

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, FEBRUARY 22, 2018, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of February 8, 2018.

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

1. **COMPLIANCE WITH 2017 WISCONSIN ACT 67 UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT.** Unified Development Ordinance Text Amendment application by the City of Franklin to amend the Unified Development Ordinance text for compliance with 2017 Wisconsin Act 67, an act to amend in part §§ 62.23(7)(hb) (title), 62.23(7)(hb)1.a. and 62.23(7)(hb)2. and to create in part §§ 62.23(7)(de), 62.23(7)(e)7.a., 62.23(7)(e)7.d., 66.10015(1)(e), 66.10015(2)(e), 66.10015(4) of the Wisconsin Statutes, an act relating to: limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; Unified Development Ordinance amendments including [as may be necessary for compliance and not limited for compliance to Division 15-3.0700 Special Use Standards and Regulations, §§15-3.0701 General Standards for Special Uses, 15-3.0702 Detailed Standards for Special Uses in Residential Districts, 15-3.0703 Detailed Standards for Special Uses in Nonresidential Districts and 15-9.0103 Applications for Special Use Permit; §§15-9.0106 Applications for Zoning Variance, 15-9.0107 Applications for Minor Zoning Variance and 15-10.0206 Variances; and Division 15-3.1000 Nonconforming Buildings, Structures, and Uses, §§15-3.1002 Existing Nonconforming Structures, 15-3.1003 Existing Substandard Lots, 15-3.1004 Continuance of Use, 15-3.1006 Repairs and Alterations, and 15-11.0100 Definitions]. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

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

1. **KRONES, INC. PRODUCT DEMONSTRATION AND TRAINING**

FACILITY BUILDING RELOCATION AND ASSOCIATED GRADING CHANGES. Site Plan Amendment application by Krones, Inc., to move the recently approved but not yet constructed Krones, Inc. product demonstration and training facility building approximately 11 feet closer to South 58th Street in order to provide more space between the west side of the proposed building and an existing drainage swale located along the west property boundary, and associated grading changes, property located at 9611 South 58th Street, zoned M-1 Limited Industrial District; Tax Key No. 899-9990-062.

E. Adjournment

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

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

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

REMINDERS:

Next Regular Plan Commission Meeting: March 8, 2018

**City of Franklin
Plan Commission Meeting
February 8, 2018
Minutes**

Unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the February 8, 2018 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present was Commissioners Adam Burckhardt, Kevin Haley and Patricia Hogan, City Engineer Glen Morrow and Alderman Dandrea. Excused was Commissioner David Fowler. Also present was Planning Manager Joel Dietl.

B. Approval of Minutes

1. Regular Meeting of January 18, 2018.

Commissioner Haley moved and Alderman Dandrea seconded approval of the January 18, 2018 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (5-0-1).

C. Public Hearing Business Matters

1. **UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT RELATED TO RELIGIOUS ORGANIZATIONS USES.** Unified Development Ordinance Text Amendment application by Root River Church Inc., to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious Organizations" to allow for such use as a Special Use City-wide in the M-1 Limited Industrial District.

Planning Manager Joel Dietl presented the request by Root River Church Inc., to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious Organizations" to allow for such use as a Special Use City-wide in the M-1 Limited Industrial District.

The Official Notice of Public Hearing was read in to the record by Planning Manager Dietl and the Public Hearing was opened at 7:03 and closed at 7:06.

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification title No. 8661 "Religious Organizations" to allow for such use as a Special Use in the M-1 Limited Industrial District. On voice vote, all voted 'aye'. Motion carried (4-2-1).

D. Business Matters

1. None.

E. Adjournment

Commissioner Haley moved and Commissioner Hogan seconded to adjourn the Plan Commission meeting of February 8, 2018 at 7:15 p.m. All voted 'aye'; motion carried. (5-0-1).

DRAFT

Item C.1.

Please note that the Staff Report for Item C.1., Compliance with 2017 Wisconsin Act 67 Unified Development Ordinance Text Amendment, is not included in your packets. This report will be distributed next week.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 2-15-18]

ORDINANCE NO. 2018-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE TEXT TO COMPLY WITH 2017 WISCONSIN ACT 67 REQUIREMENTS,
AND WIS. STAT. § 62.23, PERTAINING IN PART TO THE STANDARDS FOR THE
ISSUANCE OF A SPECIAL USE PERMIT, THE REGULATION OF SUBSTANDARD
LOTS AND THE STANDARDS FOR GRANTING CERTAIN ZONING VARIANCES
(CITY OF FRANKLIN, APPLICANT)

WHEREAS, 2017 Wisconsin Act 67 provides for amendments to the Wisconsin Statutes relating to, in part, limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use (termed a “special use” within the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin) permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; and

WHEREAS, the Department of City Development having reviewed the Unified Development Ordinance with regard to the requirements of Act 67, and Wis. Stat. § 62.23, and having recommended amendments to the Ordinance accordingly; and

WHEREAS, the Plan Commission having reviewed the proposed amendments to provide consistency with Act 67 and having recommended approval of such amendments; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendments will provide consistency between the Unified Development Ordinance and the Wisconsin Statutes.

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

SECTION 1: §15-3.0701D. Conditions on Special Use Permits, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended as follows: add to the existing text, immediately prior to the existing last sentence: “Any condition imposed must be related to the purposes of this Ordinance as set forth in Subsection A.1. above, and be based on substantial evidence. “Substantial evidence” means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a special use permit and that reasonable persons would accept in support of a

conclusion. The requirements and conditions imposed must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.”

SECTION 2: §15-9.0103D. Hearing on Special Use Application, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended as follows: delete: “At least ten (10) days in advance of such hearing, but not more than thirty (30) days,” and in place thereof, insert: “Prior to such public hearing, a class 2 (under Ch. 985 of the Wisconsin Statutes)”.

SECTION 3: §15-9.0103E. Authorization of Special Uses, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended as follows: add to the existing text, immediately prior to the existing last sentence: “Notwithstanding the foregoing provisions with regard to the Common Council may deny any application, or with regard to in the event of a written protest, if an applicant for a special use permit meets or agrees to meet all of the requirements and conditions specified in this Ordinance or those imposed, the Common Council shall grant the special use permit. The applicant must demonstrate that the application and all requirements and conditions imposed relating to the special use are or shall be satisfied, both of which must be supported by substantial evidence. The Common Council's decision to approve or deny the permit must be supported by substantial evidence.”

SECTION 4: §15-9.0103F. Effect of Denial of a Special Use, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended as follows: add at the end of the existing text: “If the Common Council denies a special use permit application, pursuant to Section 15-10.0500 of this Ordinance, any person or persons, jointly or severally aggrieved by such decision may, within thirty (30) days of the date of such decision, commence an action seeking the remedy available by way of certiorari in the Milwaukee County Circuit Court. Such action for certiorari shall be the sole remedy of any such person(s) aggrieved.”

SECTION 5: §15-3.1002 Existing Nonconforming Structures, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended as follows: add at the end of the existing Section title: “(n.b. also see Sections 15-3.1013 and 15-3.1014)”.

SECTION 6: §15-3.1013 “Repair, Rebuilding, and Maintenance of Certain Nonconforming Structures”, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby created to read as follows:

“1. In this Section:

a. “Development regulations” means the part(s) of this Ordinance that applies to elements including setback, height, lot coverage, and side yard.

b. “Nonconforming structure” means a dwelling or other building that existed lawfully before the applicable provision(s) of this Ordinance was enacted or amended, but that does not conform with one or more of the development regulations in this Ordinance.

2. Notwithstanding anything to the contrary set forth elsewhere in this Ordinance, this Ordinance may not prohibit, or limit based on cost, the repair, maintenance, renovation, or remodeling of a nonconforming structure.”

SECTION 7: [drafting note: following is per existing Wis. Stat. § 62.23(7) (hc), not 2017 Wis. Act 67]

§15-3.1014 “Restoration or Replacement of Certain Nonconforming Structures”, of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby created to read as follows:

“1. Restrictions that are applicable to damaged or destroyed nonconforming structures and that are contained in this Ordinance may not prohibit the restoration or replacement of a nonconforming structure if the structure will be restored to, or replaced at, the size, subject to subd. 2., location, and use that it had immediately before the damage or destruction occurred, or impose any limits on the costs of the repair, reconstruction, or improvement if all of the following apply:

a. The nonconforming structure was damaged or destroyed on or after March 2, 2006.

b. The damage or destruction was caused by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation.

2. Under circumstances to which subd. 1. applies notwithstanding anything to the contrary elsewhere within this Ordinance, this Ordinance shall allow for the size of a structure to be larger than the size it was immediately before the damage or destruction if necessary for the structure to comply with applicable state or federal requirements.”

ORDINANCE NO. 2018-_____

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SECTION(S) _: [works in process]

SECTION _: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

SECTION _: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2018, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2018.

APPROVED:

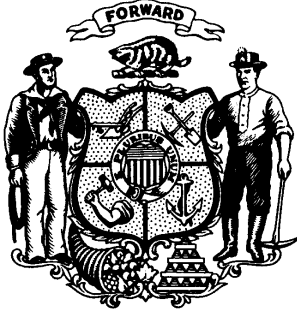
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

State of Wisconsin



2017 Assembly Bill 479

Date of enactment: **November 27, 2017**

Date of publication*: **November 28, 2017**

2017 WISCONSIN ACT 67

AN ACT *to renumber and amend* 59.694 (7) (c) and 62.23 (7) (e) 7.; *to amend* 59.69 (10e) (title), 59.69 (10e) (a) 1., 59.69 (10e) (b), 60.61 (5e) (title), 60.61 (5e) (a) 1., 60.61 (5e) (b), 62.23 (7) (hb) (title), 62.23 (7) (hb) 1. a. and 62.23 (7) (hb) 2.; and *to create* 59.69 (5e), 59.694 (7) (c) 1., 59.694 (7) (c) 3., 60.61 (4e), 60.62 (4e), 62.23 (7) (de), 62.23 (7) (e) 7. a., 62.23 (7) (e) 7. d., 66.10015 (1) (e), 66.10015 (2) (e), 66.10015 (4), 227.10 (2p) and 710.17 of the statutes; **relating to:** limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; and the right to display the flag of the United States.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 2. 59.69 (5e) of the statutes is created to read:

59.69 (5e) **CONDITIONAL USE PERMITS.** (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a county, but does not include a variance.

2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be

related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the county of a class 2 notice under ch. 985, the county shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the county may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the county zoning board.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(e) If a county denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in s. 59.694 (10).

SECTION 3. 59.69 (10e) (title) of the statutes is amended to read:

59.69 (10e) (title) REPAIR, REBUILDING, AND MAINTENANCE OF CERTAIN NONCONFORMING STRUCTURES.

SECTION 4. 59.69 (10e) (a) 1. of the statutes is amended to read:

59.69 (10e) (a) 1. "Development regulations" means the part of a zoning ordinance enacted under this section that applies to elements including setback, height, lot coverage, and side yard.

SECTION 5. 59.69 (10e) (b) of the statutes is amended to read:

59.69 (10e) (b) An ordinance enacted under this section may not prohibit, or limit based on cost, or require a variance for the repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a nonconforming structure.

SECTION 8. 59.694 (7) (c) of the statutes is renumbered 59.694 (7) (c) 2. and amended to read:

59.694 (7) (c) 2. To authorize upon appeal in specific cases variances from the terms of the ordinance that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

4. A county board may enact an ordinance specifying an expiration date for a variance granted under this paragraph if that date relates to a specific date by which the action authorized by the variance must be commenced or completed. If no such ordinance is in effect at the time a variance is granted, or if the board of adjustment does not specify an expiration date for the variance, a variance granted under this paragraph does not expire unless, at the time it is granted, the board of adjustment specifies in the variance a specific date by which the action authorized by the variance must be commenced or completed. An ordinance enacted after April 5, 2012, may not specify an expiration date for a variance that was granted before April 5, 2012.

