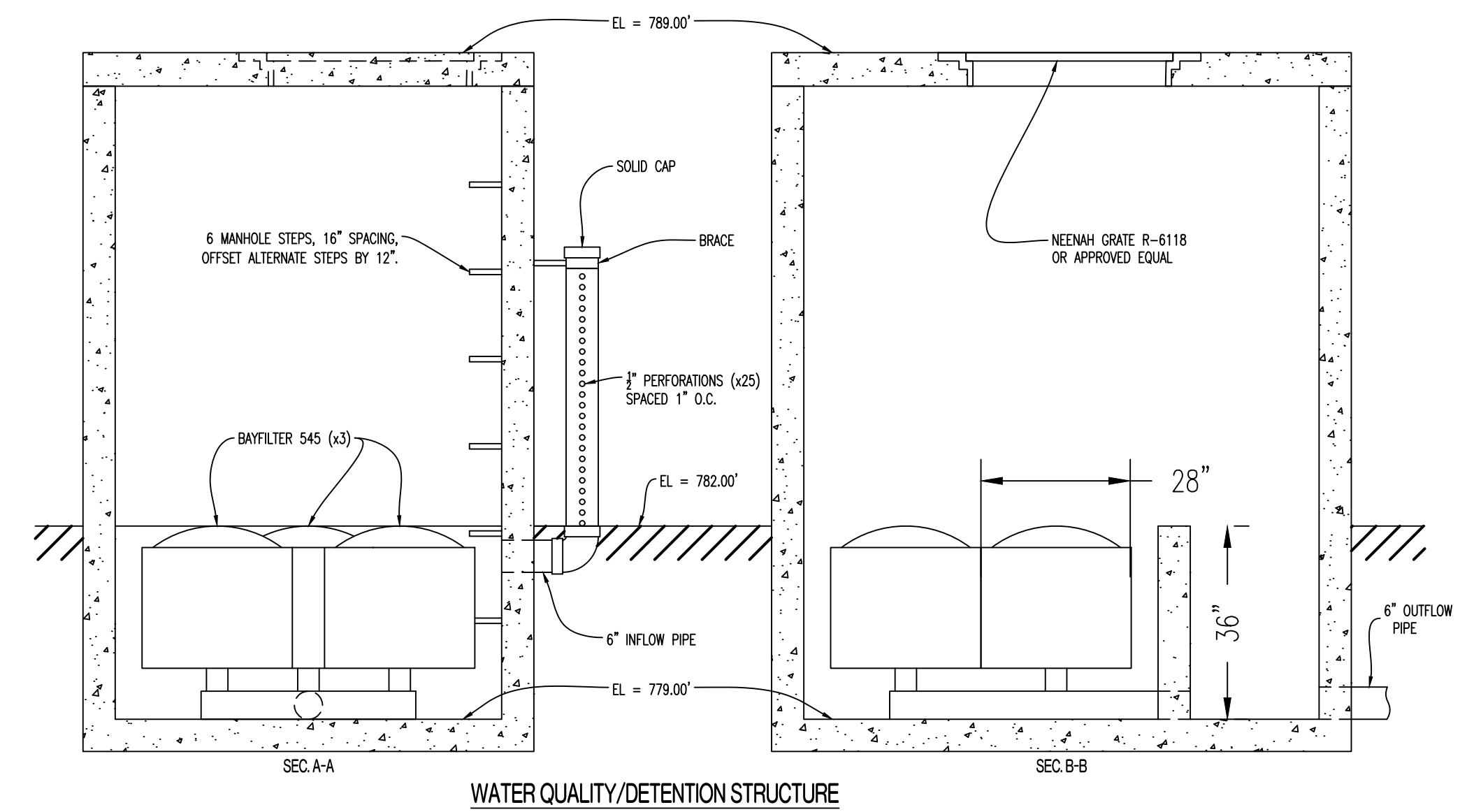


SCALE:  
HORIZ T = 50'  
VERT T = 10'



**FILTER CARTRIDGE SECTION**

- NOTES
1. REFER TO ADS BAYFILTER™ STANDARDS AND SPECIFICATIONS FOR CARTRIDGE 545 AND VAULT BF-8-6-3.
  2. CONTRACTOR WILL SEND VAULT SHOP DRAWINGS TO ENGINEER FOR APPROVAL.



**WATER QUALITY/DETENTION STRUCTURE**

REVISIONS:

NO.	DATE
ORIGINAL	11/20/2023

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(NOT FOR CONSTRUCTION)

TIMOTHY D. CROCKETT  
MO LICENSE: 200400075

PREPARED BY:  
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ENGINEERING & PLANNING  
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(314) 487-0299  
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Crockett Engineering Consultants, LLC  
Missouri Certificate of Authority  
#000000001

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COLUMBIA, MO 65203

**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

DRAWING INCLUDES:  
STORM SEWER  
PROFILE & DETAILS

DESIGNED: TDC  
DRAWN: DRM  
PROJECT NO: 190265  
SHEET:  
CE 6

Y:\2019\190265- Storage Mart\6951 5 Lovers Lane Rd, Franklin, WI\Civil\ACAD Files\Construction Plans\190265\_GradeBase.dwg



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NO.	DATE
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(314) 487-0592  
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Crockett Engineering Consultants, LLC

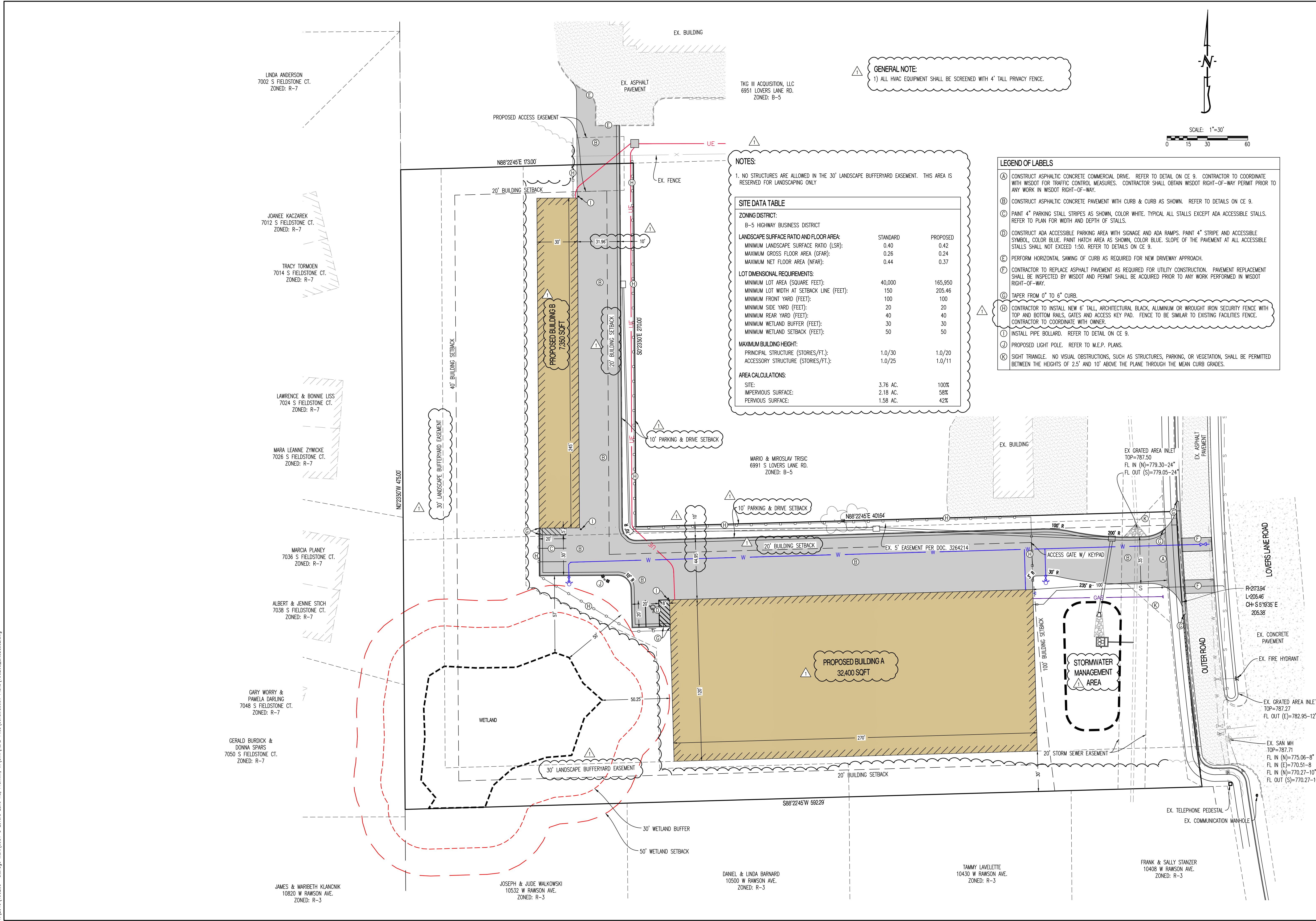
OWNER:  
TKG II ACQUISITION, LLC  
26 N STADIUM BLVD, STE 200  
COLUMBIA, MO 65203

# SOUTH LOVERS LANE RD.

## FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

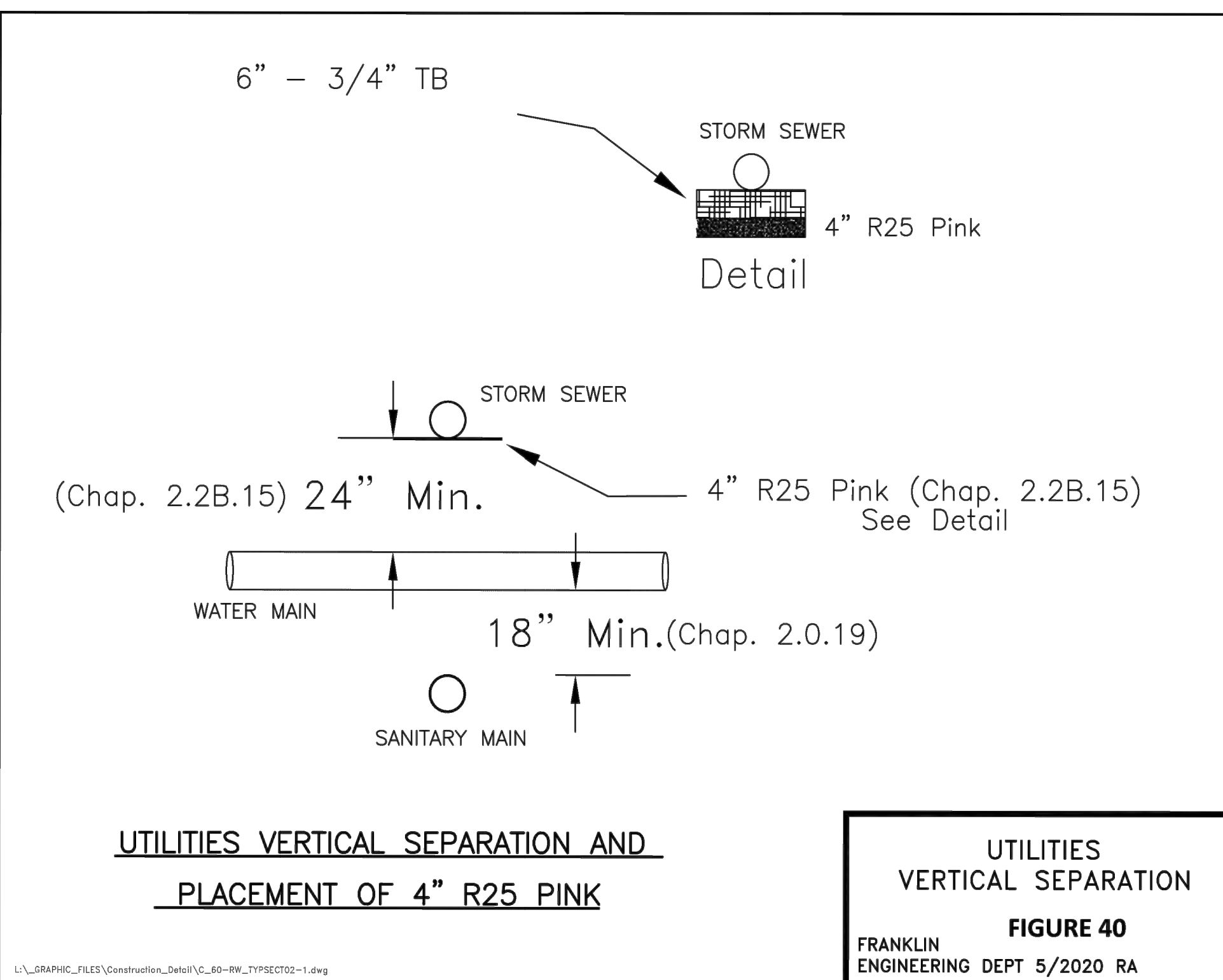
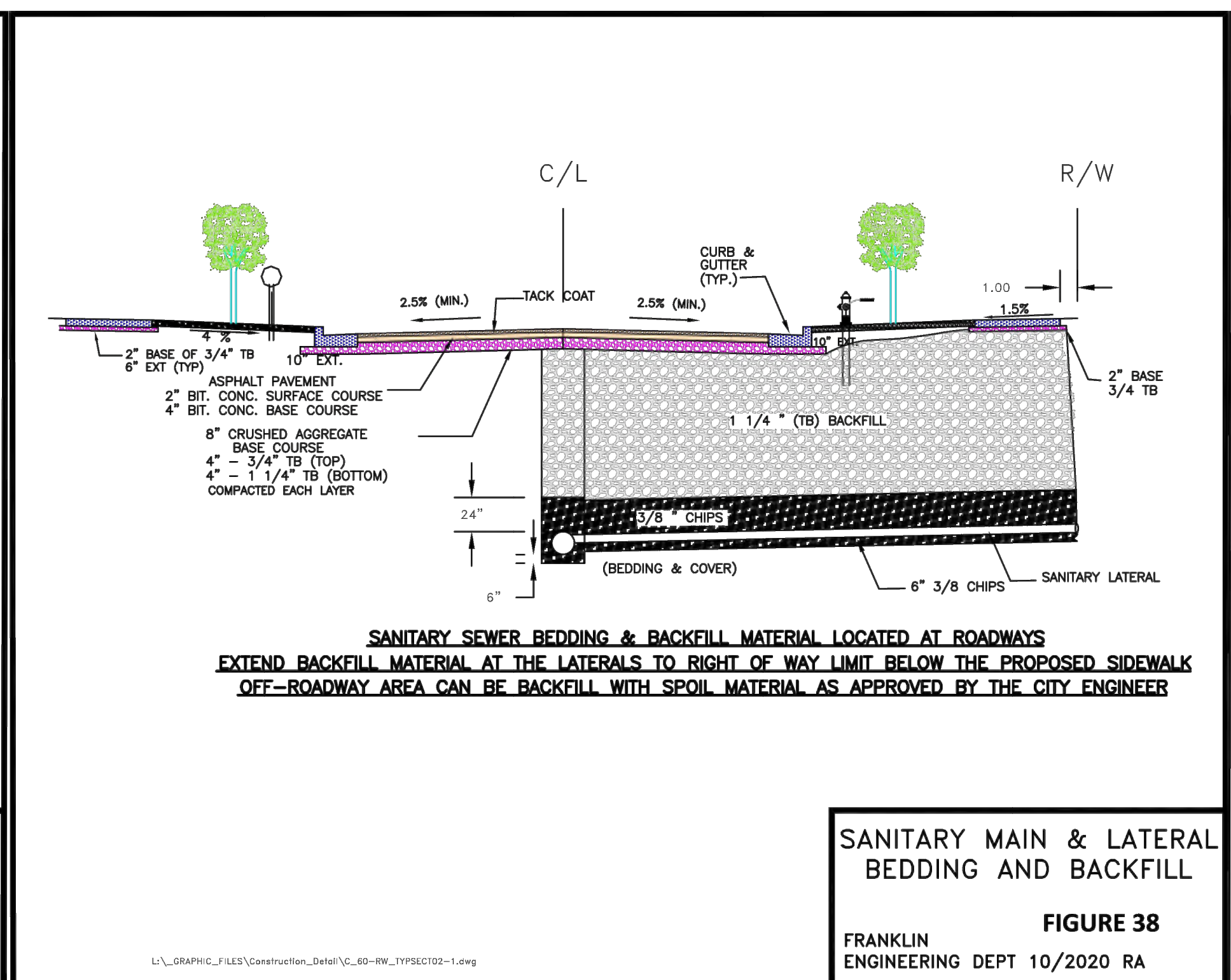
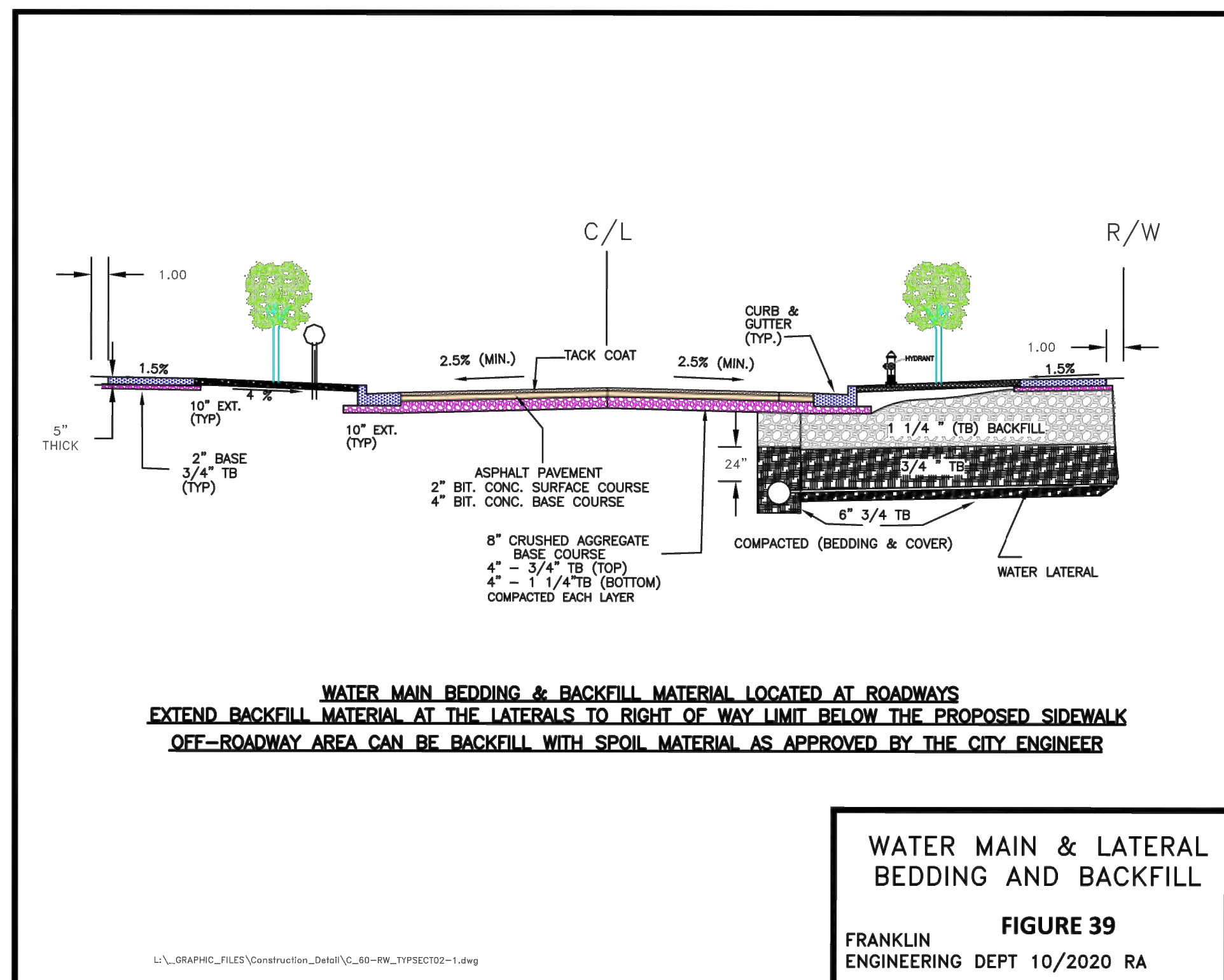
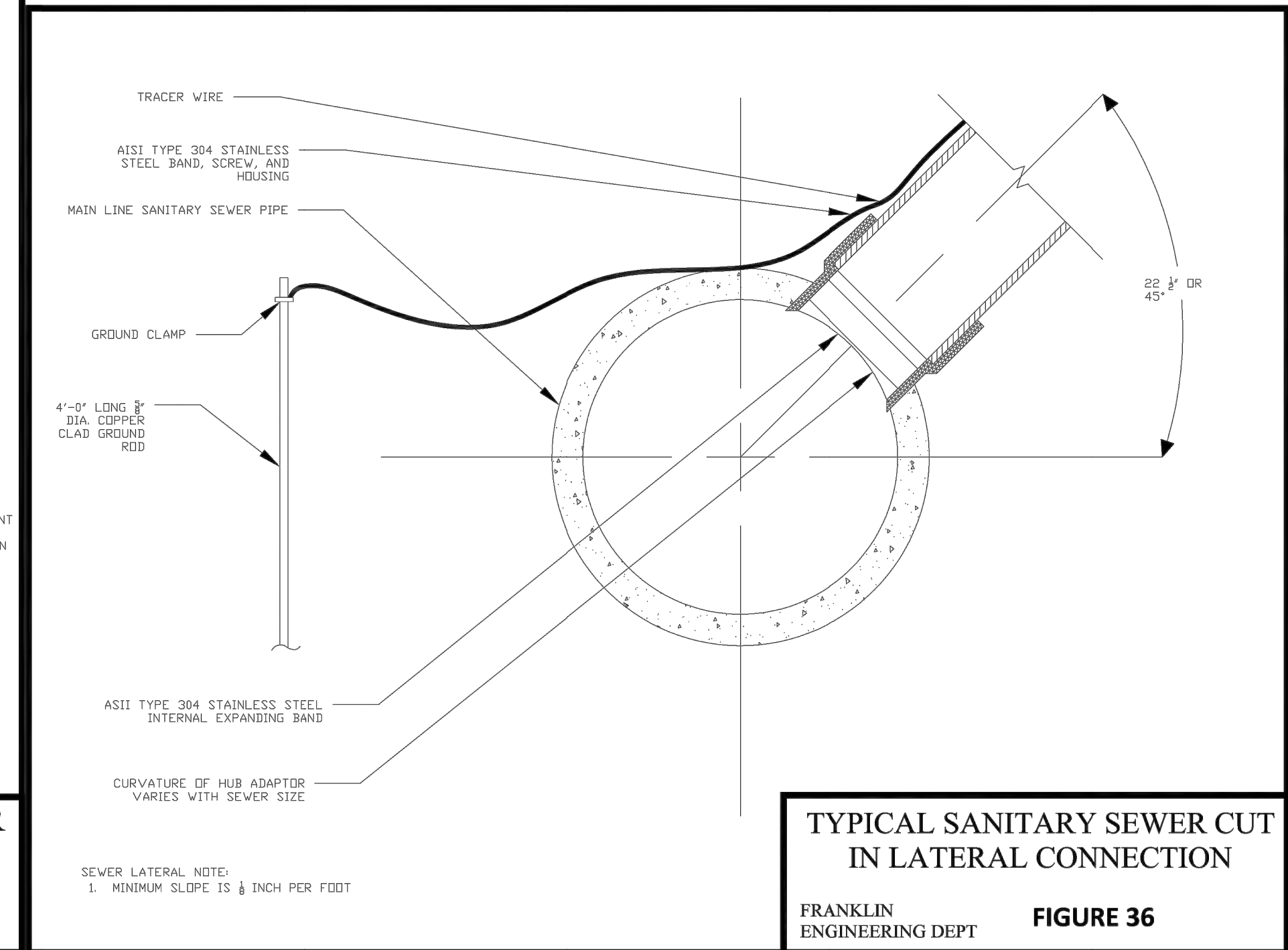
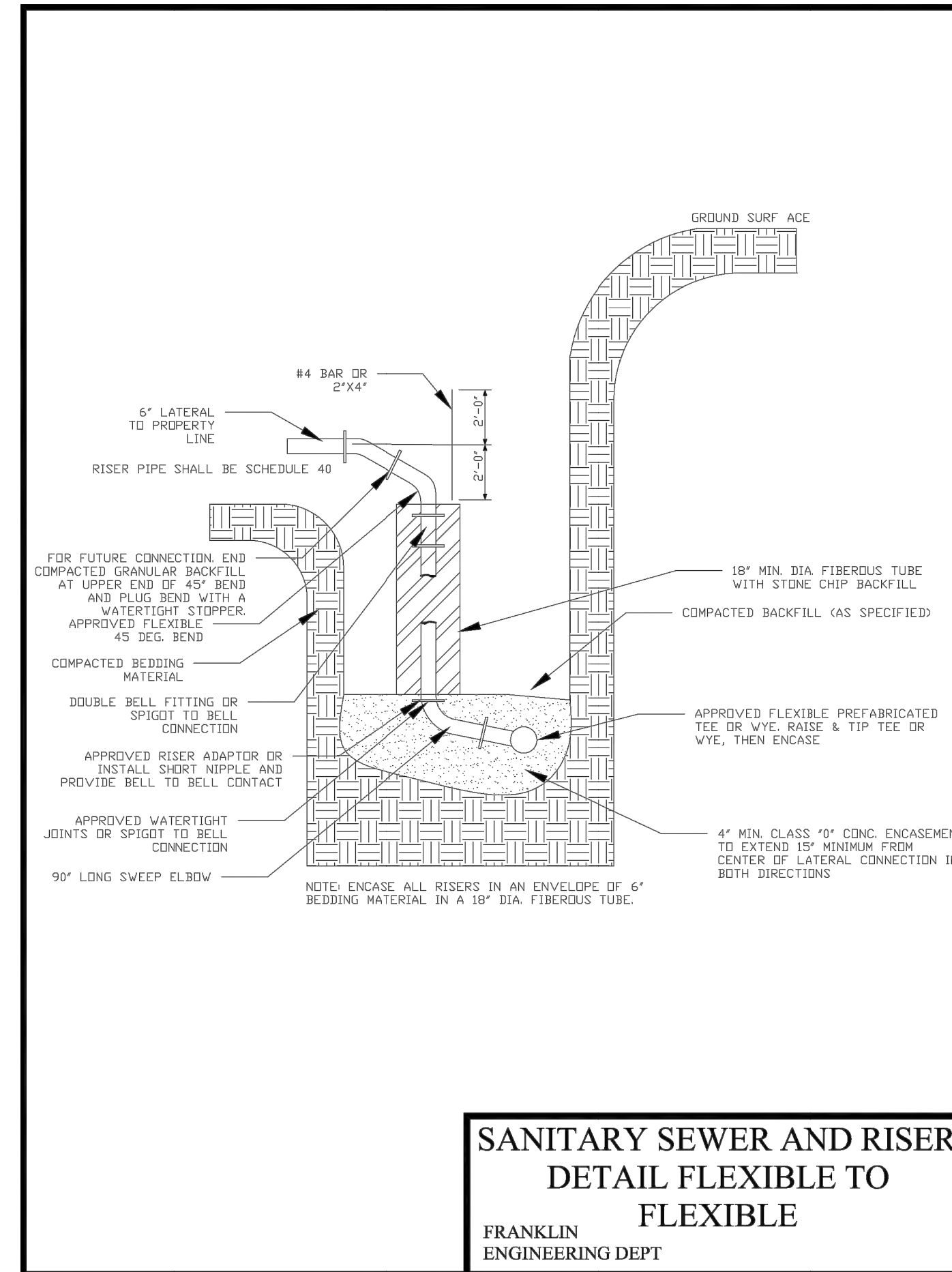
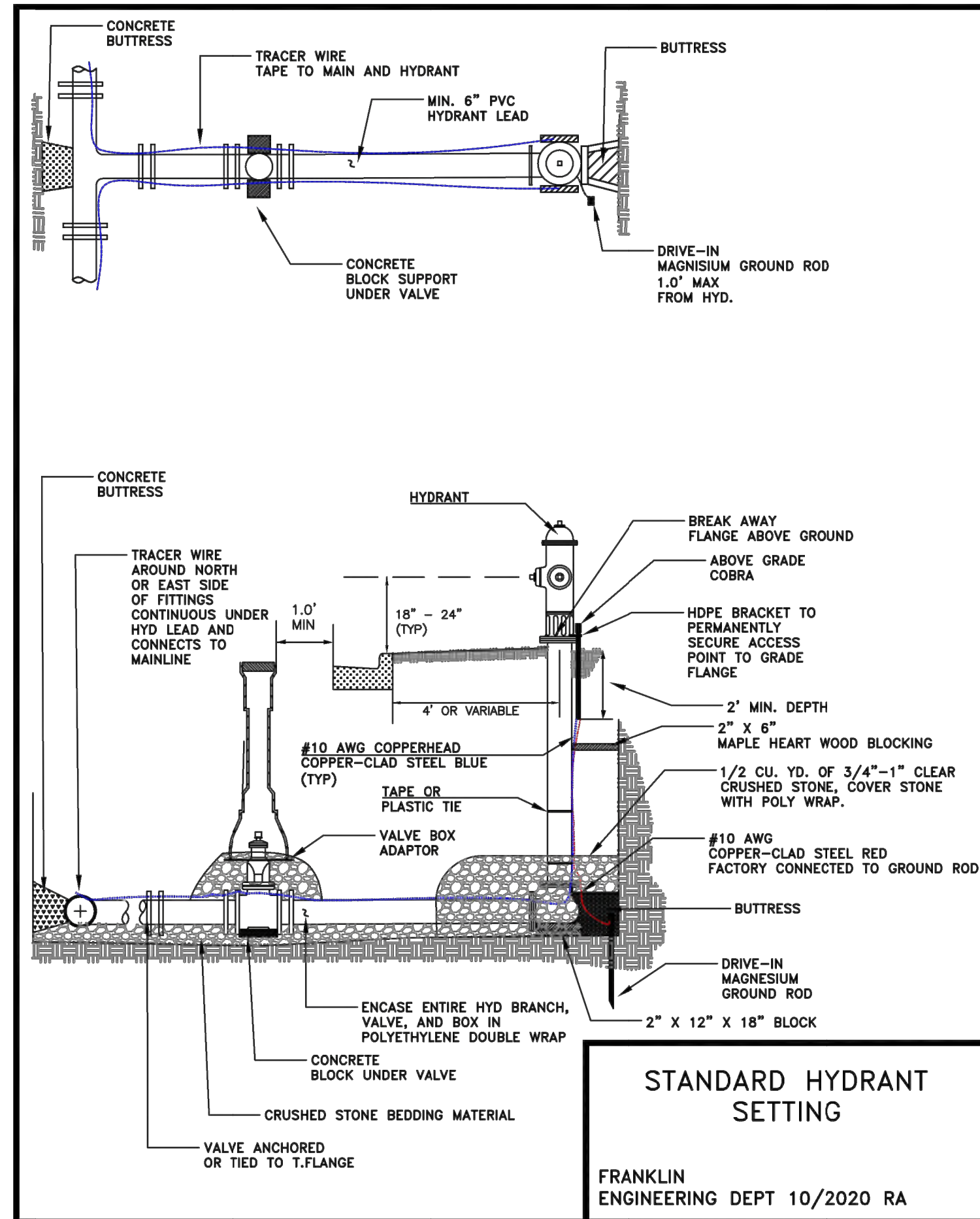
DRAWING INCLUDES:  
**SITE PLAN**

DESIGNED: TDC  
DRAWN: DRM  
PROJECT NO: 190265  
SHEET:  
**CE 7**



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Crockett Engineering Consultants, LLC

OWNER:  
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26 N. STADIUM BLVD., STE 200  
COLUMBIA, MO 65203

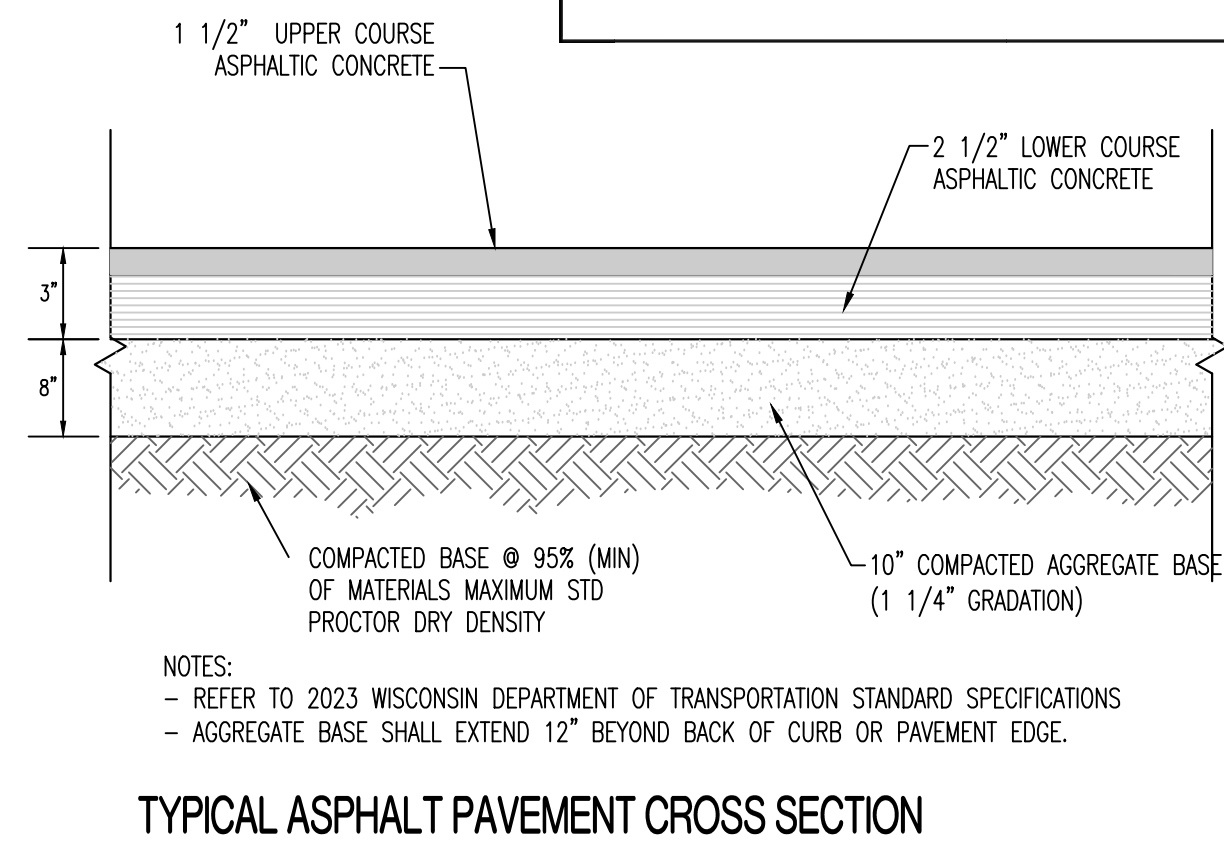
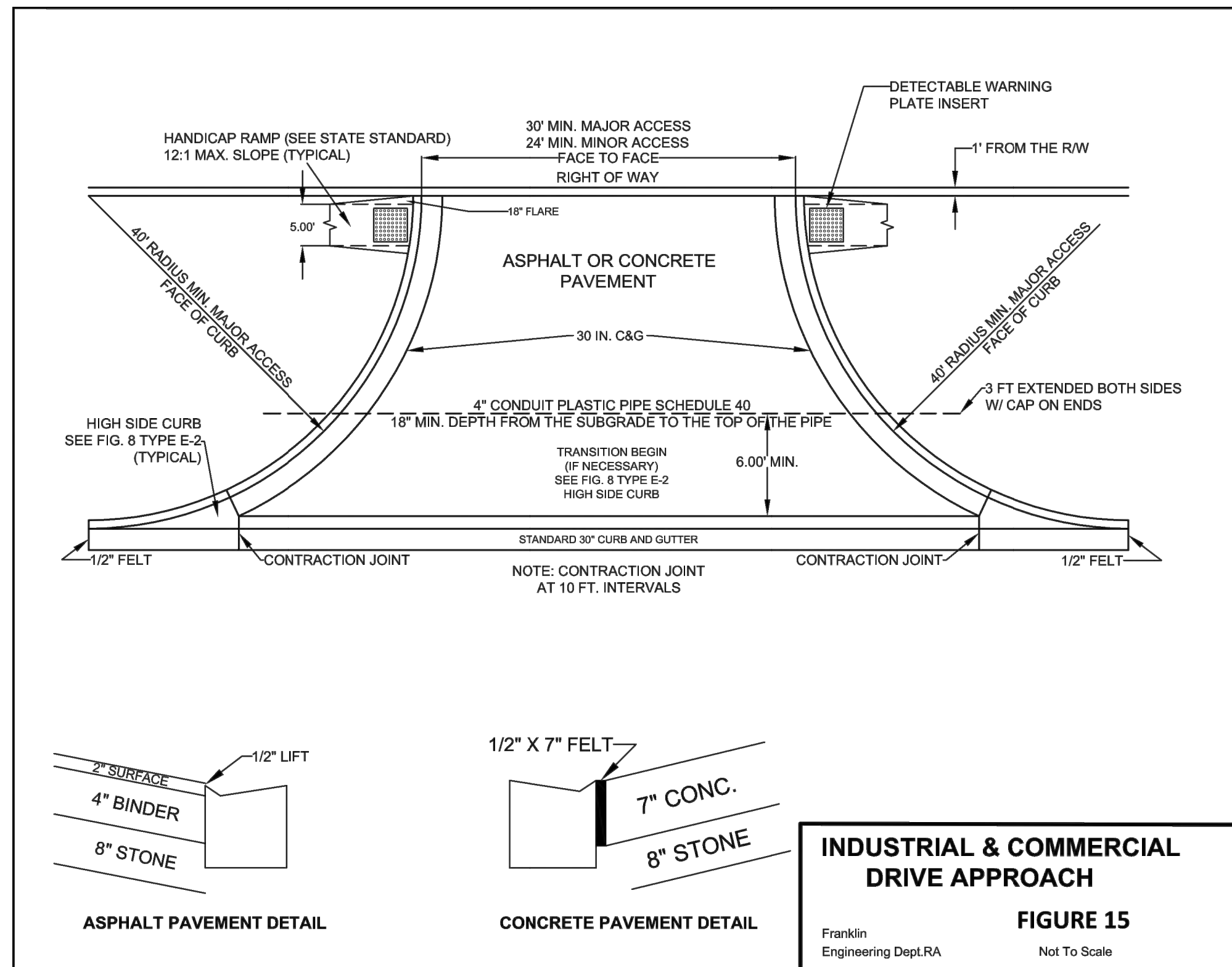
**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

DRAWING INCLUDES:  
SANITARY SEWER & WATER LINE DETAILS

DESIGNED: TDC  
DRAWN: DRM  
PROJECT NO: 190265  
SHEET: CE 8

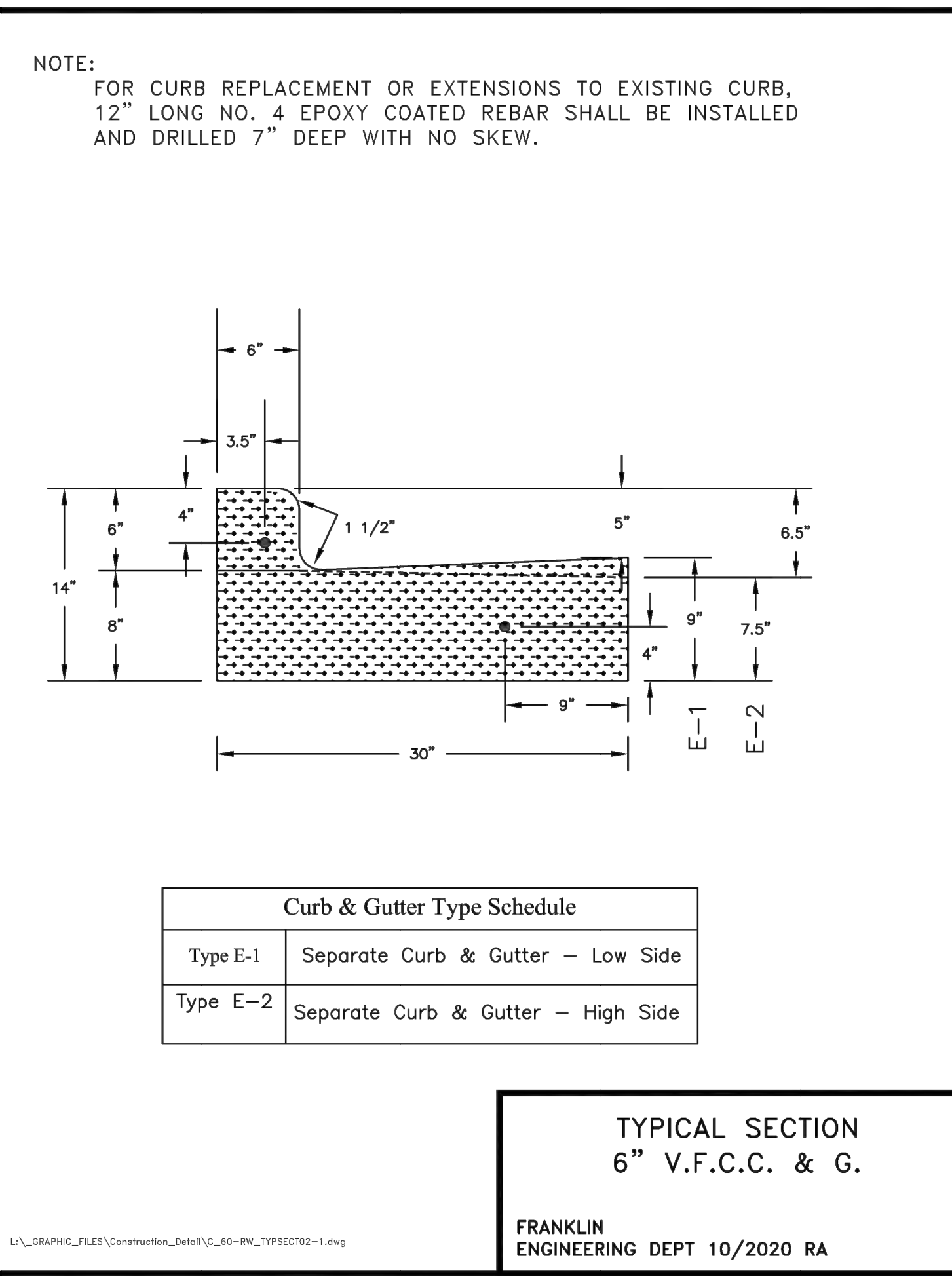
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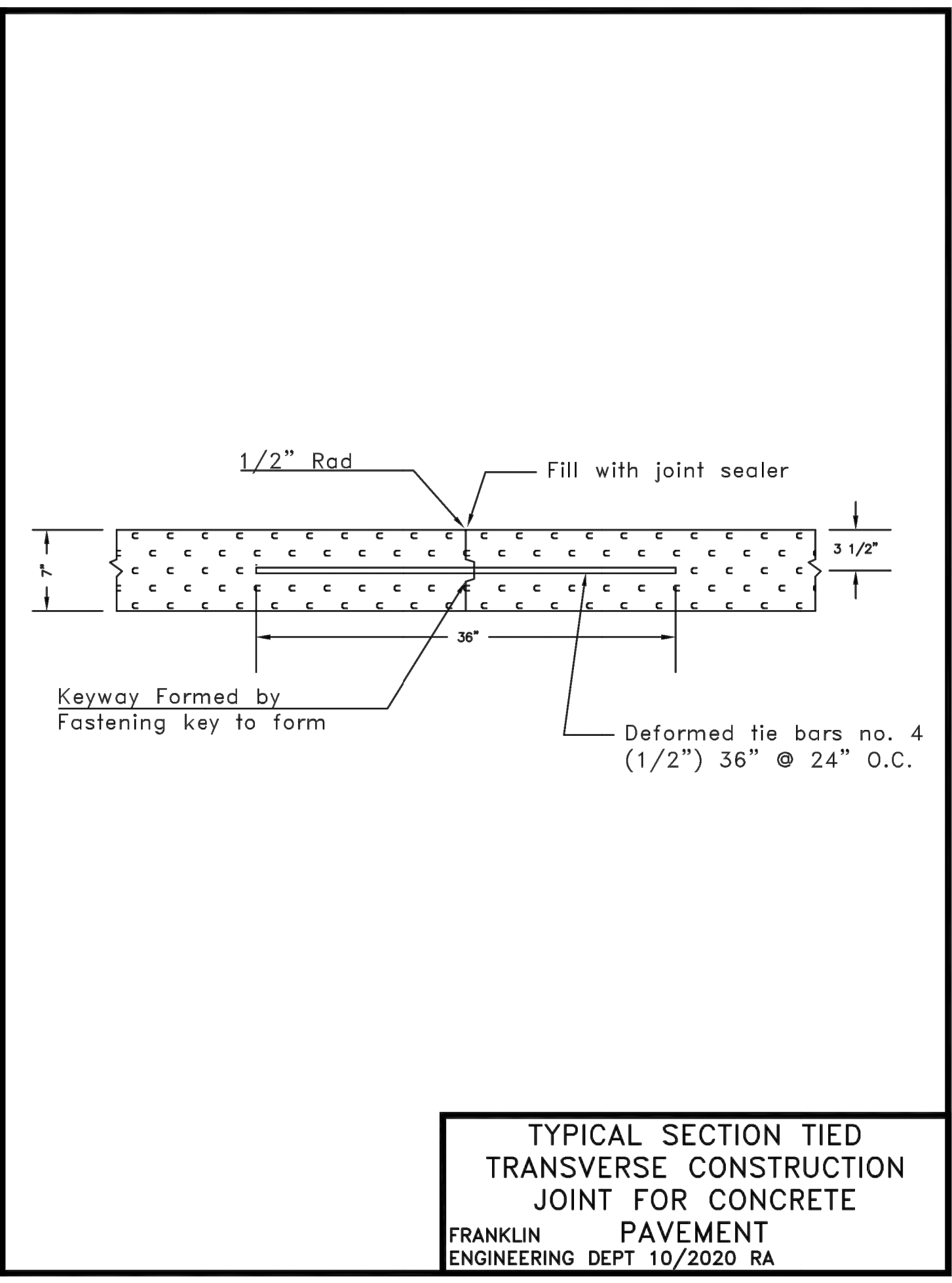
NOTES:  
 - REFER TO 2023 WISCONSIN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS  
 - AGGREGATE BASE SHALL EXTEND 12\"/>

TYPICAL ASPHALT PAVEMENT CROSS SECTION

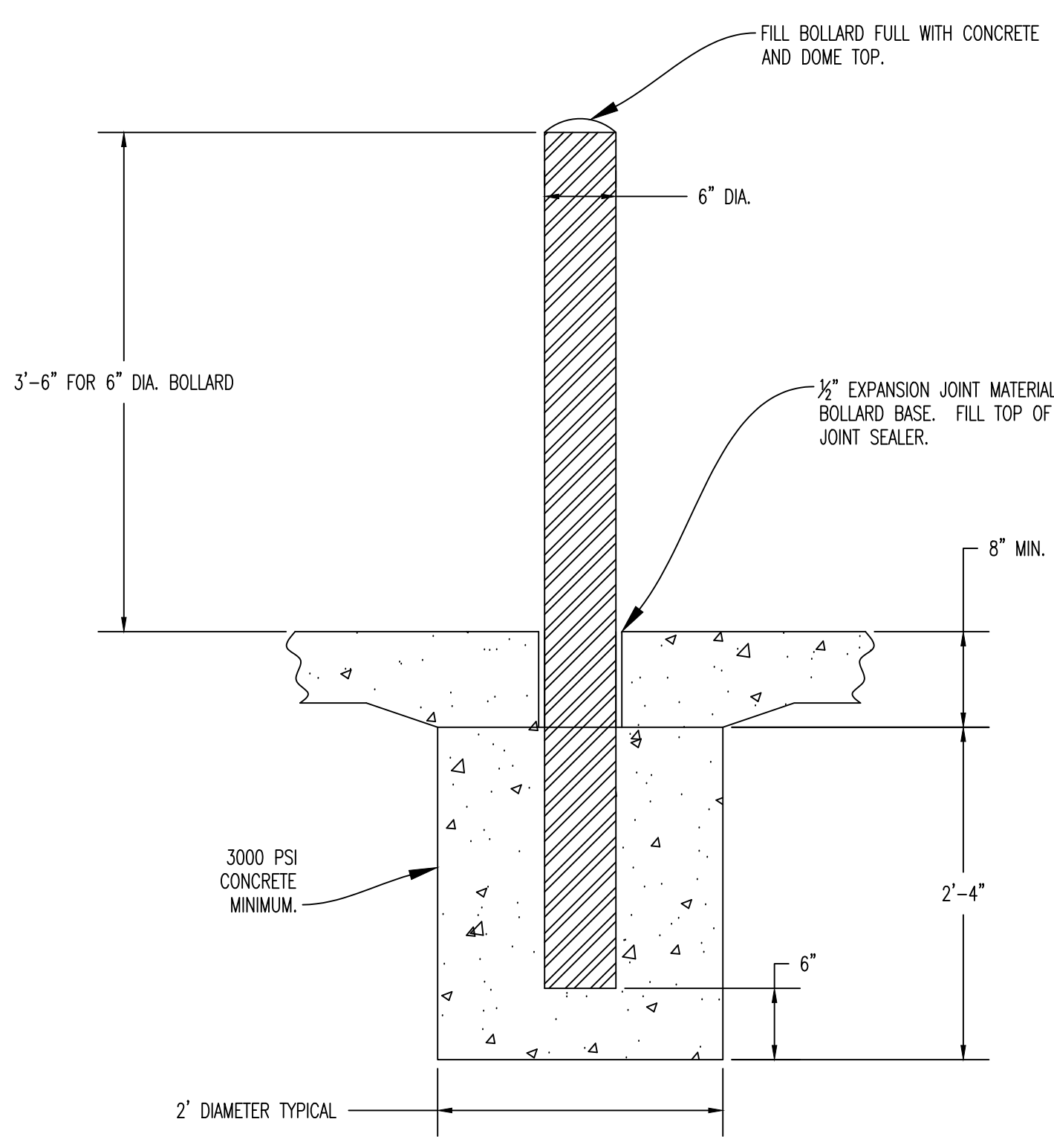


Curb & Gutter Type Schedule	
Type E-1	Separate Curb & Gutter - Low Side
Type E-2	Separate Curb & Gutter - High Side

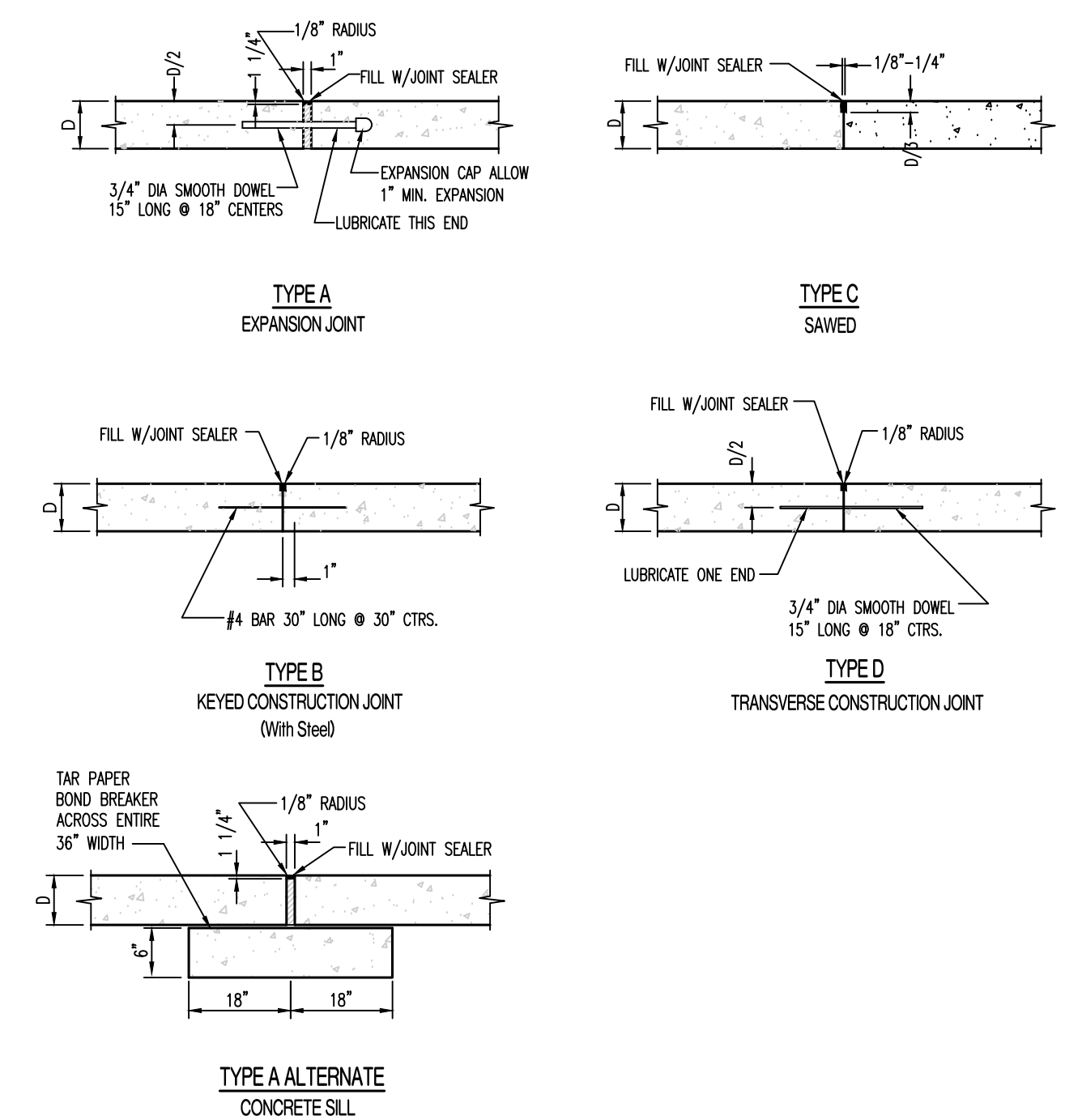
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 6" V.F.C.C. & G.  
 FRANKLIN  
 ENGINEERING DEPT 10/2020 RA



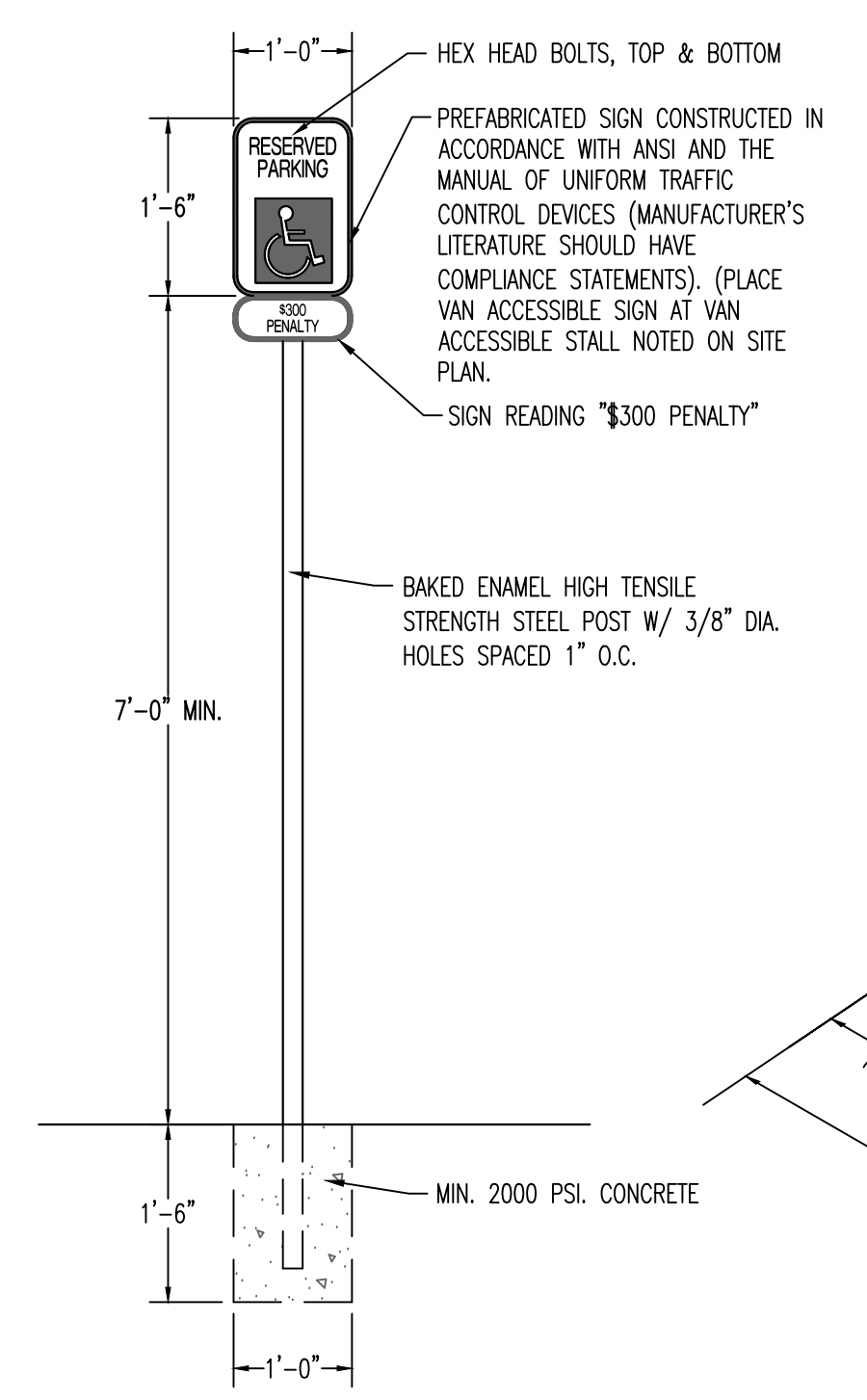
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 TRANSVERSE CONSTRUCTION  
 JOINT FOR CONCRETE  
 PAVEMENT  
 FRANKLIN  
 ENGINEERING DEPT 10/2020 RA



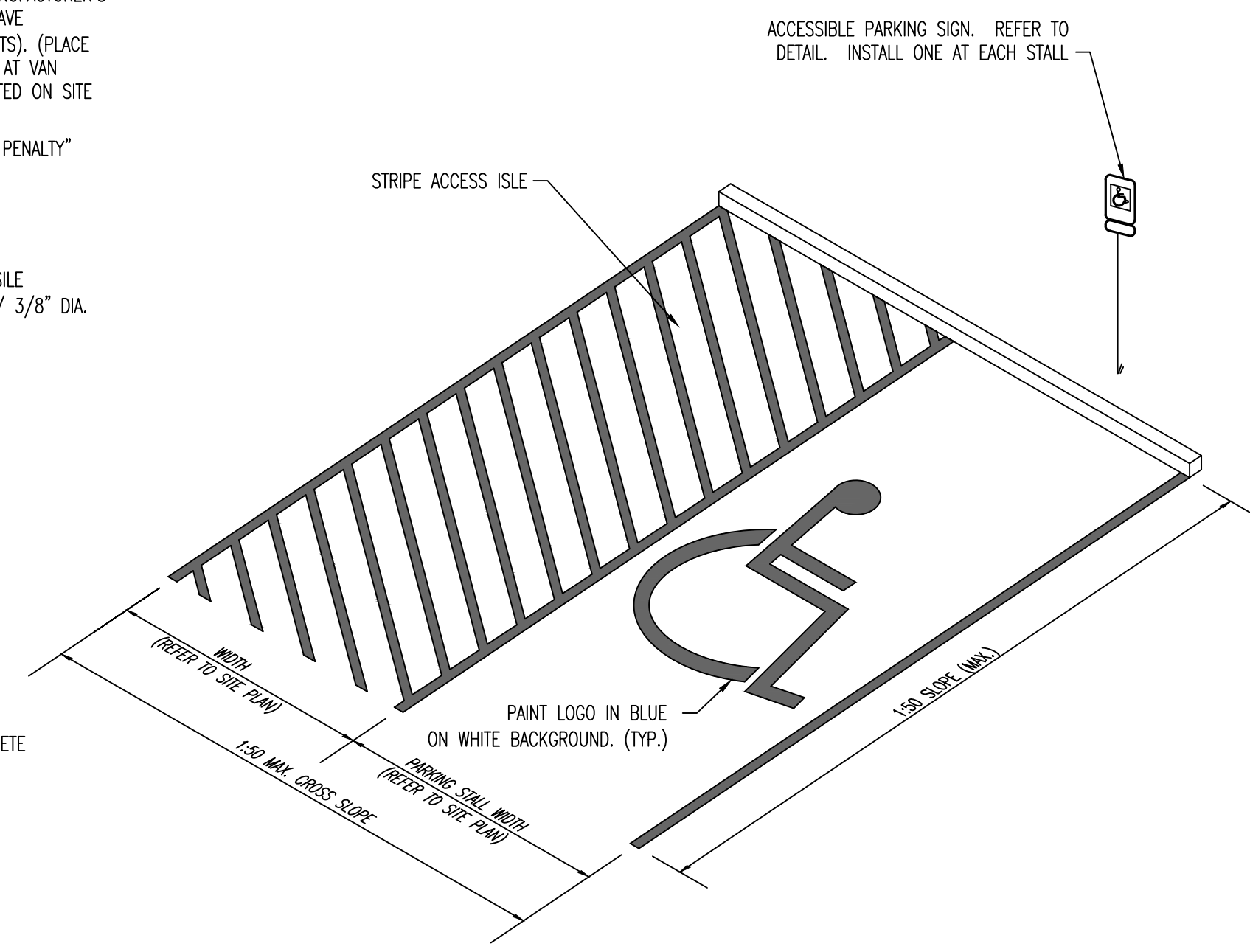
BOLLARD INSTALLATION DETAIL



JOINT DETAILS (P.C. CONCRETE PAVEMENT) (PRIVATE)



ACCESSIBLE PARKING SIGN



ACCESSIBLE PARKING STALL AREA DETAIL

REVISIONS:

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TIMOTHY D. CROCKETT  
 MO LICENSE: 2004000775

PREPARED BY:  
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**SOUTH LOVERS LANE RD.**  
 FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

DRAWING INCLUDES:  
 SITE  
 CONSTRUCTION  
 DETAILS

DESIGNED: TDC  
 DRAWN: DRM  
 PROJECT NO: 190265  
 SHEET:  
 CE 9

Y:\2019\190265- Storage Mart\6951 - 5 Lovers Lane Rd., Franklin, WI\Civil\ACAD Files\Construction Plans\190265\_SiteBase2.dwg



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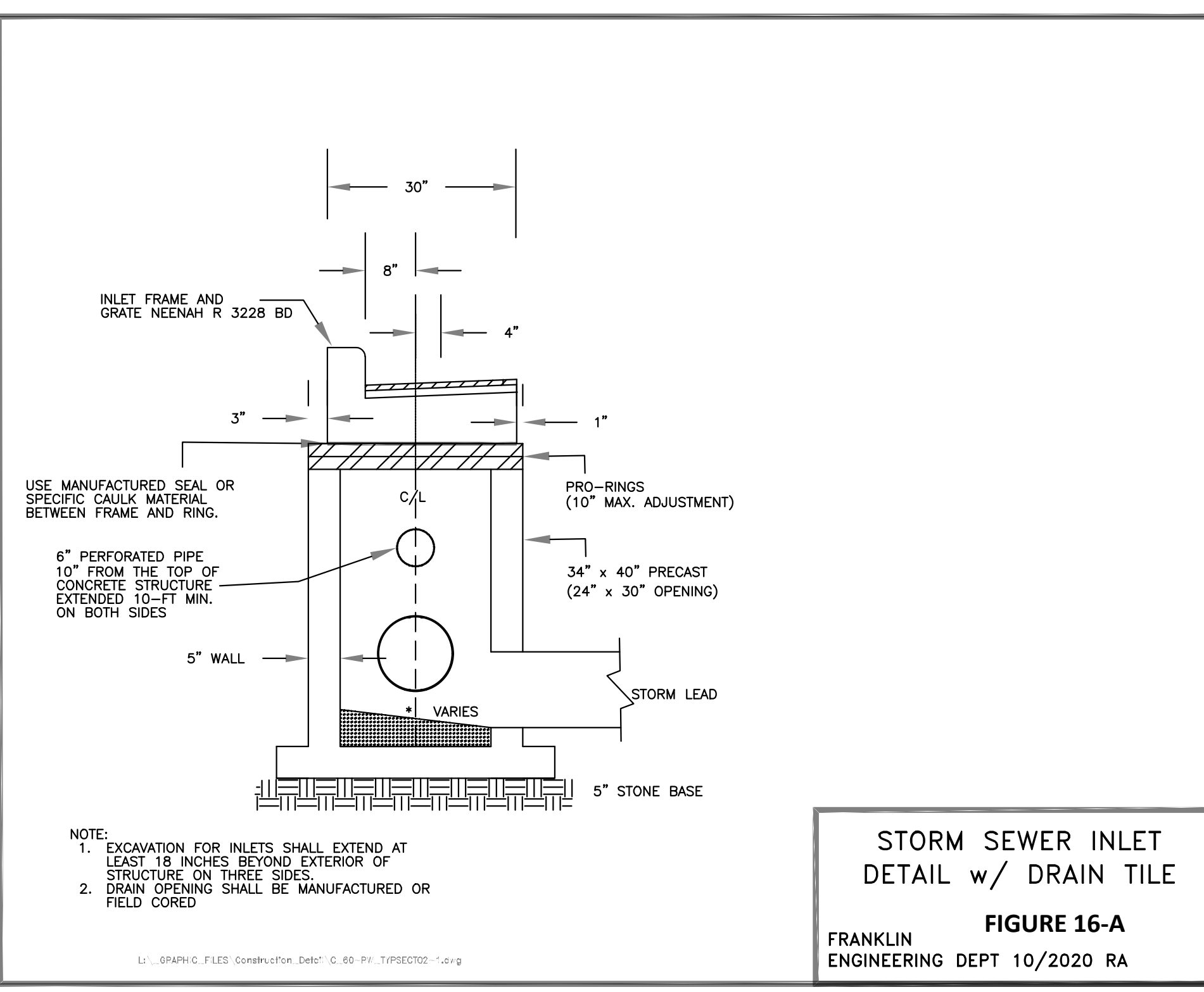
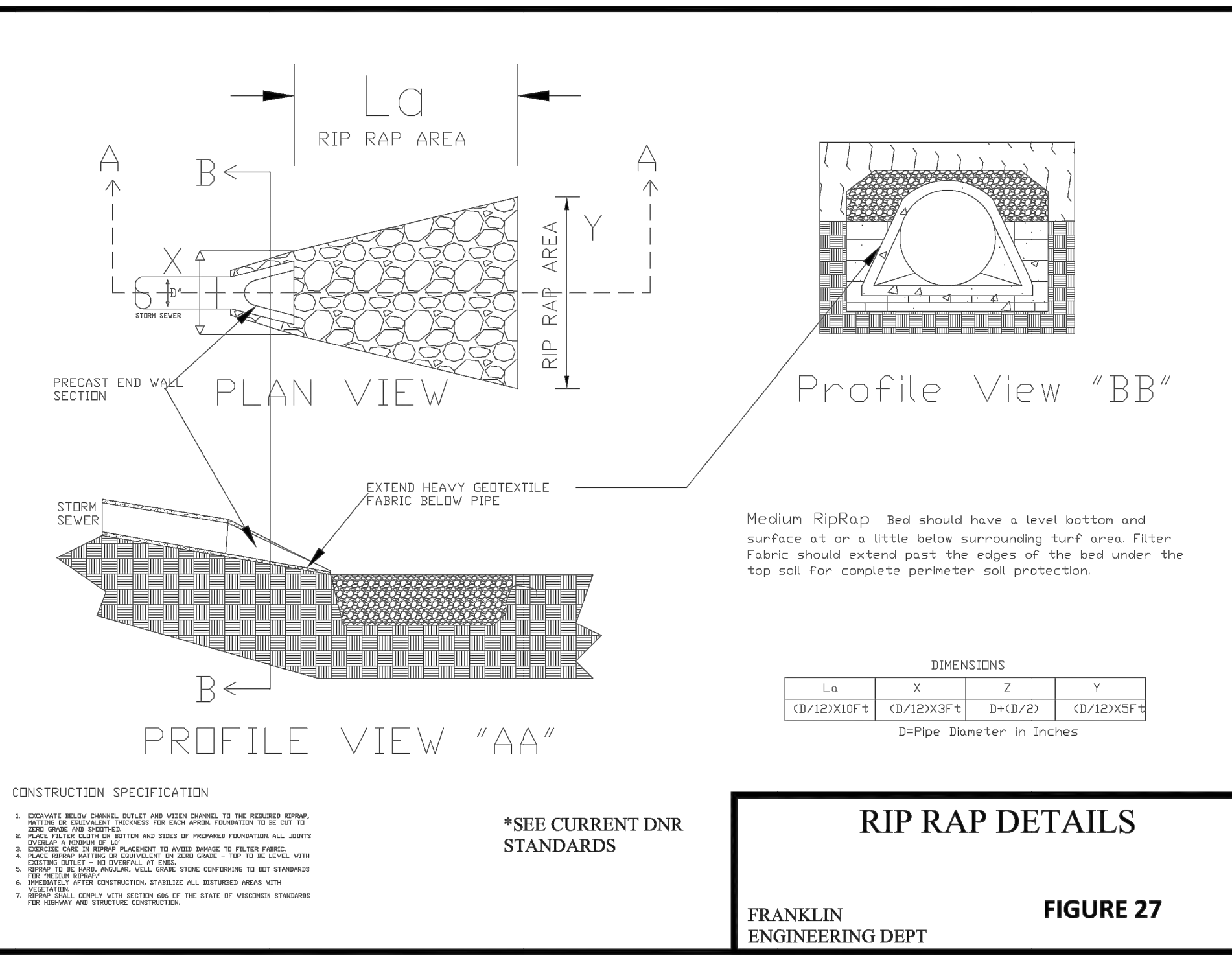
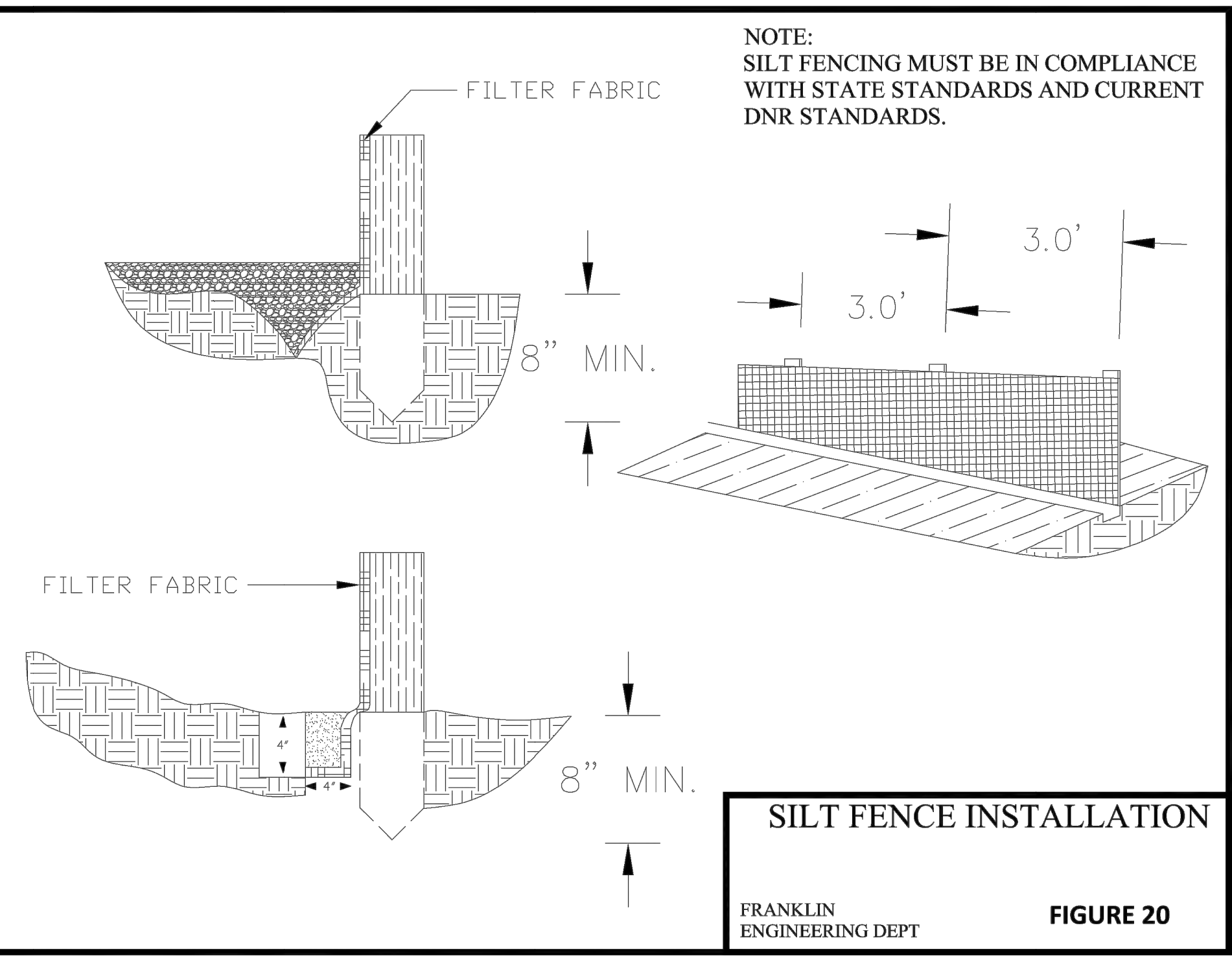
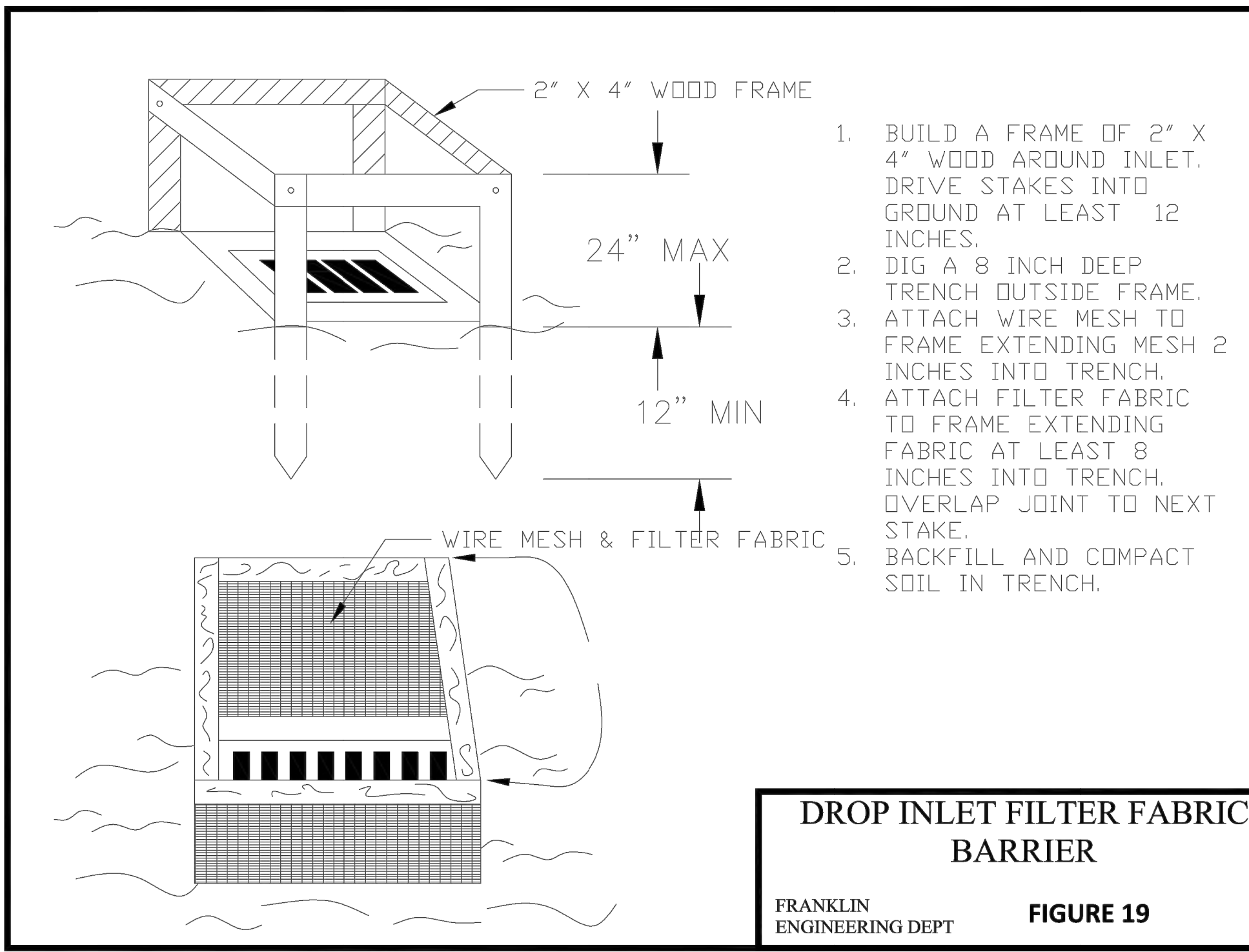
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ENGINEERING CONSULTANTS  
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COLUMBIA, MISSOURI 65203  
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COLUMBIA, MO 65203

**SOUTH LOVERS LANE RD.**  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

DRAWING INCLUDES:  
EROSION CONTROL & STORM SEWER DETAILS

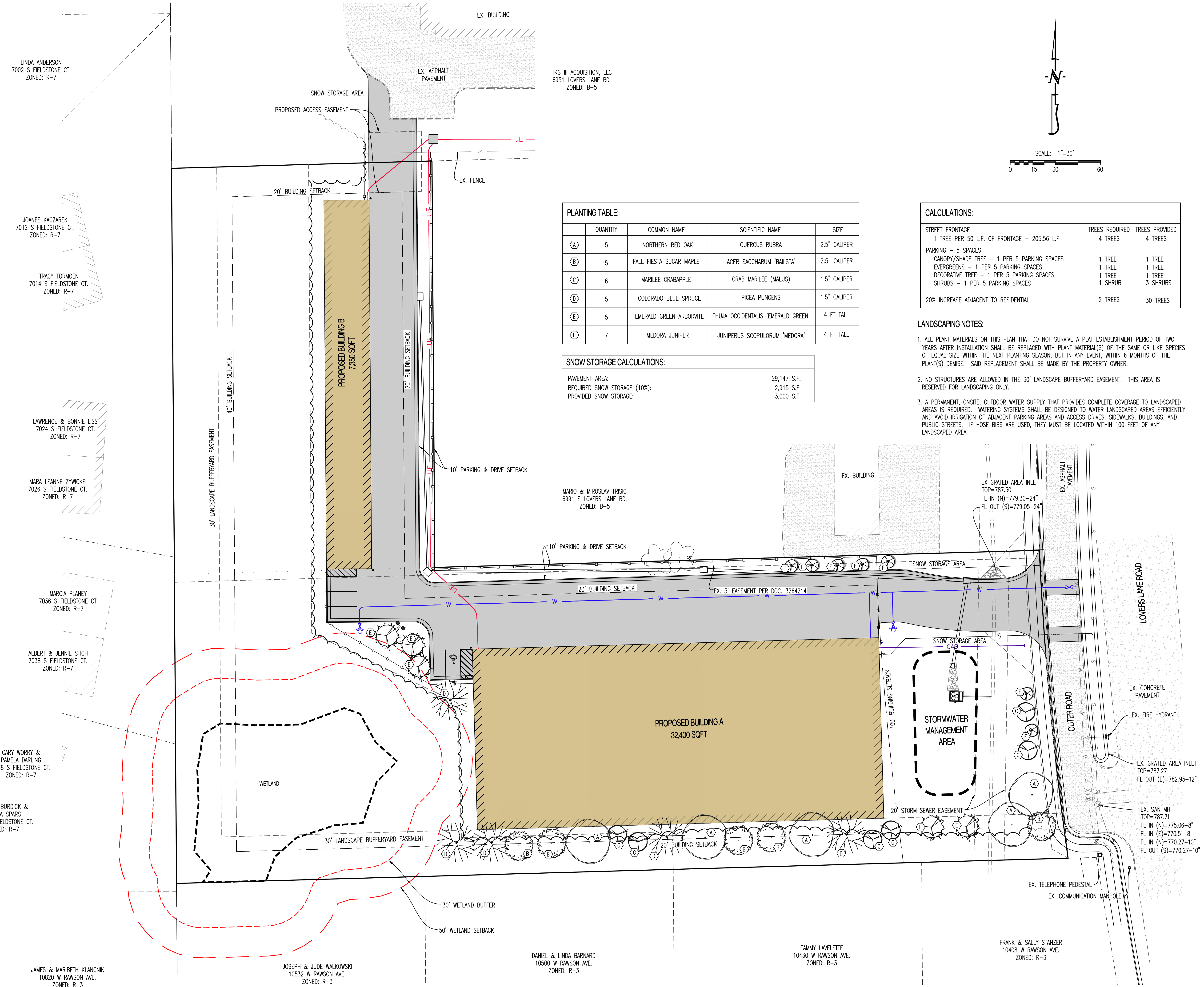
DESIGNED: TDC  
DRAWN: DRM  
PROJECT NO: 190265  
SHEET: CE 10



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LINDA ANDERSON  
7002 S FIELDSTONE CT.  
ZONED: R-7