5. A variance granted under this paragraph runs with the land.

SECTION 9. 59.694 (7) (c) 1. of the statutes is created to read:

59.694 (7) (c) 1. In this paragraph:

a. "Area variance" means a modification to a dimensional, physical, or locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of adjustment under this subsection.

b. "Use variance" means an authorization by the board of adjustment under this subsection for the use of

land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance.

SECTION 10. 59.694 (7) (c) 3. of the statutes is created to read:

59.694 (7) (c) 3. A property owner bears the burden of proving "unnecessary hardship," as that term is used in this paragraph, for an area variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome or, for a use variance, by demonstrating that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

SECTION 11. 60.61 (4e) of the statutes is created to read:

60.61 (4e) CONDITIONAL USE PERMITS. (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a town, but does not include a variance.

2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the town ordinance or those imposed by the town zoning board, the town shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The town's decision to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the town of a class 2 notice under ch. 985, the town shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the town may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the town zoning board.

(e) If a town denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures described in s. 59.694 (10).

SECTION 12. 60.61 (5e) (title) of the statutes is amended to read:

60.61 (5e) (title) REPAIR, REBUILDING, AND MAINTENANCE OF CERTAIN NONCONFORMING STRUCTURES.

SECTION 13. 60.61 (5e) (a) 1. of the statutes is amended to read:

60.61 (5e) (a) 1. "Development regulations" means the part of a zoning ordinance ~~enacted under this section~~ that applies to elements including setback, height, lot coverage, and side yard.

SECTION 14. 60.61 (5e) (b) of the statutes is amended to read:

60.61 (5e) (b) An ordinance ~~enacted under this section~~ may not prohibit, or limit based on cost, or require a variance for the repair, maintenance, renovation, rebuilding, or remodeling of a nonconforming structure or any part of a nonconforming structure.

SECTION 15. 60.62 (4e) of the statutes is created to read:

60.62 (4e) (a) In this subsection:

1. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a town, but does not include a variance.

2. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

(b) 1. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the town ordinance or those imposed by the town zoning board, the town shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

2. The requirements and conditions described under subd. 1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the town relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The town's decision

to approve or deny the permit must be supported by substantial evidence.

(c) Upon receipt of a conditional use permit application, and following publication in the town of a class 2 notice under ch. 985, the town shall hold a public hearing on the application.

(d) Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the town may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the town zoning board.

(e) If a town denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures described in s. 61.35.

SECTION 16. 62.23 (7) (de) of the statutes is created to read:

62.23 (7) (de) *Conditional use permits.* 1. In this paragraph:

a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.

b. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

2. a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

3. Upon receipt of a conditional use permit application, and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

4. Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or

renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

5. If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.

SECTION 17. 62.23 (7) (e) 7. of the statutes is renumbered 62.23 (7) (e) 7. b. and amended to read:

62.23 (7) (e) 7. b. The board of appeals shall have the following powers: To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this section or of any ordinance adopted pursuant thereto; to hear and decide special exception to the terms of the ordinance upon which such board is required to pass under such ordinance; to authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in practical difficulty or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

e. The council of a city may enact an ordinance specifying an expiration date for a variance granted under this subdivision if that date relates to a specific date by which the action authorized by the variance must be commenced or completed. If no such ordinance is in effect at the time a variance is granted, or if the board of appeals does not specify an expiration date for the variance, a variance granted under this subdivision does not expire unless, at the time it is granted, the board of appeals specifies in the variance a specific date by which the action authorized by the variance must be commenced or completed. An ordinance enacted after April 5, 2012, may not specify an expiration date for a variance that was granted before April 5, 2012.

f. A variance granted under this subdivision runs with the land.

g. The board may permit in appropriate cases, and subject to appropriate conditions and safeguards in harmony with the general purpose and intent of the ordinance, a building or premises to be erected or used for such public utility purposes in any location which is reasonably necessary for the public convenience and welfare.

SECTION 18. 62.23 (7) (e) 7. a. of the statutes is created to read:

62.23 (7) (e) 7. a. In this subdivision, "area variance" means a modification to a dimensional, physical, or locational requirement such as a setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of appeals under this paragraph. In this subdivision, "use variance" means an authorization by the board of appeals under this paragraph for the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance.

SECTION 19. 62.23 (7) (e) 7. d. of the statutes is created to read:

62.23 (7) (e) 7. d. A property owner bears the burden of proving "unnecessary hardship," as that term is used in this subdivision, for an area variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner's property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome or, for a use variance, by demonstrating that strict compliance with a zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.

SECTION 20. 62.23 (7) (hb) (title) of the statutes is amended to read:

62.23 (7) (hb) (title) *Repair, rebuilding, and maintenance of certain nonconforming structures.*

SECTION 21. 62.23 (7) (hb) 1. a. of the statutes is amended to read:

62.23 (7) (hb) 1. a. "Development regulations" means the part of a zoning ordinance ~~enacted under this subsection~~ that applies to elements including setback, height, lot coverage, and side yard.

SECTION 22. 62.23 (7) (hb) 2. of the statutes is amended to read:

62.23 (7) (hb) 2. An ordinance ~~enacted under this subsection~~ may not prohibit, or limit based on cost, the repair, maintenance, renovation, or remodeling of a nonconforming structure.

SECTION 23. 66.10015 (1) (e) of the statutes is created to read:

66.10015 (1) (e) "Substandard lot" means a legally created lot or parcel that met any applicable lot size requirements when it was created, but does not meet current lot size requirements.

SECTION 24. 66.10015 (2) (e) of the statutes is created to read:

66.10015 (2) (e) Notwithstanding any other law or rule, or any action or proceeding under the common law, no political subdivision may enact or enforce an ordinance or take any other action that prohibits a property owner from doing any of the following:

1. Conveying an ownership interest in a substandard lot.

2. Using a substandard lot as a building site if all of the following apply:

a. The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.

b. The substandard lot or parcel is developed to comply with all other ordinances of the political subdivision.

SECTION 25. 66.10015 (4) of the statutes is created to read:

66.10015 (4) Notwithstanding the authority granted under ss. 59.69, 60.61, 60.62, 61.35, and 62.23, no political subdivision may enact or enforce an ordinance or take any other action that requires one or more lots to be merged with another lot, for any purpose, without the consent of the owners of the lots that are to be merged.

SECTION 26. 227.10 (2p) of the statutes is created to read:

227.10 (2p) No agency may promulgate a rule or take any other action that requires one or more lots to be merged with another lot, for any purpose, without the consent of the owners of the lots that are to be merged.

SECTION 27. 710.17 of the statutes is created to read:

710.17 Right to display the flag of the United States. (1) DEFINITIONS. In this section:

(a) "Housing cooperative" means a cooperative incorporated under ch. 185 or organized under ch. 193 that owns residential property that is used or intended to be used, in whole or in part, by the members of the housing cooperative as their homes or residences.

(b) "Member of a homeowners' association" means a person that owns residential property within a subdivision, development, or other similar area that is subject to any policy or restriction adopted by a homeowners' association.

(c) "Member of a housing cooperative" means a member, as defined in s. 185.01 (5) or 193.005 (15), of a housing cooperative if the member uses or intends to use part of the property of the housing cooperative as the member's home or residence.

(2) RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES. (a) Except as provided in sub. (3), a homeowners' association may not adopt or enforce a covenant, condition, or restriction, or enter into an agreement, that

restricts or prevents a member of the homeowners' association from displaying the flag of the United States on property in which the member has an ownership interest and that is subject to any policy or restriction adopted by the homeowners' association.

(b) Except as provided in sub. (3), a housing cooperative may not adopt or enforce a covenant, condition, or restriction, or enter into an agreement, that restricts or prevents a member of the housing cooperative from displaying the flag of the United States on property of the housing cooperative to which the member has a right to exclusive possession or use.

(3) EXCEPTIONS. A homeowners' association or housing cooperative may adopt and enforce a covenant, condition, or restriction, or enter into an agreement, that does any of the following:

(a) Requires that any display of the flag of the United States must conform with a rule or custom for proper display and use of the flag set forth in 4 USC 5 to 10.

(b) Provides a reasonable restriction on the time, place, or manner of displaying the flag of the United States that is necessary to protect a substantial interest of the homeowners' association or housing cooperative.

SECTION 28. Initial applicability.

(1) RIGHT TO DISPLAY THE FLAG OF THE UNITED STATES. The treatment of section 710.17 of the statutes first applies to a covenant, condition, or restriction that is adopted, renewed, or modified, or to an agreement that is entered into, renewed, or modified, on the effective date of this subsection.

(2) CONDITIONAL USE PERMITS. The treatment of sections 59.69 (5e), 60.61 (4e), 60.62 (4e), and 62.23 (7) (de) of the statutes first applies to an application for a conditional use permit that is filed on the effective date of this subsection.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of February 22, 2018

Site Plan Amendment

RECOMMENDATION: Department of City Development staff recommends approval of the Site Plan Amendment Application for Krones, Inc., subject to the conditions in the attached draft resolution.

Project Name:	Krones, Inc.
Project Location:	9611 South 58 th Street
Property Owner:	Krones, Inc.
Applicant:	Krones, Inc.
Agent:	Robin Sterr, Anderson Ashton
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Industrial
Use of Surrounding Properties:	Industrial zoned properties to the north, south and west and Franklin Business Park (Planned Development District No. 18) to the east
Applicant's Action Requested:	Approval of the Site Plan Amendment Application

Project Description and Analysis

Please note:

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

On January 22, 2018, the applicant filed a Site Plan Amendment Application requesting to move the recently approved but not yet constructed Krones product demonstration/training facility building approximately 11 feet closer to S. 58th Street, in order to provide more space between the west side of the proposed building and an existing drainage swale located along the west property boundary.

The applicant received Site Plan approval at the December 7, 2017 Plan Commission meeting as well as approval of a Natural Resource Special Exception at the December 19, 2017 Common Council meeting to allow construction of the proposed building.

Since those approvals, the applicant has decided to shift the building approximately 11 feet to the east, closer to S. 58th Street. According to the applicant, this will allow for improved site drainage along the west property line and better management of water from the roof of the building. The applicant also notes that the building will now be aligned with the existing buildings to the south.

In conjunction with the Site Plan Amendment application, Krones, Inc. has filed a Variance Application requesting approval of the 20-foot front yard setback, opposed to the minimum required M-1 Limited Industrial District front yard setback of 30-feet. Site Plan Amendment approval is contingent upon approval of the Variance Application.

In addition to shifting the building further east, the applicant is proposing to relocate the truck dock to allow trucks to maneuver onsite. Furthermore, the applicant has revised the parking lot striping to address the condition below, which was part of the original Site Plan approval.

- The site plan shall be revised so all parking spaces not abutting a curb be a minimum of 9-feet wide and 20-feet in length (180 square feet) and that those parking spaces abutting a curb be 9-feet wide by 18.5-feet in length with a 1.5-foot overhang provided.

However, in addressing this condition, the drive aisles are now 18 feet wide. Staff recommends that the site plan be revised so all drive aisles have a minimum width of 24-feet in addition to all parking spaces not abutting a curb be a minimum of 9-feet wide and 20-feet in length (180 square feet) and that those parking spaces abutting a curb be 9-feet wide by 18.5-feet in length with a 1.5-foot overhang provided. Notes that the applicant has indicated the drive aisles are intended to be one-way.

The applicant has also submitted a revised Landscape Plan addressing the condition below from the original Site Plan approval.

- The applicant shall submit a revised Landscape Plan, for review and approval by Department of City Development staff, that includes the following revisions, prior to issuance of a Building Permit:
 - One additional evergreen planting be provided to comply with the UDO minimum required planting quantities.
 - A note providing irrigation as required by Section 15-5.0303 of the UDO.
 - A revised note providing a minimum 2 year planting guaranty, opposed to one year, consistent with Section 15-5.0303.G.3. of the UDO

The only other revision to the site plan is grading. Storm water management also needs to be finalized. Therefore, staff recommends that the applicant shall submit to the Engineering Department, for review and approval, a final grading and storm water management plan prior to issuance of a Building Permit.