JOANEE KACZAREK  
7012 S FIELDSTONE CT.  
ZONED: R-7

TRACY TORMOEN  
7014 S FIELDSTONE CT.  
ZONED: R-7

LAWRENCE & BONNIE LISS  
7024 S FIELDSTONE CT.  
ZONED: R-7

MARA LEANNE ZYWICKE  
7026 S FIELDSTONE CT.  
ZONED: R-7

MARCIA PLANEY  
7036 S FIELDSTONE CT.  
ZONED: R-7

ALBERT & JENNIE STICH  
7038 S FIELDSTONE CT.  
ZONED: R-7

GARY WORRY & PAMELA DARLING  
7048 S FIELDSTONE CT.  
ZONED: R-7

GERALD BURDICK & DONNA SPARS  
7050 S FIELDSTONE CT.  
ZONED: R-7

JAMES & MARIBETH KLANONIK  
10820 W RAWSON AVE.  
ZONED: R-3

JOSEPH & JUDE WALKOWSKI  
10532 W RAWSON AVE.  
ZONED: R-3

DANIEL & LINDA BARNARD  
10500 W RAWSON AVE.  
ZONED: R-3

TAMMY LALETTE  
10430 W RAWSON AVE.  
ZONED: R-3

FRANK & SALLY STANZER  
10408 W RAWSON AVE.  
ZONED: R-3

TIG III ACQUISITION, LLC  
6951 LOVERS LANE RD.  
ZONED: B-5

MARIO & MIROSLAV TRISIC  
6991 S LOVERS LANE RD.  
ZONED: B-5

**REVISIONS:**

NO.	DATE
ORIGINAL	11/20/2023
1	03/18/2024

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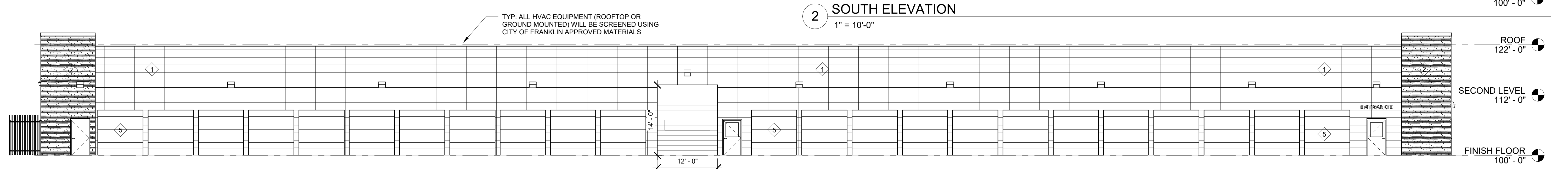
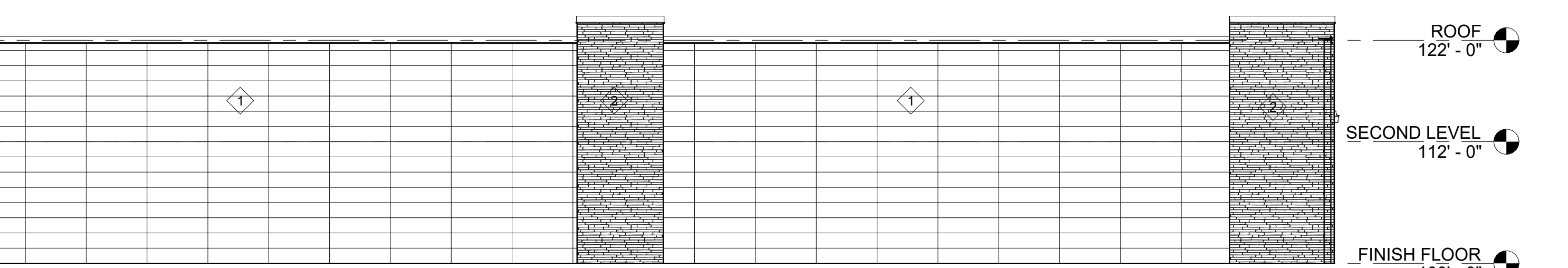
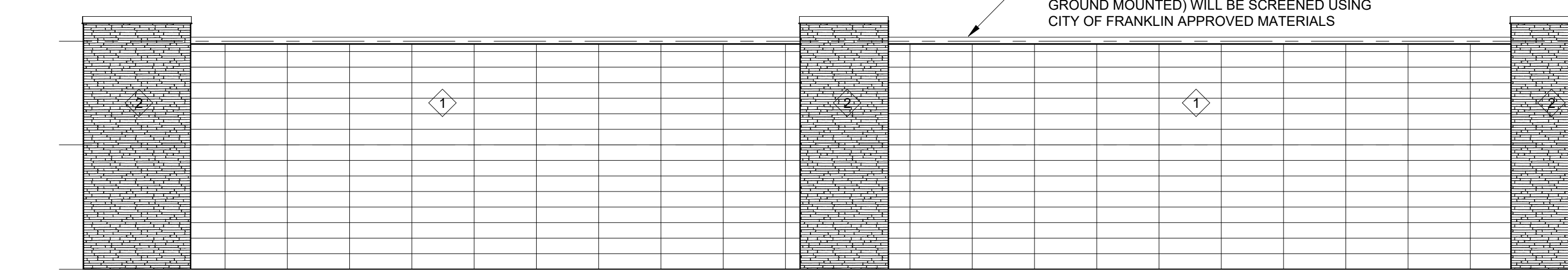
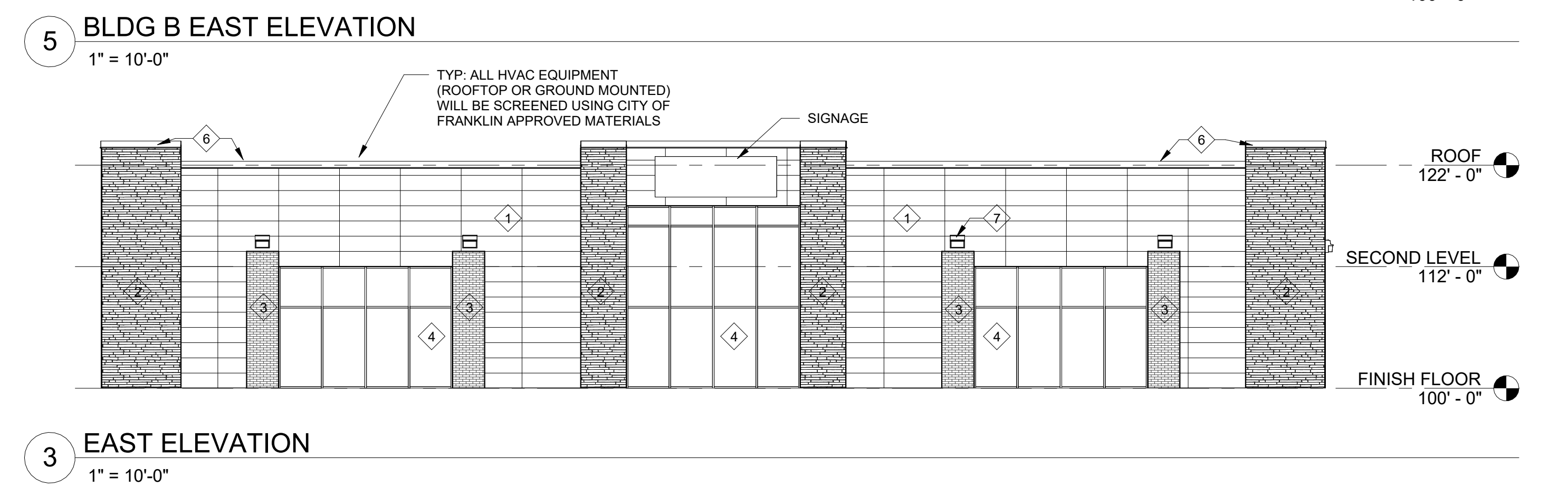
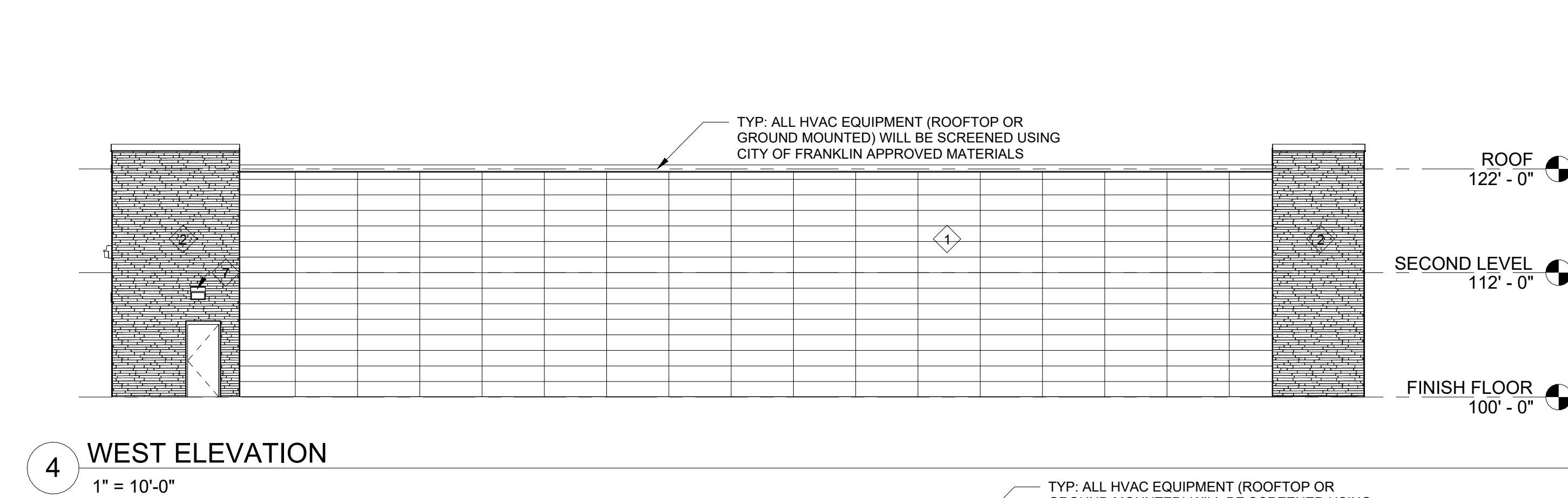
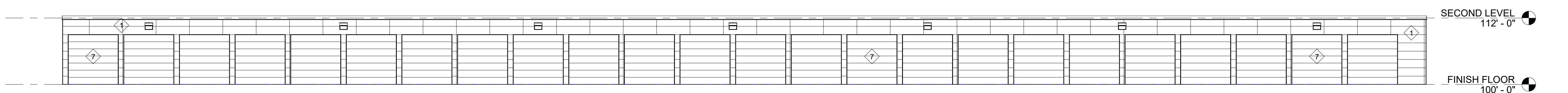
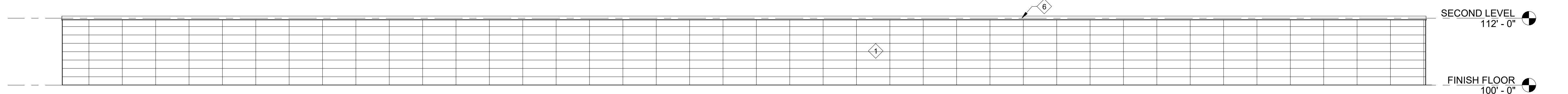
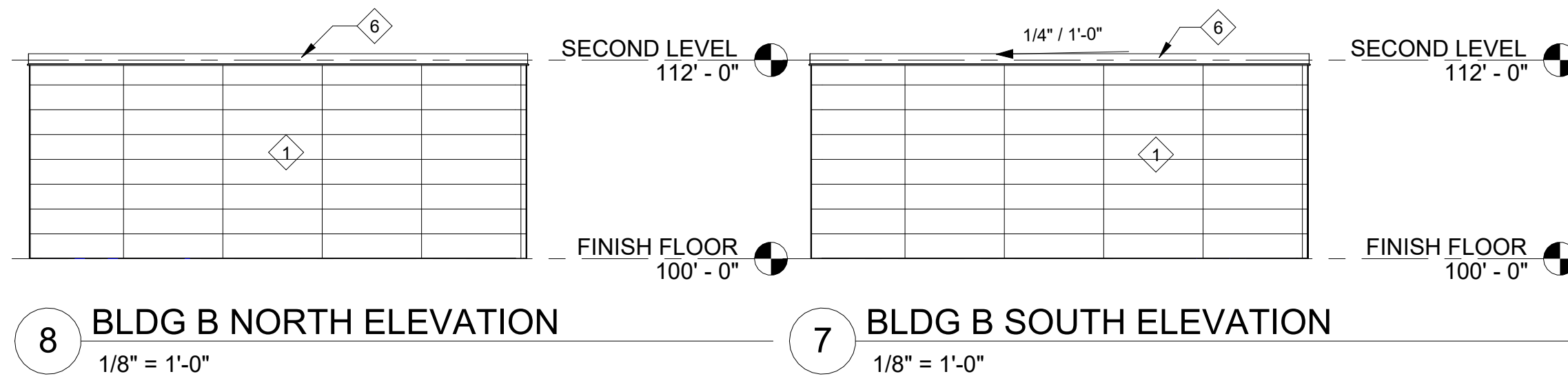
**DRAWING INCLUDES:**  
LANDSCAPING PLAN

**DESIGNED:** TDC  
**DRAWN:** DRM  
**PROJECT NO.:** 190265  
**SHEET:** LS1





ELEVATION KEY	MATERIAL / MANUFACTURER	COLOR (T.B.V)
1 ARCHITECTURAL PANEL	INSULATED METAL PANEL	MATCH EXISTING FACILITY
2 STONE	NATURAL CUT STONE	MATCH EXISTING FACILITY
3 BRICK	RUNNING BOND UTILITY BRICK	MATCH EXISTING FACILITY
4 STOREFRONT	ANODIZED ALUMINUM	DARK BRONZE
5 OVERHEAD DOOR	INSULATED METAL SECTIONAL DOOR	MATCH EXISTING FACILITY
6 METAL COPING	PAINTED METAL	MATCH EXISTING FACILITY
7 EXTERIOR LIGHTING	TBD	MATCH EXISTING FACILITY



REVISIONS

Phone: (262) 420-0652  
www.DMA-WI.com  
office@DMA-WI.com

d | M | a  
design manage advise

STORAGEMART FRANKLIN  
6951 S Lowers Lane Rd, Franklin, WI 53132

ISSUE: 03/20/24 3:59:34 PM  
PRINTED: 09/14/21  
PROJ NO. 0034

ELEVATIONS

A200



Project:

## STORAGE MART FRANKLIN

6951 S. Lovers Lane  
Franklin, WI 53132

Issuance and Revisions:

Date	Number	Description
11/10/23		Plan Commission Submittal
		Client Review Submittal

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Sheet Title:

PROPOSED PHOTOMETRIC LIGHT LEVEL CALCULATIONS PLAN, GENERAL NOTES, AND LIGHT FIXTURE TABLE

Date of Drawing: 11/10/23

Scale: 1" = 30'-0"

Drawn By: MCD

Job Number: L23-077

Sheet Number:

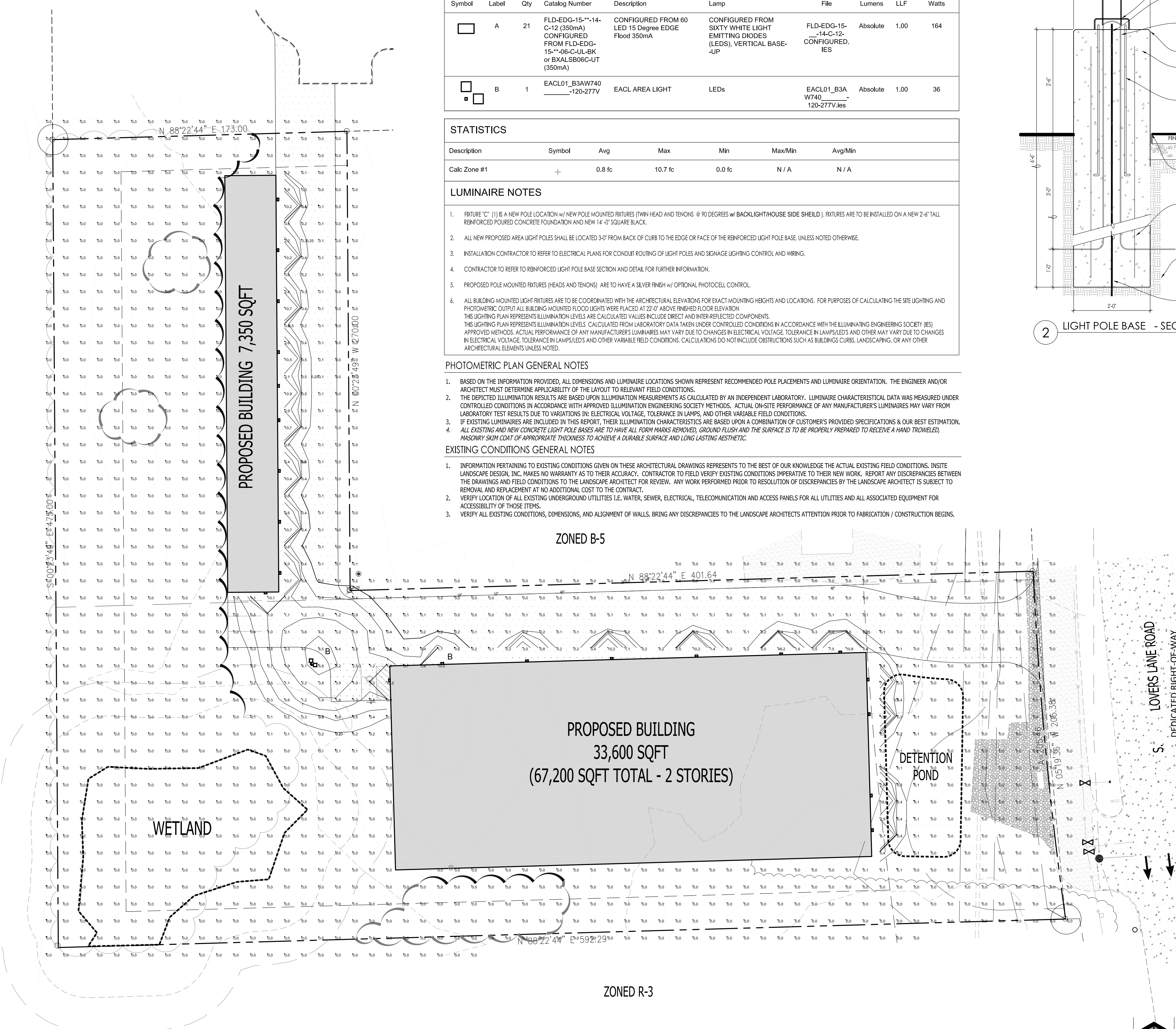
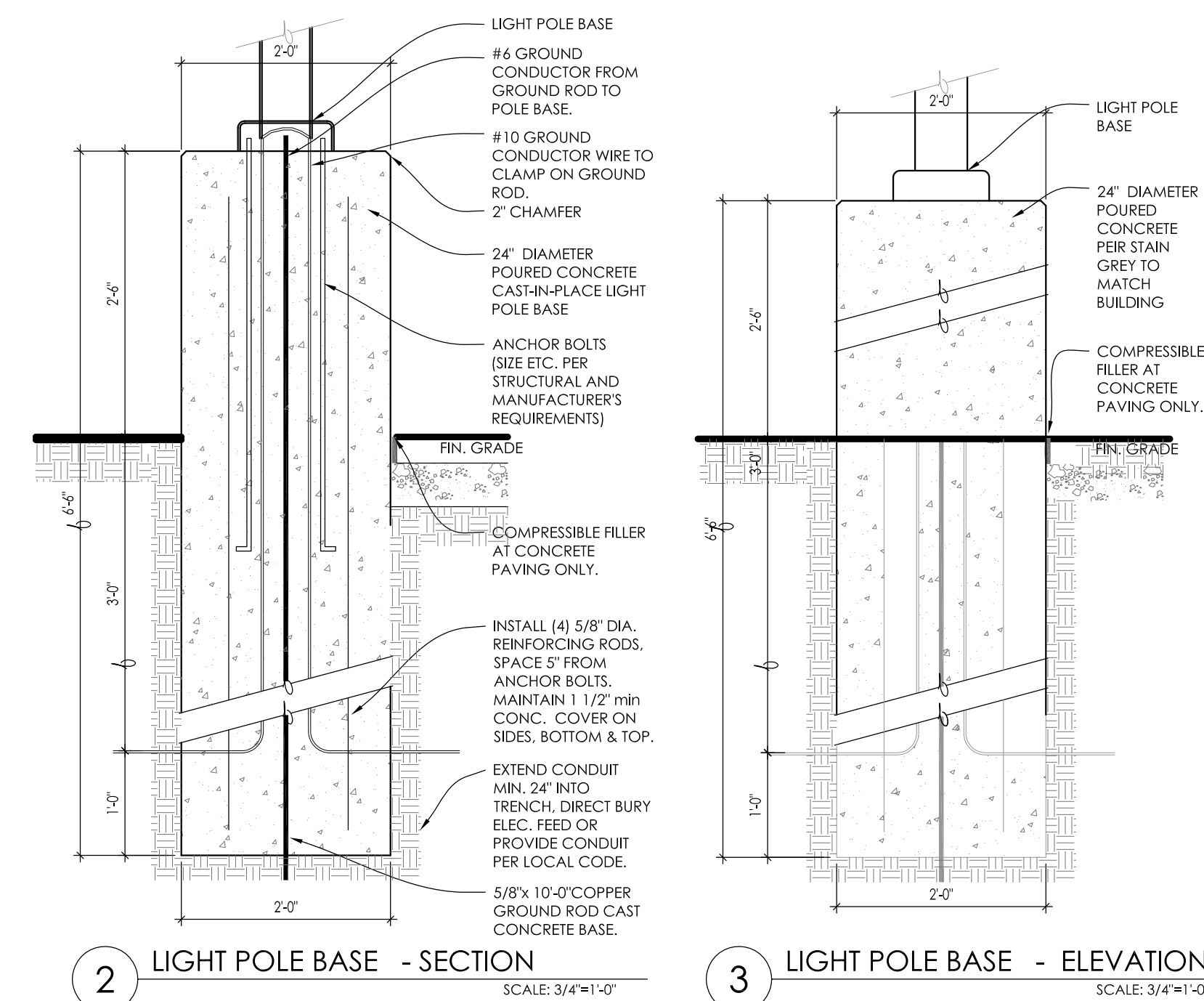
# PHO1.1

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
□	A	21	FLD-EDG-15-14-C-12 (350mA)	CONFIGURED FROM 60 LED 15 Degree EDGE Flood 350mA	CONFIGURED FROM SIXTY WHITE LIGHT EMITTING DIODES (LEDS), VERTICAL BASE-UP	FLD-EDG-15-14-C-12-CONFIGURED, IES	Absolute	1.00	164
□	B	1	EACL01_B3AW740-120-277V	EACL AREA LIGHT	LEDs	EACL01_B3A W740-120-277V.ies	Absolute	1.00	36

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	0.8 fc	10.7 fc	0.0 fc	N / A	N / A

- ### LUMINAIRE NOTES
- FIXTURE "C" (1) IS A NEW POLE LOCATION W/ NEW POLE MOUNTED FIXTURES (TWIN HEAD AND TENONS @ 90 DEGREES W/ BACKLIGHT/HOUSE SIDE SHIELD). FIXTURES ARE TO BE INSTALLED ON A NEW 2'-4" TALL REINFORCED POURED CONCRETE FOUNDATION AND NEW 1'-4" SQUARE BLACK.
  - ALL NEW PROPOSED AREA LIGHT POLES SHALL BE LOCATED 3'-0" FROM BACK OF CURB TO THE EDGE OR FACE OF THE REINFORCED LIGHT POLE BASE, UNLESS NOTED OTHERWISE.
  - INSTALLATION CONTRACTOR TO REFER TO ELECTRICAL PLANS FOR CONDUIT ROUTING OF LIGHT POLES AND SIGNAGE LIGHTING CONTROL AND WIRING.
  - CONTRACTOR TO REFER TO REINFORCED LIGHT POLE BASE SECTION AND DETAIL FOR FURTHER INFORMATION.
  - PROPOSED POLE MOUNTED FIXTURES (HEADS AND TENONS) ARE TO HAVE A SILVER FINISH W/ OPTIONAL PHOTOCELL CONTROL.
  - ALL BUILDING MOUNTED LIGHT FIXTURES ARE TO BE COORDINATED WITH THE ARCHITECTURAL ELEVATIONS FOR EXACT MOUNTING HEIGHTS AND LOCATIONS. FOR PURPOSES OF CALCULATING THE SITE LIGHTING AND PHOTOMETRIC OUTPUT ALL BUILDING MOUNTED FLOOD LIGHTS WERE PLACED AT 22'-0" ABOVE FINISHED FLOOR ELEVATION. THIS LIGHTING PLAN REPRESENTS ILLUMINATION LEVELS ARE CALCULATED VALUES INCLUDE DIRECT AND INTER-REFLECTED COMPONENTS. THIS LIGHTING PLAN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH THE ILLUMINATING ENGINEERING SOCIETY (IES) APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRES MAY VARY DUE TO CHANGES IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS/LEDS AND OTHER MAY VARY DUE TO CHANGES IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS/LEDS AND OTHER VARIABLE FIELD CONDITIONS. CALCULATIONS DO NOT INCLUDE OBSTRUCTIONS SUCH AS BUILDINGS CURBS, LANDSCAPING, OR ANY OTHER ARCHITECTURAL ELEMENTS UNLESS NOTED.

- ### PHOTOMETRIC PLAN GENERAL NOTES
- BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POLE PLACEMENTS AND LUMINAIRE ORIENTATION. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO RELEVANT FIELD CONDITIONS.
  - THE DEPICTED ILLUMINATION RESULTS ARE BASED UPON ILLUMINATION MEASUREMENTS AS CALCULATED BY AN INDEPENDENT LABORATORY. LUMINAIRE CHARACTERISTICAL DATA WAS MEASURED UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH APPROVED ILLUMINATION ENGINEERING SOCIETY METHODS. ACTUAL ON-SITE PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRES MAY VARY FROM LABORATORY TEST RESULTS DUE TO VARIATIONS IN: ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS.
  - IF EXISTING LUMINAIRES ARE INCLUDED IN THIS REPORT, THEIR ILLUMINATION CHARACTERISTICS ARE BASED UPON A COMBINATION OF CUSTOMER'S PROVIDED SPECIFICATIONS & OUR BEST ESTIMATION.
  - ALL EXISTING AND NEW CONCRETE LIGHT POLE BASES ARE TO HAVE ALL FORM MARKS REMOVED, GROUND FLUSH AND THE SURFACE IS TO BE PROPERLY PREPARED TO RECEIVE A HAND TROWELED, MASONRY SKIM COAT OF APPROPRIATE THICKNESS TO ACHIEVE A DURABLE SURFACE AND LONG LASTING AESTHETIC.
- ### EXISTING CONDITIONS GENERAL NOTES
- INFORMATION PERTAINING TO EXISTING CONDITIONS GIVEN ON THESE ARCHITECTURAL DRAWINGS REPRESENTS TO THE BEST OF OUR KNOWLEDGE THE ACTUAL EXISTING FIELD CONDITIONS. INSITE LANDSCAPE DESIGN, INC. MAKES NO WARRANTY AS TO THEIR ACCURACY. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS IMPERATIVE TO THEIR NEW WORK. REPORT ANY DISCREPANCIES BETWEEN THE DRAWINGS AND FIELD CONDITIONS TO THE LANDSCAPE ARCHITECT FOR REVIEW. ANY WORK PERFORMED PRIOR TO RESOLUTION OF DISCREPANCIES BY THE LANDSCAPE ARCHITECT IS SUBJECT TO REMOVAL AND REPLACEMENT AT NO ADDITIONAL COST TO THE CONTRACT.
  - VERIFY LOCATION OF ALL EXISTING UNDERGROUND UTILITIES I.E. WATER, SEWER, ELECTRICAL, TELECOMMUNICATION AND ACCESS PANELS FOR ALL UTILITIES AND ALL ASSOCIATED EQUIPMENT FOR ACCESSIBILITY OF THOSE ITEMS.
  - VERIFY ALL EXISTING CONDITIONS, DIMENSIONS, AND ALIGNMENT OF WALLS. BRING ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECTS ATTENTION PRIOR TO FABRICATION / CONSTRUCTION BEGINS.



1 PROPOSED PHOTOMETRIC LIGHT LEVELS CALCULATIONS PLAN

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN

## DIGGERS HOT LINE

WISCONSIN STATUTE 182.0175 (1974) REQUIRES A MINIMUM OF 3 DAYS NOTICE BEFORE YOU EXCAVATE (NOT INCLUDING SATURDAY, SUNDAY OR LEGAL HOLIDAYS)

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN CALL THE MILWAUKEE UTILITY ALERT NETWORK  
www.DiggersHotline.com (800)-242-8511 OR

811 Know what's below. Call 811 before you dig.

NOT FOR CONSTRUCTION - PRELIMINARY - FOR ESTIMATING AND REVIEW ONLY - DO NOT SCALE THESE DRAWINGS - These are not final construction documents and should not be used for final bidding or construction-related purposes.



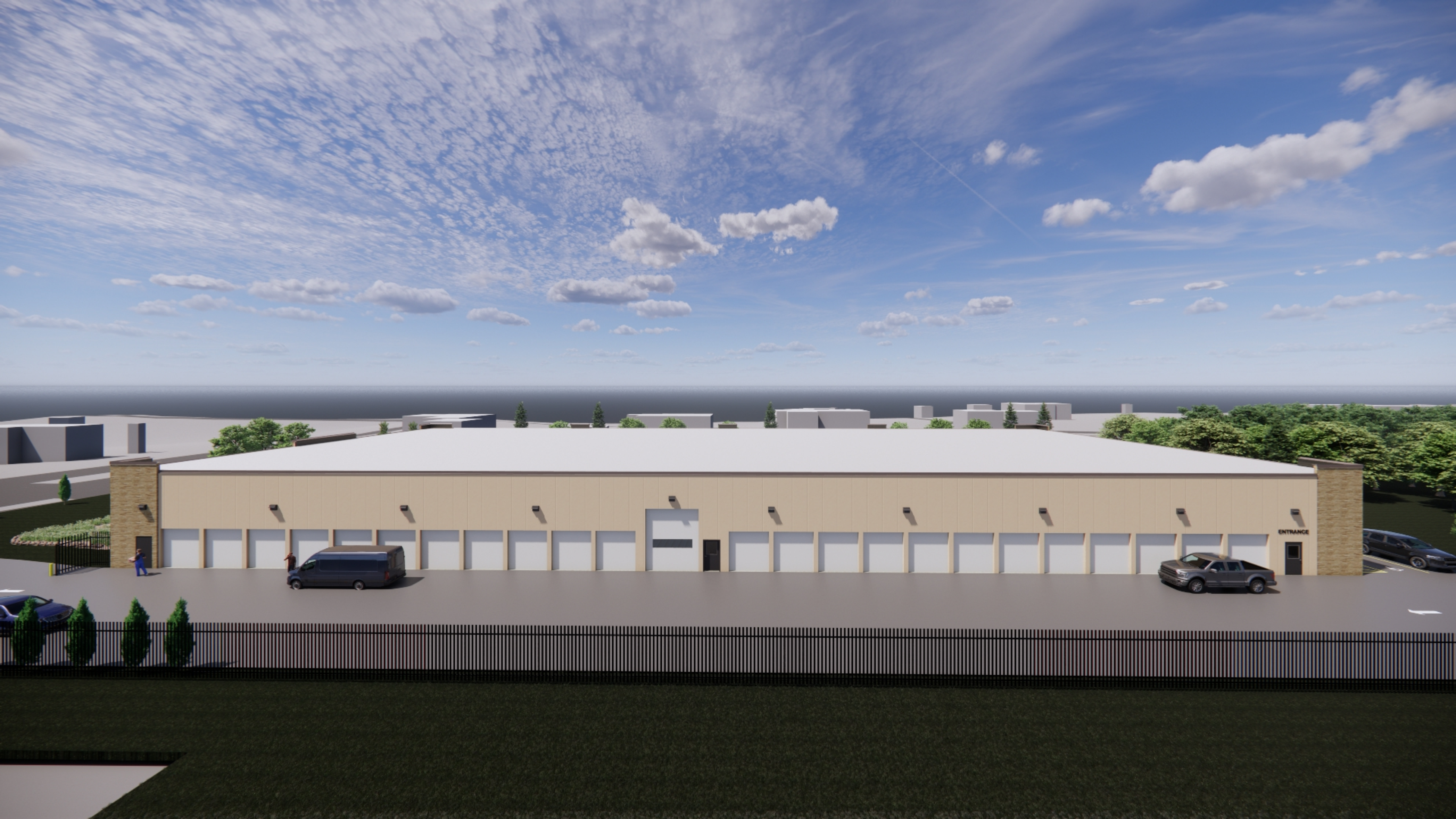






StorageMart













StorageMart

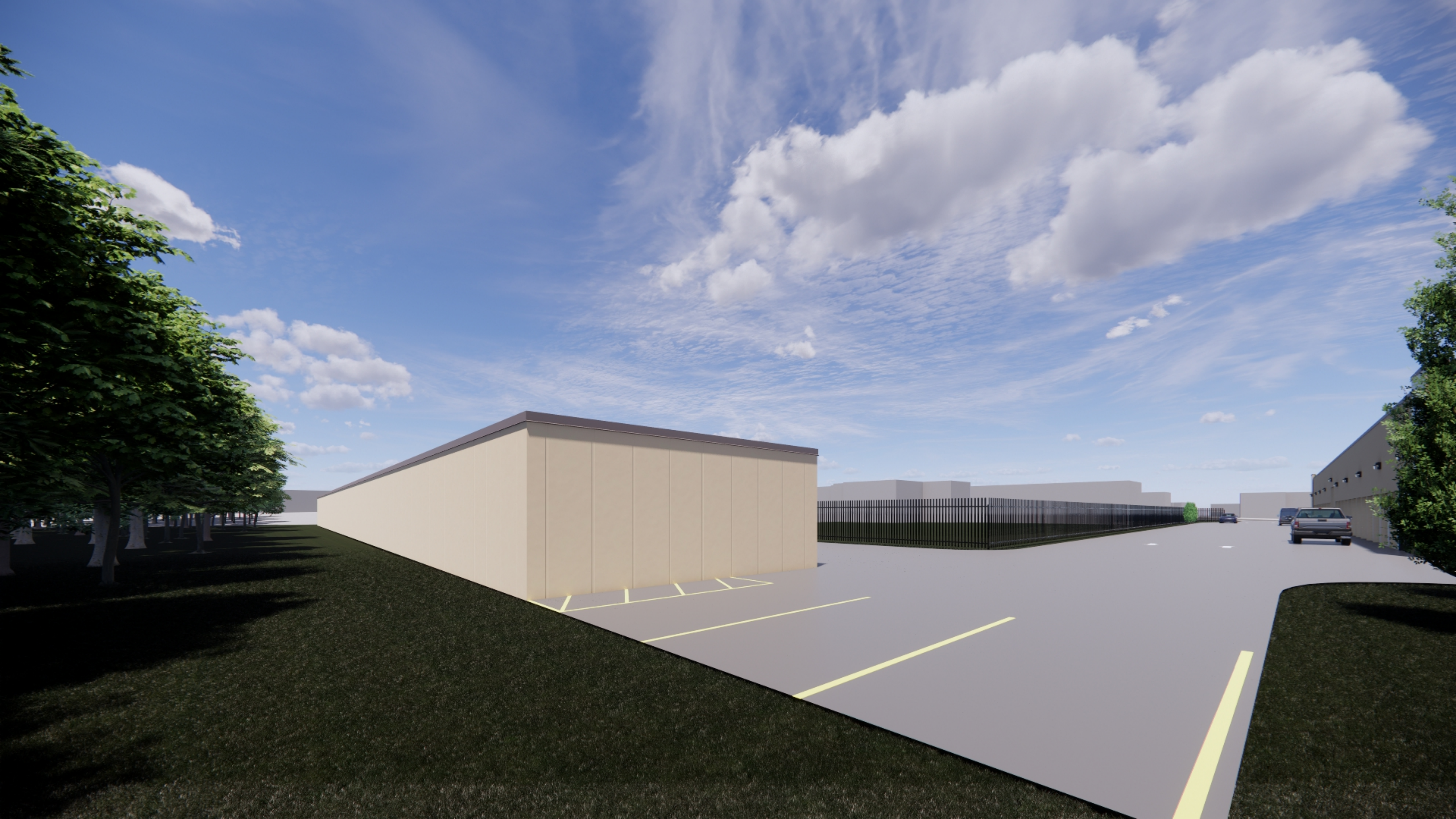




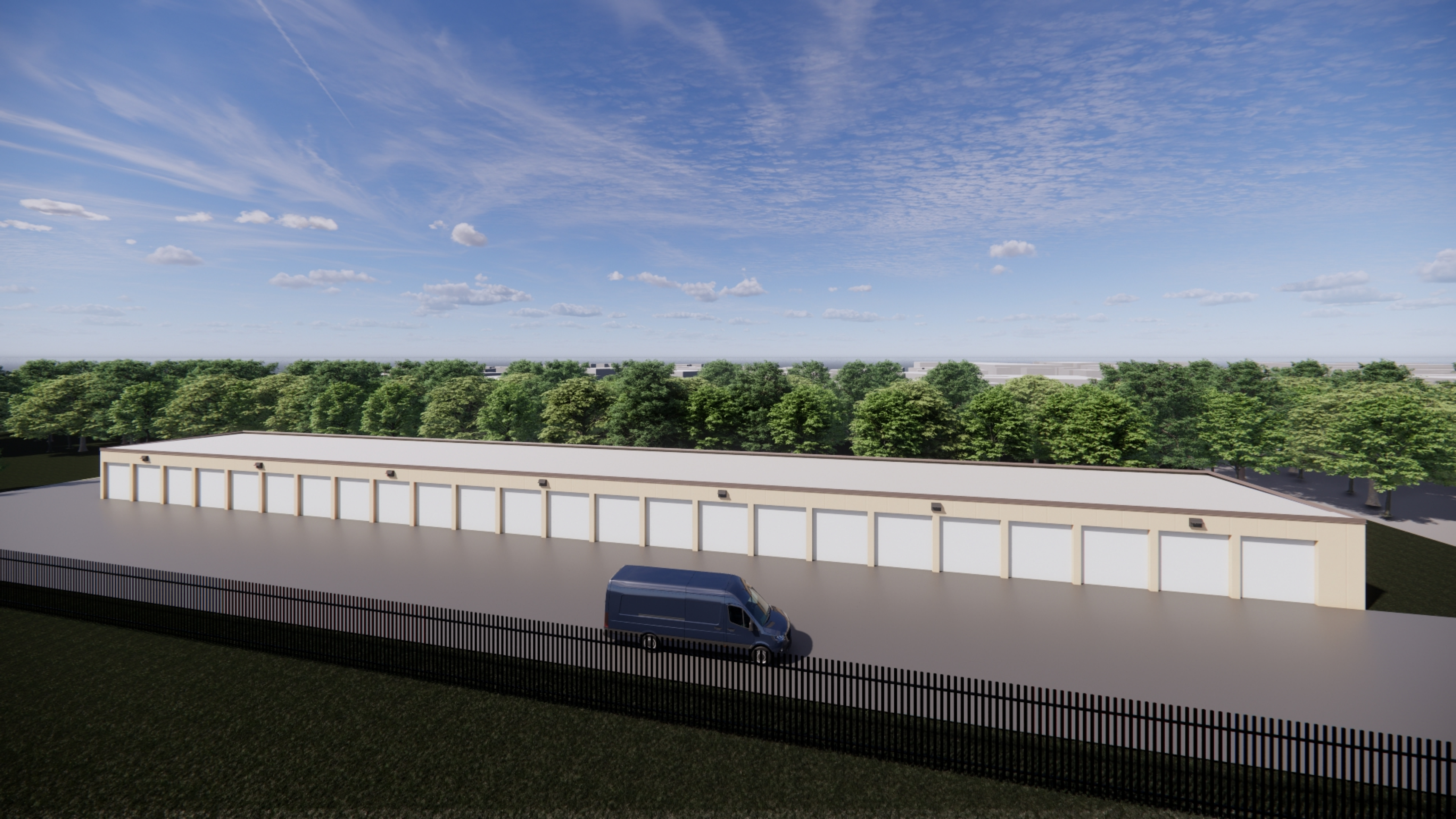


















## Chapter UDO. Unified Development Ordinance

### Part 3. Zoning Districts: District Establishment, Dimensional, and Use Regulations

#### Division 15-3.0500. Site Intensity and Capacity Calculations

#### § 15-3.0502. Calculation of Base Site Area.

The base site area shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in § 15-3.0501 of this Ordinance.

<b>Table 15-3.0502</b>			
<b>Worksheet for the Calculation of Base Site Area for Both Residential and Nonresidential Development</b>			
<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.		3.81 acres
<b>STEP 2:</b>	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	-	0.05 acres
<b>STEP 3:</b>	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	-	acres
<b>STEP 4:</b>	In the case of "Site Intensity and Capacity Calculations" for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of "Site Intensity and Capacity Calculations" for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	-	acres
<b>STEP 5:</b>	Equals "Base Site Area"	=	3.76 acres

#### § 15-3.0503. Calculation of the Area of Natural Resources to Be Protected.

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the base site area (as defined in § 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective natural resource protection standard (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the total resource protection land. The total resource protection land shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503						
Worksheet for the Calculation of Resource Protection Land						
Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature		
	Agricultural District	Residential District	Non-Residential District			
Steep Slopes:						
10-19%	0.00	0.60	0.40	X _____	_____	
				=		
20-30%	0.65	0.75	0.70	X _____	_____	
				=		
+ 30%	0.90	0.85	0.80	X _____	_____	
				=		
Woodlands & Forests:						
Mature	0.70	0.70	0.70	X _____	_____	
				=		
Young	0.50	0.50	0.50	X <u>1.30</u>	<u>0.65</u>	
				=		
Lakes & Ponds	1	1	1	X _____	_____	
				=		
Streams	1	1	1	X _____	_____	
				=		
Shore Buffer	1	1	1	X _____	_____	
				=		
Floodplains	1	1	1	X _____	_____	
				=		
Wetland Buffers	1	1	1	X <u>0.41</u>		
				=		

Table 15-3.0503					
Worksheet for the Calculation of Resource Protection Land					
Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
Wetlands & Shoreland Wetlands	1	1	1	X	0.23
				=	1.29
<b>TOTAL RESOURCE PROTECTION LAND</b> (Total of Acres of Land in Resource Feature to be Protected)					1.29

Note: In conducting the calculations in Table 15-3.0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1.0 which represents the higher of the two standards.

## § 15-3.0504. Calculation of Site Intensity and Capacity for Residential Uses.

In order to determine the maximum number of dwelling units which may be permitted on a parcel of land zoned in a residential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0504 shall be performed.

Table 15-3.0504		
Worksheet for the Calculation of Site Intensity and Capacity for Residential Development		
<b>STEP 1:</b>	<b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</b>	
	Take Base Site Area (from Step 5 in Table 15-3.0502): _____	
	Multiple by Minimum Open Space Ratio (OSR) (see specific residential zoning district OSR standard): X _____	
	Equals <b>MINIMUM REQUIRED ON-SITE OPEN SPACE</b> = _____	acres
<b>STEP 2:</b>	<b>CALCULATE NET BUILDABLE SITE AREA:</b>	acres
	Take Base Site Area (from Step 5 in Table 15-3.0502): _____	
	Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required On-Site Open Space (from Step 1 above), whichever is greater:- _____	

<b>Table 15-3.0504</b>		
<b>Worksheet for the Calculation of Site Intensity and Capacity for Residential Development</b>		
	Equals <b>NET BUILDABLE SITE AREA =</b>	
<b>STEP 3:</b>	<b>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</b>	
	Take Net Buildable Site Area (from Step 2 above): _____	
	Multiply by Maximum Net Density (ND) (see specific residential zoning district ND standard): X _____	
	Equals <b>MAXIMUM NET DENSITY YIELD OF SITE =</b>	D.U.s
<b>STEP 4:</b>	<b>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</b>	
	Take Base Site Area (from Step 5 of Table 15-3.0502): _____	
	Multiply by Maximum Gross Density (GD) (see specific residential zoning district GD standard): X _____	
	Equals <b>MAXIMUM GROSS DENSITY YIELD OF SITE =</b>	D.U.s
<b>STEP 5:</b>	<b>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</b>	
	Take the lowest of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):	D.U.s

## § 15-3.0505. Calculation of Site Intensity and Capacity for Nonresidential Uses.

In order to determine the maximum floor area which may be permitted on a parcel of land zoned in a nonresidential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0505 shall be performed.

### A. Maximum Permitted Floor Area for a Retail Building:

1. Notwithstanding the provisions of Table 15-3.0505, no individual retail building in any of the following districts shall exceed a total of 125,000 gross square feet of floor area, including all roofed area.
  - a. B-1 Neighborhood Business District.
  - b. B-2 General Business District.
  - c. B-3 Community Business District.
  - d. B-5 Highway Business District.
2. Notwithstanding, any other provision of this Ordinance, no special use permit, special exception or variance may be approved or granted that would allow a retail building to exceed the size limits of this subparagraph (1) and no nonconforming

use or structure may be expanded in any manner that would increase its nonconformance with the limits of subparagraph (1).

<b>Table 15-3.0505</b>		
<b>Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development</b>		
<b>STEP 1:</b>	<p><b>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE:</b>            Take Base Site Area (from Step 5 in Table 15-3.0502): <u>3.76</u> Multiple by Minimum Landscape Surface Ratio (LSR) (see specific zoning district LSR standard): X <u>0.4</u>            Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</b></p>	1.50 acres
<b>STEP 2:</b>	<p><b>CALCULATE NET BUILDABLE SITE AREA:</b>            Take Base Site Area (from Step 5 in Table 15-3.0502): <u>3.76</u>            Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required Landscape Surface (from Step 1 above), whichever is greater: - <u>1.29</u>            Equals <b>NET BUILDABLE SITE AREA =</b></p>	2.47 acres
<b>STEP 3:</b>	<p><b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b>            Take Net Buildable Site Area (from Step 2 above): <u>2.47</u>            Multiple by Maximum Net Floor Area Ratio (NFAR) (see specific nonresidential zoning district NFAR standard): X <u>0.44</u>            Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE =</b></p>	1.09 acres
<b>STEP 4:</b>	<p><b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b>            Take Base Site Area (from Step 5 of Table 15-3.0502): <u>3.76</u>            Multiple by Maximum Gross Floor Area Ratio (GFAR) (see specific nonresidential zoning district GFAR standard): X <u>0.26</u>            Equals <b>MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</b></p>	0.98 acres
<b>STEP 5:</b>	<p><b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b>            Take the lowest of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above):</p>	0.98 acres
	(Multiple results by 43,560 for maximum floor area in square feet):	( <u>42,688</u> square feet)

## CONSERVATION EASEMENT

South Lovers Land Road – TKG III Acquisition, LLC

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 TKG III Acquisition, LLC, a Delaware limited liability company, 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, natural woodlands and wetlands, 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;

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, 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;
- 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.