Staff Recommendation

Department of City Development staff recommends approval of the Site Plan Amendment Application for Krones, Inc., subject to the conditions in the attached draft resolution.

RESOLUTION NO. 2018-____

A RESOLUTION AMENDING THE SITE PLAN FOR THE PROPERTY
LOCATED AT 9611 SOUTH 58TH STREET (KRONES, INC.)
TO ALLOW FOR RELOCATION OF THE PRODUCT DEMONSTRATION
AND TRAINING FACILITY BUILDING AND ASSOCIATED GRADING
CHANGES, ON THE EXISTING PROPERTY
(TAX KEY NO. 899-9990-062)
(KRONES, INC., APPLICANT)

WHEREAS, Krones, Inc. having applied for an amendment to the site plan for the property located at 9611 South 58th Street, such Site Plan having been previously approved on December 7, 2017; and

WHEREAS, such proposed amendment proposes moving the recently approved but not yet constructed Krones, Inc. product demonstration and training facility building approximately 11 feet closer to South 58th Street in order to provide more space between the west side of the proposed building and an existing drainage swale located along the west property boundary, and associated grading changes, and the Plan Commission having reviewed such proposal and having found same to be in compliance with and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan for the property located at 9611 South 58th Street, dated February 12, 2018, as submitted by Krones, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

1. Krones, Inc., successors and assigns and any developer of the Krones, Inc. building relocation and associated grading changes 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 consultants to the City of Franklin, for the Krones, Inc. building relocation and associated grading changes 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.
2. The approval granted hereunder is conditional upon the Krones, Inc. building relocation and associated grading changes project for the property located at 9611

KRONES, INC. - SITE PLAN AMENDMENT
RESOLUTION NO. 2018-_____

Page 2

South 58th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

3. The Krones, Inc. building relocation and associated grading changes project shall be developed in substantial compliance with the plans City file-stamped February 12, 2018.
4. The Site Plan shall be revised so that all drive aisles have a minimum width of 24 feet in addition to all parking spaces not abutting a curb being a minimum of 9 feet wide and 20 feet in length (180 square feet) and that those parking spaces abutting a curb shall be 9 feet wide by 18.5 feet in length with a 1.5 foot overhang provide.
5. The applicant shall submit to the Engineering Department, for review and approval, a final grading and storm water management plan prior to the issuance of a Building Permit.
6. Site Plan Amendment approval by the Department of City Development is contingent upon their approval of the Variance Application for reduced front yard setback.

7. [other conditions, etc.]

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the building relocation and associated grading changes project as depicted upon the plans dated February 12, 2018, attached hereto and incorporated herein, shall be developed and constructed within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin; and the Site Plan for the property located at 9611 South 58th Street, as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2018.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2018.

APPROVED:

Stephen R. Olson, Chairman

KRONES, INC. - SITE PLAN AMENDMENT
RESOLUTION NO. 2018-_____

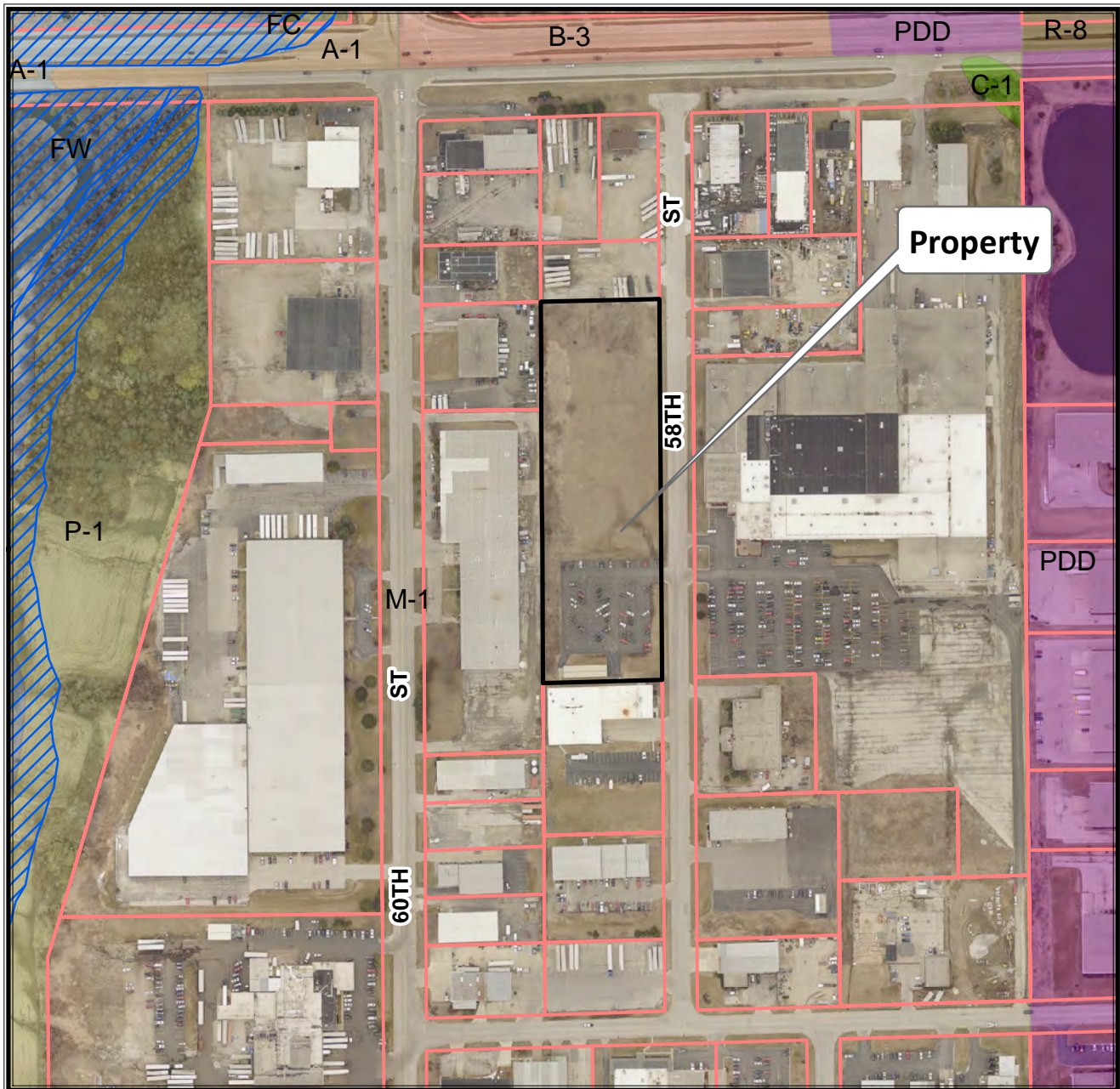
Page 3

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

9611 S. 58th Street
TKN 899 9990 062



Planning Department
(414) 425-4024

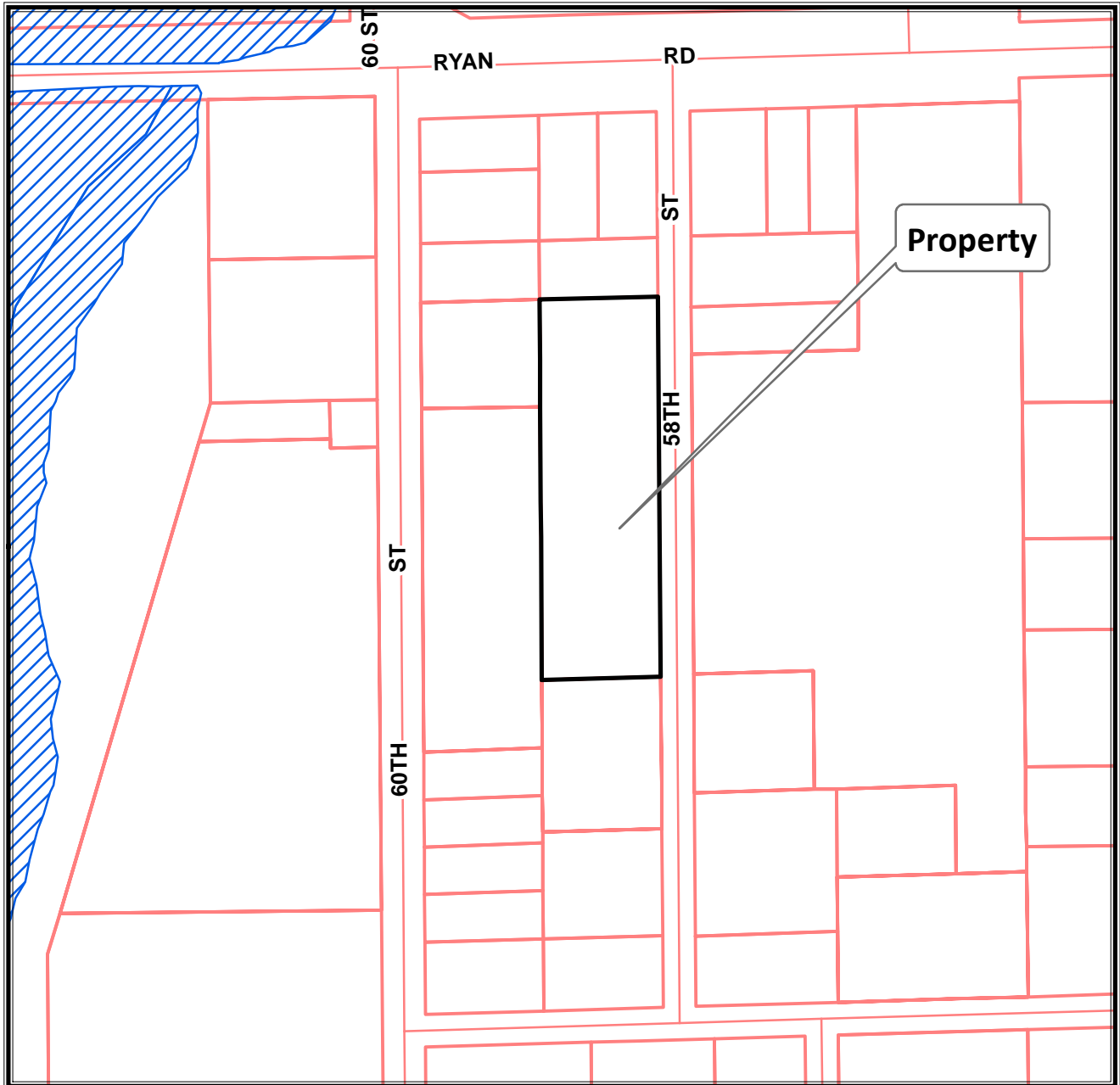
0 205 410 820 Feet

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


NORTH
2017 Aerial Photo



9611 S. 58th Street
TKN 899 9990 062



Planning Department
(414) 425-4024

0 205 410 820 Feet

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





Date of Application: _____

SITE PLAN / SITE PLAN AMENDMENT APPLICATION

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

Applicant (Full Legal Name[s]):

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

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

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

Project Property Information:

Property Address: _____
Property Owner(s): _____
Mailing Address: _____
City / State: _____ Zip: _____
Email Address: _____

Tax Key Nos: _____
Existing Zoning: _____
Existing Use: _____
Proposed Use: _____
Future Land Use Identification: _____

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

Site Plan/Site Plan Amendment submittals for review must include and be accompanied by the following:

- ☐ This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- ☐ Application Filing Fee, payable to City of Franklin: ☐ 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).
- ☐ Legal Description for the subject property (WORD.doc or compatible format).
- ☐ Seven (7) complete **collated** sets of Application materials to include:
 - ☐ One (1) original and six (6) copies of a written Project Summary, *including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available.*
 - ☐ Seven (7) **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 15-5.0402 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, etc.)*
 - ☐ *Reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package will be at Planning staff recommendation, if applicable.*
- ☐ One colored copy (11"x17") of the building elevations, if applicable.
- ☐ One copy of the Site Intensity and Capacity Calculations, if applicable (see Division 15-3.0500 of the UDO).
- ☐ Three copies of the Natural Resource Protection report, if applicable (see Section 15-7.0103Q of the UDO).
- ☐ Email (or CD ROM) with all plans/submittal materials. *Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable).*

- Upon receipt of a complete submittal, staff review will be conducted within ten business days. Additional materials may be required.
- Site Plan/Site Plan amendment requests require Plan Commission or Community Development Authority review and approval.