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:

To Grantor:  
TKG III Acquisition, LLC  
Attn: Weyen Burnam  
215 N Stadium Blvd., Suite 207  
Columbia, MO 65203

To Grantee:  
City of Franklin  
Office of the City Clerk  
9229 West Loomis Road  
Franklin, Wisconsin 53132

In witness whereof, the Grantor has set its hand on this date of \_\_\_\_\_, 20\_\_.

TKG III Acquisition, LLC

By: \_\_\_\_\_  
*[Name and if applicable, Title]*

STATE OF MISSOURI )  
  ) ss  
BOONE COUNTY      )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ *[Name]*, as \_\_\_\_\_ *[Title]* of \_\_\_\_\_ *[Grantor]*, a \_\_\_\_\_ *[entity type, e.g., Wisconsin Limited Liability Company]*, to me known to be the person[s] who executed the foregoing conservation easement and acknowledged the same as the voluntary act and deed of said \_\_\_\_\_ *[Grantor]*.

\_\_\_\_\_  
Notary Public

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.





DRAFT

DRAFT

**DECLARATION OF CROSS-  
ACCESS EASEMENT**

*Document Number*

*Recording Area*

*Name and Return Address:*

Jake Remington  
Husch Blackwell LLP  
511 N. Broadway, Suite 1100  
Milwaukee, WI 53202

PIN: 7479992004 and 7479992005

THIS DECLARATION OF CROSS-ACCESS AND PARKING EASEMENT (this “Declaration”) is made this \_\_\_\_\_, 2023 (“Effective Date”) by TKG III Acquisition, LLC (the “Declarant”), a Delaware limited liability company.

WHEREAS, Declarant is the fee simple owner of the following real property located in the City of Franklin, Milwaukee County, Wisconsin: (i) the real property described on the attached and incorporated **Exhibit A** (“Parcel 1”); and (ii) the real property described on the attached and incorporated **Exhibit B** (“Parcel 3”) (Parcel 1 and Parcel 3 are each sometimes referred to hereinafter as a “Parcel,” or are collectively sometimes referred to hereinafter as the “Parcels”); and

WHEREAS, Declarant wishes to declare a cross-access easement benefitting and burdening the Parcels.

NOW, THEREFORE, the Declarant covenants and declares as follows:

1. Easements.

1.1 Benefitting Parcel 1 and Burdening Parcel 3. Declarant hereby declares, for the benefit of the fee simple owner of Parcel 1 (the “Parcel 1 Owner”) and its successors, agents, contractors, emergency responders, invitees, customers, occupants, and tenants (collectively, the “Parcel 1 Benefitted Parties”), an easement upon and over those areas of Parcel 3 more particularly described on the attached and incorporated described in **Exhibit C** for a perpetual, appurtenant,

rent-free, non-exclusive purpose of pedestrian and vehicular use for ingress and egress to and from Parcel 3.

1.2 Benefiting Parcel 3 and Burdening Parcel 1. Declarant hereby declares, for the benefit of the fee simple owner of Parcel 3 (the "Parcel 3 Owner") and its successors, agents, contractors, emergency responders, invitees, customers, occupants, and tenants (collectively, the "Parcel 3 Benefitted Parties"), an easement upon and over those areas of Parcel 1, more particularly described on the attached and incorporated Exhibit C for a perpetual, appurtenant, rent-free, non-exclusive purpose of pedestrian and vehicular use for ingress and egress to and from Parcel 1.

2. No Merger. As of the Effective Date, both Parcels are owned by Declarant. The Declarant does not intend for the easements declared hereunder to merge by virtue of its common ownership of the Parcels. The easements declared hereunder shall burden and benefit each Parcel individually without merger as a result of Declarant's common ownership.

3. Covenant Running with the Land. All of the terms and conditions in this Declaration shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by the fee simple owner of a Parcel, and their respective successors-in-interest and assigns. The benefits and burdens declared under this Declaration are appurtenant to each Parcel and may not be separated from and transferred or assigned apart from fee ownership in such Parcel.

4. Maintenance. The owner of each Parcel (each, a "Parcel Owner") shall, at its sole cost and expense, repair and maintain the portion of its Parcel subject to the easements declared hereunder. Notwithstanding the above, (i) Parcel 1 Owner shall be responsible for the cost of repairing or replacing any damage to any portion of Parcel 3 to the extent such damage arises out of the negligence or willful misconduct of any of the Parcel 3 Benefitted Parties, reasonable wear and tear excepted, and (ii) the Parcel 3 Owner shall be responsible for the cost of repairing or replacing any damage to any portion of Parcel 1 to the extent such damage arises out of the negligence or willful misconduct of any of the Parcel 3 Benefitted Parties, reasonable wear and tear excepted.

5. Indemnification. The Parcel 1 Owner and the Parcel 3 Owner shall each indemnify, defend and hold harmless each other from and against any and all liabilities, losses, costs and expenses (including reasonable attorneys' fees) for any injuries to any persons or damage to any property to the extent arising out of the negligence or willful misconduct of the Parcel 1 Benefitted Parties or Parcel 3 Benefitted Parties, respectively, with respect to such parties' use or enjoyment of the easements declared hereunder.

6. No Grant of Easement to the Public. Nothing contained in this Declaration shall, or shall be deemed to, constitute a gift or dedication of any portion of the Parcels to the general public or for the benefit of the general public or for any public purpose whatsoever, it being the intention of the Declarant that this Declaration will be strictly limited to and for the purposes expressed herein as private easements.

7. Severability. If any term or provision of this Declaration shall, to any extent, be held invalid or unenforceable, the remaining terms and provisions of this Declaration shall not be

affected thereby, but each remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

8. Governing Law. This Declaration shall be governed by and construed under the laws of the state of Wisconsin.

*(Signature on next page)*

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the Effective Date.

TKG III Acquisition, LLC

By: [Signature]  
Name: Weyen Burnam  
Title: CCO

STATE OF MISSOURI                    )  
  ) ss  
COUNTY OF BOONE                    )

This instrument was acknowledged before me on the 11<sup>th</sup> day of December 2023, by Weyen Burnam, as CCO of TKG III Acquisition, LLC.



[Signature]  
Amy C Harrison  
Notary Public, State of Missouri  
My Commission: 9.15.25



**EXHIBIT A**

Legal Description of Parcel 1

Parcel 1 of Certified Survey Map No. 5403 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on April 18, 1990 in Reel 2439, Images 869 to 872, as Document No. 6371353, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 5, Town 5 North, Range 21 East, in the city of Franklin, County of Milwaukee, State of Wisconsin.

Taxkey: 7479992004

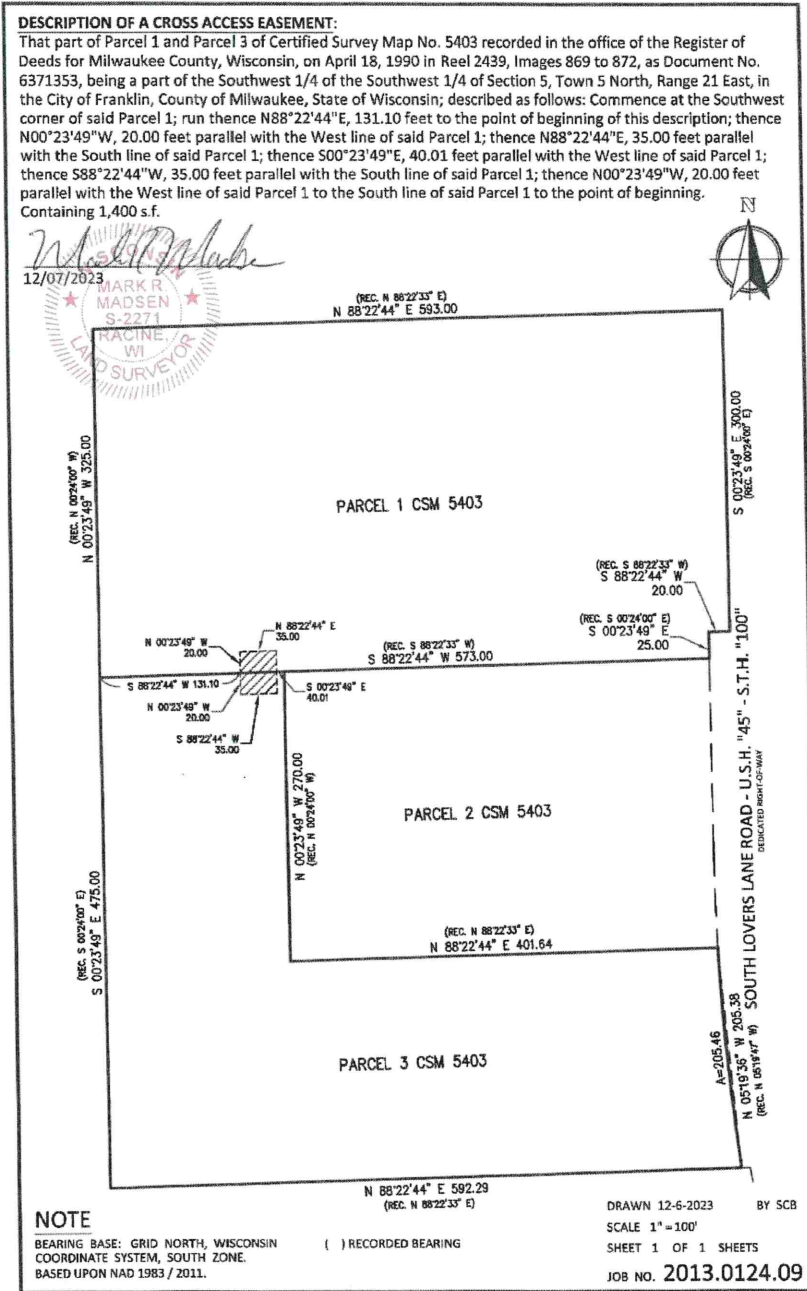
**EXHIBIT B**

Legal Description of Parcel 3

Parcel 3 of Certified Survey Map No. 5403 recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin, on April 18, 1990 in Reel 2439, Images 869 to 872, as Document No. 6371353, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 5, Town 5 North, Range 21 East, in the city of Franklin, County of Milwaukee, State of Wisconsin.

Taxkey: 7479992005

# EXHIBIT C



**mb Nielsen Madsen + Barber**  
 CIVIL ENGINEERS AND LAND SURVEYORS  
 1458 Horizon Blvd. Suite 200, Racine, WI. 53406  
 Tele: (262)634-5588 Website: www.mbsc.net



CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION

Item C.2.

Meeting of April 4, 2024

Area Exception

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**RECOMMENDATION:** City Development Staff recommends approval of this Area Exception request to increase the lot coverage to 17.17%, while the maximum lot coverage permitted as of right is 15%.

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<b>Project name:</b>	<b>Wamser, Area Exception</b>
<b>Property Owner:</b>	Wamser, Steven D. & Anastacia L.
<b>Applicant:</b>	Wamser, Steven D. & Anastacia L.
<b>Property Address/TKN:</b>	7481 S. Cambridge Dr. / 754 0082 000
<b>Aldermanic District:</b>	District 2
<b>Zoning District:</b>	R-3E – Suburban/Estate Single-Family Residence District
<b>Staff Planner:</b>	Luke Hamill, Associate Planner

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**INTRODUCTION:**

Area Exception to allow for a lot coverage of 17.17% (4,401 square feet) for the installation of a deck and stairs, exceeding the R-3E maximum lot coverage standard of 15% (3,844 square feet). The area of the subject property is 25,629 square feet. The dwelling, porch and attached garage cover approximately 3,844 sq. ft. and the proposed deck and stairs would be 507.1 sq. ft.

**PROJECT ANALYSIS:**

The process to grant an Area Exception involves review and recommendation of the Plan Commission followed by approval by the Board of Zoning and Building Appeals.

Per Section 15-10.0209, Area Exceptions may be granted to increase the maximum lot coverage by no more than 20%. Section 15-10.0209.G. of the Unified Development Ordinance (UDO) specifically lists Standards to be reviewed to grant or deny an Area Exception, which the Plan Commission and Board of Zoning and Building Appeals will use to consider the request.

Lot coverage is defined as “the area of a zoning lot occupied by the principal building or buildings, accessory structure(s) and accessory building(s)”. For example, structures that count towards lot coverage include: principal buildings or dwellings, garages, sheds, swimming pools and associated paved surfaces within four feet from the pool, decks, any structures with a cover or canopy, etc. This Lot Coverage definition should not be confused with Impervious Surface Ratio (ISR) as driveways and walkways count towards ISR but not for lot coverage.



View of the rear yard where the subject stairs is being proposed  
Photo by City Development staff

The applicant has already received an Area Exception for the Deck back in October of 2023 for an Area Exception increase from 15% to 16.68%. However, there was a miscalculation which did not account for the stairs to the elevated deck, so the applicant is applying again with the correct survey and an increased coverage percentage.

**Maximum lot coverage calculation:**

- The property area is 25,629 square feet (sq. ft.).
- Per UDO Table 15-3.0204, the maximum lot coverage is 15% in the R-3E Suburban/Estate Single-Family Residence District where the subject property is located. Based on the property area, the maximum lot coverage for this property is 3,844 sq. ft.
- The lot coverage of the dwelling, attached garaged and porch is 14.99% (3,843 sq. ft.), specifically dwelling (2,817.2 sq. ft.), attached garage (964.2 sq. ft.) and porch (62.0 sq. ft.).
- The proposed deck for which this Area Exception has been requested would be 507.1 sq. ft, resulting in a lot coverage of 16.97% (4,350 sq. ft.). The applicant is asking for an increase to 17.17% (4,401 sq. ft.) to account for margin of error.
- With approval of an Area Exception, the maximum lot coverage may be increased up to 20% over the maximum permitted lot coverage in this zoning district (15%), resulting in 18% (4,613 sq. ft.). Therefore, this request falls within the allowable increase if the Area Exception is granted.

The proposed deck and stairs is setback 16 feet from the rear lot line (west) which is in compliance with the minimum required setback of 10 feet.

There is a wetland in the adjacent outlot to the west, this wetland and its buffers and setbacks are completely contained within this outlot per the subdivision plat. Therefore, the proposed deck location complies with the required wetland setback.

Engineering Department comments

No objection to the applicant's request. Just a comment, please recalculate the area coverage and send a revised plat for proper documentation.

The said request is still under the 30% maximum impervious surface.

Fire Department comments

FD has no comments.

Police Department comments

The PD has no comment regarding this request.

**SITE COMPLIANCE**

A site visit was performed as part of the staff report preparation process back in October of 2023. The dwelling is under construction and no compliance issues were discovered during the site visit.

**STAFF RECOMMENDATION**

City Development Staff recommends approval of this Area Exception request to increase the lot coverage to 17.17%, while the maximum lot coverage permitted as of right is 15%.



Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 (414) 425-4024  
 franklinwi.gov



APPLICATION DATE: 2/15/2024  
 STAMP DATE: \_\_\_\_\_ city use only

## BOARD OF ZONING AND BUILDING APPEALS REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]		APPLICANT IS REPRESENTED BY [CONTACT PERSON]	
NAME: <u>Steven D. Wamser &amp; Anastacia L. Wamser</u>		NAME:	
COMPANY: <u>Synergy Homes WI, LLC</u>		COMPANY:	
MAILING ADDRESS: <u>PO Box 321486</u>		MAILING ADDRESS:	
CITY/STATE: <u>Franklin, WI</u>	ZIP: <u>53132</u>	CITY/STATE:	ZIP:
PHONE: <u>414-690-2533</u>		PHONE:	
EMAIL ADDRESS: <u>steve@synergyhomeswi.com</u>		EMAIL ADDRESS:	

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: <u>7481 S. Cambridge Drive</u>		TAX KEY NUMBER: <u>7540082000</u>	
PROPERTY OWNER: <u>Steve &amp; Anastacia Wamser</u>		PHONE:	
MAILING ADDRESS: <u>PO Box 321486</u>		EMAIL ADDRESS: <u>steve@synergyhomeswi.com</u>	
CITY/STATE: <u>Franklin, WI</u>	ZIP: <u>53132</u>	DATE OF COMPLETION: _____ office use only	

### APPLICATION TYPE

**Please check the application type that you are applying for**

Area Exception     Minor Variance     Sign Variance and Appeals     Variance and Appeals

Most requests require Board of Zoning and Building Appeals approval.

Applicant is responsible for providing Board of Zoning and Building Appeals resubmittal materials up to 12 copies pending staff request and comments.

### SIGNATURES

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

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

I, the applicant, certify that I have read the following page detailing the requirements for BZBA approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: <u>Steven D. Wamser</u>		APPLICANT SIGNATURE: <u>Anastacia Wamser</u>	
NAME & TITLE: <u>Steve D. Wamser</u>	DATE: <u>2-15-2024</u>	NAME & TITLE: <u>Owner</u>	DATE: <u>2-15-24</u>
PROPERTY OWNER SIGNATURE: <u>Owner</u>		APPLICANT REPRESENTATIVE SIGNATURE: <u>Owner</u>	
NAME & TITLE: <u>Owner</u>	DATE: <u>2-15-24</u>	NAME & TITLE: <u>Owner</u>	DATE: <u>2-15-24</u>



## CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

### AREA EXCEPTION APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$300 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) the Plat of Survey, Site Plan, Building Elevations, and Outdoor Lighting Plans, as appropriate, and any other supporting documents, which illustrate the Area Exception request. *ALL plans must be collated and folded into 9x12-inch sets.*
- Two (2) photographs of the subject structure from different views, *when applicable.*
- Completed Standards in the Review of Area Exceptions form (*section 15-10.0209G. of the UDO*).
- Three (3) Affidavit forms with original and notarized signatures (*facilities and copies will not be accepted*).
- Email or flash drive with all plans / submittal materials.
  - All Area Exceptions require a public hearing at Plan Commission, Plan Commission recommendation to BZBA, and BZBA review and approval.
  - If a building permit is not issued within twelve (12) months of approval, the Area Exception will be null and void.

### MINOR VARIANCE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$250 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) copies of the form "Questions to be Answered by the Applicant" *per Section 15-9.0107 Minor Variances of the UDO*
  - Three (3) full size, drawn to scale copies of the Plat of Survey, Site Plan, and Building Elevations, as appropriate, photographs supporting the application and any other supporting documents, which illustrate the Variance request.
- Three (3) Affidavit Forms with original and notarized signatures (*facilities and copies will not be accepted*).
- Completed "Finding and Factors in the Review of Minor Variances" form from *Sections 15-10.0206C.2. of the UDO*.
- Email or flash drive with all plans / submittal materials.
  - A Building Permit must be issued within six (6) months of approval or the variance will be null and void.

Variance Type Requested [check one]:  Accessory Structure (150 square feet or less)  Deck  Fence

### SIGN VARIANCE AND APPEALS APPLICATION MATERIALS

- Copy of the Sign Permit "Letter of Denial". (Appeals within 30 days after said denial; Variances within 60 days after said denial.)
- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$250 Application fee payable to the City of Franklin [\$250 per appeal or variance from Sign Code]
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) Sign elevations, *drawn to scale not less than 1/2" = 1', plans folded to a maximum size of 9x12 inches. The elevations should denote the sign dimensions and area. Identify the colors, materials, finishes and lighting method (if applicable).*
  - Three (3) Site Plan, *showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.*
- Three (3) Affidavit Forms with original and notarized signatures (*facilities and copies will not be accepted*).
- Email or flash drive with all plans / submittal materials.
  - Permits for construction are REQUIRED after approval. Contact the Building Inspector (414-425-0084) for additional information.

### VARIANCE AND APPEALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$250 Application fee payable to the City of Franklin
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, copies of the Plat of Survey, Site Plan, Building Elevations, Landscape Plan and Outdoor Lighting Plan, *drawn to scale as appropriate, Photographs and any other supporting documents, which illustrate the Variance request.*
- Three (3) Affidavit Forms with original and notarized signatures (*facilities and copies will not be accepted*).
- Completed "Findings and Factors in the Review of Variances" form from *Sections 15-10.0206C.1. and 15-10.0211 of the UDO*.
- Completed "Findings and Factors in the Review of Land Division Variances" form from *Sections 15-9.0310B.1 of the UDO*.
- Email or flash drive with all plans / submittal materials.

Variance Type Requested [check one]:  Administrative Appeal  Area Variance  Use Variance  Non-conforming Use(s)  Land Division Variance



Date: March 19, 2024  
To: Steve Wamser  
From: Department of City Development. Luke Hamill, Associate Planner.  
RE: Application for Area Exception, 7481 S Cambridge Drive / 754 0082 000

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Staff comments are as follows for the Area Exception application submitted March 1, 2024 to allow for the maximum lot coverage to be increased from 15% to 17.17% to include a proposed deck and stairs.

**City Development Department Comments**

1. Please include the proposed stairs onto your plat and show the setback to the property line from the proposed stairs to confirm compliance with setback requirements.

**Engineering Department Comments:**

No objection to the applicant's request. However, please recalculate the area coverage and send a revised plat for proper documentation. (See attached document along with these comments)



2/15/2024

Regulo Martinez-Montilva  
Principal Planner  
City of Franklin

Dear Mr. Martinez-Montilva

I'm writing you in regards to 7481 S. Cambridge Drive Franklin, WI 53132. The home designed for The Wamser family is consistent in size and scope of the other homes in Oakes Estates. In 2023 we previously requested an appeal to add a deck on our home which was approved for 433.1sf. After adding the deck the percent was approved for 16.68%. We however made a big mistake and did not figure for the stairs to below of the deck. We are requesting approval for additional 125f to add the stairs to below which would put our percentage at 17.17%.

I have attached the survey, home plans, signed affidavit. This was also approved by the Developer Max Oakes and he will be at public hearing

Thank You,  
Steve Wamser  
Synergy Homes WI, LLC  
[www.synergyhomeswi.com](http://www.synergyhomeswi.com)  
414-690-2533



### Standards in the Review of Area Exceptions

Date: 2/15/2024

Case No. \_\_\_\_\_

Property Owner: Steven D. Wamser & Anastacia Wamser

Property Address: 7481 S. Cambridge Drive Franklin, WI 53132

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

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

This will pose no danger to the public health.

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

This is luxury high end home and adding the deck will improve property values in the subdivision and increase tax revenue for The City of Franklin.

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

This home is comparable to the 4 other homes in Oakes Estates with a fully exposed lower level and those homes also all have similar decks built or planned to be built.

(9023 W. Warwick Way, 9071 W. Warwick Way, 8955 W. Warwick Way, 9137 W. Warwick Way)

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

This home will not impede or cause any problems to neighboring properties.

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

This home is in harmony with the other new homes that have been constructed in the subdivision. The developer Maxwell Oakes approved the added deck and lives within viewing distance of the added deck from his deck at 9071 W. Warwick Way Franklin, WI 53132.



# PLAT OF SURVEY

FOR LOT 12 OF OAKES ESTATES SUBDIVISION, AND BEING A PART OF THE SW 1/4 OF THE NORTHWEST QUARTER OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

SETBACKS:  
STREET = 50'  
2ND STREET = 40'  
SIDES = 15'  
REAR = 30'

**LEGEND:** These standard symbols may be found in the drawing.

- Lot Corner (Found) w/desc.
- 18" X 3/4" Dia. Rebar (Set)
- Elec. Trans. Box
- ⊕ Man Hole
- Utility Pedestal
- ⊕ Fire Hydrant
- ⊕ Water Valve
- ⊕ Gas Line Post
- Catch Basin
- ⊕ Light Post
- Downspout Drain
- ⊕ Lateral End
- ⊕ Offset Stake
- Easement Boundary
- Setback Line
- G Gas Line
- S Proposed Silt Fence
- Proposed Spot Elevations

NOTE:  
PROPOSED YARD GRADES, GARAGE FLOOR ELEVATION AND EXPOSED YARD GRADES ARE NOT IN COMPLIANCE WITH THE APPROVED MASTER GRADING PLAN. DEVELOPER/OWNER WILL HAVE THE FULL RESPONSIBILITY FOR ANY CONFLICT REGARDING THE GRADE CHANGES.

NOTE:  
THE OWNER/DEVELOPERS ARE RESPONSIBLE FOR CONTACTING THE PIPELINE OPERATOR TO OBTAIN INFORMATION ABOUT CONSTRUCTION WITHIN THE EASEMENT.

PROPOSED TOP OF FOUNDATION: 810.75  
PROPOSED GARAGE FLOOR EL: 809.08  
PROPOSED FINAL YARD GRADE: 809.08  
PROPOSED EXPOSED YARD GRADE: 801.08  
PROPOSED TOP OF FOOTING: 801.75  
DRIVEWAY SLOPE: 7.0% TO R-O-W LINE (ASSUMING 9' WALL - CHECK PLAN)

ESTIMATED HARD SURFACE AREAS: 7,093.1 SQ. FT.  
ESTIMATED % USE OF TOTAL LOT AREA: 27.68%  
ESTIMATED % OF REMAINING OPEN SPACE: 72.32%  
LOT AREA: 25,629 SQ. FT.  
HOUSE AREA: 2,817.2 SQ. FT.  
GARAGE AREA: 964.2 SQ. FT. MAX. COVERAGE = 15%  
PORCH AREA: 62.0 SQ. FT. CALC. COVERAGE = 16.97%  
WALK AREA: 400.5 SQ. FT.  
RAISED DECK AREA: 431.1 SQ. FT.  
STEPS AND PLATFORM: 74.0 SQ. FT.  
DRIVE AREA TO R-O-W: 2,344.1 SQ. FT.

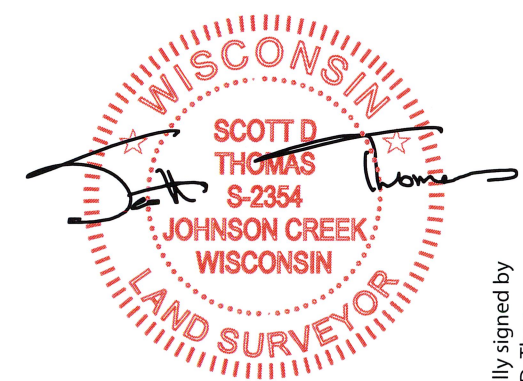
- NOTES:
- THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS BOTH RECORDED AND UNRECORDED.
  - THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS IN VIOLATION OF SECTION 236.32 OF WISCONSIN STATUTES
  - WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED.
  - THIS SURVEY SHOWS VISABLE, ABOVE-GROUND IMPROVEMENTS ONLY. NO GUARENTEE IS MADE FOR BELOW-GROUND STRUCTURES.
  - ALL SQUARE FOOTAGES ARE APPROXIMATE AND SUBJECT TO CHANGE ON FINAL CONSTRUCTION.
  - ELEVATIONS ARE REFERENCED TO: CITY OF FRANKLIN DATUM.
  - REFER TO CHAPTER 3.9 OF THE CITY OF FRANKLIN DESIGN STANDARD FOR CONCRETE DRIVEWAY APPROACH.
  - REFER TO CHAPTER 6.9 OF THE CITY OF FRANKLIN DESIGN STANDARD FOR RETAINING WALLS.
  - ALL CATCH BASINS, INLETS AND CULVERT END SECTIONS TO HAVE INDIVIDUAL, EROSION CONTROL PROTECTION.
  - THE ELEVATION AT THE DRIVEWAY APPROACH MUST BE VERIFIED/APPROVED BY THE DEVELOPER'S DESIGN ENGINEER. THE CITY IS NOT RESPONSIBLE IF THE DRIVEWAY IS INSTALLED AT INCORRECT GRADES/ELEVATIONS. THE DEVELOPER IS RESPONSIBLE FOR ANY CORRECTIONS NECESSARY TO MATCH THE PROPOSED SIDEWALK PER THE APPROVED PLANS.

Proposed Yard Grades  
794.64 Field Verified Elevation (Typ.)

**NOTE: EXCAVATOR AND MASON MUST VERIFY AT LEAST TWO BENCH MARKS SHOWN ABOVE.**

I, Scott D. Thomas, L.P.L.S., do hereby certify that I have made this survey and that the information as shown on the above Plat of Survey is a true and correct representation thereof and that this survey complies with Wisconsin Administrative Code A-E 7. Lots are drawn from subdivision plats/C.S.M.s; unplatted lands from recorded deeds/surveys. Boundary survey plats reflect field-located information; consult a title attorney to discover all the legal encumbersments attached to any property.

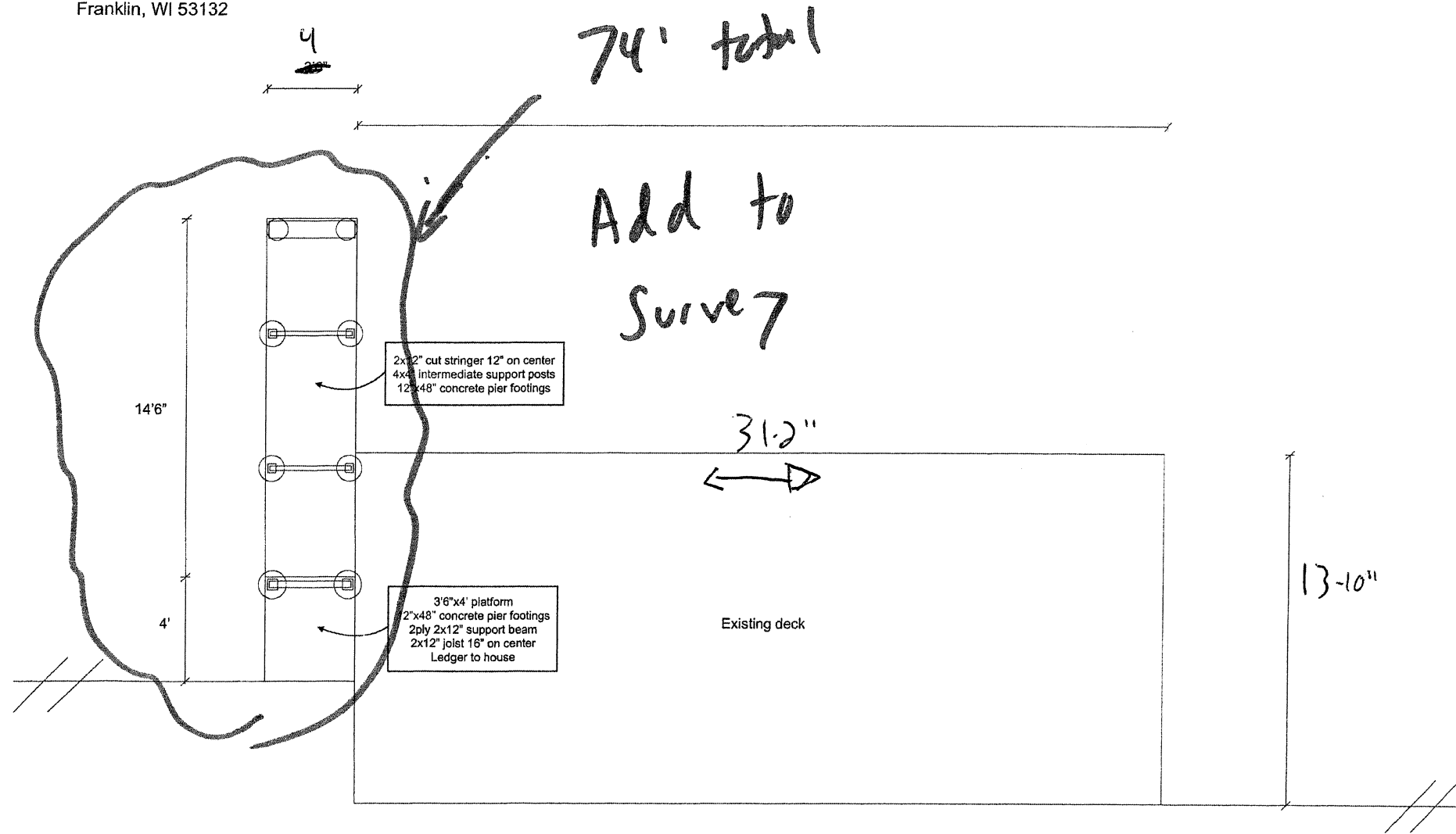
BEARINGS ARE REFERENCED TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 09-05-21, WHICH IS ASSUMED TO BEAR N 00°-03'-00" W.



Digitally signed by  
Scott D. Thomas  
Date: 2024.03.25  
08:23:02 -05'00'



7481 S. Cambridge Dr.  
Franklin, WI 53132



74' total

Add to  
Survey

31'-2"

13'-10"

14'-6"

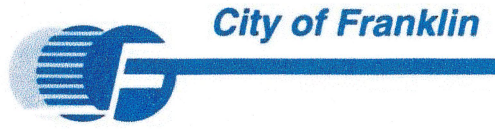
4'

2x12" cut stringer 12" on center  
4x4" intermediate support posts  
12"x48" concrete pier footings

3'6"x4' platform  
2"x48" concrete pier footings  
2ply 2x12" support beam  
2x12" joist 16" on center  
Ledger to house

Existing deck





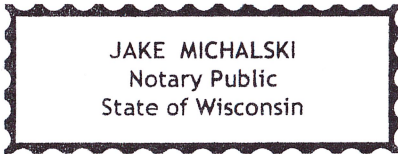
**Affidavit**

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

Signature of Property Owner 1: Steven D. Wamser Signature of Property Owner 2: Anastacia Wamser  
Name and Title: Steven D. Wamser Owner Name and Title: Anastacia Wamser Owner

STATE OF WISCONSIN )  
 ) SS  
MILWAUKEE COUNTY )

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29<sup>th</sup> DAY OF February, 2024.



Jake Michalski  
NOTARY PUBLIC  
MILWAUKEE COUNTY, WISCONSIN  
My Commission Expires: My Commission Expires  
October 11, 2025

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

Application Received (Date): \_\_\_\_\_ Hearing No. \_\_\_\_\_

Property Owner(s) Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

BZBA Meeting Date: \_\_\_\_\_  Approved  Denied

**Signature of Board Members**

_____	_____	Yes	_____	No	_____	Abstain	_____	Recues
Print Name:								
_____	_____	Yes	_____	No	_____	Abstain	_____	Recues
Print Name:								
_____	_____	Yes	_____	No	_____	Abstain	_____	Recues
Print Name:								
_____	_____	Yes	_____	No	_____	Abstain	_____	Recues
Print Name:								
_____	_____	Yes	_____	No	_____	Abstain	_____	Recues
Print Name:								



Affidavit

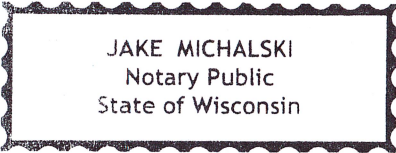
I hereby depose and say that all the statements contained in any and all papers submitted herewith this Application are true.

Signature of Property Owner 1: [Handwritten Signature]
Name and Title: Steven D. Warner Owner

Signature of Property Owner 2: [Handwritten Signature]
Name and Title: Anastacia Warner Owner

STATE OF WISCONSIN )
) SS
MILWAUKEE COUNTY )

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29th DAY OF February, 2024.



[Handwritten Signature]
NOTARY PUBLIC
MILWAUKEE COUNTY, WISCONSIN
My Commission Expires: October 11, 2025

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

Application Received (Date): Hearing No.

Property Owner(s) Name:

Property Address:

BZBA Meeting Date:

Approved

Denied

Signature of Board Members

Print Name: Yes No Abstain Recues
Print Name: Yes No Abstain Recues
Print Name: Yes No Abstain Recues
Print Name: Yes No Abstain Recues
Print Name: Yes No Abstain Recues



Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132  
Email: generalplanning@franklinwi.gov



Phone: (414) 425-4024  
Fax: (414) 427-7691  
Web Site: www.franklinwi.gov

**Affidavit**

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

Signature of Property Owner 1: Steve DW Signature of Property Owner 2: Anastacia Wamser  
Name and Title: Steven D. Wamser Owner Name and Title: Anastacia Wamser Owner

STATE OF WISCONSIN )  
 ) SS  
MILWAUKEE COUNTY )

SUBSCRIBED AND SWORN TO BEFORE ME THIS 29<sup>th</sup> DAY OF February, 2024.

Jake Michalski

JAKE MICHALSKI  
Notary Public  
State of Wisconsin

NOTARY PUBLIC  
MILWAUKEE COUNTY, WISCONSIN  
My Commission Expires: \_\_\_\_\_ My Commission Expires  
October 11, 2025

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

Application Received (Date): \_\_\_\_\_ Hearing No. \_\_\_\_\_

Property Owner(s) Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

BZBA Meeting Date: \_\_\_\_\_  Approved  Denied

**Signature of Board Members**

\_\_\_\_\_  
Print Name: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Recues

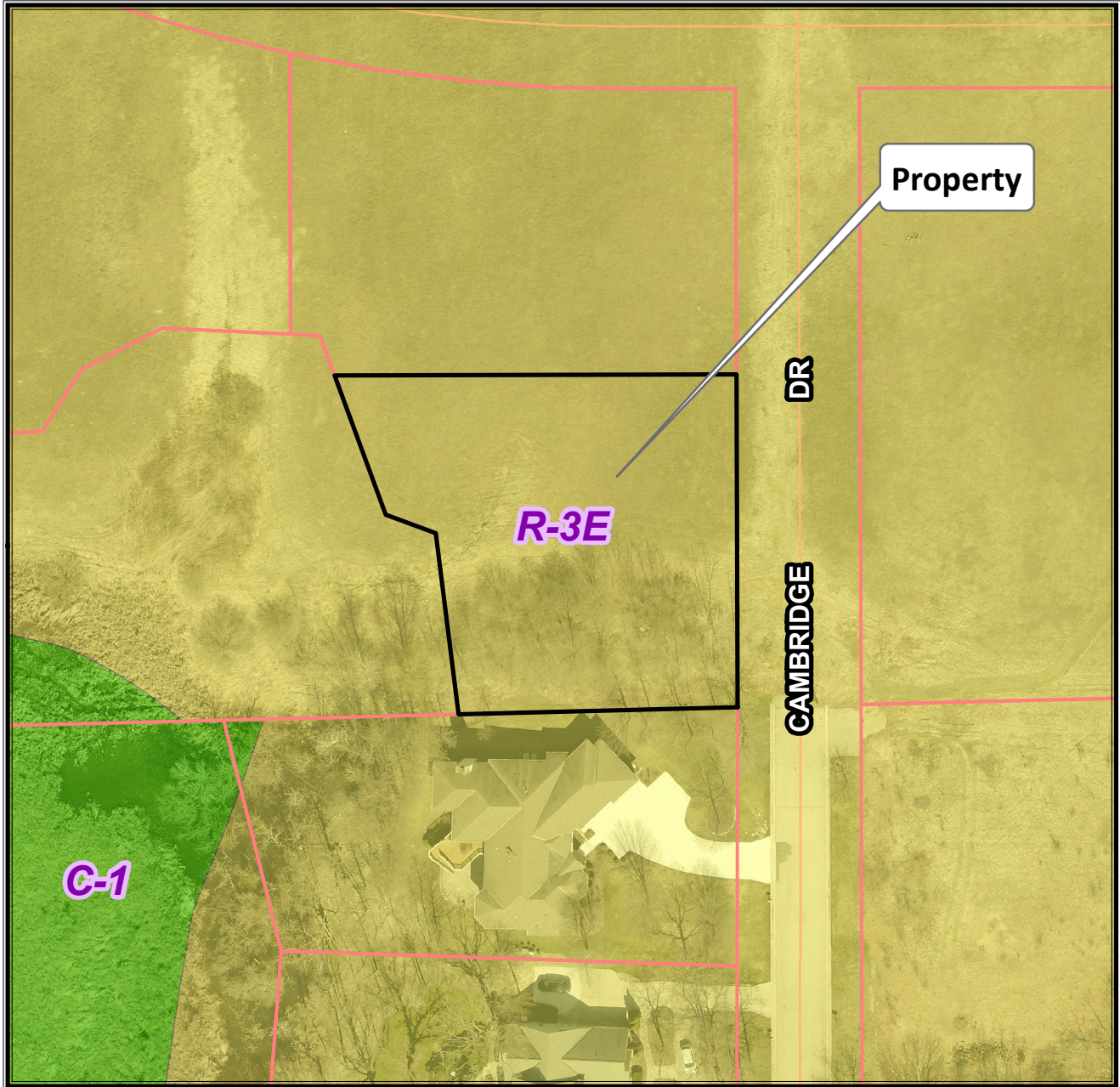
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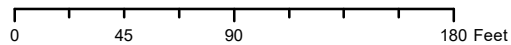
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\_\_\_\_\_  
Print Name: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_ Recues

7481 S. Cambridge Drive  
TKN: 754 0082 000



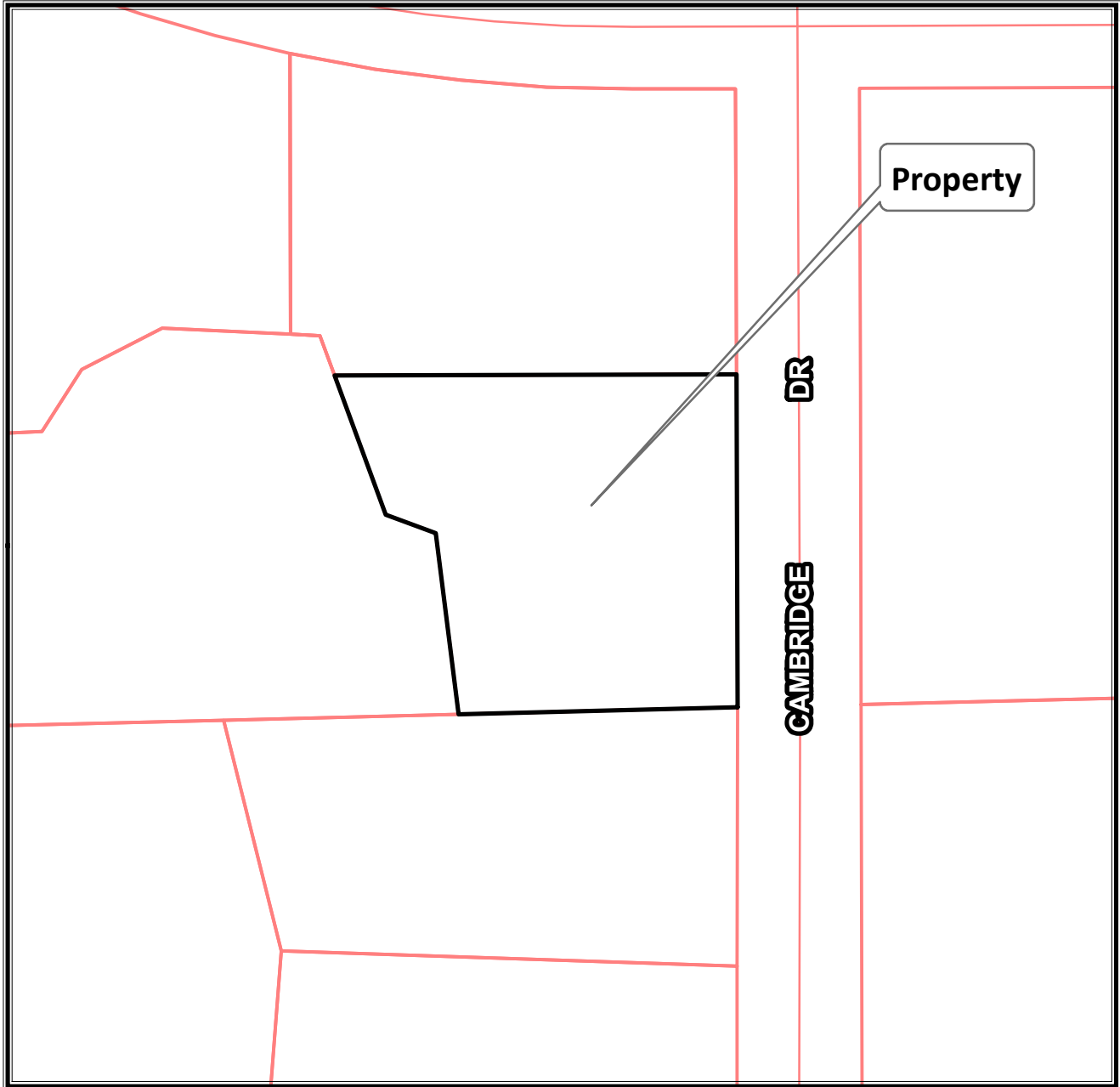
Planning Department  
(414) 425-4024



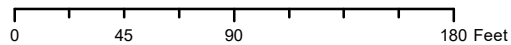
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



7481 S. Cambridge Drive  
TKN: 754 0082 000



**Planning Department**  
**(414) 425-4024**



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





**Item E.1**

*City of Franklin*  
*Department of City Development*

March 26, 2024

To: Plan Commission

From: Department of City Development  
Régulo Martínez-Montilva, AICP, CNUa, Principal Planner

RE: Boomtown LLC, Certified Survey Map (CSM)  
11607 W. Ryan Road

---

The applicant requested to table this CSM application to this meeting and requested clarification on the pedestrian facilities comment. Staff added to the meeting packet the Ryan Creek trail design and layout from the Ryan Creek Pedestrian/Bicycle Trail Master Plan, such plan was adopted by the Common Council on June 21, 2022.



# TRAILS

## PRIMARY TRAIL DESIGN

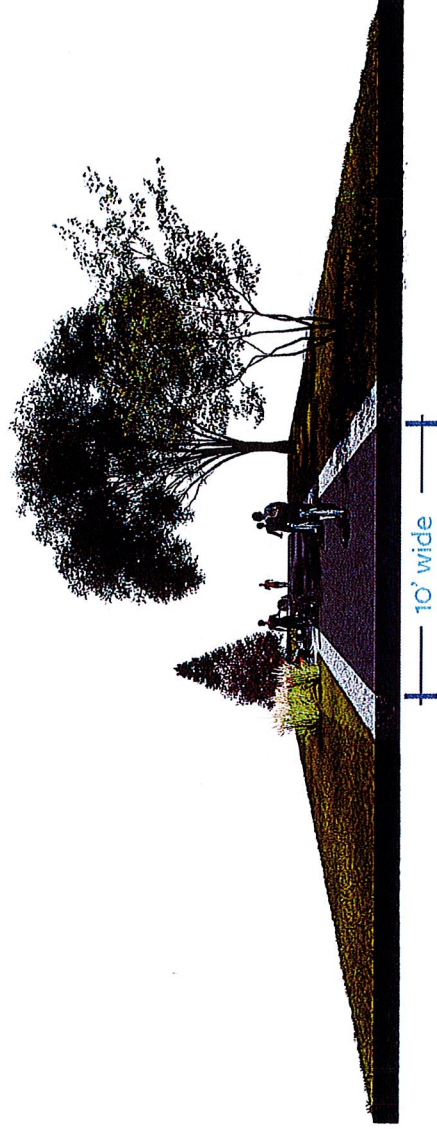
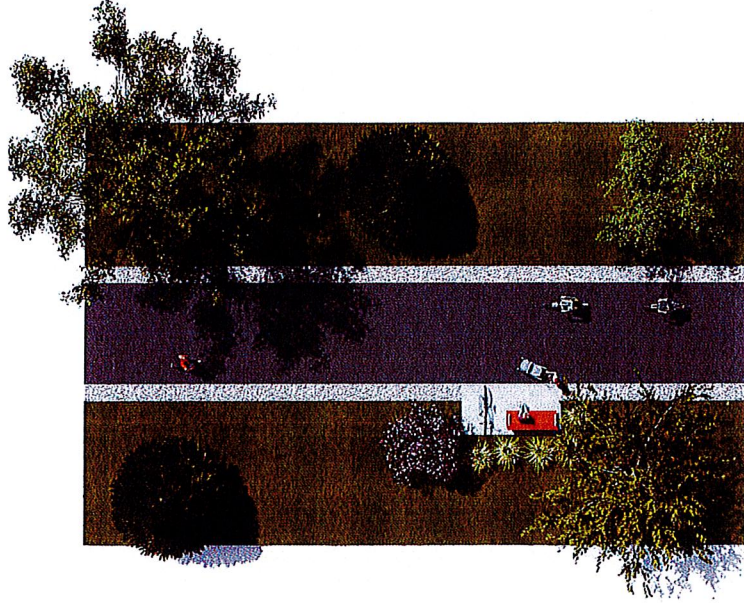
- 10' wide, paved asphalt for Primary Trail
- On Grade Trail for the majority of trail length
- Elevated boardwalks for when the trail enters an environmentally sensitive area.

## TRAIL CROSSING TYPES

- At-grade intersection enhancements
- At-grade mid-block crossing
- Creekside underpass (utilize existing vehicular bridge over water)
- Ped bridge over roadway (none currently proposed)

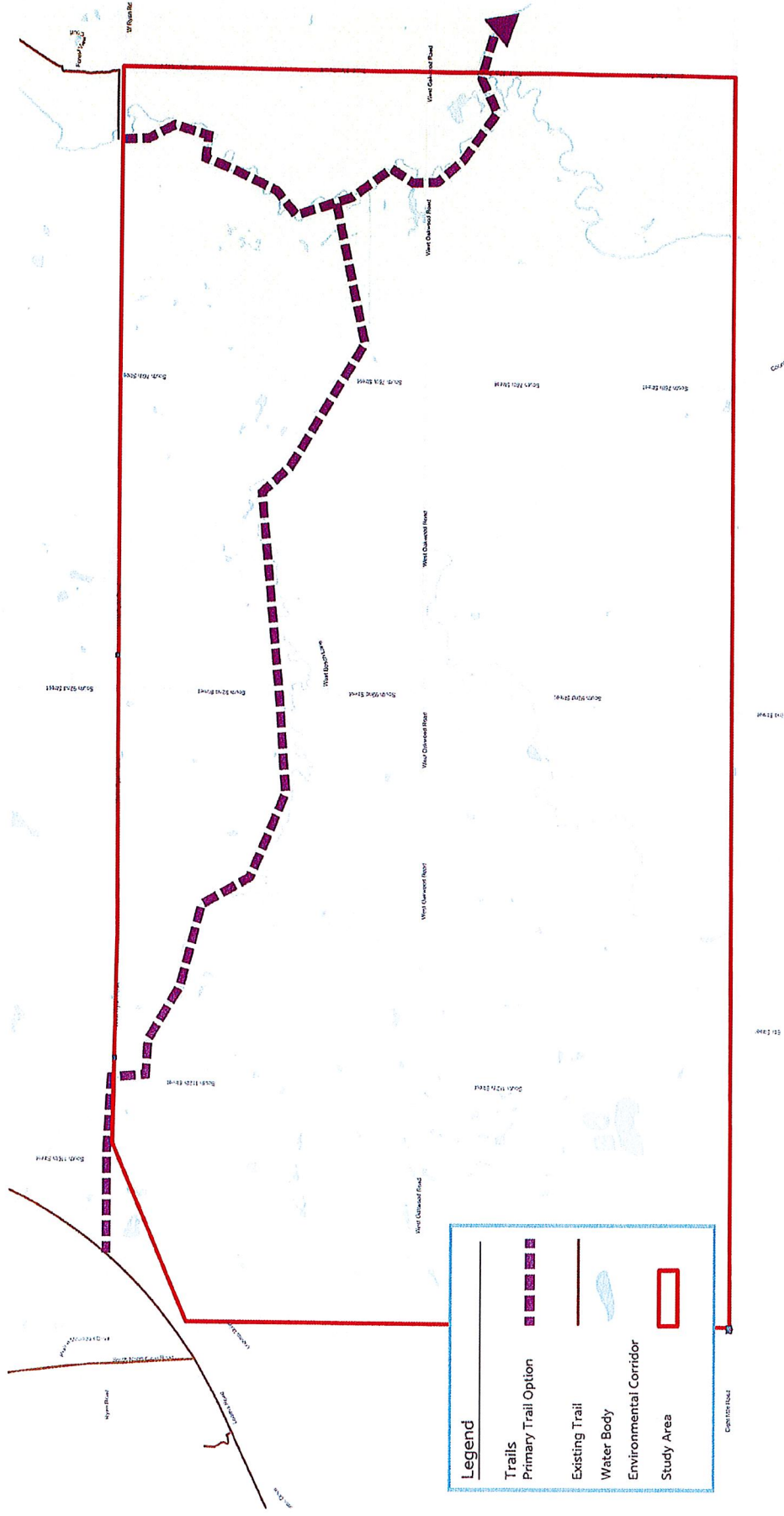
## OTHER TRAIL FEATURES

- Rest stops/seating areas/overlooks
- Wayfinding/signage
- Trailheads (parking/signage)

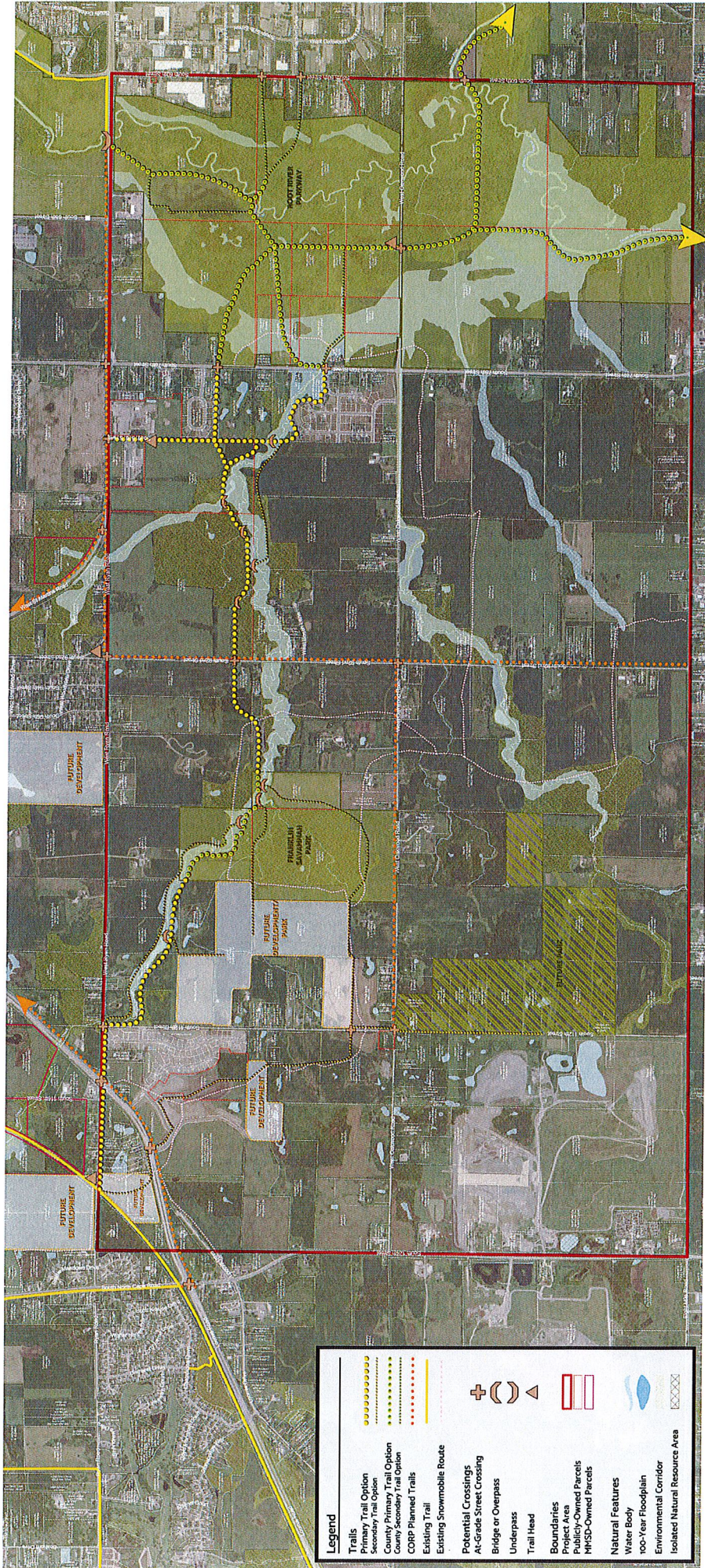


# PRIMARY PATHS

Primary paths, as shown below, should be continuous routes that connect as many important destinations as possible. The route identified as part of the planning process, looks to connect the west and east side of the study area. Meandering through as many natural areas as possible, this path aims to provide a unique experience along Ryan Creek that ultimately connects up to the Oak Leaf Trail and the future 116th Street Trail.







**Legend**

- Trails**
  - Primary Trail Option (Yellow dotted line with arrow)
  - County Primary Trail Option (Yellow dashed line)
  - County Secondary Trail Option (Yellow dotted line)
  - CORP Planned Trails (Red dotted line)
  - Existing Trail (Red dashed line)
  - Existing Snowmobile Route (Red solid line)
- Potential Crossings**
  - At-grade Street Crossing (+)
  - Bridge or Overpass (C)
  - Underpass (A)
  - Trail Head (Triangle)
- Boundaries**
  - Project Area (Red outline)
  - MMSD-Owned Parcels (Blue outline)
  - MMSD-Owned Parcels (Green outline)
- Natural Features**
  - Water Body (Blue)
  - 100-Year Floodplain (Light Blue)
  - Environmental Corridor (Green)
  - Isolated Natural Resource Area (Cross-hatched)

**Ryan Creek Pedestrian/Bicycle Trail Plan**

CITY OF FRANKLIN  
MILWAUKEE COUNTY, WISCONSIN



June 17, 2022







**CITY OF FRANKLIN**  
**REPORT TO THE PLAN COMMISSION**  
**Meeting of March 21, 2024**  
**Certified Survey Map**

**RECOMMENDATION:** City Development Staff recommends approval of this Certified Survey Map to create four residential lots, subject to the conditions set forth in this report and the attached resolution.

<b>Project name:</b>	<b>Boomtown, LLC – Four lot Certified Survey Map</b>
<b>Property Owner:</b>	Boomtown, LLC
<b>Applicant:</b>	S.R. Mills. Boomtown, LLC
<b>Property Address/TKN:</b>	11607 W Ryan Road / 891 9989 005
<b>Aldermanic District:</b>	District 6
<b>Zoning District:</b>	R-3 Suburban/Estate Single-Family Residence District
<b>Staff Planner:</b>	Régulo Martínez-Montilva, AICP, CNUa, Principal Planner

Please note:

- Recommendations are underlined, in italics and are included in the draft resolution.
- Suggestions are only underlined and are not included in the draft resolution.

**Project Description/Analysis**

The applicant is seeking approval of a Certified Survey Map (CSM) for the creation of four residential lots on W. Ryan Road. The total site is 4.8 acres.

The subject site is zoned R-3 and the proposed single-family residential use is an allowed use in this zoning district. All four lots will be served by public sanitary sewer and public water supply as required by Unified Development Ordinance (UDO) Section 15-3.0203A.3.

The site abuts the same R-3 zoning district to the north and west, a lot with a pond zoned R-8 to the southwest, a vacant lot zoned R-8 to the east and Loomis Road to the south.

According to the Site Intensity and Capacity Calculations, the maximum yield of this site is 4.4 dwelling units, therefore, the proposed CSM is in compliance with UDO Division 15-3.0500 *Site Intensity and Capacity Calculations*.

In order to approve the CSM, the Plan Commission and Common Council must find that the proposed land division meets the requirements for a CSM as provided in the Unified Development Ordinance, including all standards for development as provided in the following sections of the UDO:

- Division 15-7.0700 Certified Survey Map
- Division 15-5.0100 Design Standards for Land Divisions
- Division 15-8.0100 Required Improvements for Land Divisions
- Division 15-8.0200 Construction



View of the subject site

Photograph by City Development staff

Staff's review comments regarding this CSM are attached to this packet, including responses from the applicant. The applicant has addressed most of them, except:

- **Landscape Plan** (comment #8). A landscape plan as described in UDO Division 15-7.0300 is required for landscape bufferyard easement areas.

Applicant's request: "The applicant respectfully requests the City of Franklin defer the requirement for a Landscape Plan for this land division. The vast majority of the area required for a Landscape Plan lies with the Landscape Bufferyard Easement or is proposed to be protected with a Conservation Easement. The applicant has no intention of disturbing the existing vegetation in this area."

Staff recommends to add the following condition to the CSM resolution: The applicant must submit a landscape plan as described in UDO Division 15-7.0300 for Department of City Development review and approval, prior to recording of this Certified Survey Map.

- **On-street pedestrian facilities** (comment #11). Based on the Comprehensive Master Plan, Map 7.4 Bicycle and Pedestrian Circulation Facilities. City Development staff recommends the installation of a pedestrian path per City of Franklin specifications on the south side of Ryan Road along the entire frontage of the site.

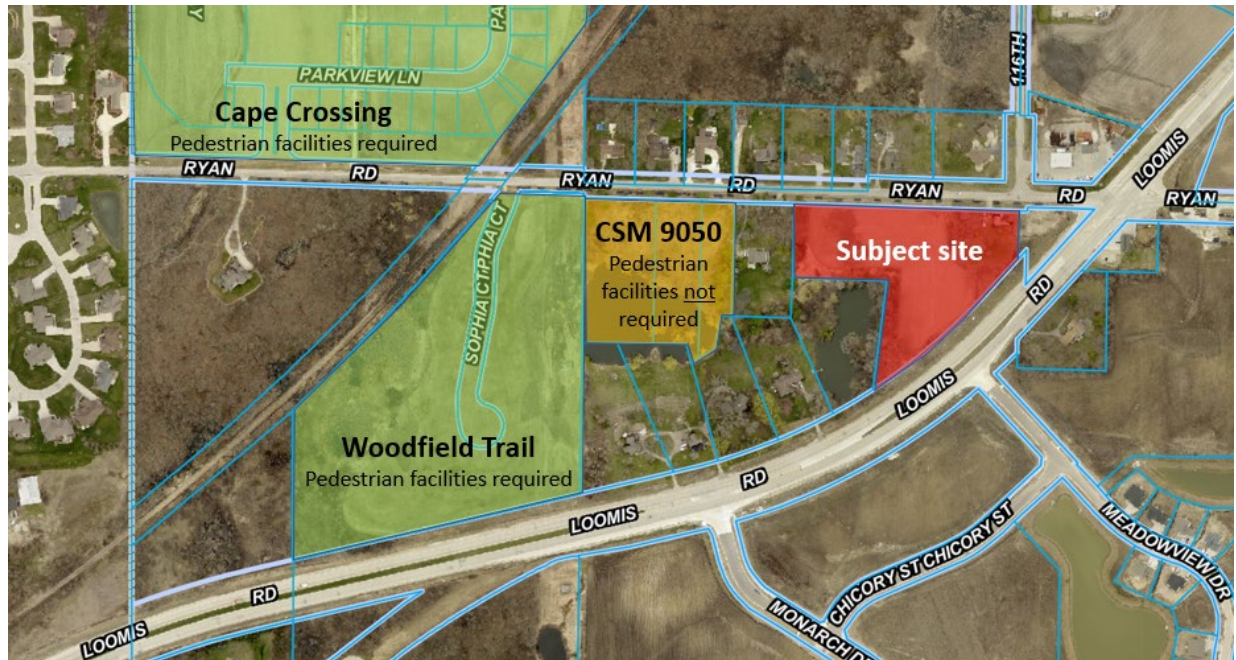
Applicant's request: "The Applicant requests clarification on the Pedestrian Facilities comment. The Comprehensive Plan Map referenced in Staff Comments clearly shows a "on-street" pedestrian facility. There are no existing pedestrian facilities in this area. We are opposed to the Staff recommendation requiring the installation of pedestrian facilities that do not have any

connection point. Further, the applicant completed a Certified Survey Map 175' west of the subject property. That particular CSM did not require a pedestrian facility". March 1, 2024.

Engineering Department comment: "Specification requirements for the pedestrian path are: 10-ft asphalt path, 3-inches of asphalt over 6-inches of 1 ¼-inch base aggregate. Curb and gutter would only be required if there are width/design constraints, but without seeing a design a definitive answer cannot be given at this time. A development agreement and potentially a pedestrian path easement would be required". March 13, 2024.

Department of City Development comment: Staff acknowledges that pedestrian facilities were not required as a condition of approval for CSM No. 9050. On the other hand, such pedestrian facilities were required for the Woodfield Trail development (Res. No. 2023-8072) and the Cape Crossing subdivision (Res. No. 2022-7839).

Staff recommends to add the following condition to the CSM resolution: Pursuant to the Unified Development Ordinance (UDO) Section 15-9.0309F, the applicant must submit a Subdivider's Agreement for the required improvements, including but not limited to pedestrian facilities along Ryan Road, for Engineering Department review and approval prior to recording of this Certified Survey Map. A pedestrian path easement may be required by the Engineering Department.



Requirement of pedestrian facilities along Ryan Road as condition of approval for adjacent developments.

Prepared by City Development staff.

Natural resource protection

The applicant received an exemption determination from the Wisconsin Department of Natural Resources, and jurisdictional determination from the U.S. Army Corps of Engineers stating that wetland W-1 is not subject to state and federal wetland regulations, therefore, the local protection standards of the UDO don't apply to wetland W-1 (0.09 ac).

The applicant is proposing to impact 30% (13,373 sq. ft.) of the existing mature woodlands area. This proposal is in compliance with UDO Table 15-4.0100 *Natural Resource Protection Standards* which

requires a protection standard of 70% for mature woodlands. The protected areas are within the conservation easement boundary as depicted in CSM sheet 4.

**Staff Recommendation**

City Development Staff recommends approval of this Certified Survey Map to create four residential lots, subject to the conditions set forth in this report and the attached resolution.

Note: the recommended conditions of approval in this staff report regarding the landscape plan requirement and on-street pedestrian facilities are not included in the attached resolution.

Pursuant to Wisconsin Statutes 236.34(1m)(f), the approval authority shall take action within 90 days of submittal unless the time is extended by agreement with the subdivider. This application was submitted on January 4, 2024; therefore, the Common Council shall take action before April 3.

RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING A PART OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 3104 AND THAT PART OF VACATED SOUTH 116TH STREET IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (S.R. MILLS, BOOMTOWN, LLC, PROPERTY OWNER) (11607 W RYAN ROAD)

---

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a redivision of

A part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin; 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 S.R. Mills, Boomtown, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9 of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.



4. S.R. Mills, Boomtown, LLC, successors and assigns, and any developer of the S.R. Mills, Boomtown, LLC four (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 S.R. Mills, Boomtown, LLC and the 4 lot certified survey map project for the property located at 11607 West Ryan 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 must submit a conservation easement for Common Council review and approval, prior to the recording of the Certified Survey Map.
7. The applicant must submit a landscape bufferyard easement for Common Council review and approval, prior to the recording of the Certified Survey Map.
8. The applicant must resolve any technical corrections required by the Engineering or Planning Department, or the City Attorney’s Office prior to the recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, Boomtown, LLC, 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 owner, Boomtown, LLC, 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 \_\_\_\_\_, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

S.R. MILLS, BOOMTOWN, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2024-\_\_\_\_\_

Page 3

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley Roberts, City Clerk

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



## MEMORANDUM

Franklin

MAR 05 2024

City Development

Date: January 26, 2024/March 1, 2024  
To: Daniel Szczap. Bear Development, LLC  
From: Department of City Development  
Régulo Martínez-Montilva, AICP, CNUa, Principal Planner  
RE: Application for Certified Survey Map (CSM) – Boomtown, LLC  
11607 W. Ryan Road

---

Staff comments are as follows for the above-referenced application received on January 4, 2024.

### City Development Department comments

1. **Site Intensity and Capacity Calculations.** Please prepare the Site Intensity and Capacity Calculations for the total gross site (4.81 acres) and not for each lot. For example, the resulting yield is less than one dwelling unit for lots 1, 2 and 3. If the resulting yield of the total site is less than 4 dwelling units, you would need to reduce the quantity of proposed lots accordingly. Additionally, please add total area of each natural resource to the NRPP table.

**The Revised Site Intensity and Capacity Calculations, calculated for the gross site area, were provided to City Staff of February 21, 2024. The revised calculations demonstrate the site can accommodate four (four) dwelling units.**

2. **Natural Resource Protection Plan (NRPP).** Please add the following information to the NRPP:
  - Address and/or tax key number of the parent lot (Unified Development Ordinance UDO §15-7.0201B).
  - Telephone number of subdivider (UDO §15-7.0201C).
  - The submitted NRPP depicts the location and extent of natural resources but doesn't indicate the areas to be disturbed and areas to be preserved: *Graphic and numerical illustration shown on the "Natural Resource Protection Plan" of those existing natural resource features that will be disturbed and those that will be preserved. The illustration the area (in square feet or acres) of each existing resource and those areas of resources that are to be preserved. Numerical data may be shown in tabular form with labeled reference to specific areas designated on the "Natural Resource Protection Plan."* (UDO §15-7.0201J). See example of table below:

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND				
Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)	Acres of Land in Resource Feature	Acres of Land Required to be Protected	Acres of Land Impacted
	Residential District			
<b>Steep Slopes:</b>				
10-19%	0.60	0.00	0.00	0.00
20-30%	0.75	0.00	0.00	0.00
30% +	0.85	0.00	0.00	0.00
<b>Woodlands &amp; Forests:</b>				
Mature	0.70	0.00	0.00	0.00
Young	0.50	1.38	0.69	1.25
Lakes & Ponds	1	0.00	0.00	0.00
Streams	1	0.00	0.00	0.00
Shore Buffer	1	0.00	0.00	0.00
Floodplains	1	0.00	0.00	0.00
Wetland & Shoreland Wetlands	1	0.10	0.10	0.00
Wetland Buffers (30')	1	0.10	0.10	0.00
Wetland Setback (50')	1	0.09	0.09	0.00
TOTAL RESOURCE PROTECTION LAND			0.98	

**The Natural Resource Protection Plan has been revised to address City Staff review comments. The revised NRPP was submitted on February 21, 2024.**

- Shore buffer.** The NRPP table states that the shore buffer is “based off wetland delineation”. Please note that shore buffers must be delineated from the ordinary high water mark (OHWM), not a delineated wetland, please clarify. For reference, see wetland delineation report, figure 7.

**The existing pond elevation was surveyed by Pinnacle Engineering.**

- Wetland and wetland buffer.** Wetlands and wetland buffers must be listed in the NRPP table even when these resources are not required to be protected in this case due to the determinations received from Wisconsin DNR and US Army Corps of Engineers.

**The NRPP table has been revised to include wetlands and wetland buffers.**

- Natural resources required to be protected.** Natural resources that are required to be protected per UDO Table 15-4.0100 must be depicted in the CSM (UDO §15-9.0309E). The CSM only depicts the pond and shore buffer (sheet 3 of 5) but doesn’t depict the mature woodlands and steep slopes (10-19%) areas required to be protected. Pursuant to the referenced table, the protection standard in residential zoning for mature woodlands is 70% and for steep slopes (10-19%) is 60%.

**A revised NRPP has been provided which depicts the protection and impact calculations for all protected natural resources.**

- Conservation easement.** The location of conservation easements shall be graphically indicated and clearly delineated and dimensioned on the face of the Certified Survey Map. The location and extent of conservation easements should be directly related to the "Natural Resource Protection Plan." All protected natural resources on the proposed lots must be made part of a Conservation Easement. This boundary must be shown on the CSM. Attached is the city’s conservation easement template.



**The Conservation Easement limits are shown on page 4 of 6 of the revised Certified Survey Map. The Conservation Easement will be executed and recorded with the Certified Survey Map.**

7. **Landscape bufferyard easement.** Pursuant to UDO § 15-5.0102, a landscape bufferyard easement with a minimum width of 30 feet is required along Loomis Road (STH 36), excluding any areas required for utility easements or conservation. Landscape easements must be graphically indicated and clearly delineated on the face of the Certified Survey Map and recorded with a separate easement document. Attached is the city's landscape bufferyard easement template.

**The Landscape Bufferyard Easement is shown on page 2 of 6 of the revised Certified Survey Map. The applicant will execute and record a Landscape Bufferyard Easement with the Certified Survey Map.**

8. **Landscape Plan.** A landscape plan as described in UDO Division 15-7.0300 is required for the landscape bufferyard easement areas noted above. Landscape Plan standards attached.

**The applicant respectfully requests the City of Franklin defer the requirement for a Landscape Plan for this land division. The vast majority of the area required for a Landscape Plan lies with the Landscape Bufferyard Easement or is proposed to be protected with a Conservation Easement. The applicant has no intention of disturbing the existing vegetation in this area.**

9. **Public water and sewer.** All new lots in the R-3 zoning district must be served by public sanitary sewer and water supply facilities pursuant to UDO §15-3.0203. Please add a note to the CSM to confirm that all four lots will be served by public sanitary sewer and water supply facilities, if that's the case.

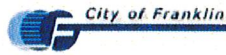
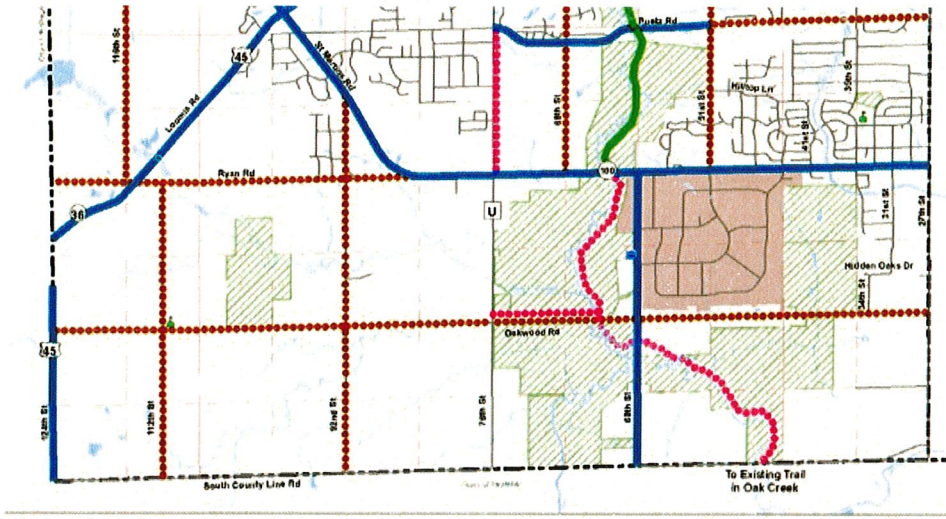
**The Certified Survey Map has been revised to include the notes regarding public utilities.**

10. **CSM sheet 5,** please add middle name initial to Mayor's name to read John R. Nelson. Please update City Clerk name to Shirley Roberts.

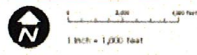
**The Certified Survey Map has been revised to address these corrections.**

11. **On-street pedestrian facilities.** Based on the Comprehensive Master Plan, Map 7.4 Bicycle and Pedestrian Circulation Facilities (next page). City Development staff recommends the installation of a pedestrian path per City of Franklin specifications on the south side of Ryan Road along the entire frontage of the site.

**The Applicant requests clarification on the Pedestrian Facilities comment. The Comprehensive Plan Map referenced in Staff Comments clearly shows a "on-street" pedestrian facility. There are no existing pedestrian facilities in this area. We are opposed to the Staff recommendation requiring the installation of pedestrian facilities that do not have any connection point. Further, the applicant completed a Certified Survey Map 175' west of the subject property. That particular CSM did not require a pedestrian facility.**



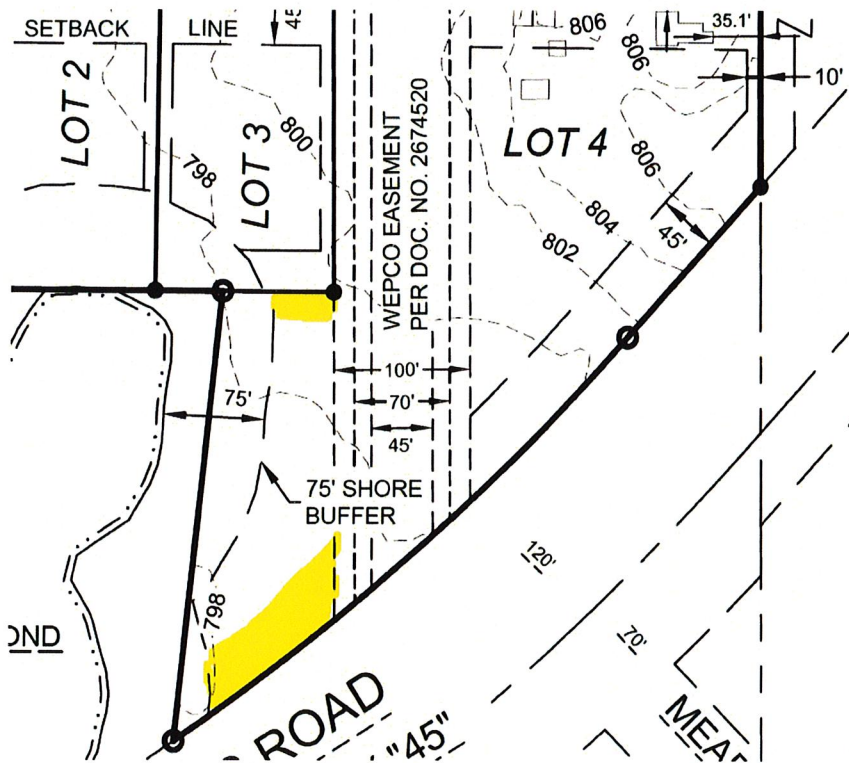
## Bicycle and Pedestrian Circulation Facilities



R.A. Smith National  
 Surveying and Engineering

- Existing Bicycle/Pedestrian Facility
  - ON-STREET
  - OFF-STREET
- Future Bicycle/Pedestrian Facility
  - ON-STREET
  - OFF-STREET

12. **Setbacks.** Pursuant to UDO §15-7.0702B, add setback lines to the south portion of Lot 4, specifically the 10-foot side setback (north) and 45-foot setback from Loomis Road, see below:



**The revised CSM addresses the Setback Comment**



See attached letter from Milwaukee County Register of Deeds.

### **Engineering Department comments**

1. *Must resolve technical omissions and deficiencies identified by the City of Franklin and Milwaukee County.*
2. *On page 2 of 5;*
  - *Show the coordinates (N-E) of the northwest corner section monument.*
  - *Must insert the note "-Lot 1,2,3&4 is served by public water and sewer.*
3. *On page 2 of 6, extend the 45-ft setback along West Loomis.*
4. *On page 5 of 5;*
  - *Re-arrange the last two paragraphs. The City Of Franklin Common Council Approval should be next after the Owner's Certificate.*
  - *Under the Owner's Certificate, insert the Unified Development Ordinance Division-15 of the City of Franklin.*
  - *Change the name Karen Kastenson to Shirley Roberts, City Clerk.*

Call Ronnie Asuncion, Eng Lead Tech at (414) 425 7510 if you have further questions about engineering comments.

**Engineering comments have been addressed on the revised Certified Survey Map.**

### **Inspection Services Department comments**

1. *Inspection Services has no comments on the proposal at this time.*

### **Fire Department comments**

1. *This development is in an area of the city not well served by existing Fire/EMS station locations and current fire department staffing levels. The cumulative effect of this and several other residential developments will pose a challenge to maintaining industry standard emergency response times to fire and medical emergencies.*



December 27, 2023

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

Dear Mr. Martinez-Montilva:

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

**Project Summary**

Boomtown, LLC is the owner of record of approximately 4.75 acres of land in the City of Franklin. The property is located on the south side of W. Ryan Road, immediately west of the intersection of STH 36 (Loomis Road) and W. Ryan Road. The property in question is identified as Tax Key Number 891 9989 005.

We respectfully request approval of a Certified Survey Map to create four (3) individual lots as shown on the enclosed maps, with the intention of developing the lots as individual home sites. The proposed lots meet the minimum bulk requirements of the underlying R-3 Single-Family Residential District.

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

Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 949-3788 or by email, [dan@beardevelopment.com](mailto:dan@beardevelopment.com)

Thank you for your time and consideration.

Sincerely,

Daniel Szczap  
Bear Development, LLC

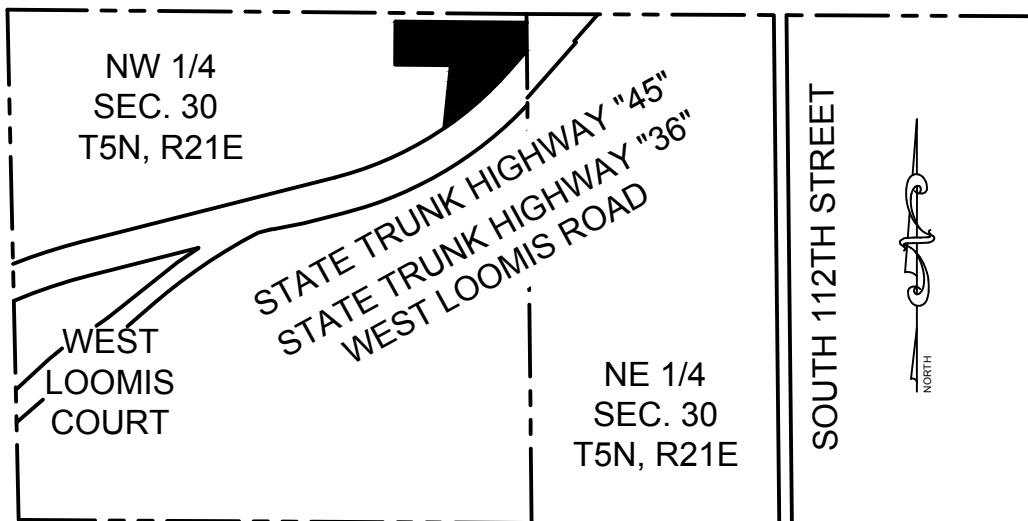


# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

VICINITY SKETCH  
SCALE 1"=1000'

WEST RYAN ROAD - COUNTY TRUNK HIGHWAY "H"



Subject Property  
Zoning: R-3  
Tax Key Number:  
8919989005

**NOTES:**

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The north line of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East has a bearing of N89°31'45"W.
- Flood Zone Classification: The property lies within Zone "X" of the Flood Insurance Rate Map Community Panel No. 55079C0205E. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
- Wisconsin Electric Power Company Easement, recorded in the Register of Deeds office for Milwaukee County on July 30, 1946 as Document 2652955, for a line of poles to supply electric current affects the parcels in this Certified Survey Map.
- Lots 1, 2, 3 & 4 of this Certified Survey Map shall be served by future public sanitary sewer and water supply facilities.