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

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

Signature - Property Owner

Name & Title (PRINT)

Date: _____

Signature - Applicant

Name & Title (PRINT)

Date: _____

Signature - Property Owner

Name & Title (PRINT)

Date: _____

Signature - Applicant's Representative

Name & Title (PRINT)

Date: _____



**ANDERSON
ASHTON**
DESIGN / BUILD

2746 South 166th Street
New Berlin, WI 53151

262.786.4640 P
262.786.4675 F

andersonashton.com

PROPERTY LEGAL DESCRIPTION

The legal description of the property for the proposed KRONES Training Facility Building:
Parcel 1 of Certified Survey Map No. 4543 and Parcel 1 of 4695 in the Northwest 1/4 of the
Northwest 1/4 of Section 26, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee
County, Wisconsin

Project Summary

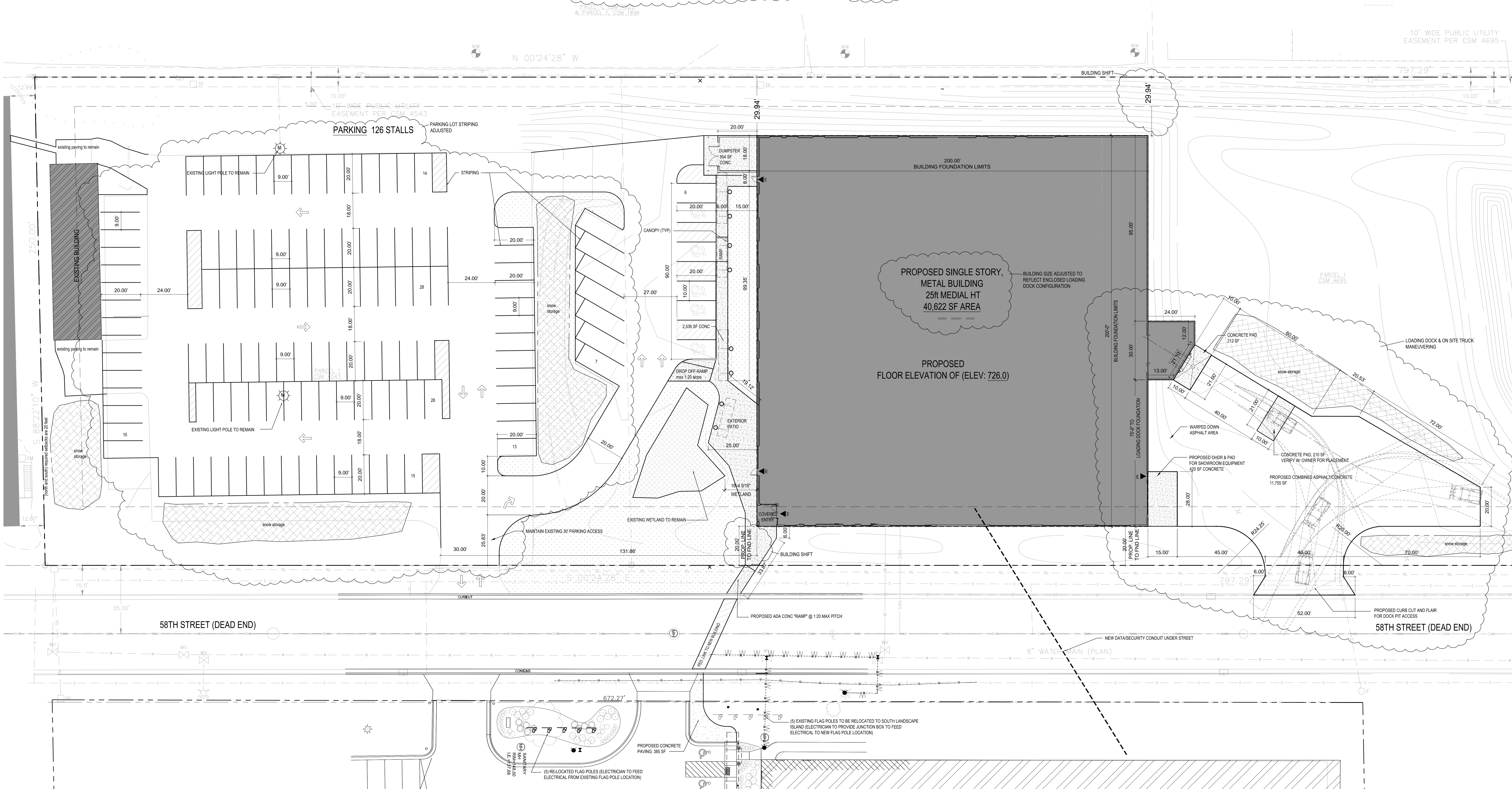
The proposed project consists of the construction of a 40,622 square foot pre-engineered metal building on a parcel of land adjacent to an existing parking lot. The property is currently owned by Krones and is located within the original Franklin Industrial Park. The building will be located with a 20' setback from the street yard which will help with the site drainage along the West side property line, and also with the management of the roof water. This will also bring the building in line with the neighboring buildings to the South. The East elevation of the building will be finished in flat architectural metal panel combined with several large storefront windows. The large storefront windows along the East are intended to showcase Krone's current equipment offerings. The South elevation will be faced with flat architectural metal panel and punctuated with insulated aluminum windows intended to bring natural lighting deep into the interior of the building. The West elevation will be faced with ribbed metal panel. The North elevation will be a combination of ribbed metal panel and will feature a loading dock, with on-site truck turning and a loading/unloading area. The roof of the building will be a standing seam metal panel system with integral skylights within a mono-slope roof which pitches to the West. The project will feature a retention pond on the North end of the property for onsite storm water storage. The existing parking lot will be pulverized and resurfaced with additional asphalt parking areas being constructed on the north and south portions of the existing lot. The building will fill an important need for the operations of this international company. The building's intended purpose is to both host prospective and current consumers, introducing them to Krone's

line of industry leading equipment and to host international trainees, giving them a single location to both demonstrate and learn to operate and maintain Krone's proprietary equipment.

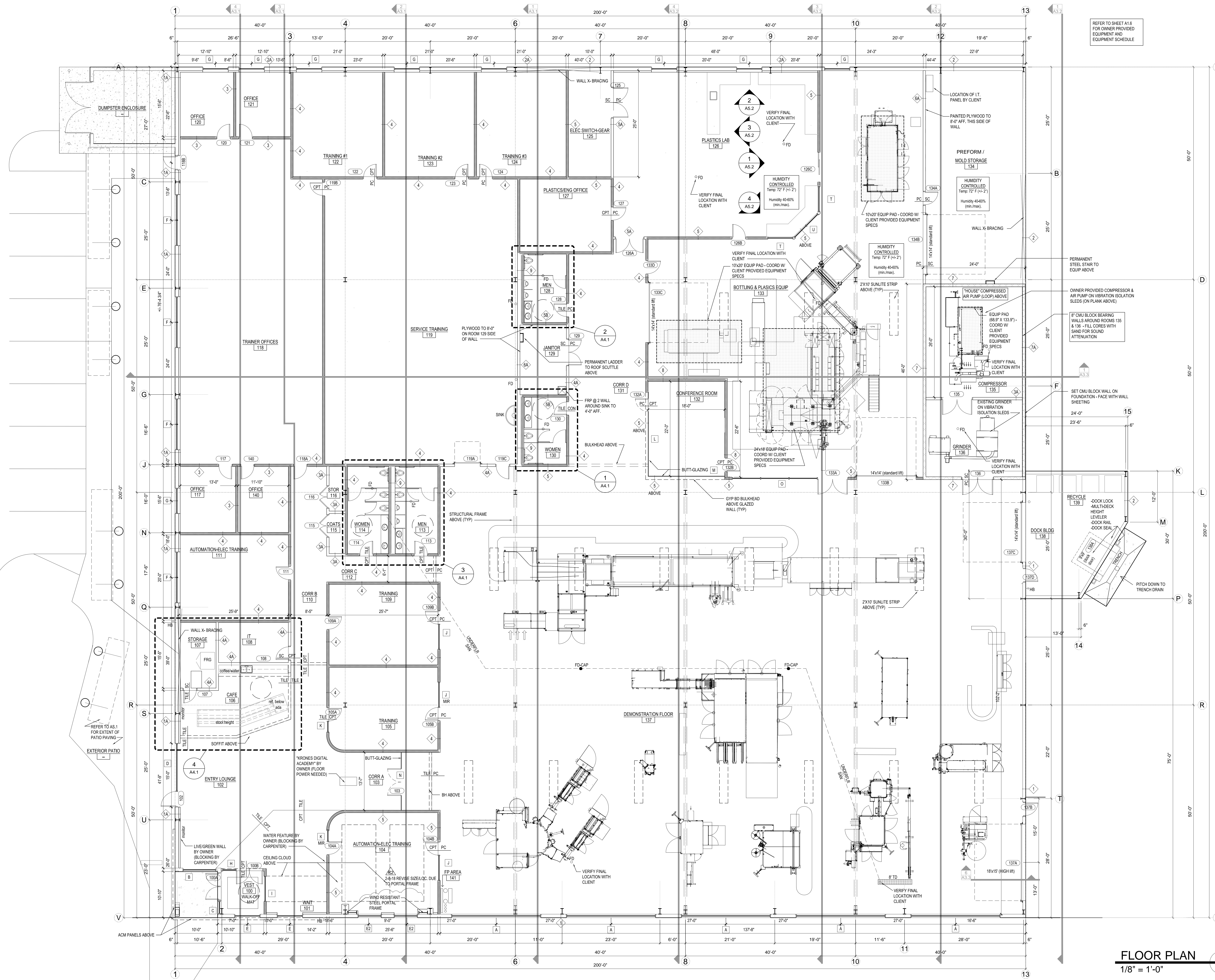


FRANKLIN ZONING DISTRICT: M1 (Limited Industrial)			
1. The front (east) required setback is 30 feet			
2. The side (north and south) required setbacks are 20 feet			
3. The back (west) required setback is 15 feet			
4. 40% green space must be maintained (entire parcel)			
5. Parking - Light Industrial (2 / 1,000sf = 80 spaces required)			
6. Building plus Loading Dock	40,622 sf		
7. Paving	74,839 sf		
8. TOTAL NON-PERVIOUS	115,461 sf		
9. Site Size Legal Description (Gross)	199,277 sf	(4.5748 acres)	
10. Build-able Site Area (Net)	155,199.47 sf		
11. TOTAL GREEN SPACE	84,000 sf	(9 - 8)	
12. Landscape Ratio (LSR)	42.15 %	(11 / 9)	
13. Gross Floor Area Ratio (GFAR)	20.38 %	(6 / 9)	
14. Net Floor Area Ratio (NFAR)	26.17 %	(6 / 10)	
15. Snow Storage	7,484 sf (10% of paving)		

BUILDING SIZE ADJUSTED TO REFLECT ENCLOSED LOADING DOCK CONFIGURATION



ARCHITECTURAL SITE PLAN
SCALE: 1 : 20 (WHEN PRINTED TO 30X42 SHEET)



REFER TO SHEET A1.6
FOR OWNER PROVIDED
EQUIPMENT AND
EQUIPMENT SCHEDULE

REFER TO AS.1
FOR EXTENT OF
PATIO PAVING

FLOOR PLAN
1/8" = 1'-0"

REVISIONS

1	24-18 REVISE SIZE/LOC. DUE TO PORTAL FRAME
---	--

ANDERSON-ASHTON, INC.
DESIGN / BUILD

Wisconsin Registered Architect:
Steven L. Wagner, Architect
Wis DSPS Lic# A-9577-5