FEBRUARY 19, 2024

Prepared for:  
BOOMTOWN LLC  
4011 80TH STREET  
KENOSHA, WI 53142

Prepared By:

**PINNACLE ENGINEERING GROUP**

20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

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

DRAFTED BY:ST  
PEG JOB#809.60A  
SHEET 1 OF 6

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

LOT 1: 27,000 SQ. FT.  
(0.6198 ACRES)

LOT 2: 27,000 SQ. FT.  
(0.6198 ACRES)

LOT 3: 29,222 SQ. FT.  
(0.6709 ACRES)

LOT 4: 126,708 SQ. FT.  
(2.9088 ACRES)



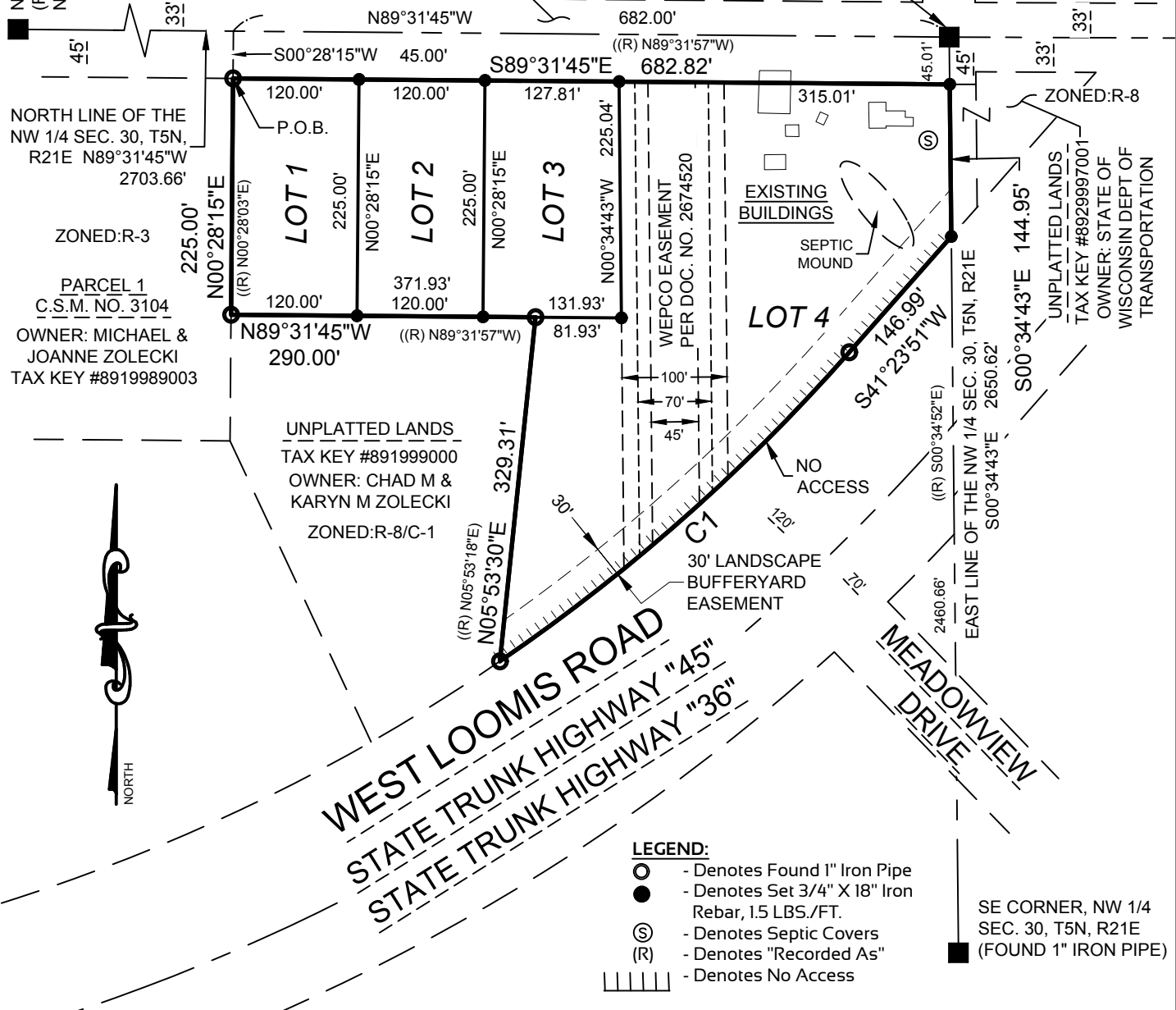
FEBRUARY 19, 2024

NW CORNER, NW 1/4 SEC. 30, T5N, R21E  
(FOUND CONC. MON. W/ BRASS CAP)  
N=324,119.49; E=2,517,459.09

NE CORNER, NW 1/4 SEC. 30, T5N, R21E  
N=324,097.27; E=2,520,162.66  
(FOUND CONC. MON. W/ BRASS CAP)  
(WISCONSIN STATE PLANE CO-ORDINATE SYSTEM, SOUTH ZONE)

SOUTH  
116TH  
STREET

WEST RYAN ROAD



NORTH LINE OF THE  
NW 1/4 SEC. 30, T5N,  
R21E N89°31'45"W  
2703.66'

ZONED:R-3

PARCEL 1  
C.S.M. NO. 3104  
OWNER: MICHAEL &  
JOANNE ZOLECKI  
TAX KEY #8919989003

UNPLATTED LANDS  
TAX KEY #891999000  
OWNER: CHAD M &  
KARYN M ZOLECKI  
ZONED:R-8/C-1

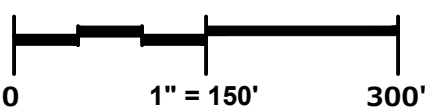
ZONED:R-8

UNPLATTED LANDS  
TAX KEY #8929997001  
OWNER: STATE OF  
WISCONSIN DEPT OF  
TRANSPORTATION

- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.
  - ⊙ - Denotes Septic Covers
  - (R) - Denotes "Recorded As"
  - ||||| - Denotes No Access

SE CORNER, NW 1/4  
SEC. 30, T5N, R21E  
(FOUND 1" IRON PIPE)

GRAPHICAL SCALE (FEET)



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

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

PEG JOB#809.60A  
SHEET 2 OF 6



# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

**NOTES:**

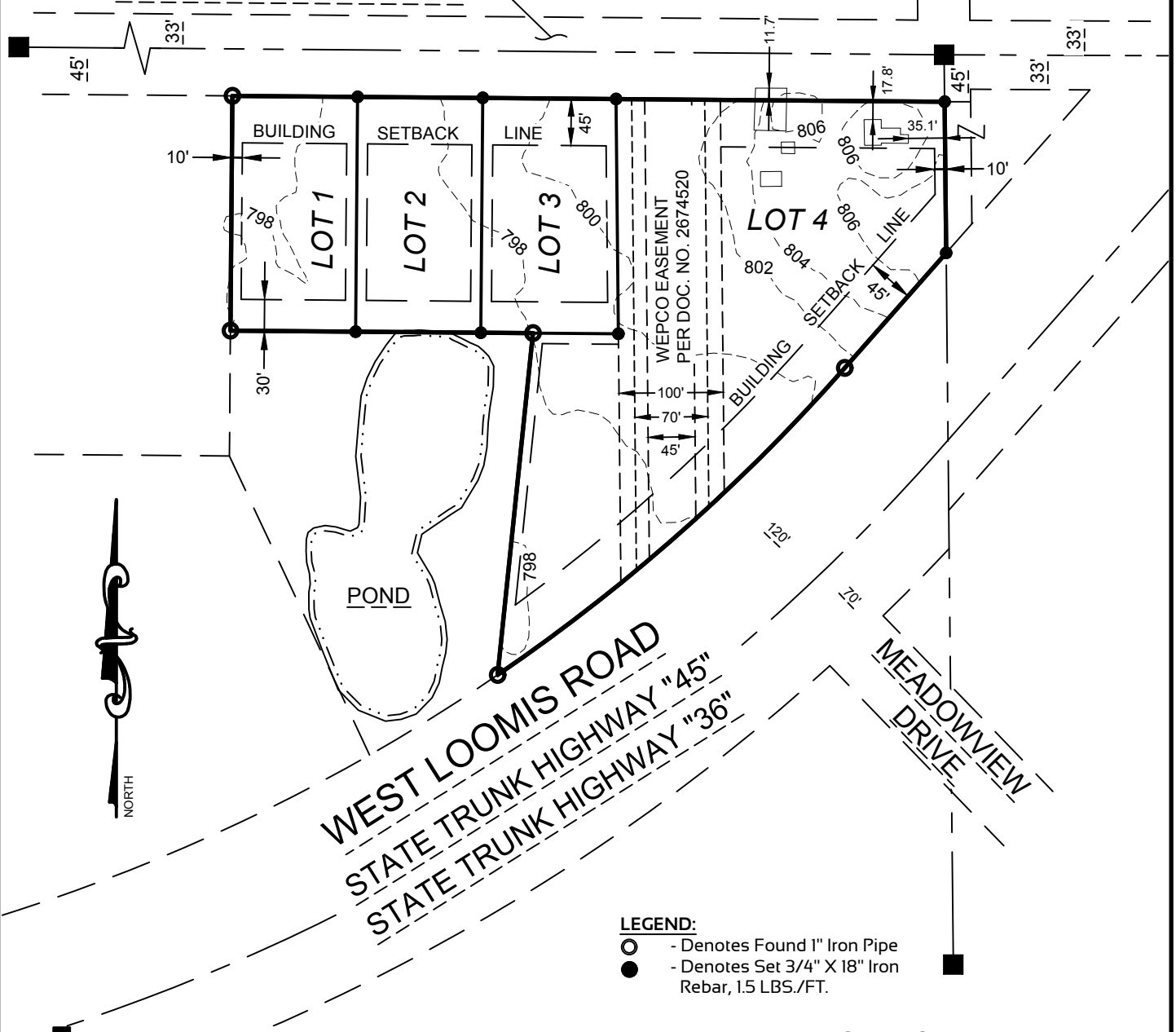
- MUNICIPAL ZONING: R-3 Suburban/Estate  
Single Family Residence District:  
Front Yard Setback = 45 feet  
Side Yard Setback = 10 feet  
Rear Yard Setback = 30 feet
- Two (2) foot contours shown per Milwaukee County GIS and Land Information Interactive Map.



FEBRUARY 19, 2024

SOUTH  
116TH  
STREET

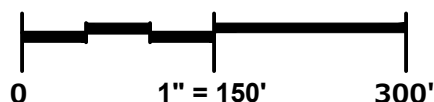
(VARIABLE PUBLIC R.O.W.)  
WEST RYAN ROAD



**LEGEND:**

- - Denotes Found 1" Iron Pipe
- - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.

**GRAPHICAL SCALE (FEET)**



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD, WI 53186  
OFFICE: (262) 754-8888

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

PEG JOB#809.60A  
SHEET 3 OF 6

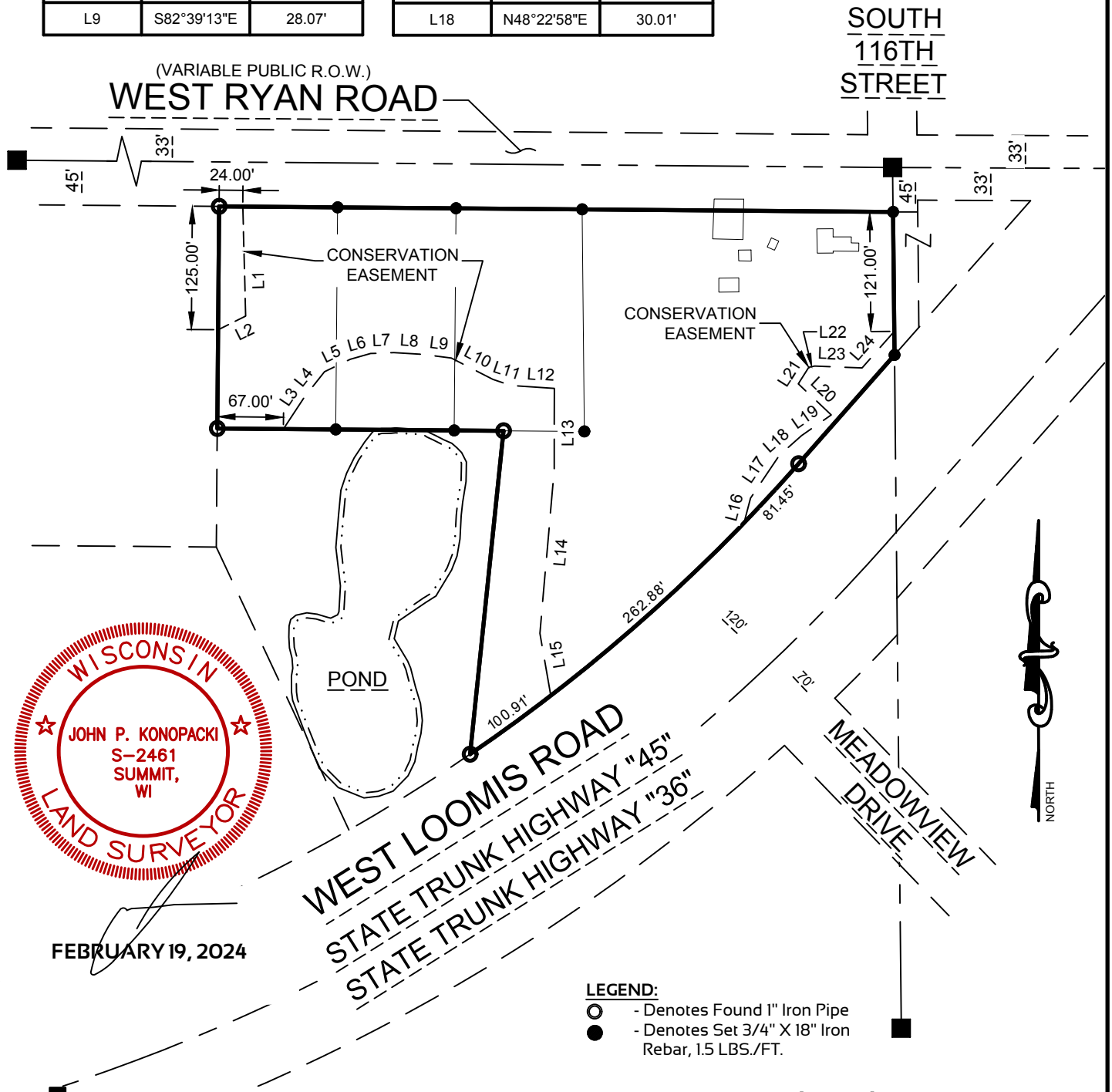
# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

CONSERVATION EASEMENT		
LINE NO.	BEARING	DISTANCE
L1	S01°30'39"E	111.00'
L2	S63°39'50"W	31.19'
L3	N33°25'28"E	37.74'
L4	N38°09'26"E	33.67'
L5	N64°04'42"E	29.09'
L6	N74°23'03"E	21.49'
L7	N87°48'42"E	23.44'
L8	S86°28'03"E	30.49'
L9	S82°39'13"E	28.07'

CONSERVATION EASEMENT		
LINE NO.	BEARING	DISTANCE
L10	S62°45'21"E	47.39'
L11	S71°22'38"E	19.21'
L12	S86°11'17"E	44.08'
L13	S00°00'43"W	81.61'
L14	S05°00'16"W	167.14'
L15	S09°51'52"E	64.12'
L16	N14°41'30"E	25.95'
L17	N33°57'09"E	52.33'
L18	N48°22'58"E	30.01'

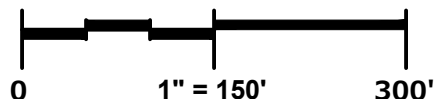
CONSERVATION EASEMENT		
LINE NO.	BEARING	DISTANCE
L19	N55°16'04"E	36.68'
L20	N46°39'10"W	45.89'
L21	N32°17'24"E	19.92'
L22	N79°02'18"E	6.05'
L23	S87°51'52"E	48.02'
L24	N41°22'16"E	49.31'



FEBRUARY 19, 2024

- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.

**GRAPHICAL SCALE (FEET)**



Prepared By:  
**PINNACLE ENGINEERING GROUP**  
 20725 WATERTOWN ROAD | SUITE 100  
 BROOKFIELD, WI 53186  
 OFFICE: (262) 754-8888

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

PEG JOB#809.60A  
**SHEET 4 OF 6**



# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided that part of Parcel 2 of Certified Survey Map No. 3104, as recorded in the Register of Deeds office for Milwaukee County as Document No. 5115896 and that part of vacated South 116th Street, as recorded in Resolution 2018-7377 recorded in the Register of Deeds office for Milwaukee County as Document No. 10795901, in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the northeast corner of the Northwest 1/4 of said Section 30; thence North 89°31'45" West along the north line of said Northwest 1/4, 682.00 feet; thence South 00°28'15" West, 45.00 feet to the south right of way line of West Ryan Road and the Point of Beginning;

Thence South 89°31'45" East along said south right of way line, 682.82 feet to the east line of said Northwest 1/4;  
Thence South 00°34'43" East along said east line, 144.95 feet to the north right of way line of West Loomis Road;  
Thence South 41°23'51" West along said north right of way line, 146.99 feet to a point of curvature;  
Thence southwesterly 445.24 feet along the arc of said curve to the right, whose radius is 1789.86 feet and whose chord bears South 48°31'25" West, 444.09 feet;  
Thence North 05°53'30" East, 329.31 feet;  
Thence North 89°31'45" West, 290.00 feet to the east line of Parcel 1 of Certified Survey Map No. 3104;  
Thence North 00°28'15" East along said east line, 225.00 feet to the Point of Beginning.

Containing 209,930 square feet (4.8193 acres) of land Gross, more or less.


That I have made such survey, land division and map by the direction of BOOMTOWN, LLC, owner of said land.

That such 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 the provisions of s.236.34 of the Wisconsin State Statutes and the City of Franklin Unified Development Ordinance Division - 15 in surveying, mapping and dividing the same.

Date: FEBRUARY 19, 2024



  
\_\_\_\_\_  
John P. Konopacki  
Professional Land Surveyor S-2461

### CURVE DATA

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	445.24'	1789.86'	014°15'10"	S48°31'25"W	444.09'	S41°23'51"W	S55°39'00"W

Prepared By:

**PINNACLE ENGINEERING GROUP**

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

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

PEG JOB#809.60A

SHEET 5 OF 6

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a part of Parcel 2 of Certified Survey Map No. 3104 and that part of vacated South 116th Street in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

## OWNER'S CERTIFICATE

BOOMTOWN, LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, divided and mapped as represented on this certified survey map.

BOOMTOWN, LLC, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes and the Unified Development Ordinance Division -15 of the City of Franklin to be submitted to the following for approval or objection:

1. City of Franklin

IN WITNESS WHEREOF, the said BOOMTOWN, LLC, has caused these presents to be signed by (name - print) \_\_\_\_\_, (title) \_\_\_\_\_, at (city) \_\_\_\_\_, \_\_\_\_\_ County, Wisconsin, on this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

In the presence of: BOOMTOWN, LLC,

\_\_\_\_\_  
Stephen R. Mills, Authorized Member

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_ COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, Stephen R. Mills, Authorized Member, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such Authorized Member of said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability, by its authority.

\_\_\_\_\_  
Notary Public  
Name: \_\_\_\_\_  
State of Wisconsin  
My Commission Expires: \_\_\_\_\_

## CITY OF FRANKLIN COMMON COUNCIL APPROVAL

Approved and Accepted by the Common Council of the City of Franklin by Resolution No. \_\_\_\_\_.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Date

\_\_\_\_\_  
John R. Nelson, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Shirley Roberts, City Clerk



\_\_\_\_\_  
FEBRUARY 19, 2024



**SECTION 15-3.0502**

**CALCULATION OF BASE SITE AREA**

The *base site area* shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in Section 15-3.0501 of this Ordinance.

**Table 15-3.0502**

**WORKSHEET FOR THE CALCULATION OF BASE SITE AREA  
FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT**

<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	4.82 acres
<b>STEP 2:</b>	Subtract ( - ) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0.97 acres
<b>STEP 3:</b>	Subtract ( - ) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
<b>STEP 4:</b>	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract ( - ) the land proposed for nonresidential uses; <i>or</i> In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract ( - ) the land proposed for residential uses.	- 0 acres
<b>STEP 5:</b>	Equals "Base Site Area"	= 3.85 acres

**SECTION 15-3.0503**

**CALCULATION OF THE AREA OF NATURAL  
RESOURCES TO BE PROTECTED**

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the *base site area* (as defined in Section 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective *natural resource protection standard* (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the *total resource protection land*. The *total resource protection land* shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District.		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X <u>0.08</u>	<u>0.05</u>
				=	
20-30%	0.65	0.75	0.70	X <u>0</u>	<u>0</u>
				=	
+ 30%	0.90	0.85	0.80	X <u>0</u>	<u>0</u>
				=	
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X <u>1.02</u>	<u>0.72</u>
				=	
Young	0.50	0.50	0.50	X <u>0</u>	<u>0</u>
				=	
Lakes & Ponds	1	1	1	X <u>0.001</u>	<u>0.001</u>
				=	
Streams	1	1	1	X <u>0</u>	<u>0</u>
				=	
Shore Buffer	1	1	1	X <u>0.53</u>	<u>0.53</u>
				=	
Floodplains	1	1	1	X <u>0</u>	<u>0</u>
				=	
Wetland Buffers	1	1	1	X <u>0</u>	<u>0</u>
				=	
Wetlands & Shoreland Wetlands	1	1	1	X <u>0</u>	<u>0</u>
				=	
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					1.291

*Note:* In conducting the calculations in Table 15-3.0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1.0 which represents the higher of the two standards.

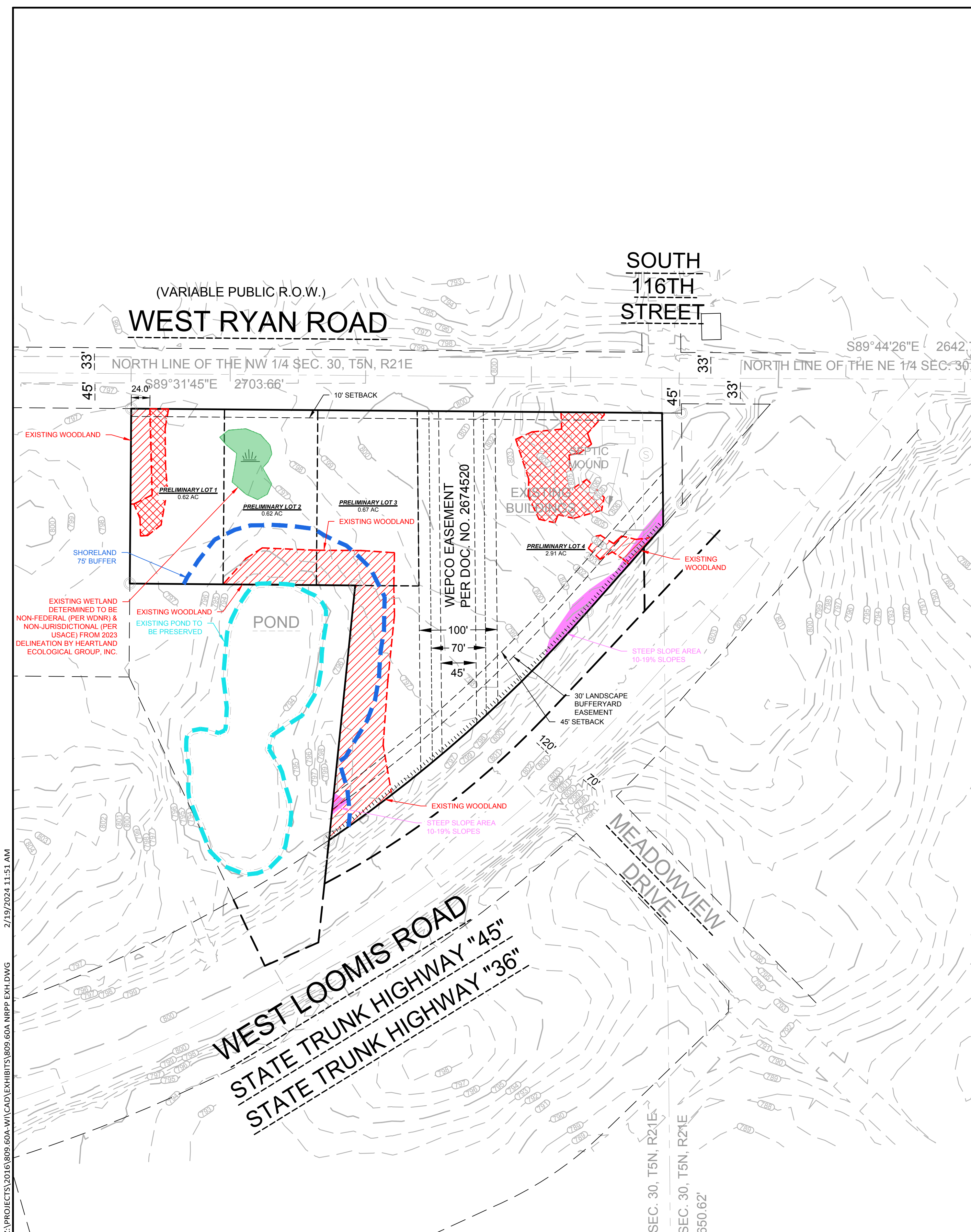
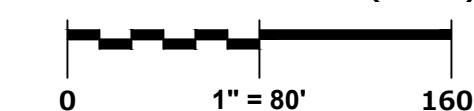


In order to determine the maximum number of dwelling units which may be permitted on a parcel of land zoned in a residential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0504 shall be performed.

<b>Table 15-3.0504</b>		
<b>Worksheet for the Calculation of Site Intensity and Capacity for Residential Development</b>		
<b>STEP 1:</b>	<b>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</b>	0  acres
	Take Base Site Area (from Step 5 in Table 15-3.0502): <u>3.85</u>	
	Multiple by Minimum Open Space Ratio (OSR) (see specific residential zoning district OSR standard): X <u>0</u>	
	Equals <b>MINIMUM REQUIRED ON-SITE OPEN SPACE</b> =	
<b>STEP 2:</b>	<b>CALCULATE NET BUILDABLE SITE AREA:</b>	2.559  acres
	Take Base Site Area (from Step 5 in Table 15-3.0502): <u>3.85</u>	
	Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required On-Site Open Space (from Step 1 above), whichever is greater:- <u>1.291</u>	
	Equals <b>NET BUILDABLE SITE AREA</b> =	
<b>STEP 3:</b>	<b>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</b>	4.40  D.U.s
	Take Net Buildable Site Area (from Step 2 above): <u>2.559</u>	
	Multiple by Maximum Net Density (ND) (see specific residential zoning district ND standard): X <u>1.718</u> R-3	
	Equals <b>MAXIMUM NET DENSITY YIELD OF SITE</b> =	
<b>STEP 4:</b>	<b>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</b>	6.61  D.U.s
	Take Base Site Area (from Step 5 of Table 15-3.0502): <u>3.85</u>	
	Multiple by Maximum Gross Density (GD) (see specific residential zoning district GD standard): X <u>1.718</u> R-3	
	Equals <b>MAXIMUM GROSS DENSITY YIELD OF SITE</b> =	
<b>STEP 5:</b>	<b>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</b>	4.40  D.U.s
	Take the lowest of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above):	



GRAPHICAL SCALE (FEET)



SITE DATA	
PROJECT NAME	FRANKLIN BUSINESS PARK PARCEL 2
LOCATION/ADDRESSES	11607 W RYAN RD FRANKLIN, WI 53132
OWNER CONTACT INFORMATION	DAN SZCZAP 4011 80TH ST KENOSHA WI, 53142 DAN@BEARDEVELOPMENT.COM (262) 842-0556

NATURAL RESOURCE FEATURE AREAS				
RESOURCE TYPE	AREAS OF RESOURCE (4.82 AC)	ACRES OF LAND REQUIRED TO BE PROTECTED	ACRES OF LAND IMPACTED	
STEEP SLOPES AREA - 10-19% SLOPES - PER PEG SURVEYED CONTOURS	3,470 S.F. 0.08 ACRES	2,082 S.F. 0.05 ACRES	0 S.F.	
STEEP SLOPES AREA - 20-30% SLOPES - PER PEG SURVEYED CONTOURS	N/A	N/A	N/A	
LAKES & PONDS - FIELD DELINEATED BY PEG SURVEY	61 S.F. ONSITE	61 S.F. ONSITE	0 S.F.	
SHORE BUFFER - 75' OFFSET	22,915 S.F. 0.53 ACRES	22,915 S.F. 0.53 ACRES	0 S.F.	
MATURE WOODLANDS & FORESTS	44,577 S.F. 1.02 ACRES	31,204 S.F. 0.72 ACRES	13,373 S.F. 0.31 ACRES	MATURE WOODLANDS & FORESTS IMPACT AREA
STREAMS (NOT PRESENT ON SITE)	N/A	N/A	N/A	
FLOODPLAINS (NOT PRESENT ON SITE)	N/A	N/A	N/A	
WETLANDS (NOT PRESENT ON SITE SEE NOTE THIS SHEET)	N/A	N/A	N/A	
WETLAND BUFFER (NOT PRESENT ON SITE)	N/A	N/A	N/A	
WETLAND SETBACK (NOT PRESENT ON SITE)	N/A	N/A	N/A	

\* EXISTING CONTOURS PULLED FROM INFRAWORKS 2024

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# Assured Wetland Delineation Report

## **4.75 Acre Parcel**

City of Franklin, Milwaukee County, Wisconsin

July 7, 2023

Project Number: 20231016

## 4.75 Acre Parcel

City of Franklin, Milwaukee County, Wisconsin

July 7, 2023

---

**Prepared for:**

Mr. Dan Szczap

Bear Development, LLC.

4011 80<sup>th</sup> Street

Kenosha, WI 53142

**Prepared by:**

Heartland Ecological Group, Inc.

506 Springdale Street

Mount Horeb, WI 53572

608-490-2450

[www.heartlandecological.com](http://www.heartlandecological.com)



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Prepared by: Mikayla Datka

Environmental Intern

Reviewed by: Eric C. Parker, SPWS

Principal Scientist



# Table of Contents

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Appendix C | Wetland Determination Data Sheets

Appendix D | Site Photographs

Appendix E | Delineator Qualifications

Appendix F | Off-Site Analysis

Appendix G | Previous Wetland Mapping



Mr. Dan Szczap  
4.75 Acre Parcel  
Project #: 20231016  
July 7, 2023

---

## 1.0 Introduction

Heartland Ecological Group, Inc. (“Heartland”) completed an assured wetland determination and delineation on the 4.75 Acre Parcel site on June 22 and July 5, 2023 at the request of Bear Development, LLC. Fieldwork was completed by Eric C. Parker, SPWS, an assured delineator qualified via the Wisconsin Department of Natural Resources’ (WDNR’s) Wetland Delineation Assurance Program (Appendix E, Qualifications), assisted by Mikayla Datka, also of Heartland. The 4.84-acre site (the “Study Area”) is southeast of the intersection of US Highway (USH) 45 and Ryan Road, in the northwest  $\frac{1}{4}$  of Section 30, T5N, R21E, City of Franklin, Milwaukee County, WI (Figure 1, Appendix A). The purpose of the wetland delineation was to determine the location and extent of wetlands within the Study Area.

One (1) wetland area totaling approximately 0.09 acres was delineated and mapped within the Study Area (Figure 7, Appendix A). One (1) pond was mapped partially within the Study Area. No waterways were observed within or near the Study Area. Wetlands, waterways, and water bodies discussed in this report may be subject to federal regulation under the jurisdiction of the U.S. Army Corps of Engineers (USACE), state regulation under the jurisdiction of the WDNR, and local zoning authorities. Heartland recommends this report be submitted to local authorities, the WDNR, and USACE for final jurisdictional review and concurrence.





Mr. Dan Szczap  
4.75 Acre Parcel  
Project #: 20231016  
July 7, 2023

---

## 2.0 Methods

### 2.1 Wetlands

Wetlands were determined and delineated using the criteria and methods described in the USACE Wetland Delineation Manual, T.R. Y-87-1 (“1987 Corps Manual”) and the applicable *Regional Supplement to the Corps of Engineers Wetland Delineation Manual*. In addition, the *Guidance for Submittal of Delineation Reports to the St. Paul District USACE and the WDNR* (WDNR, 2015) was followed in completing the wetland delineation and report.

Determinations and delineations utilized available resources including the U.S. Geological Survey’s (USGS) *WI 7.5 Minute Series (Topographic) Map* (Figure 2, Appendix A), the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service’s (NRCS) Soil Survey Geographic Database (SSURGO) *Web Soil Survey* (Figure 3, Appendix A), the WDNR’s *Wetland Indicator* data layer (Figure 4, Appendix A), the WDNR’s *Wisconsin Wetland Inventory* data layer (Figure 5, Appendix A), the WDNR’s *24k Hydro Flowlines (Rivers and Streams)* data layer (Figure 2 and 5, Appendix A), the WDNR’s *Color-Stretch LiDAR and Hillshade Image Service Layer* (Figure 6, Appendix A), and aerial imagery available through the USDA Farm Service Agency’s (FSA) National Agriculture Imagery Program (NAIP).

Wetland determinations were completed on-site at sample points, often along transects, using the three (3) criteria (vegetation, soil, and hydrology) approach per the 1987 Corps Manual and the Regional Supplement. Procedures in these sources were followed to demonstrate that, under normal circumstances, wetlands were present or not present based on a predominance of hydrophytic vegetation, hydric soils, and wetland hydrology.

Atypical conditions were encountered within the Study Area due to the presence of agricultural fields including row-cropping and hay fields in areas with soils that may be hydric based on the *Web Soil Survey* and the WDNR *Surface Water Data Viewer’s* wetland indicator data layer. Therefore, procedures for managed plant communities in the *Problematic hydrophytic vegetation* section described in Chapter 5 of the Regional Supplement were used. NAIP imagery were reviewed for evidence of crop stress, saturation, or inundation signatures. Sample point placements for the wetland delineation were partially determined based on such signatures.



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In actively farmed areas within the Study Area where hydric soils may be present, methods described in Chapter 5 (Difficult Wetland Situations) of the Regional Supplement were followed. Available aerial imagery was analyzed using procedures described in the *Guidance for Offsite Hydrology/Wetland Determinations* (USACE and Minnesota Board of Water and Soil Resources, July 2016 – “July 2016 Guidance”). An off-site aerial imagery analysis (Off-Site Analysis) was completed to document the presence or absence of wetland signatures and assist in the wetland determination. A wetland signature is evidence, recorded by aerial imagery, of ponding, flooding, or impacts of saturation for sufficient duration to meet wetland hydrology and possibly wetland vegetation criteria. Wetland signatures often vary based on the type and seasonal date of the aerial imagery. For example, there are seven (7) standardized signature types in actively farmed settings described in the July 2016 Guidance. To assist in interpretations of wetland signatures, a WETS analysis was used to compare antecedent precipitation in the three (3) months leading up to each aerial image to the long-term (30-year) precipitation averages and standard deviation to determine if antecedent precipitation conditions for each image was normal, wet, or dry. Areas within agricultural fields are typically determined to be wetland if hydric soils and wetland hydrology indicators are present and aerial images taken in the five (5) (or more) most recent normal antecedent precipitation images show at least one (1) of the wetland signatures per the July 2016 Guidance. Although the off-site analysis concentrates on imagery taken under normal antecedent precipitation conditions, the images determined to be taken under wet and dry antecedent precipitation conditions were also analyzed and considered. Determinations and delineation of wetlands in agricultural areas are typically based on an outline of the largest wetland signature on an image taken under “normal” antecedent conditions and based on the consistency of the signatures (USDA, NRCS 1998). Recent weather conditions influence the visibility or presence of certain wetland hydrology indicators. An assessment of recent precipitation patterns helps to determine if climatic/hydrologic conditions were typical when the field investigation was completed. Therefore, a review of antecedent precipitation in the 90 days leading up to the field investigation was completed. Using an Antecedent Precipitation Tool (APT) analysis developed by the USACE (Deters & Gutenson 2021), the amount of precipitation over these 90 days was compared to averages and standard deviation thresholds observed over the past 30 years to generally represent if conditions encountered during the investigation were





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normal, wet, or dry. Recent precipitation events in the weeks prior to the investigation were also considered while interpreting wetland hydrology indicators. Additionally, the Palmer Drought Severity Index was checked for long-term drought or moist conditions (NOAA, 2018).

The uppermost wetland boundary and sample points were identified and marked with wetland flagging and located with a Global Navigation Satellite System (GNSS) receiver capable of sub-meter accuracy. In some cases, wetland flagging was not utilized to mark the boundary and the location was only recorded with a GNSS receiver, particularly in active agricultural areas. The GNSS data was then used to map the wetlands using ESRI ArcGIS Pro™ software.

## 3.0 Results and Discussion

### 3.1 Desktop Review

#### Climatic Conditions

According to the APT analysis using the previous 90 days of precipitation data, conditions encountered at the time of the fieldwork were expected to be normal for the time of year (Appendix B). The Palmer Drought Severity Index was checked as part of the APT analysis, and the long-term conditions at the time of the fieldwork were in the mild wetness range. Fieldwork was completed within the dry season based on long-term regional hydrology data utilized in the WebWIMP Climatic Water Balance and computed as part of the APT analysis.

#### General Topography and Land Use

The topography within the Study Area was rolling, with various hills, depressions, and slopes and a topographic high of approximately 809 feet above mean sea level (msl) near the northeast corner, and a topographic low of approximately 797 feet above msl in the southwest corner (Figures 2 and 6, Appendix A). Land uses within the Study Area and surrounding areas are primarily agricultural row cropping with meadow and woodland areas also present. General drainage is to the south toward an excavated pond mostly outside the Study Area.



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**Soil Mapping**

Soils mapped by the NRCS Soil Survey within the Study Area, and their hydric status are summarized in Table 1. Wetlands identified during the field investigation are located primarily within areas mapped as hydric or partially hydric soils including wetland indicator soils (Figures 3 and 4, Appendix A).

Table 1. Summary of NRCS Mapped Soils within the Study Area

Soil symbol: Soil Unit Name	Soil Unit Component	Soil Unit Component Percentage	Landform	Hydric status
AsA: Ashkum silty clay loam, 0-2% slopes	Ashkum-Drained	85-100	End and ground moraines	Yes
	Peotone-Drained	0-9	Depressions on ground moraines	Yes
	Orthents, clayey	0-3	Ground moraines, lake plains	No
	Urban land	0-3	Ground moraines	No
BIA: Blount silt loam, 1-3% slopes	Blount	90	Moraines	No
	Ashkum	10	Depressions	Yes
EsA: Elliott silt loam, 1-3% slopes	Elliott	90	Ground moraines	No
	Ashkum	10	Depressions	Yes
MeB: Markham silt loam, 2-6% slopes	Markham	85-100	End and ground moraines	No
	Ashkum-Drained	0-9	Ground and end moraines	Yes
	Pewamo	0-6	End and ground moraines	Yes

**Wetland Mapping**

The Wisconsin Wetlands Inventory (WWI) mapping (Figure 5, Appendix A) depicts two (2) wetland areas within the Study Area. Both are forested/wet soil (T3K) wetlands located adjacent to Pond 1 along the southwestern boundary.

**Waterway Mapping**

The WDNR’s Rivers and Streams data layer (Figure 5, Appendix A) depicts one (1) waterbody and no waterways within the Study Area. This water body is mapped along and just outside of the southwestern boundary of the Study Area.





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### Previous Delineations and Landowner Contacts

A wetland delineation was completed by Heather D. Patti, PWS, of R.A. Smith National on March 19<sup>th</sup>, 2015. Two (2) wetlands were delineated within the study area. "Wetland 8" (W-8) and "Wetland 9" (W-9) are depicted on the mapping from this report (Appendix G).

### Aerial Photography

An Off-Site Analysis (OSA) was completed as part of this investigation and image interpretations are described in the next section. Available NAIP imagery of the Study Area from the period of 2005-2022 (Appendix F) was reviewed for evidence of wetland signatures and to gain insight into the site's recent history. This imagery is included in the OSA (Appendix F) and described in detail in the next section.

### Off-Site Analysis

Agricultural fields within the Study Area have significant mapped hydric or potentially hydric soils and were the focus of the off-site aerial imagery analysis (OSA) (Appendix F). From the aerial imagery, the secondary wetland hydrology indicator "Saturation Visible on Aerial Imagery" (C9) was noted.

A total of ten (10) most recent aerial images were selected and reviewed based on availability and quality of the imagery. Of these images, three (3) were taken under normal antecedent precipitation conditions. Signatures were noted in two (2) areas within the Study Area within landscape positions described by the NRCS to support hydric soil components and were the focus of the OSA. At least one (1) of the seven (7) described wetland signatures per the July 2016 Guidance were consistently noted in both of these areas on imagery taken under normal antecedent precipitation conditions. In imagery taken under wet antecedent precipitation conditions, such wetland signatures were noted in five (5) of the five (5) images. In imagery taken under dry antecedent precipitation conditions, there were wetland signatures noted in two (2) of the two (2) images.

Based on the off-site analysis, one (1) area was likely to be wetland prior to the fieldwork. Another area was determined to potentially be wetland based on field review. Both areas appeared to be isolated depressions. Although there were no drain tile signatures observed in the off-site analysis, drain tiles were thought to be present.



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### 3.2 Field Review

One (1) wetland was identified and delineated within the Study Area. Wetland determination data sheets (Appendix C) were completed at seven (7) sample points that were representative of the wetland and upland conditions near the boundary and where potential wetlands may be present based on the desktop review and field reconnaissance. Appendix D provides photographs, typically at the sample point locations of the wetlands and adjacent uplands. The wetland boundary and sample point locations are shown on Figure 7 (Appendix A) and the wetlands are summarized in Table 2 and detailed in the following sections.

Table 2. Summary of Wetlands Identified within the Study Area

Wetland ID	Wetland Description	*Surface Water Connections	*NR151 Protective Area	Acreage (on-site)
W-1	Farmed Wet Meadow	Potentially Isolated in the Landscape	Low susceptible, 10-30 feet	0.09
<i>*Classification based on Heartland’s professional opinion. Jurisdictional authority of wetland and waterway protective areas under NR 151 lies with the WDNR. Local zoning authorities may have additional restrictions. USACE has authority for determining federal jurisdiction of wetlands and waterways.</i>				<b>0.09</b>

#### Wetland 1 (W-1)

Wetland 1 (W-1) is a 0.09-acre area of farmed wet meadow located in a depression within the northwestern portion of the Study Area. The boundary of W-1 generally followed a moderately-defined topographic break.

Dominant vegetation observed in W-1 included horseweed (*Erigeron canadensis*, FACU), common buckthorn (*Rhamnus cathartica*, FAC), and common amaranth (*Amaranthus retroflexus*, FACU). Weed vegetation was sparse and non-hydrophytic, however, it was notable that purslane speedwell (*Veronica peregrina*, FACW) was formerly dominant but had recently senesced. Given these circumstances, it was judged that the vegetation was problematic and would be hydrophytic under normal circumstances. Therefore, the wetland vegetation parameter was met.





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The Thick Dark Surface (A12) hydric soil indicator was noted in W-1, which is somewhat consistent with hydric soil inclusions within the mapped Blount silt loam soil type. Thus, the hydric soil parameter was met based on meeting the indicator.

No primary wetland hydrology indicators were noted within W-1, however the secondary indicators included Surface Soil Cracks (B6), Saturation Visible on Aerial Imagery (C9), and Geomorphic Position (D2). Therefore, the wetland hydrology parameter was met.

### Waterways

No waterways were observed within or immediately adjacent to the Study Area.

## 3.3 Other Considerations

This report is limited to the identification and delineation of wetlands within the Study Area. Other regulated environmental resources that result in land use restrictions may be present within the Study Area that were not evaluated by Heartland (e.g. navigable waterways, floodplains, cultural resources, and threatened or endangered species).

Wisconsin Act 183 provides exemptions to permitting requirements for certain nonfederal wetlands. Nonfederal wetlands are wetlands that are not subject to federal jurisdiction. Exemptions apply to projects in urban areas with wetland impacts up to 1-acre per parcel. An urban area is defined as an incorporated area; an area within ½ mile of an incorporated area; or an area served by a sewerage system. Exemptions for nonfederal wetlands also apply to projects in rural areas with wetland impacts up to three (3) acres per parcel. Exemptions in rural areas only apply to structures with an agricultural purpose such as buildings, roads, and driveways. The determination of federal and nonfederal wetlands MUST be made by the USACE through an Approved Jurisdictional Determination (AJD). This report may be submitted to the USACE to assist with their determination.

Wis. Adm. Code NR 151 ("NR 151") requires that a "protective area" (buffer) be determined from the Ordinary High-Water Mark (OHWM) of lakes, streams and rivers, or at the delineated boundary of wetlands. Per NR 151.12, the protective area width for "less susceptible" wetlands is determined by using 10% of the average wetland width, no less than 10 feet or more than 30 feet. "Moderately susceptible" wetlands, lakes, and perennial and intermittent streams identified on recent mapping require a protective area width of 50



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feet; while “highly susceptible wetlands” are associated with outstanding or exceptional resource waters in areas of special natural resource interest and require protective area width of 75 feet. Table 2 above lists the potential wetland buffers per NR 151 for each wetland identified based on Heartland’s professional opinion. Please note that jurisdictional authority on wetland and waterway protective areas under NR 151 lies with the WDNR. Local zoning authorities and regional planning organizations may have additional land use restrictions within or adjacent to wetlands.





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## 4.0 Conclusion

Heartland completed an assured wetland determination and delineation within the 4.75 Acre Parcel on June 22 and July 5, 2023 at the request of Bear Development, LLC. Fieldwork was completed by Eric C. Parker, SPWS, an assured delineator qualified via the WDNR Wetland Delineation Assurance Program (Appendix E), assisted by Mikayla Datka. The Study Area lies in Section 30, T5N, R21E, City of Franklin, Milwaukee County (Figure 1, Appendix A).

One (1) wetland area was delineated and mapped within the 4.84-acre Study Area (Figure 7, Appendix A). The wetland, which may be classified as farmed wet meadow, totals approximately 0.09 acres within the Study Area. A pond was observed adjacent to and within the Study Area. No waterways were observed within or adjacent to the Study Area.

Wetlands, waterways, and water bodies discussed in this report may be subject to federal regulation under the jurisdiction of the USACE, state regulation under the jurisdiction of the WDNR, and the local zoning authority. Heartland recommends this report be submitted to the USACE and WDNR for final jurisdictional review and concurrence. Review by local authorities may be necessary for determination of any applicable zoning and setback restrictions.

Heartland recommends that all applicable regulatory agency reviews and permits are obtained prior to beginning work within the Study Area or within or adjacent to wetlands or waterways. Heartland can assist with evaluating the need for additional environmental reviews, surveys, or regulatory agency coordination in consideration of the proposed activity and land use as requested but is outside of the scope of the wetland delineation.