Wisconsin Registered Contractor:
ID # 1048911 WI Dept of Commerce

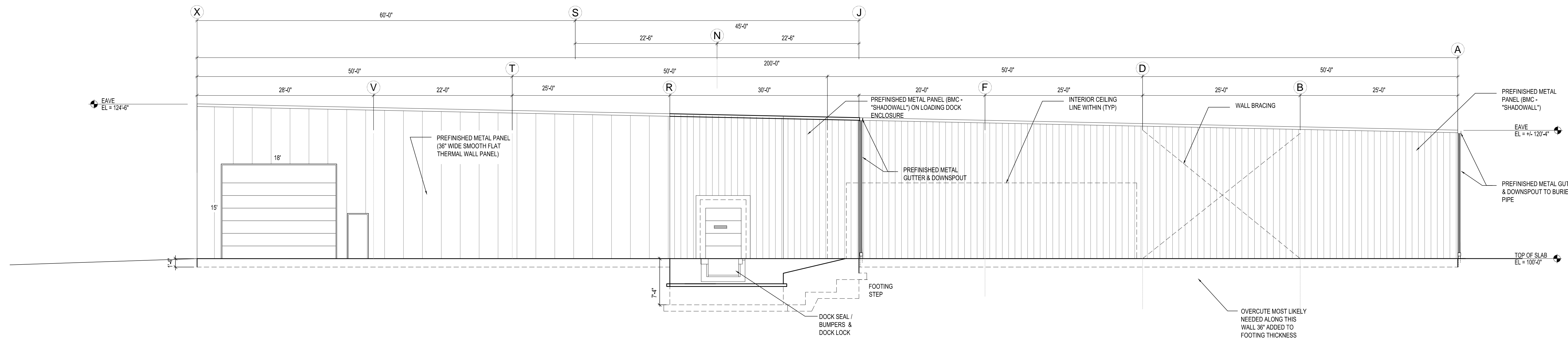
KRONES, INC
9611 S 58TH STREET
FRANKLIN, WI 53132

PROPOSED BUILDING FOR:

DRAFTED BY: S L W
PROJECT DESIGNER: S L W
SUBMITTAL DATE: 02/06/2018
DESIGN NO.: 3765
CONSTRUCTION NO.:

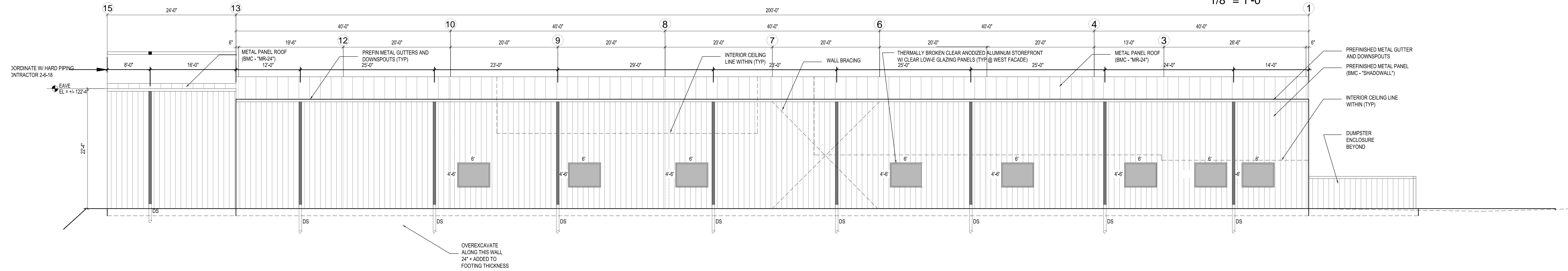
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6/3/2018 Krones Inc Training Building_LDWG.3765 Plans.dwg 2/29/2018 3:19:48 PM DWG To PDF.pc3

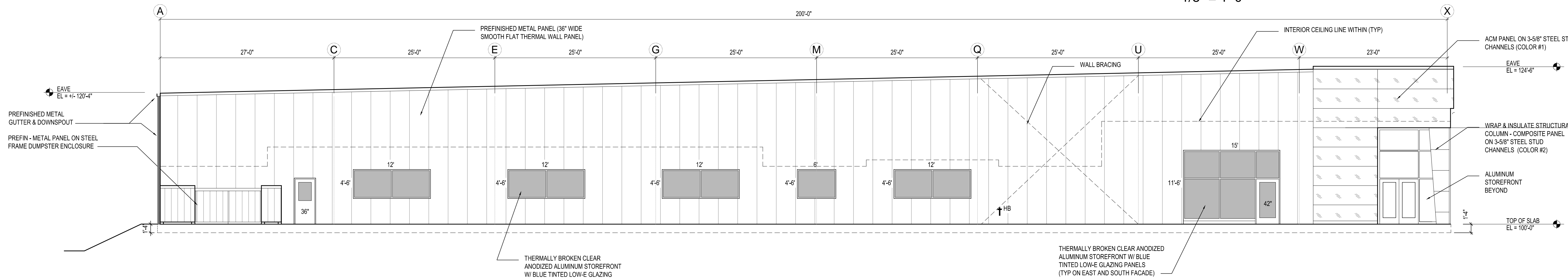


- COLOR NOTES:
- ALL EXTERIOR BUTLER PANEL, ASSOCIATED TRIM, GUTTERS, DOWNSPOUTS TO BE COLOR: BMC COLOR "SOLAR WHITE"
 - ACM PANEL COLOR TO BE REYNOLBOND "PLATINUM"
 - ENTRY COLUMN COMPOSITE PANEL TO BE COLOR: MATCH KRONES CORPORATE BLUE: "RAL 260404S FOR PANTONE 293 - BASIC BLUE"
 - ROOF PANEL TO BE COLOR: BMC COLOR "GALVALUME"

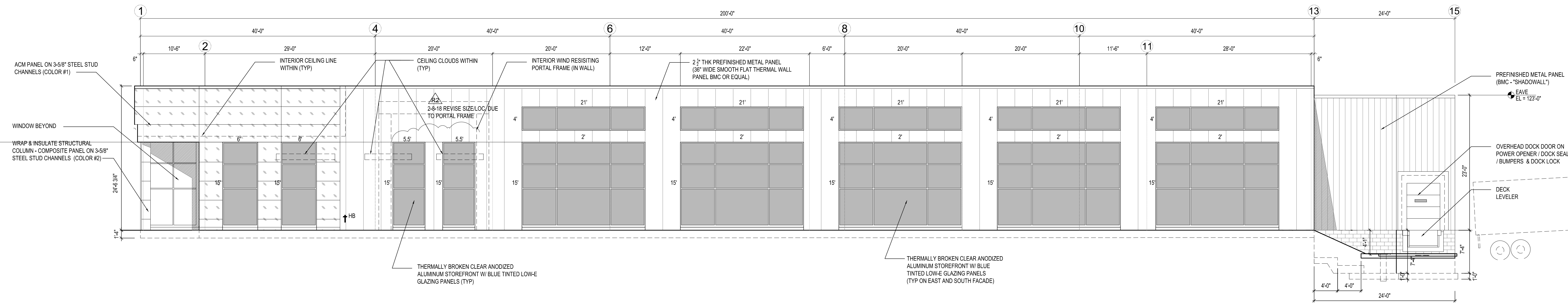
NORTH ELEVATION
1/8" = 1'-0"
4
A2.1



WEST ELEVATION
1/8" = 1'-0"
3
A2.1



SOUTH ELEVATION
1/8" = 1'-0"
2
A2.1



EAST ELEVATION
1/8" = 1'-0"
1
A2.1

REFER TO FLOOR PLAN FOR WINDOW TAGS

REVISIONS

A2.1	2-8-18 REVISE SIZELOC. DUE TO PORTAL FRAME
------	--

ANDERSON-ASHTON INC. DESIGN + BUILD

2746 South 168th Street
New Berlin, WI 53151
WWW.ANDERSONASHTON.COM

Wisconsin Registered Architect:
Steven L. Wagner, Architect
Wis DGPS Lic# A-9577-S

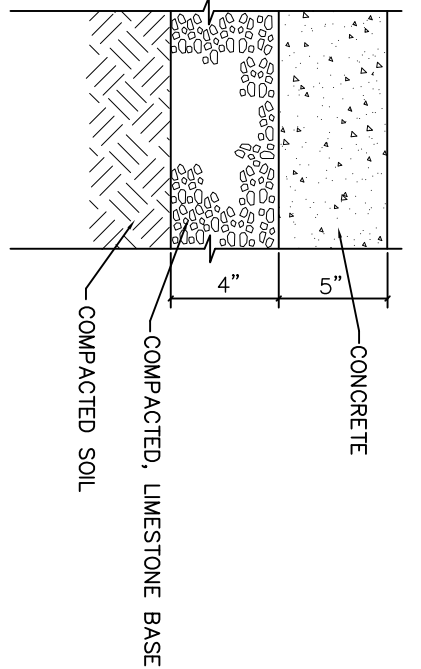
Wisconsin Registered Contractor:
ID #: 1048911 WI Dept of Commerce

PROPOSED BUILDING FOR:
KRONES, INC
9611 S 58TH STREET
FRANKLIN, WI 53132

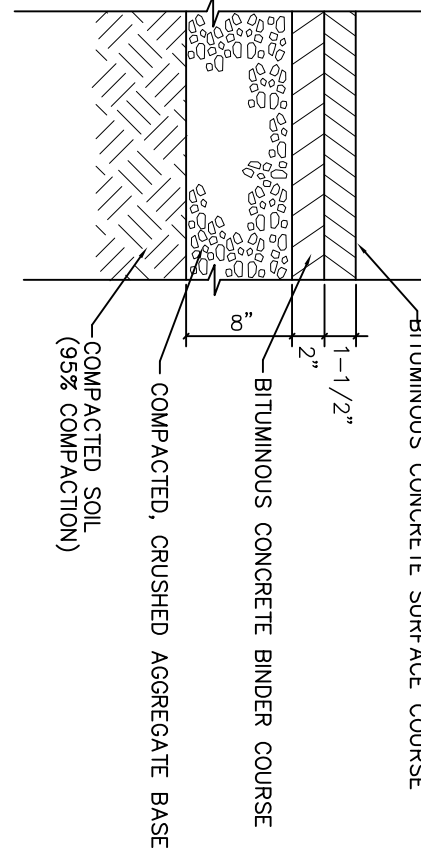
DRAWN BY: S.L.W.
PROJECT DESIGNER: S.L.W.
SUBMITAL DATE: 02/08/2018
DESIGN NO.: 3765
CONSTRUCTION NO.:

A2.1

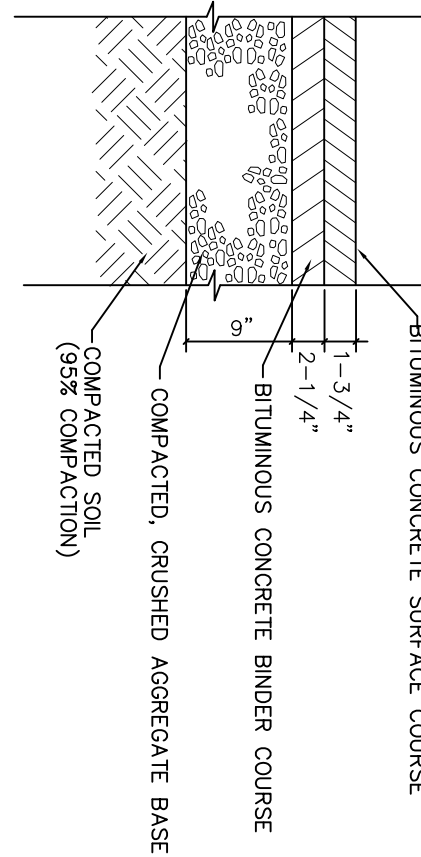
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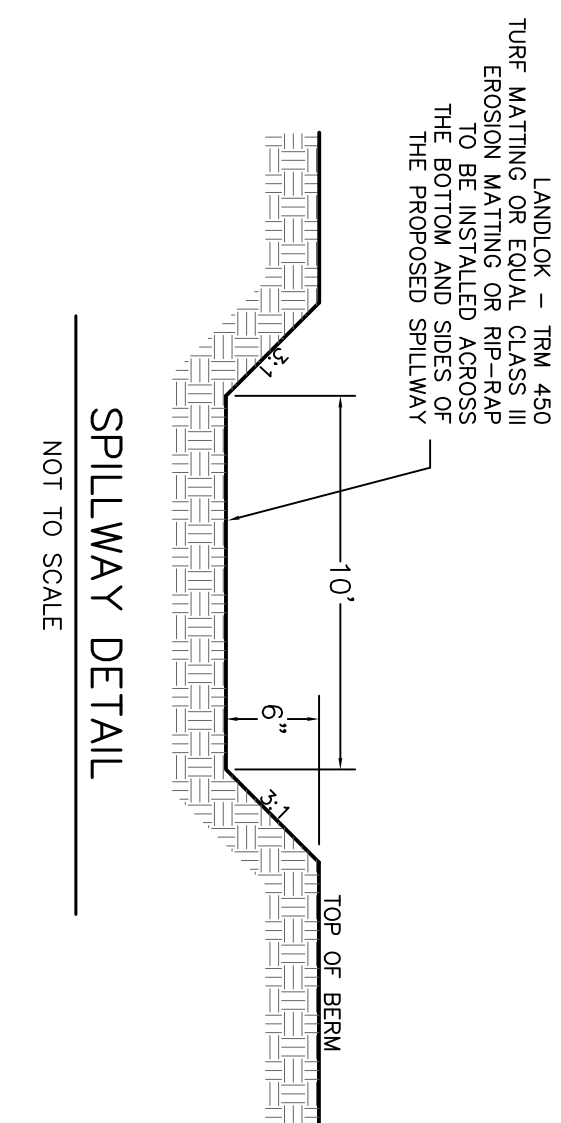
CONCRETE SIDEWALK
NOT TO SCALE



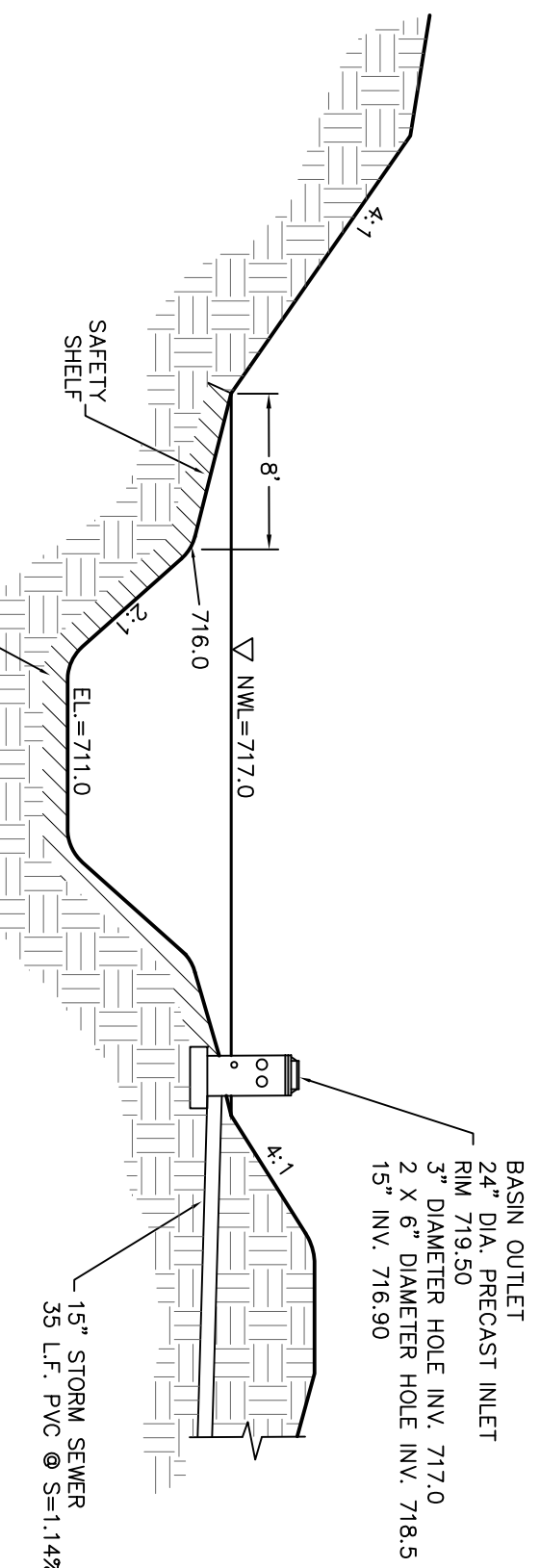
STANDARD DUTY
ASPHALT PAVEMENT
NOT TO SCALE



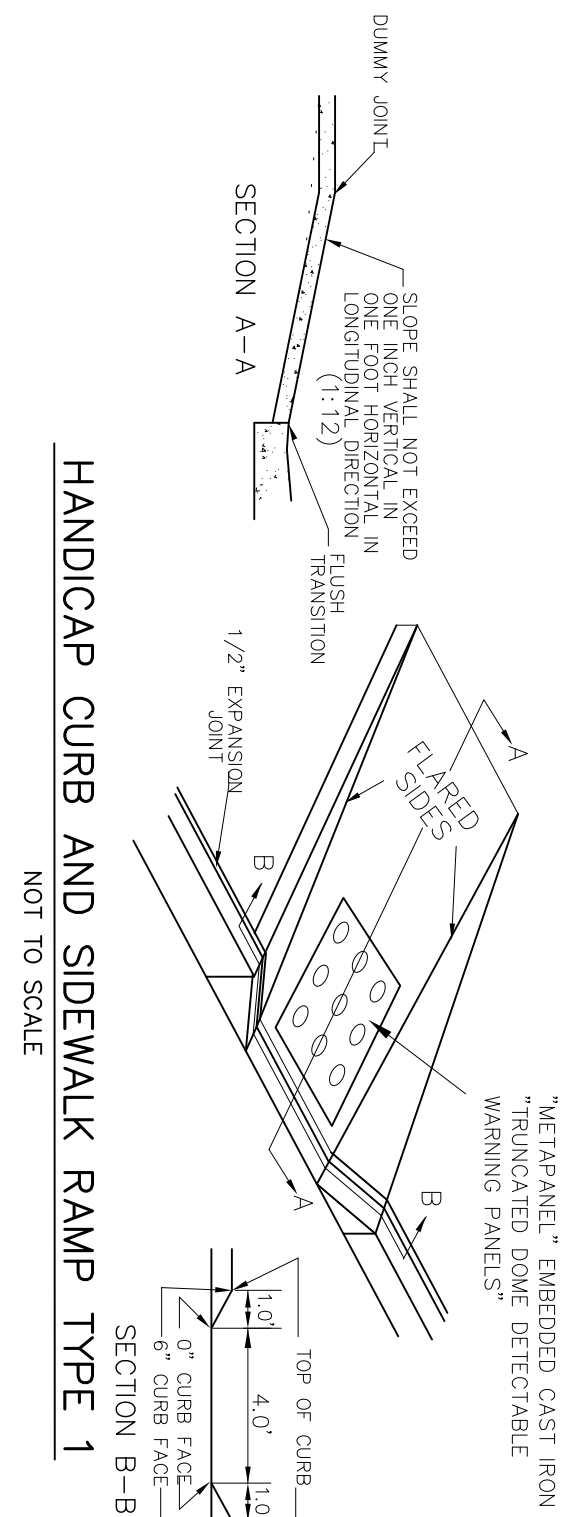
HEAVY DUTY
ASPHALT PAVEMENT
NOT TO SCALE



SPILLWAY DETAIL
NOT TO SCALE

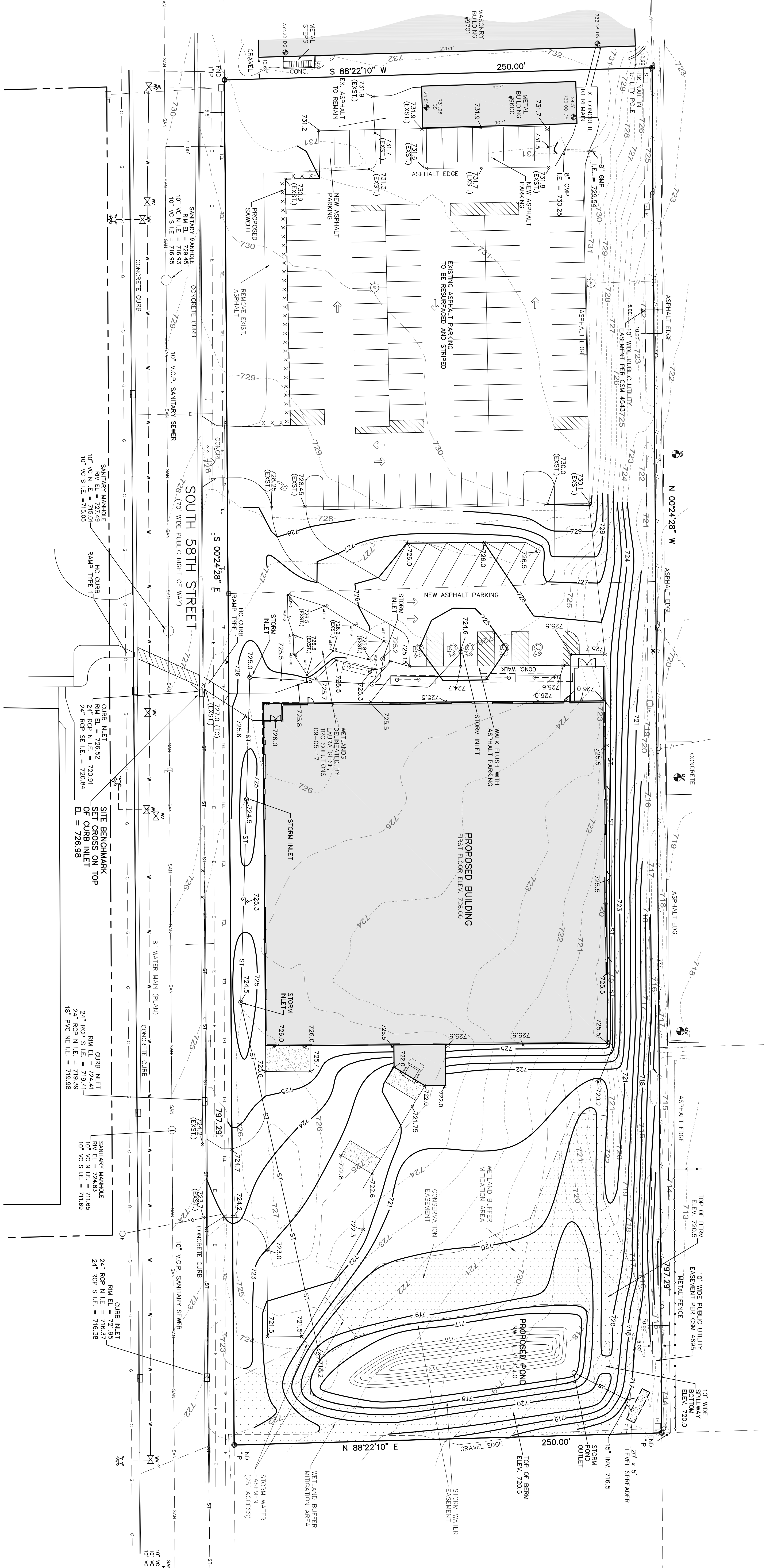
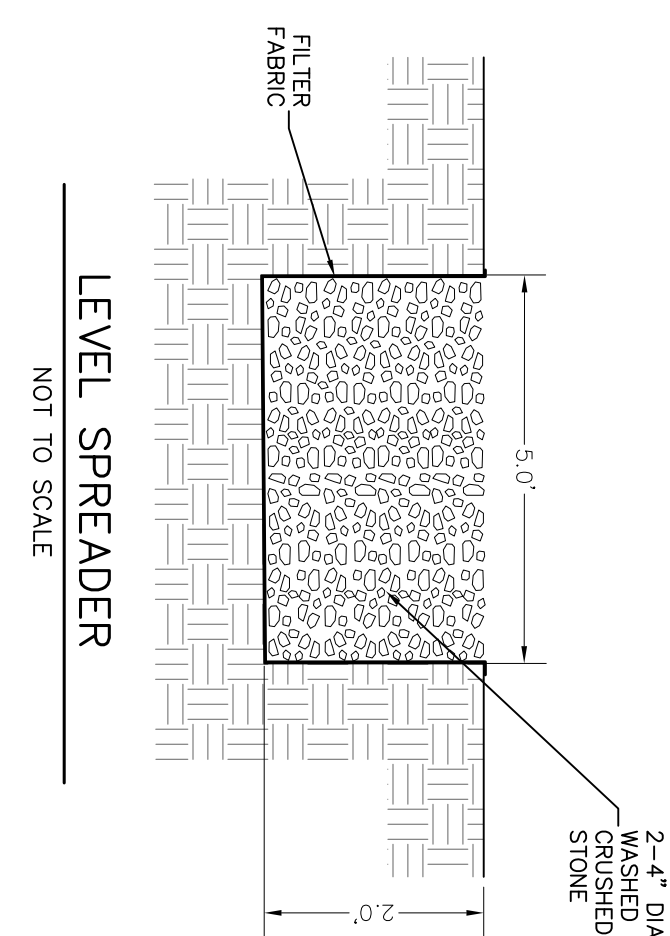