Experienced and qualified professionals completed the wetland determination and delineation using standard practices and professional judgment. Wetland boundaries may be affected by conditions present within the Study Area at the time of the fieldwork. All final decisions on wetlands and their boundaries are made by the USACE, the WDNR, and/or sometimes a local unit of government. Wetland determination and boundary reviews by regulatory agencies may result in modifications to the findings presented to the Client. These modifications may result from varying conditions between the time the wetland delineation was completed and the time of the review. Factors that may influence the findings may include but not limited to precipitation patterns, drainage modifications, changes or modification to vegetation, and the time of year.



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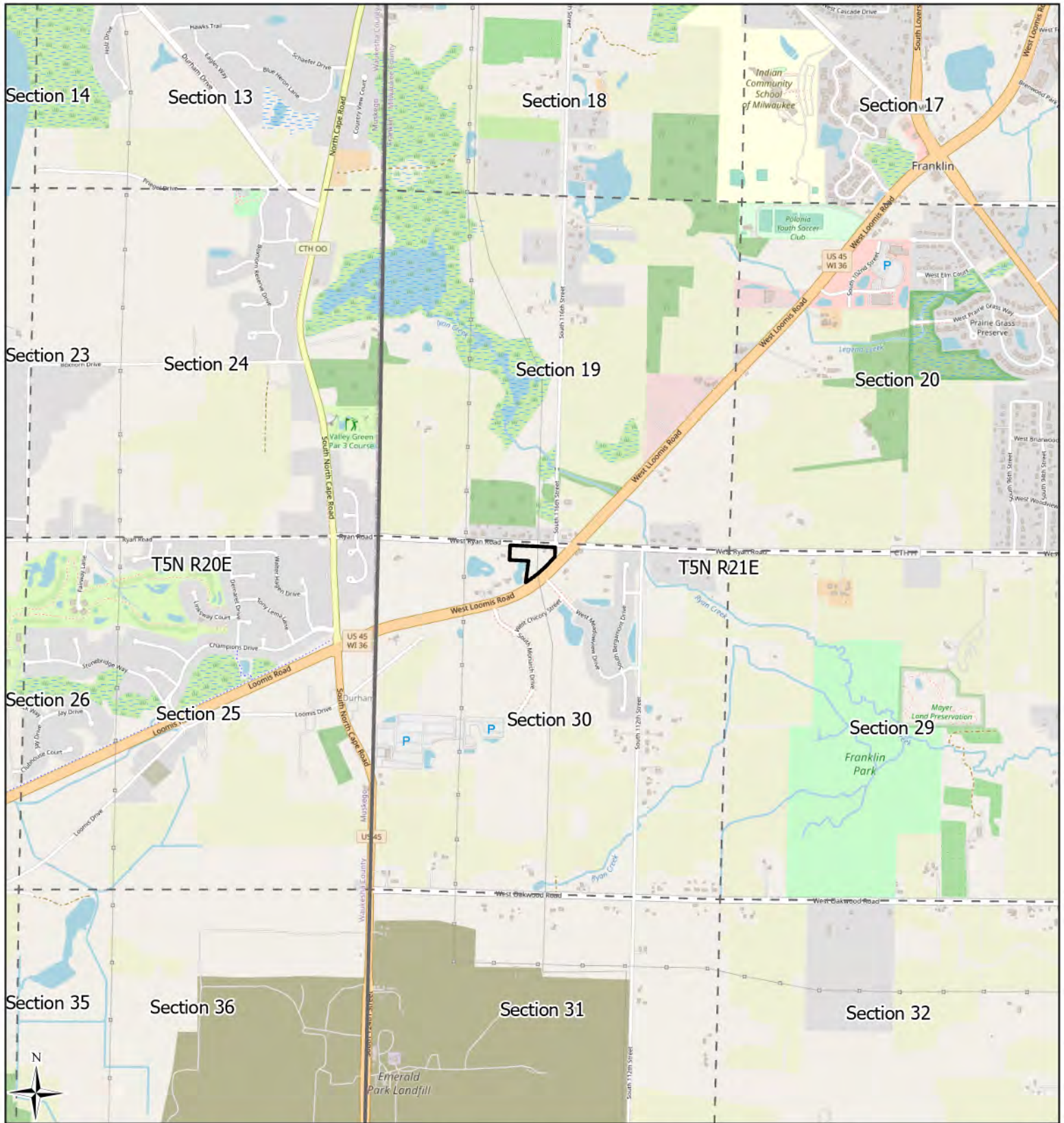





Mr. Dan Szczap  
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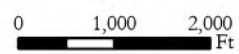
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## Appendix A | Figures





-  Study Area (4.84 ac)
-  Township
-  Section



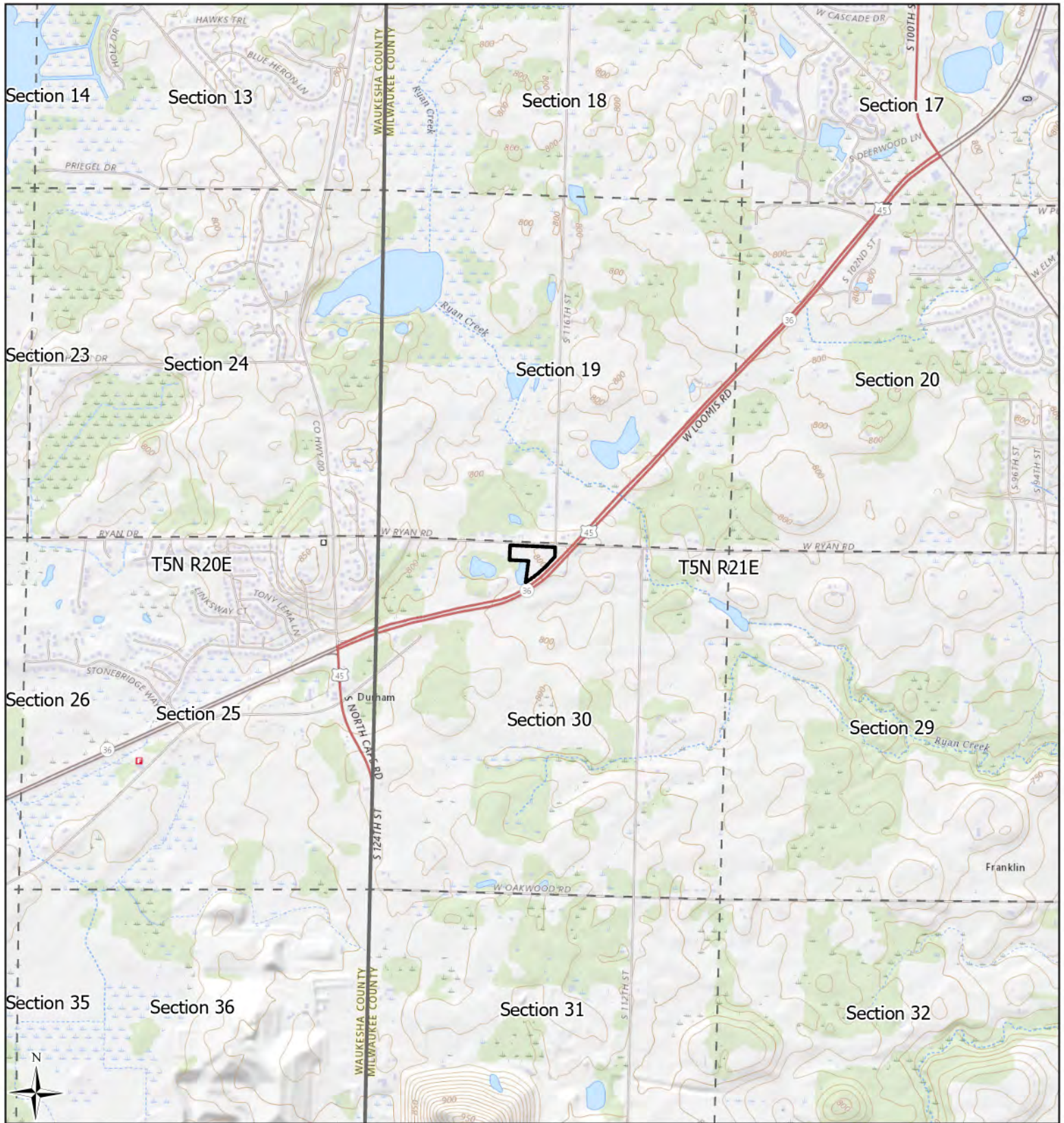
**Heartland**  
ECOLOGICAL GROUP INC

Figure 1. Project Location  
4.75-Acre Parcel  
Project #20231016  
T5N, R21E, S30  
C Franklin, Milwaukee Co

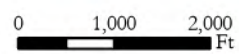
OpenStreetMap  
ESRI LRR: MW

Figure Created: 6/14/2023





- Study Area (4.84 ac)
- Township
- Section



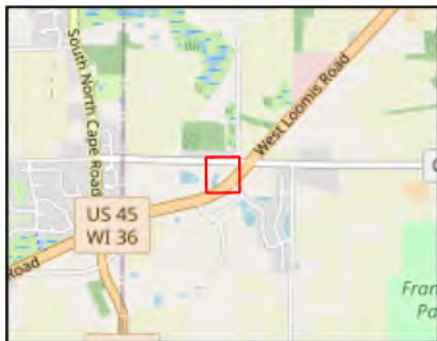
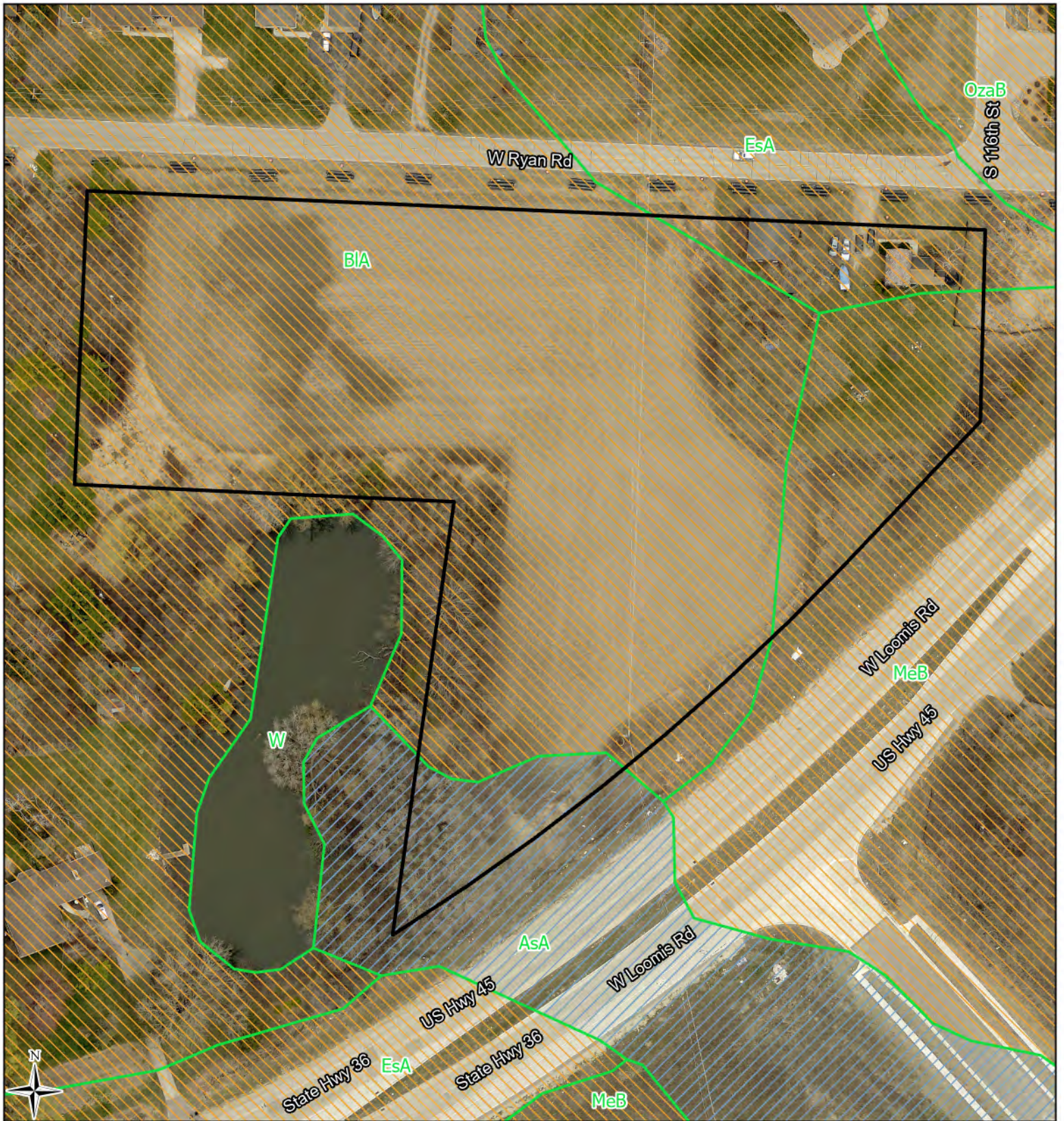
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ECOLOGICAL GROUP INC


Figure 2. USGS Topography  
4.75-Acre Parcel  
Project #20231016  
T5N, R21E, S30  
C Franklin, Milwaukee Co

USGSTopo  
USGS, WDNR  
LRR: MW






Figure Created: 6/14/2023





 Study Area (4.84 ac)

### NRCS Soil Survey Data

-  Hydric (100%)
-  Predominantly Hydric (85-99%)
-  Partially Hydric (16-84%)
-  Predominantly Non-Hydric (1-15%)
-  Non-Hydric (0%)



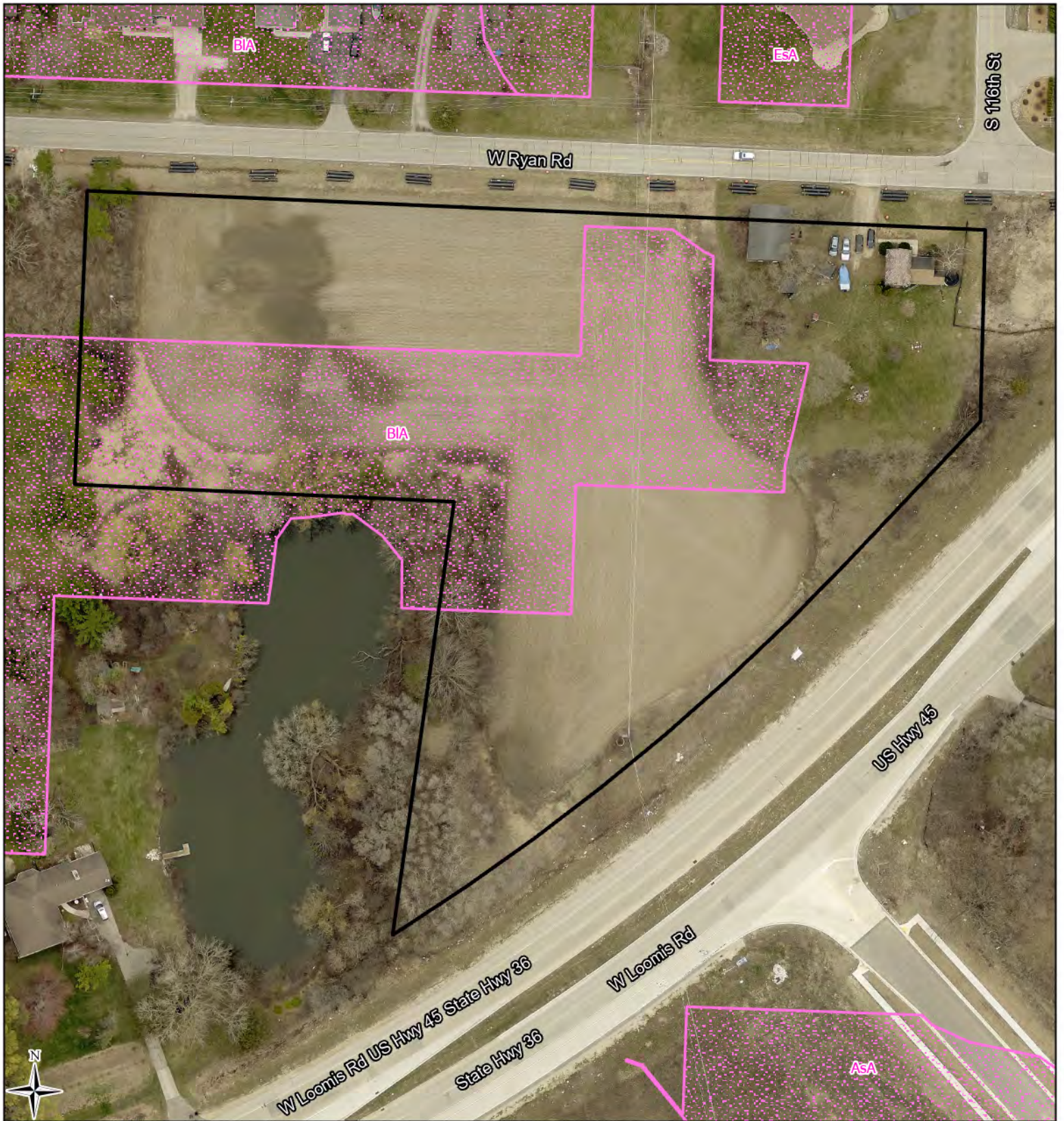
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Figure 3. NRCS  
Hydric Soils  
4.75-Acre Parcel  
Project #20231016  
T5N, R21E, S30  
C Franklin, Milwaukee Co

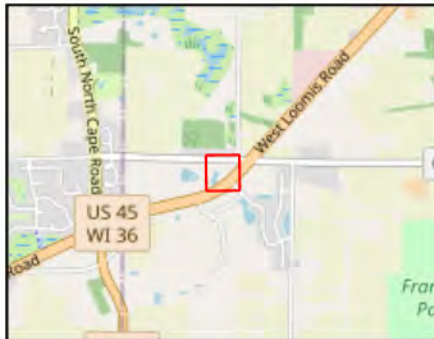
2022 Dane Co Orthophoto  
NRCS LRR: MW

Figure Created: 6/14/2023





-  Study Area (4.84 ac)
-  SWDV Wetland Indicators



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**Figure 4. SWDV Wetland Indicators**

4.75-Acre Parcel  
Project #20231016  
T5N, R21E, S30  
C Franklin, Milwaukee Co

2022 Milwaukee Co Orthophoto  
WDNR LRR: MW





-  Study Area (4.84 ac)
-  Perennial Streams (None in Map Extent)
-  Intermittent Streams (None in Map Extent)
-  Waterbodies
-  WWI Wetland Polygons
-  WWI Wetland Points (None in Map Extent)



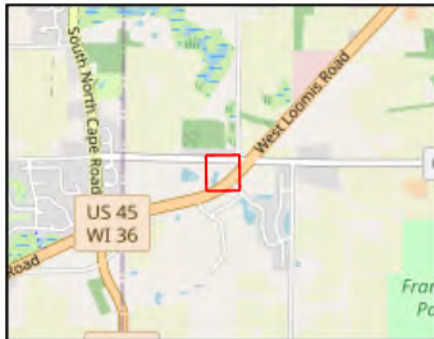
**Heartland**  
ECOLOGICAL GROUP INC

**Figure 5. Wisconsin Wetland Inventory**

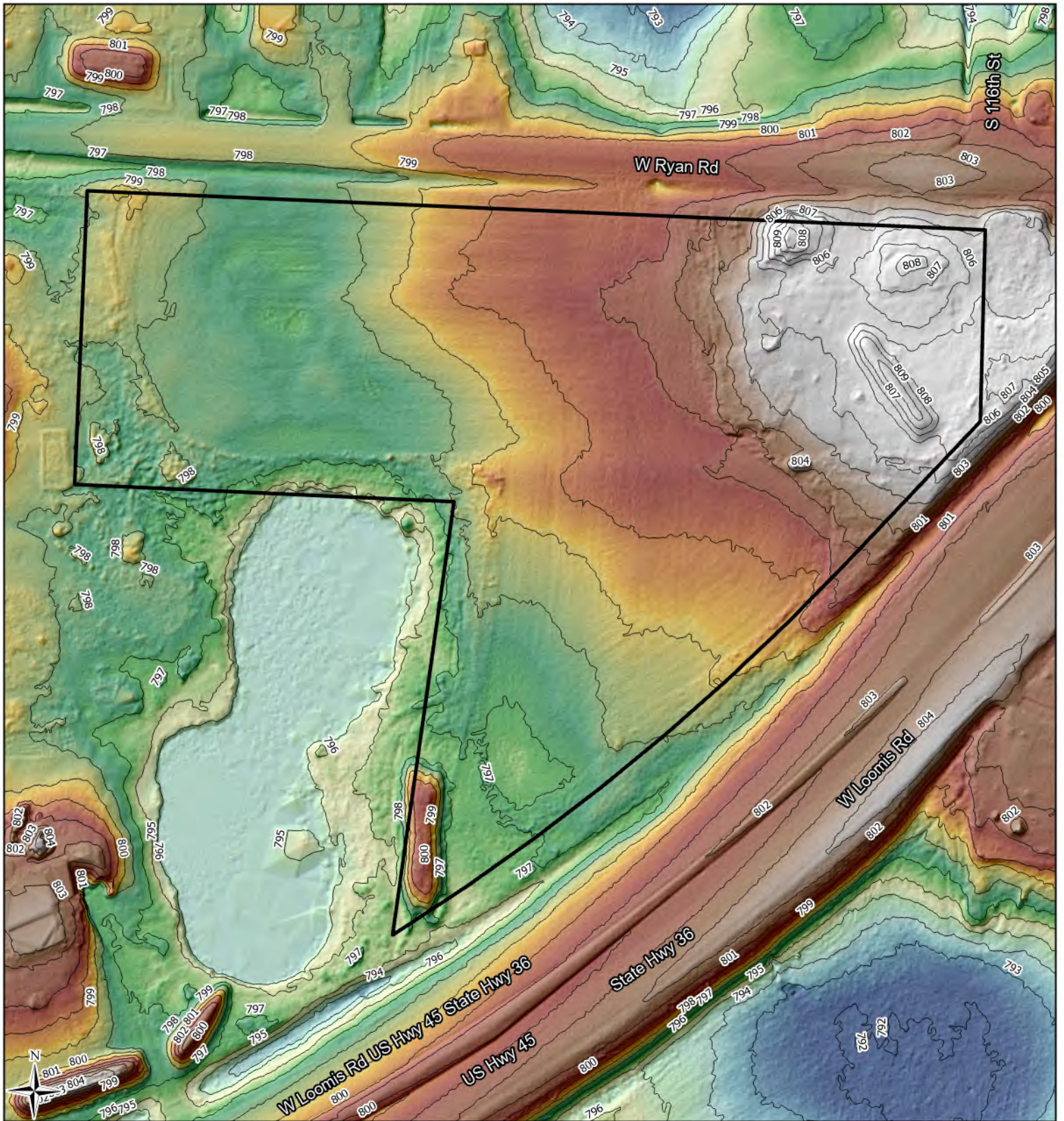
4.75-Acre Parcel  
Project #20231016  
T5N, R21E, S30  
C Franklin, Milwaukee Co



2022 Milwaukee Co Orthophoto  
WDNR, USGS LRR: MW

Figure Created: 6/14/2023







 Study Area (4.84 ac)  
 Milwaukee Co 1' Contours

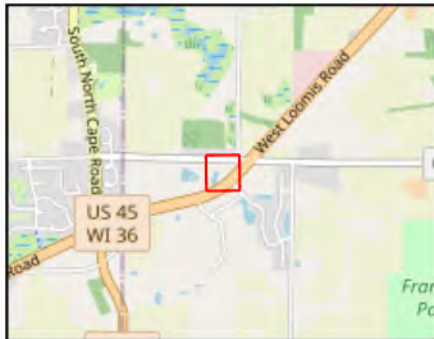


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Figure 6. Color-Stretch  
 Digital Elevation Model  
 4.75-Acre Parcel  
 Project #20231016  
 T5N, R21E, S30  
 C Franklin, Milwaukee Co

DNR Lidar Service  
 WDNR, Milwaukee Co LRR: MW

Figure Created: 6/14/2023







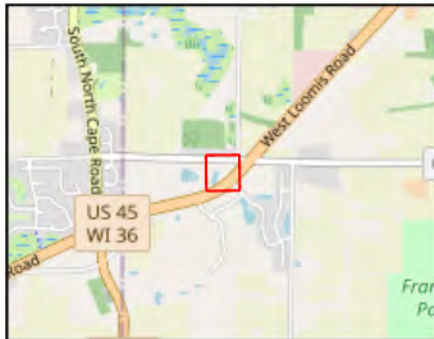
- Study Area (4.84 ac)
  - Milwaukee Co 1' Contours
  - Field Delineated Wetlands (0.09 ac)
  - Pond 1 OHWM
- Sample Points**
- Upland
  - Wetland



**Heartland**  
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**Figure 7. Field Delineated Wetlands**  
 4.75-Acre Parcel  
 Project #20231016  
 T5N, R21E, S30  
 C Franklin, Milwaukee Co

2022 Milwaukee Co Orthophoto  
 Milwaukee Co, HEG LRR: MW  
 Figure Created: 6/29/2023





**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
1027 W St. Paul Ave.  
Milwaukee, WI 53233

**Tony Evers, Governor**  
**Adam N. Payne, Secretary**  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



November 7<sup>th</sup>, 2023

WIC-SE-2023-41-03565

Daniel Szczap  
4011 80th Street  
Kenosha, WI 53142

RE: Nonfederal Wetland Exemption Determination for an area described as W-1 located in Section 30, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County

Dear Mr. Szczap:

This letter is in response to your request for a nonfederal wetland exemption determination for the above mentioned wetlands.

According to 281.36 (4n), Wis. Stats., a nonfederal urban wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact per parcel. Mitigation will be required for impacts greater than 10,000 sq ft up to 1 acre. The applicant must have a nonfederal jurisdictional determination from the Army Corps of Engineers along with a map of the wetland(s) involved. In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n), Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative including project scope and purpose
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information

Below is a summary of our findings:

#### **Request Narrative**

According to the request narrative the total wetland impacts will be 0.09 acres (3,920 SF) in size. The purpose of this project is to develop residential properties in the City of Franklin, and future residential driveways and utility laterals may impact the identified wetland.

#### **Site Location and Photographs**

The site location confirms that the wetland is located in an urban area. Wetland photographs showed the area is currently utilized as a farmed wet meadow.

#### **Botanical Survey**

The botanical survey demonstrates that the wetland is not a rare and high quality wetland.

#### **Wetland Delineation Information**

The wetland delineation shows that W-1 is a 0.09-acre area of farmed wet meadow located in a depression within the northwestern portion of the study area.

#### **Stormwater Compliance Information**

The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. 59.693, 60.627, 61.354, or 62.234, Wis. Stats.

#### **Mitigation**

The documentation showed that the nonfederal exemption request is for less than 10,000 SF of impact in an urban area, therefore mitigation is not required.



**Conclusion:**

Based upon the documentation provided above, the project meets the eligibility criteria pursuant to s. 281.36 (4n), State Stat., and no mitigation is required. You are able to proceed with this project. If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (414) 430-7129 or email michelle.soderling@wisconsin.gov.

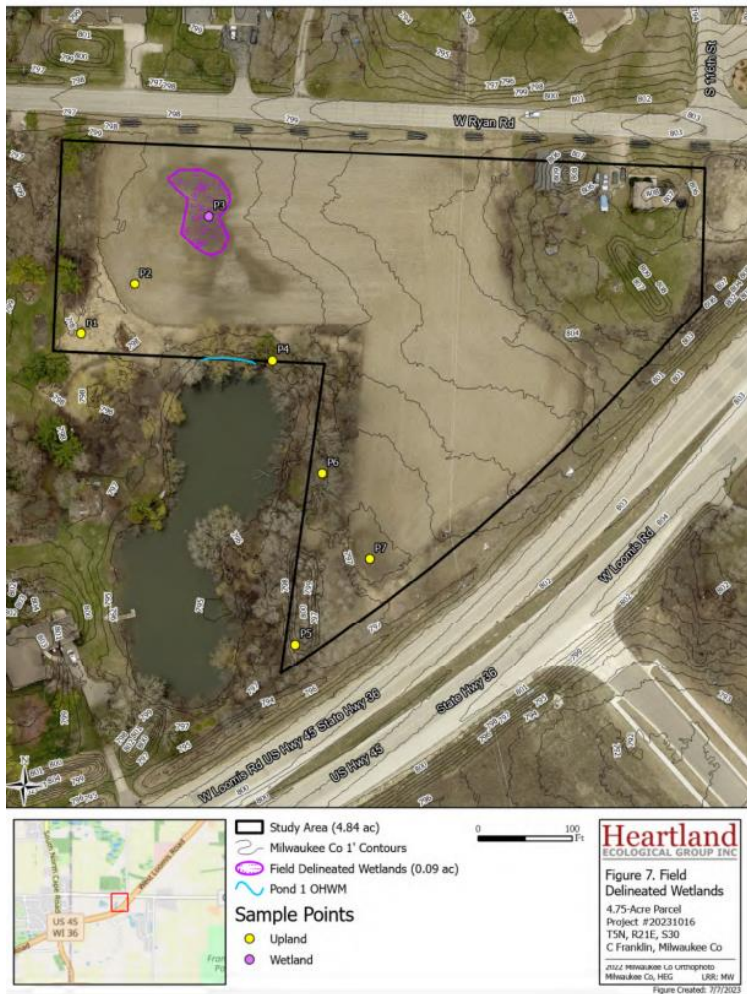
Sincerely,



Michelle Soderling  
Water Management Specialist

Email CC: Tim Orłowski, USACE Project Manager  
Kelly Hersh, City of Franklin Administrator

Enclosure: Site map with W-1 boundary:





**DEPARTMENT OF THE ARMY**  
**ST. PAUL DISTRICT, CORPS OF ENGINEERS**  
**332 MINNESOTA STREET, SUITE E1500**  
**ST. PAUL, MN 55101-1323**

**OCTOBER 11, 2023**

Regulatory File No. MVP-2015-00973-TKO

Bear Development, LLC  
Attn: Daniel Szczap  
4011 80th Street  
Kenosha, WI 53142

Dear Mr. Szczap:

This letter is in regard to an approved jurisdictional determination for the property located southwest of the intersection of West Ryan Road and South 116th Street in Franklin. The project site is in Section 30, Township 05 North, Range 21 East, Milwaukee County, Wisconsin. The review area for our jurisdictional determination is identified on the enclosed figures, labeled 2015-00973-TKO Figures 1-4 of 4.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. This determination is only valid for the review area described. You are also cautioned that the area of waters described on the enclosed Jurisdictional Determination form is approximate and is not based on a precise delineation of aquatic resources.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.



Regulatory Division (File No. 2015-00973-TKO)

If you have any questions, please contact me in our Green Bay office at (920) 912-5427 or [timothy.k.orlowski@usace.army.mil](mailto:timothy.k.orlowski@usace.army.mil). In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Orlowski".

Tim Orlowski  
Project Manager

Enclosures

cc:  
Michelle Soderling - WI DNR



**CITY OF FRANKLIN**  
**REPORT TO THE PLAN COMMISSION**  
**Meeting of April 4, 2024**

Item E.2.

**FINAL PLAT**

**RECOMMENDATION:** City Development Staff recommends approval of the Final Plat for the Cape Crossing Addition No. 1, subject to conditions set forth in the attached draft resolution.

<b>Project name:</b>	Cape Crossing Addition No. 1 Final Plat
<b>Property Owner:</b>	Cape Crossing, LLC
<b>Applicant:</b>	Cape Crossing, LLC
<b>Agent:</b>	Eric Obarski, Cape Crossing, LLC
<b>Property Address/TKN:</b>	12200 W. Ryan Rd. / 890 9991 001 & 890 9991 002
<b>Aldermanic District:</b>	District 6
<b>Zoning District:</b>	PDD-40 – Cape Crossing
<b>Staff Planner:</b>	Nick Fuchs, Planning Associate
<b>Submittal date:</b>	02-16-2024
<b>Application number:</b>	PPZ24-0031

**Introduction/Background:**

The Cape Crossing Addition No. 1 Final Plat consists of twenty-five single-family lots, Lot Nos. 64 through 88. Outlot Nos. 12 and 13 are also included. Outlot 12 consists primarily of natural resource features and storm water management easements. Outlot 13 will be a future phase of development.

Pursuant to Wisconsin Statutes §236.11(2)(a)., the approving authority (Common Council) shall take action within 60 days of application submittal unless a time extension is granted by the applicant. As such, this time frame will expire on April 16, 2024.

Below is a list of the history and previous approvals of this development.

- A Concept Review for the Planned Development District was presented before the Common Council on August 3, 2021, the first concept version had 180 lots, which was later reduced to 142 lots and finally to the current design of 130 lots.
- The Cape Crossing Planned Development District (PDD) was conditionally approved by the Common Council on January 18, 2022, Ordinance 2022-2492, which establishes the development standards for this subdivision. The former zoning was is R-3 Suburban/Estate Single-Family Residence District.
- On March 5, 2022, the Common Council adopted Resolution 2022-7839 conditionally approving the Preliminary Plat for this subdivision.
- On September 20, 2022, the Common Council adopted Resolution 2022-7904 conditionally approving a Final Plat for The Villas at Cape Crossing/The Estates at Cape Crossing Subdivision.



**Project Description/Analysis:**

The approved preliminary plat consists of 3 phases. This phase has a total of 25 single-family residential lots. It can be noted that the Cape Crossing Planned Development District (PDD) has two areas with different developments standards: The Villas and The Estates. The Villas is the south half of the subdivision and allows for smaller lots with a minimum lot size of 9,000 square feet. There are 76 lots located in The Villas area. The Estates is the north half with 54 lots with a minimum lot area of 12,000 square feet. This proposed phase is located within The Estates area.

All PDD No. 40 development standards are met. Moreover, the Final Plat is in substantial conformance with the Preliminary Plat for this development.

**Natural resource protection**

The natural resources are primarily located within Outlot 12 of the Final Plat. Wetland setbacks do extend onto Lot Nos. 79, 80, 87, and 88. The wetlands were delineated on June 26<sup>th</sup> and June 27<sup>th</sup> 2017. As the delineations are older than 5-years, in accordance with 15-4.0102G. of the UDO, staff recommends that the wetland areas immediately surrounding Lot Nos. 79, 80, 87, and 88 be re-delineated and revised on the Final Plat as may be necessary.

**Staff recommendation:**

A motion to recommend approval of the Cape Crossing Final Plat, subject to the conditions as noted in the attached draft resolution.

## RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A  
FINAL PLAT FOR THE CAPE CROSSING ADDITION NO. 1 SUBDIVISION  
(AT 12200 WEST RYAN ROAD)  
(CAPE CROSSING, LLC, APPLICANT)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a final plat for the Cape Crossing Addition No. 1 subdivision, such plat being all of Outlot 11 of Cape Crossing, a recorded subdivision, being part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, containing 1,034,496 square feet (23.7488 acres) of land, consisting of 25 single-family residence lots, with outlots for common areas, stormwater management facilities and future phases, bearing Tax Key No. 890 1074 000, Cape Crossing, LLC, applicant; said Final Plat having been reviewed by the City Plan Commission following the reviews and recommendations or reports of the City Planning Department and the City Engineering Department, and the Plan Commission having recommended approval thereof at its meeting on April 4, 2024, 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 final plat 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 Final Plat of Cape Crossing Addition No. 1 subdivision, as submitted by Cape Crossing, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, and that all minor technical deficiencies within the Final Plat be rectified, all prior to the recording of the Final Plat.
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. Pursuant to §236.13(1) and (2), Stats., pertaining to conditions of plat approval and the provision of public improvements reasonably necessary, respectively, and §15-8.0101



CAPE CROSSING, LLC - FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
RESOLUTION NO. 2022-\_\_\_\_\_

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and §15-2.0303 of the Unified Development Ordinance, pertaining to required improvements and the financial security to be provided therefore as conditions of plat approval, the required improvements prescribed in the Unified Development Ordinance for land divisions are required as a condition of the approval of the Final Plat for Cape Crossing Addition No. 1 subdivision; a Subdivision Development Agreement (“Subdivider’s Agreement”), as may be approved by the Common Council upon the recommendation of the City Engineer and as secured by a letter of credit in form as approved by the City Attorney, shall provide for the furnishing, construction and installation of the required improvements and such other matters as set forth therein, and shall be entered into and executed by Cape Crossing, LLC prior to the recording of the Final Plat.

4. Each and any easement shown on the Final Plat shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Final Plat.
5. That any and all submissions, reviews and approvals, for any and all matters required to be submitted, reviewed and/or approved within the final plat application process as specified within the Unified Development Ordinance, which may not have been submitted, reviewed and/or approved as of the date of adoption of this Resolution, if any, including for matters of utility easements, a declaration of deed restrictions and protective covenants, conservation easements, other public purpose easements, stormwater management agreements, and homeowners’ association legal instruments, shall be so submitted, reviewed and/or approved, prior to the recording of the Final Plat.
6. Cape Crossing, LLC, successors and assigns and any developer of Cape Crossing Addition No. 1, 25 lots and outlots single-family residential subdivision development 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 Cape Crossing Addition No. 1, 25 lots and outlots single-family residential subdivision development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

CAPE CROSSING, LLC - FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
RESOLUTION NO. 2022-\_\_\_\_\_

Page 3

7. The approval granted hereunder is conditional upon Cape Crossing, LLC and Cape Crossing Addition No. 1, 25 lot and outlots single-family residential subdivision development project for the property located at 12200 West Ryan 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.
8. The Cape Crossing Addition No. 1, 25 lot and outlots single-family residential subdivision development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
9. The subdivider must submit the Department of Administration "Letter of Certification" to the Department of City Development, prior to recording this final plat with the Milwaukee County Register of Deeds.
10. Pursuant to the Unified Development Ordinance Section 15-7.0603.D, the declaration of protective covenants is subject to review by the City Attorney.
11. The applicant shall be responsible for filing a Subdivision Development Agreement consistent with all regulations of the Unified Development Ordinance and Municipal. Common Council approval of said Subdivision Development Agreement is required prior to recording this Final Plat.
12. Final Engineering Department approval of the grading, erosion control and storm water management plan is required prior to recording this Final Plat.
13. Final Engineering Department approval of sewer and water extensions is required prior to recording this Final Plat.
14. Separate site plan approval shall be required for amenity areas, such as clubhouse and fire pit. Signage shall be subject to issuance of a Sign Permit from the City Development Department.

BE IT FURTHER RESOLVED, that the Final Plat of Cape Crossing Addition No. 1 subdivision development, 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 12 months from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 12 months 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



CAPE CROSSING, LLC - FINAL PLAT FOR THE VILLAS AT CAPE CROSSING/THE  
ESTATES AT CAPE CROSSING SUBDIVISION  
RESOLUTION NO. 2022-\_\_\_\_\_

Page 4

the recording of a final plat, the City Clerk is hereby directed to obtain the recording of the Final Plat of Cape Crossing Addition No. 1 subdivision 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 16th day of April, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 16th day of April, 2024.

APPROVED:

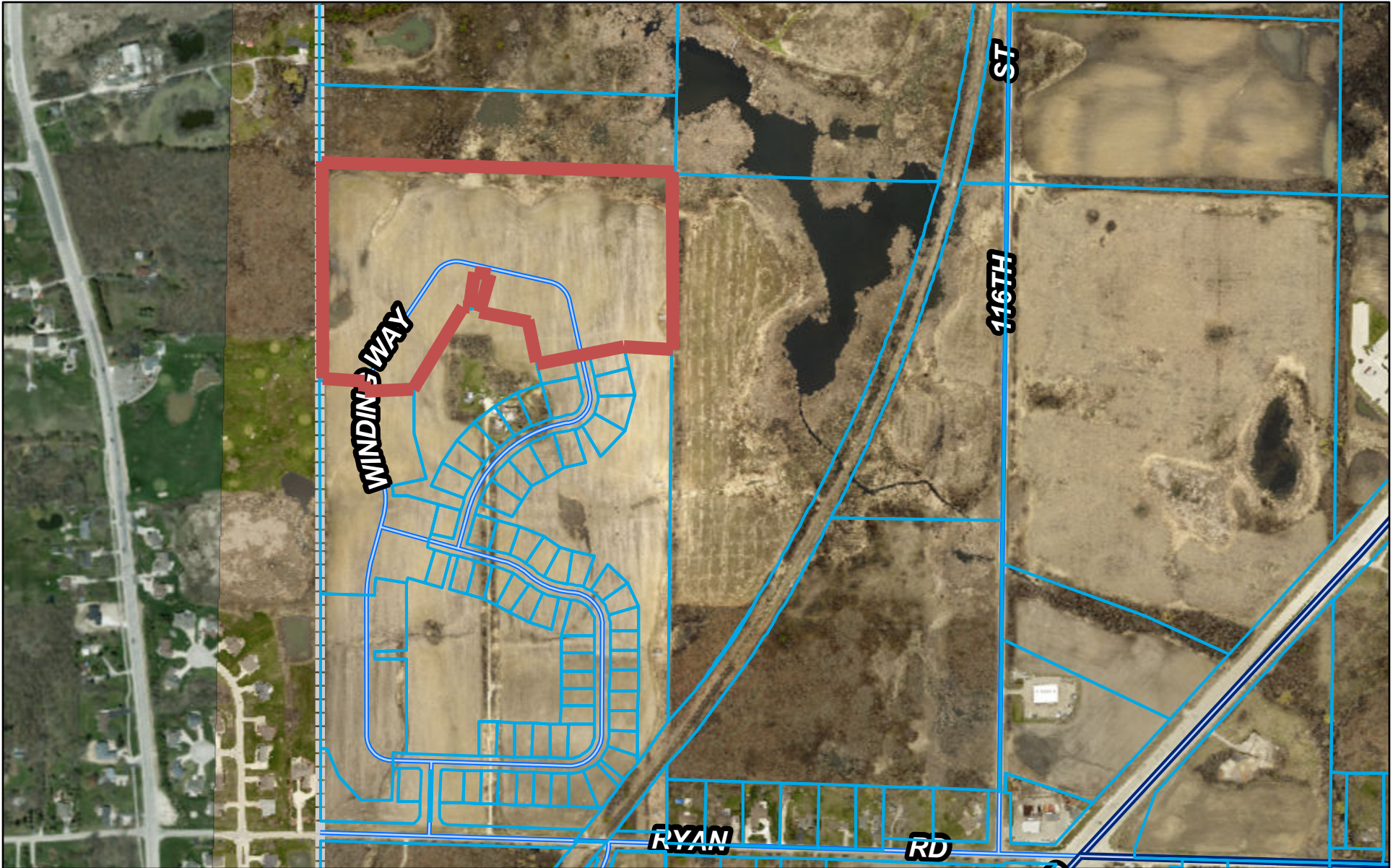
\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

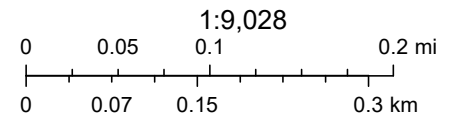
AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# City of Franklin Property Viewer



3/21/2024, 11:26:59 AM

 Parcel



SEWRPC, Maxar, City of Franklin, WI



Project Narrative  
Cape Crossing Addition No. 1  
February 16, 2024

Cape Crossing LLC is submitting the final plat called Cape Crossing Addition No. 1. This is the second phase of the Cape Crossing subdivision located along West Ryan Road in the Southwest 1/4 of Section 19, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin. This Addition No. 1 plat will contain the northerly most twenty-five lots that were shown on the approved preliminary plat. The area was platted as Outlot 11 on the Cape Crossing final plat and Outlot 11 was noted as future development. The construction plans and storm water management plan for the entire development was approved in 2022. The grading, utility and road construction for this phase will occur in 2024. South Overlook Way will be extended to provide access to the lots in this phase.