POND DETAIL
NOT TO SCALE



HANDICAP CURB AND SIDEWALK RAMP TYPE 1
NOT TO SCALE

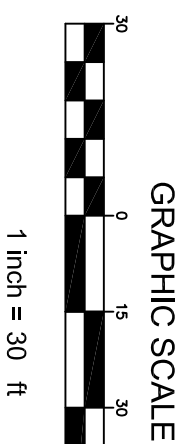
LEVEL SPREADER
NOT TO SCALE



LEGEND

- 720 --- EXISTING CONTOUR
- 723 --- PROPOSED CONTOUR
- X 723.5 --- PROPOSED ELEVATION
- ST --- PROPOSED STORM SEWER

- NOTES:
1. DISTURBED AREA = 135,000 S.F. (3.10 ACRES)
 2. ALL PROPOSED SPOT GRADES SHOWN ARE AT BOTTOM OF CURB / RAISED WALK
 3. SITE PLAN SUBJECT TO APPROVAL OF THE NATURAL RESOURCE EXCEPTION FOR WETLAND BUFFER AND WETLAND SETBACKS
 4. APPROXIMATE WETLAND BUFFER MITIGATION AREA = 17,000 S.F.





LANDSCAPE INC.

Post Office Box 823
Waukesha, WI 53187-0823
☎ 262-549-6111
☎ 262-549-9229
🌐 www.nelsonlandscape.com

Sheet Title:

LANDSCAPE PLAN

Project:

KRONES, INC

9600 S. 58TH STREET
FRANKLIN, WI 53132

Client:

ANDERSON-ASHTON, INC.
2746 SOUTH 166TH STREET
NEW BERLIN, WI 53151
PH: 262.786.4640

WWW.ANDERSONASHTON.COM

Plan Notes:

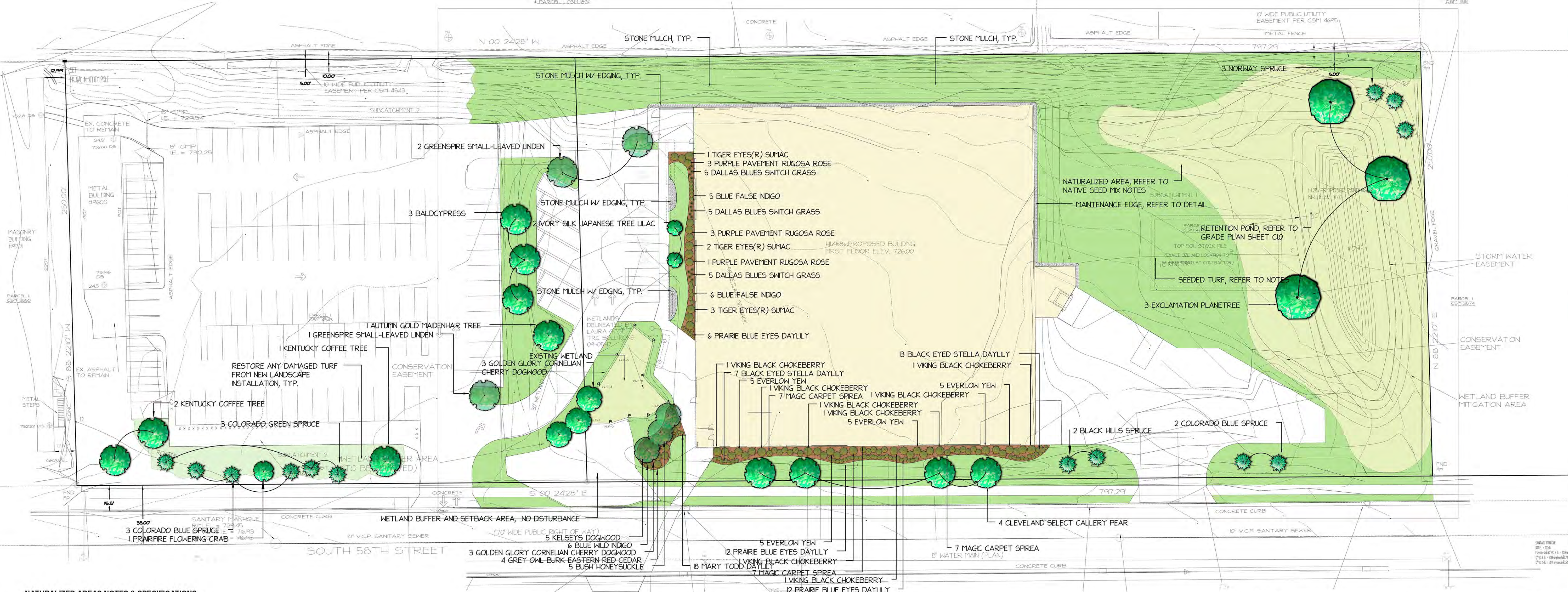
Designed By: C. J. N.
Drawn By: C. J. N.
Date: 10-24-17
Revisions: 10-25-17, 11-27-17, 2-09-18

Notice:

Copyright © 2017.
Nelson Landscape Incorporated

This landscape design plan is the sole property of Nelson Landscape Incorporated and may not be reproduced, altered, or copied in any manner or form without the permission of Nelson Landscape Incorporated. This plan may not be used for bidding purposes without prior consent by Nelson Landscape Incorporated.

This plan is subject to final on-site conditions and may be modified to account for unforeseen obstacles, other changes, or site modifications that were not made known at the time of preparation dated on this plan.



NATURALIZED AREAS NOTES & SPECIFICATIONS:

Native Seed Materials
All native seed materials shall be of Wisconsin Local Origin not to exceed a 150-mile radius of project site. All grass and forb seed shall be tested for germination and shall be supplied as Pure Live Seed (PLS). All seeding areas shall include the installation of a cover crop of annual ryegrass at the rate of 5 lbs. per acre.

Native Seed Installation
Prior to seed installation, all designated seeding zones shall be harrowed or power raked to loosen seeding surface. Native seed materials shall be installed by means of hand and mechanical broadcast methods to assure thorough coverage of all exposed soils. Immediately following seed placement, all seeded areas shall be mulched with clean straw or erosion blankets.

Monitoring
All seeded and planted areas shall be monitored for 3 full growing seasons. Monitoring shall consist of periodic visits during the 2018, 2019 and 2020 growing seasons to evaluate the site's vegetative state and determine what, if any, methods of management may be necessary. Management recommendations shall focus on the control of unwanted weedy plant species that may pose a threat to the establishment of desirable native plant species.

Management
All seeded areas shall be managed for 3 full growing seasons beginning in 2018 and ending in 2020. Species to be managed shall include, but are not limited to, Phalaris arundinacea (reed canary grass), Lythrum salicaria (purple loosestrife), Cirsium arvense (Canada thistle), Salix sp (willow), Cirsium vulgare (bull thistle), Melilotus sp (white and yellow sweet clover), Diptacus sylvestris (teasel), Arctium minus (burdock) and all invasive woody species such as willow and buckthorn. Management methods shall include selective cutting, spot herbicide application and / or mowing.

Wetland Seeding
All saturated soils areas shall be seeded with a wetland seed mix as specified below.

Grasses, Sedges, Rushes - 3 lbs. / acre
Calamagrostis canadensis (Canada bluejoint grass)
Carex bebbii (Bebb's sedge)
Carex hystrix (porcupine sedge)
Carex stipata (awl-fruited sedge)
Carex stricta (tussock sedge)
Carex vulpinoidea (fox sedge)
Glyceria grandis (giant fowl manna grass)
Glyceria striata (fowl manna grass)
Juncus effusus (soft rush)
Leersia oryzoides (rice cut grass)
Scirpus atrovirens (dark-green bulrush)
Forbs - 3.0 lbs. / acre
Alisma plantago-aquatica (water plantain)
Asclepias incarnata (marsh milkweed)
Aster novae-angliae (New England aster)
Aster pinnatus (red stem aster)
Eupatorium maculatum (Joe Pye weed)
Eupatorium perfoliatum (boneset)
Helenium autumnale (sneezeweed)
Liatris pycnostachya (blazing star)
Lobelia cardinalis (cardinal flower)
Lobelia siphilitica (great blue lobelia)
Mimulus ringens (monkeyflower)
Pycnanthemum virginianum (mountain mint)
Silphium perfoliatum (cupplant)
Solidago nemoralis (Ridgell's goldenrod)

Thalictrum dasycarpum (meadow rue)
Verbena hastata (blue vervain)
Vernonia fasciculata (ironweed)
Grasses, sedges, rushes and forbs total lbs per acre: 6.0

Upland Native Seed Mix
All dry upland soils shall be seeded with an upland native seed mix as specified below.

Native Grasses (Minimum of 4 grass species shall be used)
No single grass species shall exceed 15% of total seed mix weight
Andropogon gerardii (big bluestem)
Elymus canadensis (Canada wild rye)
Panico virgatum (prairie switchgrass)
Schizachyrium scoparium (little bluestem)
Sorghastrum nutans (Indian grass)
total lbs per acre: 7.0

Native Forbs (Minimum of 30 forb species shall be used)
No single forb species shall exceed 10% of total seed mix weight
Allium cernuum (nodding pink onion)
Asclepias tuberosa (butterfly milkweed)
Aster azureus (sky blue aster)
Aster laevis (smooth aster)
Aster novae-angliae (new England aster)
Astragalus canadensis (Canada milk vetch)
Cassia hebecarpa (wild senna)
Coreopsis lanceolata (lance leaf coreopsis)
Coreopsis palmata (prairie coreopsis)
Coreopsis tripteris (tall coreopsis)
Dalea candida (white prairie clover)
Dalea purpurea (purple prairie clover)
Desmodium canadense (Canada tick trefoil)
Echinacea pallida (pale purple coneflower)
Echinacea purpurea (purple coneflower)
Eryngium yuccifolium (rattlesnake master)
Helianthus occidentalis (western sunflower)
Liatris aspera (rough blazingstar)
Liatris pycnostachya (dense blazingstar)
Monarda fistulosa (bergamot)
Monarda punctata (dotted mint)
Onoclea sensibilis (evening primrose)
Parthenium integrifolium (wild quinine)
Penstemon digitalis (smooth penstemon)
Penstemon grandiflorus (beardtongue)
Ratibida pinnata (yellow coneflower)
Rutbeckia hirta (black eyed Susan)
Rutbeckia submontana (sweet black-eyed Susan)
Silphium laciniatum (compass plant)
Silphium terebinthaceum (prairie dock)
Solidago rigida (stiff goldenrod)
Tradescantia ohiensis (spiderwort)
Verbena stricta (hoary vervain)
Zizia aurea (golden alexanders)
total lbs per acre: 3.0

Yearly Vegetation Management and Monitoring
Management shall consist of selective cutting, mowing and spot herbicide application of invasive plant species. Invasive plant species may include, but are not limited to, reed canary grass, star thistle, sweet clover, Queen Anne's lace, Canada thistle, bull thistle and invasive woody trees and shrubs. All areas shall be mowed at the completion of each contracted growing season to thatch up dormant plant matter and set back invasive woody species.