**FIRST AMENDMENT  
TO THE  
DECLARATION OF  
PROTECTIVE COVENANTS OF  
CAPE CROSSING**

Document Title

Document Number

This First Amendment to the Declaration of Protective Covenants of CAPE CROSSING Subdivision (the "First Amendment") is made this 15<sup>th</sup> day of March, 2024, by CAPE CROSSING, LLC ("Declarant"), a Wisconsin limited liability company.

**RECITALS**

A. CAPE CROSSING, LLC created that certain Declaration of Protective Covenants for CAPE CROSSING Subdivision dated July 28<sup>th</sup>, 2023 and recorded on August 2<sup>nd</sup>, 2023 as Document No. 11356367 in the office of the Register of Deeds of Milwaukee County, Wisconsin (the "Declarations"). The Declarations encumber certain real property located in the City of Milwaukee (the "City"), Milwaukee County; and

B. Cape Crossing, LLC recorded the Final Plat for Cape Crossing Subdivision on August 2<sup>nd</sup>, 2023 as Document No. 11356311 in the office of the Register of Deeds of Milwaukee County; and

C. The Declaration, Section 11.2, Declarant reserves the right to Expand the Declarations by recording a document with the Register of Deeds of Milwaukee County;

Drafted By and Return Address:  
Vista Run , LLC  
C/O Neumann Developments,  
Inc.  
N27 W24025 Paul Court,  
Suite 100,  
Pewaukee, WI 53072  
ATTN: Eric Obarski

PIN:  
8901074000













**SURVEYOR'S CERTIFICATE**

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and redivided all of Outlot 11 of Cape Crossing, a recorded subdivision, part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

Containing 1,034,496 square feet (23.7488 acres) of land Net, more or less.

That I have made such survey, land division and map by the direction of CAPE CROSSING LLC, owner of said land.

That such plat 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 the requirements of Chapter 236 of the Wisconsin State Statutes and the City of Franklin Unified Development Ordinance Division 15 in surveying, mapping and dividing the lands within the subdivision.

John P. Konopacki
Professional Land Surveyor S-2461
DATE: JANUARY 19, 2024
REVISED: MARCH 14, 2024



**OWNER'S CERTIFICATE OF DEDICATION**

CAPE CROSSING LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

CAPE CROSSING LLC also certifies that this plat is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

- 1. City of Franklin
2. Wisconsin Department of Administration
3. Milwaukee County

IN WITNESS WHEREOF, the said CAPE CROSSING LLC, has caused these presents to be signed by (name) \_\_\_\_\_, its member, at (city) \_\_\_\_\_, County, Wisconsin, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

In the presence of: CAPE CROSSING LLC

Member - \_\_\_\_\_

STATE OF WISCONSIN)
\_\_\_\_\_ COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, (name) \_\_\_\_\_, member, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such member of said limited liability company and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
Name: \_\_\_\_\_
State of Wisconsin
My Commission Expires: \_\_\_\_\_

**CONSENT OF CORPORATE MORTGAGEE**

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and dedication of the land described on this plat and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said \_\_\_\_\_, has caused these presents to be signed by \_\_\_\_\_, its President, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

President \_\_\_\_\_

STATE OF WISCONSIN)
\_\_\_\_\_ COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: \_\_\_\_\_
State of Wisconsin
My Commission Expires: \_\_\_\_\_

**CITY OF FRANKLIN CERTIFICATE**

Resolved, that the plat known as CAPE CROSSING ADDITION No. 1, being a part of the Northwest 1/4 of the Southwest 1/4 of Section 19, Township 5 North, Range 21 East, in the City of Franklin, which has been filed for approval, be and is hereby approved as required by Chapter 236 of the Wisconsin State Statutes.

I hereby certify that the foregoing is a true and correct copy of resolution No. \_\_\_\_\_ adopted by the Common Council of the City of Franklin, Wisconsin on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which action becomes effective upon receipt of approval of all other reviewing agencies and all conditions of the City of Franklin's approval were satisfied as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Date \_\_\_\_\_ John R. Nelson, Mayor

Date \_\_\_\_\_ Shirley J. Roberts, City Clerk

**CITY OF FRANKLIN TREASURER'S CERTIFICATE**

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Danielle Brown, being duly appointed, qualified and acting Director of Finance and Treasurer of the City of Franklin, do hereby certify in accordance with the records in my office, there are no unpaid taxes or special assessments as of \_\_\_\_\_, 20\_\_\_\_ on any of the lands included in the plat of CAPE CROSSING ADDITION No. 1.

Date \_\_\_\_\_ Danielle Brown, Director of Finance and Treasurer

**MILWAUKEE COUNTY TREASURER'S CERTIFICATE**

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, David Cullen, being duly elected, qualified and acting Treasurer of Milwaukee County, do hereby certify that the records in my office show no unpaid taxes and no unredeemed tax sales or special assessments as of \_\_\_\_\_, 20\_\_\_\_ affecting the lands included in the plat of CAPE CROSSING ADDITION No. 1.

Date \_\_\_\_\_ David Cullen, Milwaukee County Treasurer

Table with 9 columns: CURVE NO., LOT NO., ARC, RADIUS, DELTA, CHORD BEARING, CH LENGTH, TANGENT IN, TANGENT OUT. Contains curve data for various lots.

Table with 6 columns: LINE NO., BEARING, DISTANCE. Contains conservation easement line data for lots L1 through L25.

Table with 6 columns: LINE NO., BEARING, DISTANCE. Contains storm easement line data for lots L50 through L90.

**The UTILITY EASEMENT PROVISIONS**

An easement for electric, natural gas, and communications service is hereby granted by

CAPE CROSSING, LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, Grantee,

Wisconsin Bell, Inc. d/b/a AT&T Wisconsin, a Wisconsin corporation, Grantee,

and SPECTRUM MID-AMERICA, LLC, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

Owner/Developer
CAPE CROSSING LLC.
Attn: Eric Obarski
N27 W24025 Paul Court, Suite 100
Pewaukee, WI 53072
PH: 262-542-9200

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.
Certified \_\_\_\_\_, 20\_\_\_\_
Department of Administration



CAPE CROSSING ADDITION No. 1
BEING ALL OF OUTLOT 11 OF CAPE CROSSING, PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

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

PINNACLE ENGINEERING GROUP





CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION

Item E.3.

Meeting of April 4, 2024

Temporary Use

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**RECOMMENDATION:** Department of City Development staff recommends approval of this Temporary Use from April 2 to October 31, 2024.

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<b>Project Name:</b>	<b>Firewise Barbecue Food Truck</b>
<b>Project Address:</b>	10925 W Speedway Drive
<b>Applicant:</b>	Alex Obradovich. Firewise Barbecue Company, LLC.
<b>Property Owner:</b>	Menard, Inc.
<b>Current Zoning:</b>	M-1 Limited Industrial District
<b>2025 Comprehensive Plan:</b>	Commercial
<b>Use of Surrounding Properties:</b>	Commercial zoned M-1 to the north and south, vacant properties zoned M-1 to the east and west, multi-family residential to the south
<b>Applicant’s Action Requested:</b>	Approval of Temporary Use from April 2 to October 31, 2024
<b>Planner:</b>	Luke Hamill, Associate Planner

---

**Introduction:**

Temporary Use application to allow for food truck operation in the Menards parking lot at 10925 W. Speedway Dr. The proposed food truck operation is from April 2 to October 31, 2024, with food service from 11:00 am to 6:00 pm and food truck parking from 9:00 am to 6:30 pm. The applicant is planning to operate at this location 1 to 2 days per week but requesting permission for 7 days a week.

The applicant received a Temporary Use permit in 2021, 2022, and 2023 for food truck operation at this location and the same period of time. This temporary use permit requires Plan Commission approval because the requested period of operation is over 30 calendar days and is located in the M-1 Limited Industrial zoning district.

It is worth noting that City Development staff conditionally approved this Temporary Use application on March 25 (attached), limited from April 2 to April 4, to allow for food truck operation while awaiting for Plan Commission review and approval.

Similar to 2021, 2022, and 2023 the tow vehicle and food trailer would occupy 9 parking stalls as indicated in the submitted site plan, the operator would use orange cones to block the service side of the trailer where customers order, cones would be flush to parking stalls. Precedents of approved temporary use permits for this property include:

- Christmas Tree Sales (2004-2006).
- Tree-Ripe Citrus Co. (2013-2019).

- Gypsy Fruit (2015).

## **Analysis**

City Development staff reviewed this application for compliance with the Unified Development Ordinance (UDO) Section 15-3.0804.B “Temporary Miscellaneous Outdoor Sales”:

1. *Location. No display, sales or parking is permitted in any street right-of-way, except such parking on-street as is regularly permitted. In addition, no display, sales or parking shall obstruct pedestrian or vehicular traffic. All display areas or temporary structures shall comply with the minimum required yard setbacks for the zoning district for the property upon which the temporary miscellaneous outdoor sale occurs.*
  - City Development staff has no concerns with the proposed location.
2. *Parking. All parking shall be on-site, except such on-street parking as is regularly permitted. The applicant must demonstrate that there will be adequate parking for the existing uses as well as the proposed temporary miscellaneous outdoor sale.*
  - All parking must be within the property.
3. *Trash and Debris. The applicant must demonstrate and provide adequate facilities to dispose of all trash or other waste generated by the temporary miscellaneous outdoor sale.*
  - City Development staff recommends that the operator must provide at least one (1) trash receptacle for customers.
4. *Signage. All signage shall be in accordance with the sign regulations set forth in this Ordinance.*
  - City Development staff has no concerns with the food truck lettering as presented in submitted pictures. Advertising of products/services that are not incidental to the food truck use are prohibited per Municipal Code Section 210-10 “Signs on vehicles”.
5. *Temporary Outdoor Structures. All proposed temporary outdoor structures (tents, canopies) are subject to review and approval of the Fire Inspector and the Building Inspector.*
  - This standard does not apply as no tents/canopies are proposed.
6. *Temporary Miscellaneous Outdoor Sales Shall be Limited to 14 Consecutive Days. Owners must obtain a Temporary Use Permit for each temporary miscellaneous outdoor sale before the use is permitted. Each such uses shall not exceed 14 consecutive calendar days. The total days of such temporary uses during a calendar year shall not exceed 30 calendar days.*
  - If approved, the temporary use permit will be valid from April 2 to October 31, 2024, a separate temporary use permit will be required for any operations beyond this time frame.
7. *A Site Plan is Required. A site plan showing location of existing buildings, locations of proposed structures for the sales/events, locations of parking spaces, signage, hours of operation, what merchandise is being sold and any other information pertinent to the review of the sales/events and as may be so required by the Zoning Administrator or*



*designee of the City Planning Department or the Plan Commission, as applicable, shall be submitted as part of the application for a commercial temporary outdoor sale use.*

- Submitted application materials have been deemed complete for review.

**Staff recommendation**

Department of City Development staff recommends approval of this Temporary Use from April 2 to October 31, 2024, subject to the conditions set forth in the attached resolution.

RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A TEMPORARY USE FOR A FIREWISE BARBECUE COMPANY  
FOOD TRUCK OPERATION IN THE PARKING LOT OF THE MENARDS STORE  
LOCATED AT 10925 WEST SPEEDWAY DRIVE  
(ALEXANDER M. OBRADOVICH, OWNER OF FIREWISE BARBECUE COMPANY  
LLC, APPLICANT)

---

WHEREAS, Alexander M. Obradovich, owner of Firewise Barbecue Company LLC having petitioned the City of Franklin for the approval of a Temporary Use to allow for a food truck operation in the Menards parking lot located at 10925 West Speedway Drive (the tow vehicle is 22 feet in length and the food trailer is 30 feet in length (both vehicles are 8.5 feet wide) and will occupy 9 parking stalls), from April 2, 2024 through October 31, 2024, with food service from 11:00 a.m. to 6:00 p.m. (food truck parking from 9:00 a.m. to 6:30 p.m.);

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of Alexander M. Obradovich, owner of Firewise Barbecue Company LLC for the approval of a Temporary Use to allow for a food truck operation, for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. The approval granted hereunder shall allow for such use from April 2, 2024 through October 31, 2024, with food service from 11:00 a.m. to 6:00 p.m. (food truck parking from 9:00 a.m. to 6:30 p.m.), and all approvals granted hereunder expiring at 6:30 p.m. on October 31, 2023.
2. The Firewise Barbecue Company truck and trailer shall be parked within the 9 parking spaces in the Menard's parking lot as shown on the Site Plan, City file-stamped March 5, 2024.
3. A minimum of one (1) trash receptacle must be provided to properly dispose of any waste generated by this use.



ALEXANDER M. OBRADOVICH, OWNER OF FIREWISE BARBECUE COMPANY LLC. –  
TEMPORARY USE

RESOLUTION NO. 2024-\_\_\_\_\_

Page 2

4. No display, sales, or parking shall obstruct vehicular traffic. Drive aisles must be maintained at all times to allow safe and efficient vehicular access throughout the Menard’s parking lot.
5. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but is not limited to, all necessary licenses/permits which are required through the Building Inspection Department, Clerks Office and Health Department.
6. Any signage other than lettering on the truck and trailer shall be subject to issuance of a Sign Permit from the City of Franklin Building Inspection Department.
7. The lettering on the truck and trailer is limited to advertising incidental to the food truck operation and any other advertising is prohibited per Municipal Code Section 210-10 “Signs on Vehicles”.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

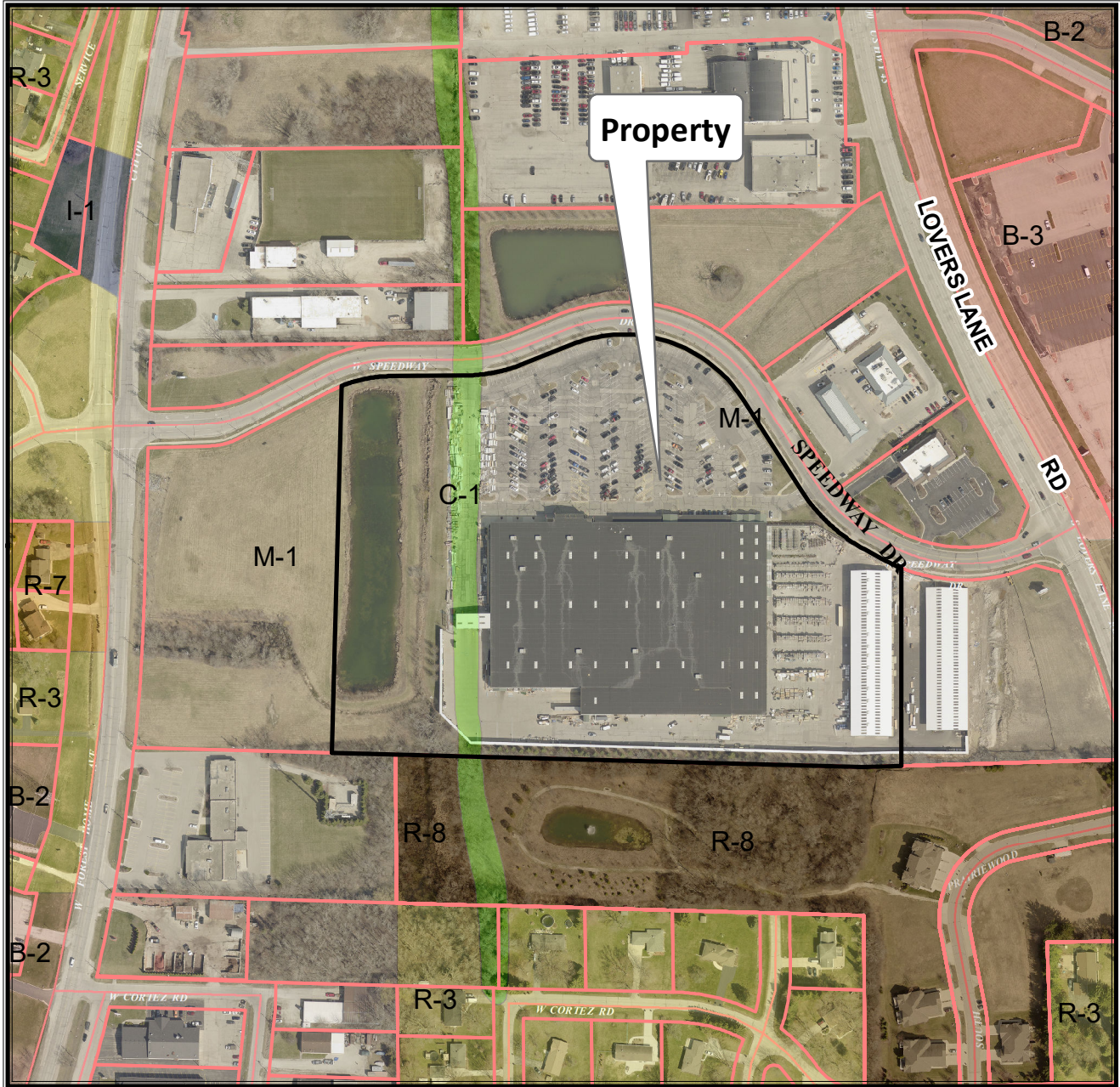
\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

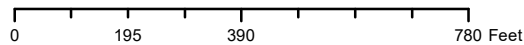
\_\_\_\_\_  
Shirley J. Roberts, City Clerk

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

10925 W. Speedway Drive  
TKN: 704 1007 000



**Planning Department**  
**(414) 425-4024**

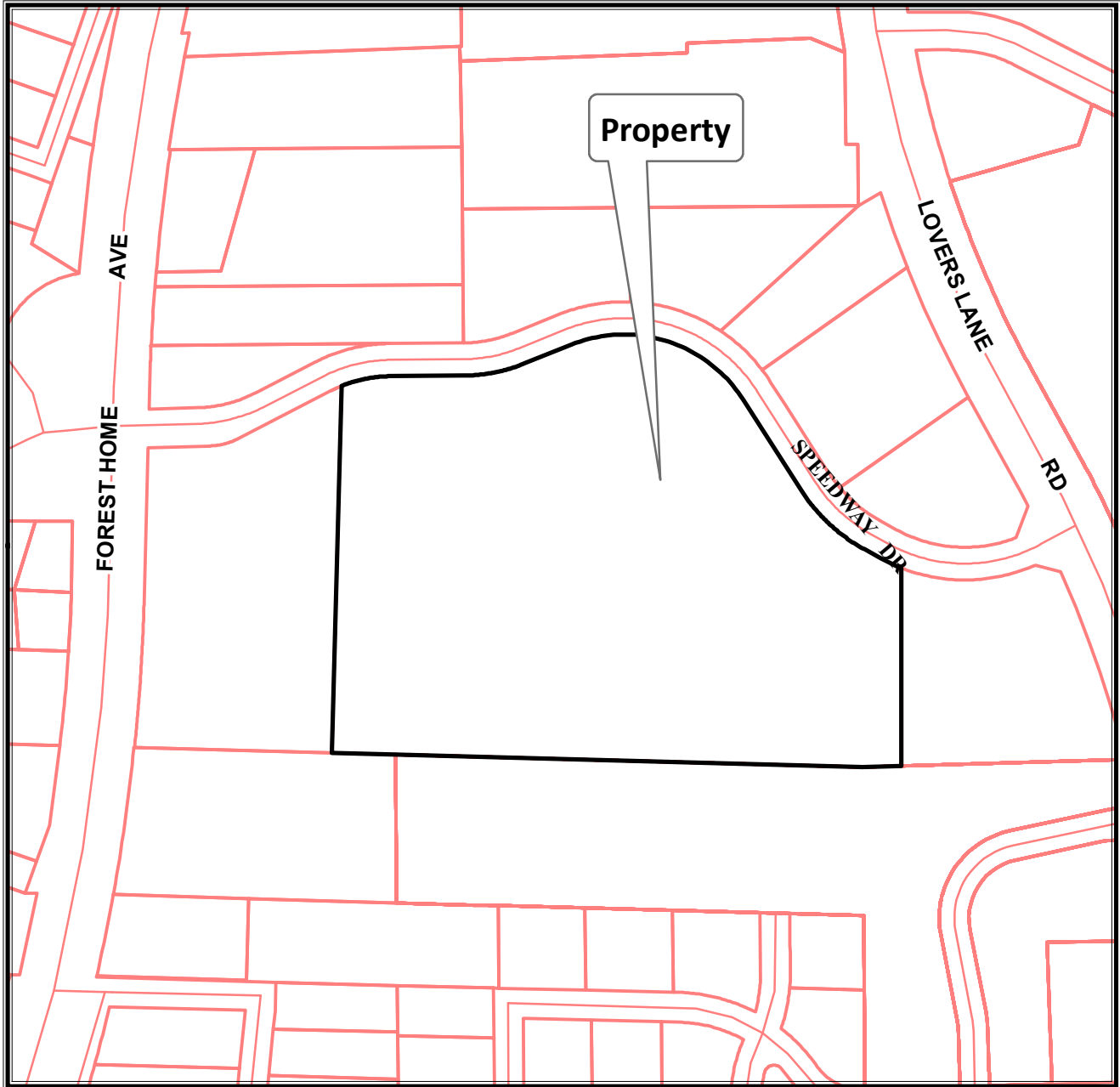


2021 Aerial Photo

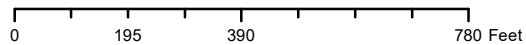
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



10925 W. Speedway Drive  
TKN: 704 1007 000



**Planning Department**  
**(414) 425-4024**



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





SERVICE SIDE

NOTE: OUTPUT ALL GRAPHICS AT 1000%





STREET SIDE: OPTION B

NOTE: OUTPUT ALL GRAPHICS AT 1000%





**NOTE: OUTPUT ALL GRAPHICS AT 1000%**

**REAR**



**FRONT**





## Project Narrative

Firewise BBQ food truck 2022 Franklin WI

Operating from April 2 2024 thru October 31 2024

We are requesting permission to park a food trailer in the Menards parking lot located at 10925 W. Speedway Dr Franklin WI 53132. Our lease with Menards will allow us permission to operate 7 days a week. We plan to only operate at that location 1-2 days per week. But would request the permit to allow all 7 days since the lease also does. We arrive onsite around 9:00am and leave by 6:30pm. We are open for business from 11:00am to 6:00 pm. We remove all trash from the site, and we are self-sufficient (no power or water needed from the site). We are fully insured and have demonstrated the ability to operate safely for almost 9 years now. We operate from April 2 2024 thru October 31<sup>st</sup> 2024. The food trailer along is 30 feet long. The tow vehicle is a 2006 GMC extended cargo van and is 22 feet long. Both are 8.5 feet wide. Trailer sits under 12 feet tall. We have no additional signage other than the outside of the trailer and van. Our only outdoor lighting is LED flood lights on the service side of the trailer and lighting on the porch ceiling. We use 4 orange cones to block off the service side of the trailer where customers order. The cones are flush to the end of the parking spaces and will not impede the car traffic flow around the lot. Aside from the cones we do not have any other fencing, barriers, or planters. All our food is to-go so we don't have any seating options available for customers. The parking lot has ample extra parking spaces for customer parking, so we don't specify specific spots. We have permission from Menards to use their restrooms.

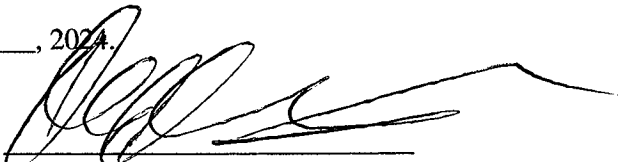
GUARANTY

The undersigned, as an owner of Firewise Barbecue Company LLC and in consideration of Menard, Inc., Licenser entering into the attached Limited License Agreement dated this 3 day of March, 2024, to which Firewise Barbecue Company LLC is the Licensee, does hereby absolutely, unconditionally, and irrevocably guarantee to Licenser the full and complete performance of all Licensee's covenants and obligations under said Limited License Agreement and the full payment by Licensee of all rentals, additional rentals and other charges and amounts required to be paid thereunder, and the undersigned shall pay all Licenser's expenses including attorney's fees incurred in enforcing the obligations of Licensee under said Limited License Agreement or incurred in enforcing this Guaranty.

The undersigned, does hereby waive all requirements of notice of the acceptance of this Guaranty and all requirements of notice of breach or non-performance by Licensee. The undersigned's obligations hereunder shall remain fully binding although Licenser may have waived one or more defaults by Licensee, may have extended the time of performance by Licensee, may have modified or amended the Limited License Agreement, may have released, returned or misapplied other collateral given later as additional security (including other guaranties) and may have released Licensee from the performance of its obligation under such Limited License Agreement.

This Guaranty shall be binding upon the undersigned and his/her/their respective heirs, executors, administrators, representatives, successors and assigns.

Executed this 3 day of March, 2024.

By:   
Alexander M. Obradovich

SS # or DL #: WI 0163-0137-4404-00

STATE OF Wisconsin )  
 ) ss.  
COUNTY OF Milwaukee )

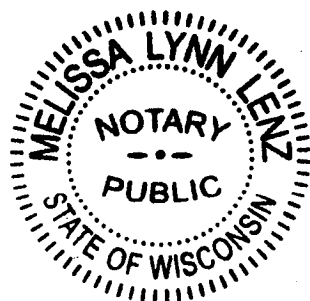
I, Melissa Lynn Lenz, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Alexander M. Obradovich, who is personally known to me to be the same person whose name is subscribed above, appeared before me this day in person and acknowledged that he signed, sealed, and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 4<sup>th</sup> day of March, 2024.

Melissa Lynn Lenz  
Melissa Lynn Lenz

Notary Public, Milwaukee County

My Commission expires: 12/7/2025





Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 (414) 425-4024  
 franklinwi.gov



APPLICATION DATE: \_\_\_\_\_

## PLAN COMMISSION REVIEW APPLICATION

### PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]		APPLICANT IS REPRESENTED BY [CONTACT PERSON]	
NAME: <i>Alex Obradovich</i>	NAME: <i>Alex Obradovich</i>	COMPANY: <i>Firewise Barbecue Company</i>	COMPANY: <i>Firewise Barbecue Company</i>
MAILING ADDRESS: <i>2767 S. 110th st</i>	MAILING ADDRESS: <i>2767 S. 110th st</i>	CITY/STATE: <i>West Allis WI</i> ZIP: <i>53227</i>	CITY/STATE: <i>West Allis WI</i> ZIP: <i>53227</i>
PHONE: <i>414-403-1375</i>	PHONE: <i>414-559-9828</i>	EMAIL ADDRESS: <i>Firewise BBQ @Gmail.com</i>	EMAIL ADDRESS: <i>Firewise BBQ @Gmail.com</i>

### PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: <i>10925 Speedway Pr</i>	TAX KEY NUMBER:
PROPERTY OWNER: <i>Menards</i>	PHONE:
MAILING ADDRESS: <i>10925 Speedway Dr</i>	EMAIL ADDRESS:
CITY/STATE: <i>Franklin WI</i> ZIP: <i>53132</i>	DATE OF COMPLETION: _____

### APPLICATION TYPE

Please check the application type that you are applying for

- Building Move  
  Sign Review  
  Site Plan / Site Plan Amendment  
  Temporary Use

Most requests require Plan Commission review and approval.

Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

### SIGNATURES

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

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

- I, the applicant, certify that I have read the following page detailing the requirements for plan commission approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: <i>Thomas W. O'Neil</i> DATE: <i>3/14/24</i>	APPLICANT SIGNATURE: <i>[Signature]</i>
NAME & TITLE: <i>Menard, Inc., by Thomas W. O'Neil</i>	NAME & TITLE: <i>Alex Obradovich</i> DATE: <i>3-4-24</i>
PROPERTY OWNER SIGNATURE: <i>Manager of Real Estate</i>	APPLICANT REPRESENTATIVE SIGNATURE: _____
NAME & TITLE: _____ DATE: _____	NAME & TITLE: _____ DATE: _____

## CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

### BUILDING MOVE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 8 1/2" X 11") of the plat of survey, showing the proposed building placement at the new location, indicate setbacks from property lines and locations of driveways and access points.  
NOTE: Single-Family homes require an attached 2-car garage.
  - Three (3) copies of color photographs of the building's current elevations.
- Other items as may be required for specific applications, per a city planner.
- Email or flash drive with all plans / submittal materials.
  - Applications for a Building Move are governed by the City of Franklin Municipal Code Chapter 92-2 (A.) and the Wisconsin Uniform Building Code.

### SIGN REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$40 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) colored copies of the sign elevations, drawn to scale not less than 1/2" = 1'. Plans shall be folded to a maximum size of 9" X 12". The elevations should denote the sign dimension and area. Identify the colors, materials, finishes and lighting method (if applicable).
  - Three (3) scaled copies of the Site Plan, showing the location of the proposed signage relative to (1) any existing or proposed structures; (2) parking stalls and/or driveways; (3) proposed landscaping and outdoor lighting; (4) the setback distance from the street right-of-way at the proposed location; (5) height of sign above the finished grade; and (6) the vision triangle distances described in Section 15-5.0201 of the Unified Development Ordinance.
- Email or flash drive with all plans / submittal materials.
  - Permits for construction are REQUIRED after approval. Contact Inspection Services (414-425-0084) for permit processes.

### SITE PLAN / SITE PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
  - Tier 1: \$2000
  - Tier 2: \$1000 (lot size ≤ 1 acre)
  - Tier 3: \$500 (≤ 10% increase or decrease in total floor area of all structures with no change to parking; or change to parking only).
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narratives.
  - Three (3) folded full size, drawn to scale copies (at least 24" X 36") of the Site Plan / Site Plan Amendment package. The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301, and 15-0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.)
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- One (1) copy of the Site Intensity and Capacity Calculations, if applicable (see division 15-3.0500 of the UDO)
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.

### TEMPORARY USE APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$50 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
  - Three (3) project narrative
  - Three (3) folded, scaled copies, of the Site Plan, see section 15-3.0804 of the UDO for information that must be denoted on each respective plan.
- Email or flash drive with all plans / submittal materials.
  - Some requests may require CDA approval (PDD 18) or EDC approval (PDD 7) in which additional materials / copies may be required.
  - Submittal of Application for review is not a guarantee of approval. Approval of Temporary Use does not exclude potential requirement for additional licenses or permits. For information on other licenses or permits that may be required, contact the City Clerk's office at (414) 425-7500, the Health Department at (414) 425-9101, and Inspection Services at (414) 425-0084.





## 2022 ROADSIDE MENU

### SMOKED MEATS ARE AVAILABLE TO GO!

	FULL-POUND	HALF-POUND
<b>BEEF BRISKET</b> <small>CHOOSE SLICED OR CHOPPED</small>	29.00	16.00
<b>PORK BELLY</b>	27.00	15.00
<b>TURKEY BREAST</b>	20.00	11.50
<b>PULLED PORK</b>	19.00	11.00
<b>PULLED CHICKEN</b>	18.00	10.00
<i>Spicy Polish SAUSAGE</i>	17.00	10.00
<b>BOLOGNA</b>	14.00	9.00

### RIBS = ST. LOUIS CUT = PORK SPARE RIBS

**QTR RACK 12.50**  
3 BONES

**HALF RACK 18.50**  
6 BONES

**FULL RACK 32.00**  
12 BONES

\$5/LINK

WHITE BREAD,  
PICKLES & ONIONS  
AVAILABLE BY REQUEST

\$4/SLICE

### SANDWICHES

	REGULAR: 1/3 LB	LARGE: 1/2 LB
<b>BEEF BRISKET</b>	14.00	19.00
<b>PORK BELLY</b>	12.00	17.00
<b>TURKEY BREAST</b>	11.00	13.50
<b>PULLED PORK</b>	10.00	13.00
<b>PULLED CHICKEN</b>	9.50	12.00
<i>Spicy Polish SAUSAGE</i>	8.00	-
<b>BOLOGNA</b>	8.00	-

### OTHER GOOD STUFF

*Meaty NACHOS* 12.00  
INCLUDES 1/3LB MEAT OF YOUR CHOICE

*Cheesy NACHOS* 5.00

**MOINK (Moo-oink)** 3.50  
HOUSE MADE PORK AND BEEF MEATBALL WRAPPED IN BACON. SMOKED, AND GLAZED WITH OUR SWEET BBQ SAUCE. APPROX 2.5 OZ EACH

JALAPEÑOS and ONIONS AVAILABLE UPON REQUEST

### MEAT PLATTERS

PLATTERS INCLUDE 3 OUNCE PORTIONS OF ANY SMOKED MEAT OF YOUR CHOICE INCLUDING SPARE RIBS AND MOINKS. PLEASE SPECIFY YOUR SELECTIONS WHEN ORDERING. INCLUDES CORNBREAD.

<b>2 MEATS</b>	11.50
<b>3 MEATS</b>	16.75
<b>4 MEATS</b>	22.00
<b>5 MEATS</b>	27.25
<b>6 MEATS</b> <small>FEEDS 2</small>	32.50
<b>7 MEATS</b> <small>FEEDS 2</small>	37.75
<b>8 MEATS</b> <small>FEEDS 2</small>	43.00
<b>9 MEATS</b> <small>FEEDS 3</small>	48.25

TAKE HOME SOME *Awesome Sauce!*

### SIDES YUM!

**SMOKEY BAKED BEANS** 3.50

**COLESLAW VINEGAR BASED** 3.50

**CREAMY MUSTARD POTATO SALAD** 3.50

**CORNBREAD PER PIECE** 1.50

**SODA** 1.50/2.50

**BOTTLED WATER** 1.50

**BBQ SAUCE** 8.00  
**FIRE SAUCE** 10.00  
**STALLIS BBQ RUB** 9.00  
PER BOTTLE

## FIND US HERE



2022 FOOD TRUCK LOCATIONS

APRIL 1 – OCTOBER 31

**TUESDAYS/FRIDAYS\*:** 11am-6pm

**ELLIOTT'S ACE HARDWARE**

11003 W. OKLAHOMA AVE, WEST ALLIS, WI

**WEDNESDAYS:** 11am-6pm

**BURGHARDT SPORTING GOODS**

15333 W NATIONAL AVE, NEW BERLIN, WI

**THURSDAYS/SATURDAYS\*:** 11am-6pm

**MENARDS**

10925 W SPEEDWAY DR, FRANKLIN, WI

\*FRIDAY AND SATURDAY LOCATIONS MAY VARY BASED ON CATERING OR EVENT SCHEDULES.

*Check social media pages for daily locations.*

*We are available for PARTIES, FESTIVALS, WEDDINGS, and CORPORATE EVENTS*

*Contact us for details!*

AWARD WINNING BBQ

◆ Since 2012 ◆

[WWW.FIREWISEBBQ.COM](http://WWW.FIREWISEBBQ.COM)

**414-403-1375**

FIREWISEBBQ@GMAIL.COM

FOLLOW US

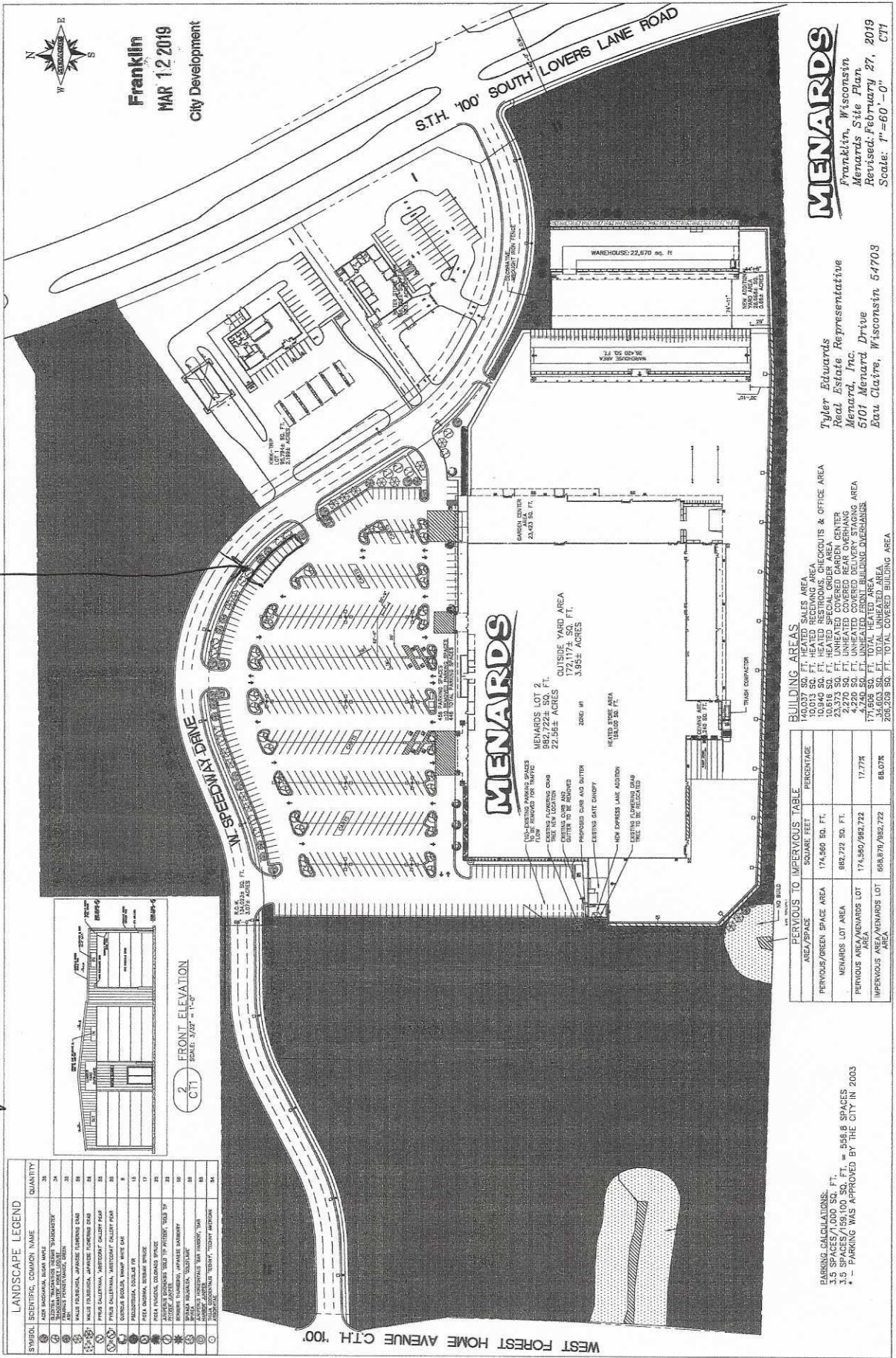


@FIREWISEBBQ

\*LOCATIONS, HOURS AND PRICES SUBJECT TO CHANGE WITHOUT NOTICE.  
082422



Food Truck + Tow Vehicle parking takes 9 parking spots



**LANDSCAPE LEGEND**

SYMBOL	SCIENTIFIC COMMON NAME	QUANTITY
1	ASH BUDGARDIA, BURNING BUSH	35
2	BLUETICK PLANTAIN	34
3	BLUETICK PLANTAIN	34
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54	BLUETICK PLANTAIN	34

**PERVIOUS TO IMPERVIOUS TABLE**

AREA/SPACE	SQUARE FEET	PERCENTAGE
PERVIOUS/GREEN SPACE AREA	174,560 SQ. FT.	
MENARDS LOT AREA	892,722 SQ. FT.	
PERVIOUS AREA/MENARDS LOT AREA	174,560/892,722	17.77%
IMPERVIOUS AREA/MENARDS LOT AREA	668,870/892,722	88.07%

**BUILDING AREAS**

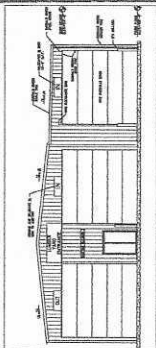
140,037 SQ. FT. HEATED SALES AREA
10,013 SQ. FT. HEATED RECEIVING AREA
10,816 SQ. FT. HEATED SPECIAL ORDER AREA
23,273 SQ. FT. UNHEATED COVERED GARDEN CENTER
4,220 SQ. FT. UNHEATED COVERED DELIVERY STAGING AREA
4,740 SQ. FT. UNHEATED FRONT BUILDING OVERHANGS
34,800 SQ. FT. TOTAL UNHEATED AREA
266,239 SQ. FT. TOTAL COVERED BUILDING AREA

**PARKING CALCULATIONS:**  
 3.0 SPACES/150.00 SQ. FT. = 549.8 SPACES  
 \* - PARKING WAS APPROVED BY THE CITY IN 2003

**MENARDS**  
 Franklin, Wisconsin  
 Menards Site Plan, 2019  
 Revised: February 27, 2019  
 Scale: 1" = 60' - 0"  
 C11

Tyler Edwards  
 Real Estate Representative  
 Menard, Inc.  
 5107 Menard Drive  
 Eau Claire, Wisconsin 54703

Franklin  
 MAR 12 2019  
 City Development



WEST FOREST HOME AVENUE C1H '100





March 25, 2024

Alex Obradovich  
Firewise Barbecue Company LLC  
2767 S. 110<sup>th</sup> Street  
West Allis, WI 53227

**Re: Temporary Use conditional approval – 2024 Firewise Barbecue Company 10925 W Speedway Drive**

Dear Alex:

Please be advised that your Temporary Use application for a food truck operation located at 10925 W Speedway Drive has been conditionally approved, subject to the following conditions:

1. This staff approval is limited from April 2, 2024 through April 4, 2024, with food service from 11:00 a.m. to 6:00 p.m. (food truck parking from 9:00 a.m. to 6:30 p.m.). Food truck operation beyond this frame is subject to Plan Commission review and approval.
2. The Firewise Barbecue Company truck and trailer shall be parked within the 9 parking spaces in the Menard's parking lot as shown on the Site Plan, City file-stamped March 5, 2024.
3. A minimum of one (1) trash receptacle must be provided to properly dispose of any waste generated by this use.
4. No display, sales, or parking shall obstruct vehicular traffic. Drive aisles and fire lanes must be maintained at all times to allow safe and efficient vehicular access throughout the Menards parking lot.
5. The operator must comply with any applicable State requirements pertaining to fire protection systems in mobile kitchens/food trucks.
6. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but not limited to, all necessary licenses/permits which are required through the Building Inspection Department, Clerks Office, and Health Department.
7. Any signage other than lettering on the truck and trailer shall be subject to issuance of a Sign Permit from the City Development Department.
8. The lettering on the truck and trailer is limited to advertising incidental to the food truck operation, any other advertising is prohibited per Municipal Code Section 210-10 "Signs on Vehicles".

You can contact the Department of City Development at 414-425-4024 if you have questions about this approval.



Department of City Development  
9229 West Loomis Road, Franklin, Wisconsin 53132  
(414) 425-4024

Sincerely,

Luke Hamill  
Associate Planner

Cc: 10925 W Speedway Drive, Paper file, Elec. File.