PLANTING NOTES:

1) CONTRACTOR SHALL VERIFY LOCATION OF ALL ON-SITE UTILITIES PRIOR TO COMMENCING ANY WORK ON-SITE. WISCONSIN STATUTE 182.0175 REQUIRES THREE WORK DAYS NOTICE BEFORE YOU EXCAVATE. CALL DIGGER'S HOTLINE AT 1-800-242-8511.

2) SUPPLY AND INSTALL ALL WISCONSIN GROWN NURSERY STOCK. GUARANTEE ALL STOCK FOR A PERIOD OF TWO YEARS. ALL PLANTING MATERIAL IS TO MEET AMERICAN STANDARDS FOR NURSERY STOCK ANSI Z601-2004. ALL PLANT MATERIAL IS TO BE PLANTED IMMEDIATELY AFTER ARRIVAL AND UNLOADING ON SITE. PLANT TYPES, SIZES, AND QUANTITIES ARE ACCORDING TO THE PROPOSED PLANS. IF ANY DISCREPANCIES ARE PRESENT BETWEEN PLANT LEGEND AND GRAPHIC DEPICTION, GRAPHICALLY DEPICTED QUANTITIES SHALL HOLD PRECEDENCE.

3) ACTUAL LOCATIONS OF PLANT MATERIAL ARE SUBJECT TO FINAL SITE LAYOUT AND CONDITIONS AND MAY BE ADJUSTED ACCORDINGLY.

4) GUY AND STAKE ALL LARGE TREES AND EVERGREENS.

5) ALL PLANTS ARE TO BE BACKFILLED WITH A 50/50 MIX OF PLANT STARTER AND TOPSOIL BLEND AND IS TO BE FREE OF ROOTS, ROCKS LARGER THAN 1" IN DIAMETER, SUBSOIL DEBRIS, AND WEEDS.

6) OPEN AND REMOVE THE TOP BURLAP AND TWINE OR STRING FROM ALL BALLED AND BURLAPPED PLANTS AND SET ALL PLANTS AT FINISHED GRADE.

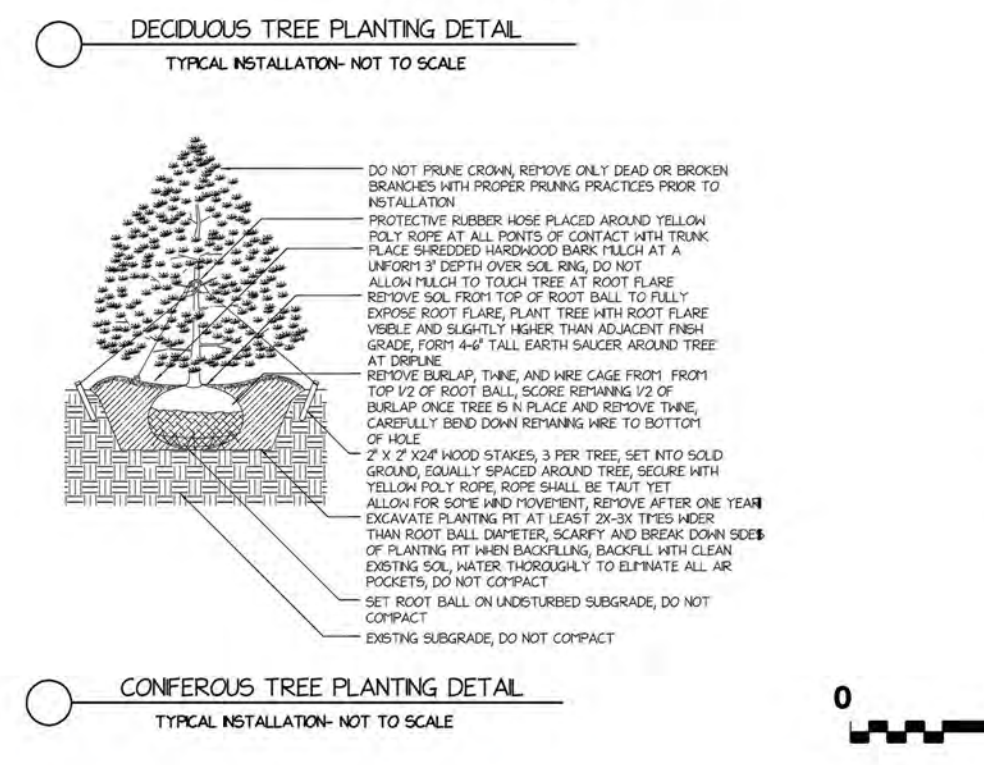
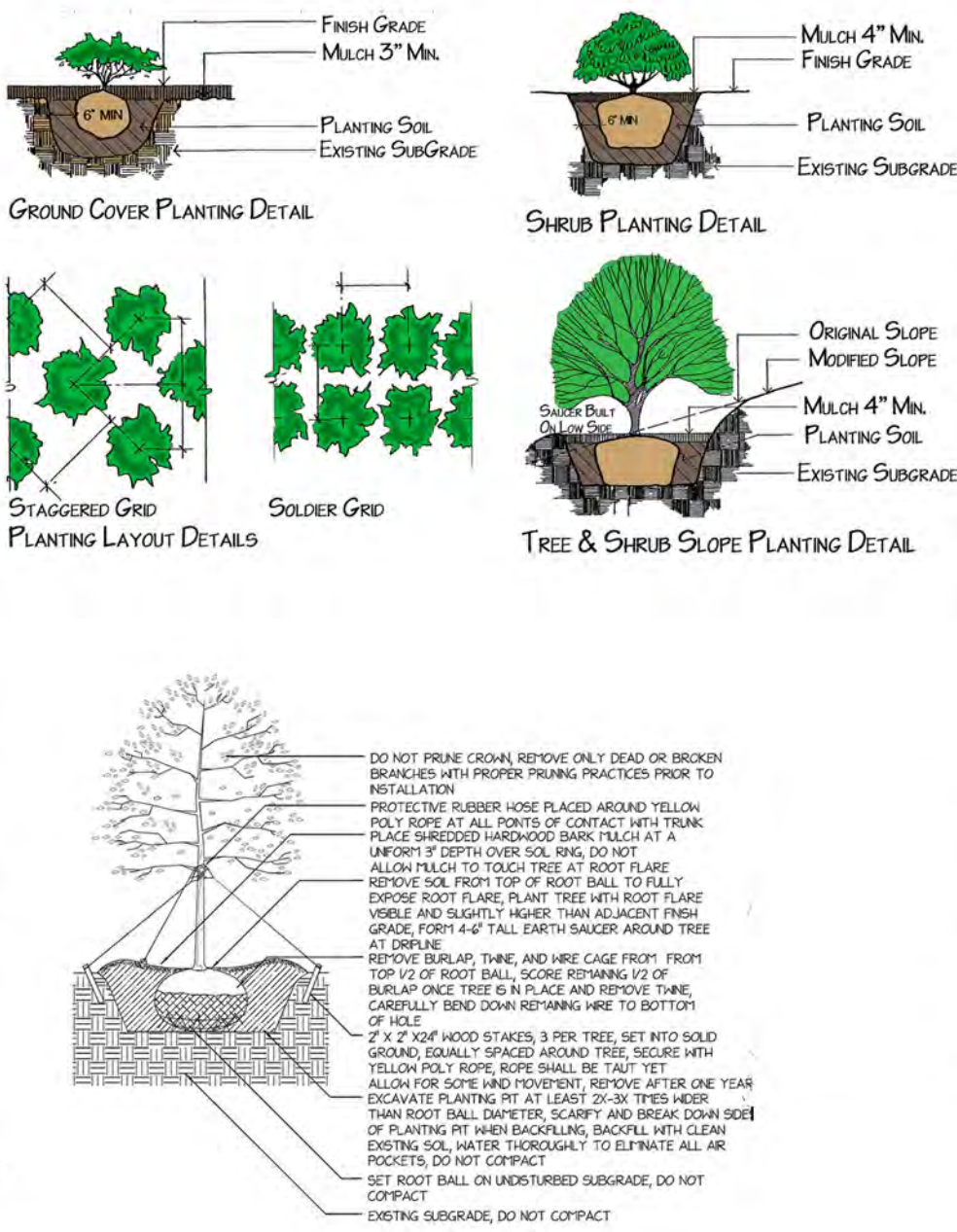
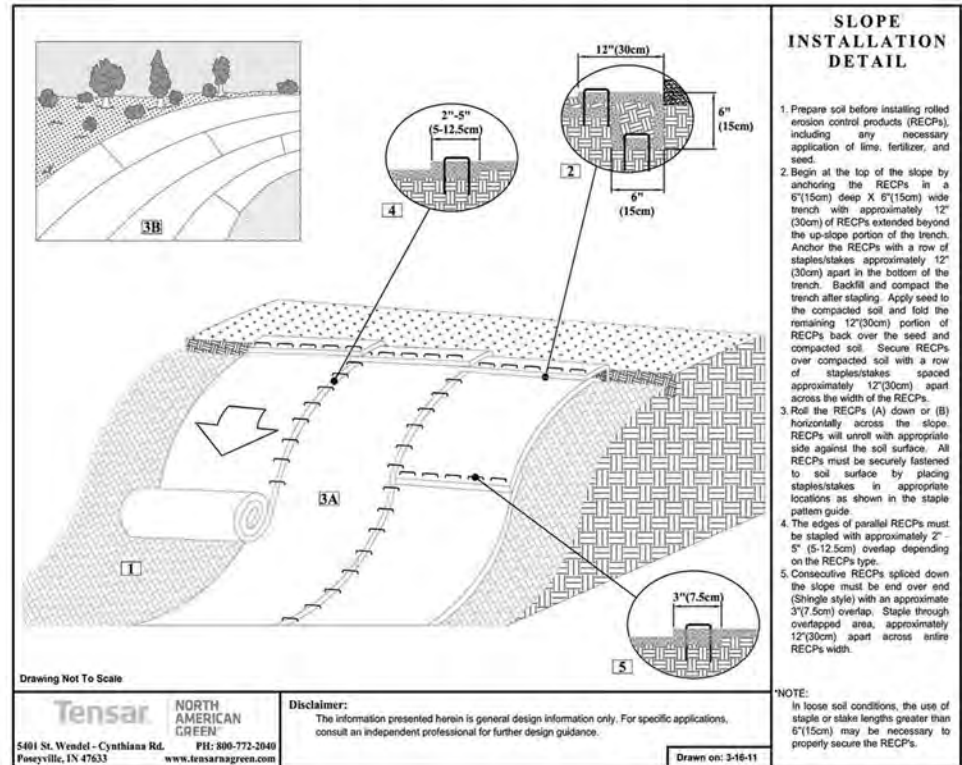
7) SUPPLY AND INSTALL 3"-4" OF SHREDED HARDWOOD BARK MULCH IN ALL PLANTING BEDS, AND 1-1 1/2" IN ALL PERENNIAL BEDS. TREAT ALL AREAS WITH A PRE-EMERGENT HERBICIDE (GRANULAR FORM) TRIFLURALIN OR APPROVED EQUAL FOLLOWING ALL MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS PRIOR TO PLACING.

8) SUPPLY AND INSTALL 3"-4" OF SHREDED HARDWOOD MULCH 1" PAST THE DRIP LINE OF ALL INDIVIDUAL TREES. DO NOT PLACE MULCH AGAINST TRUNK OF TREE.

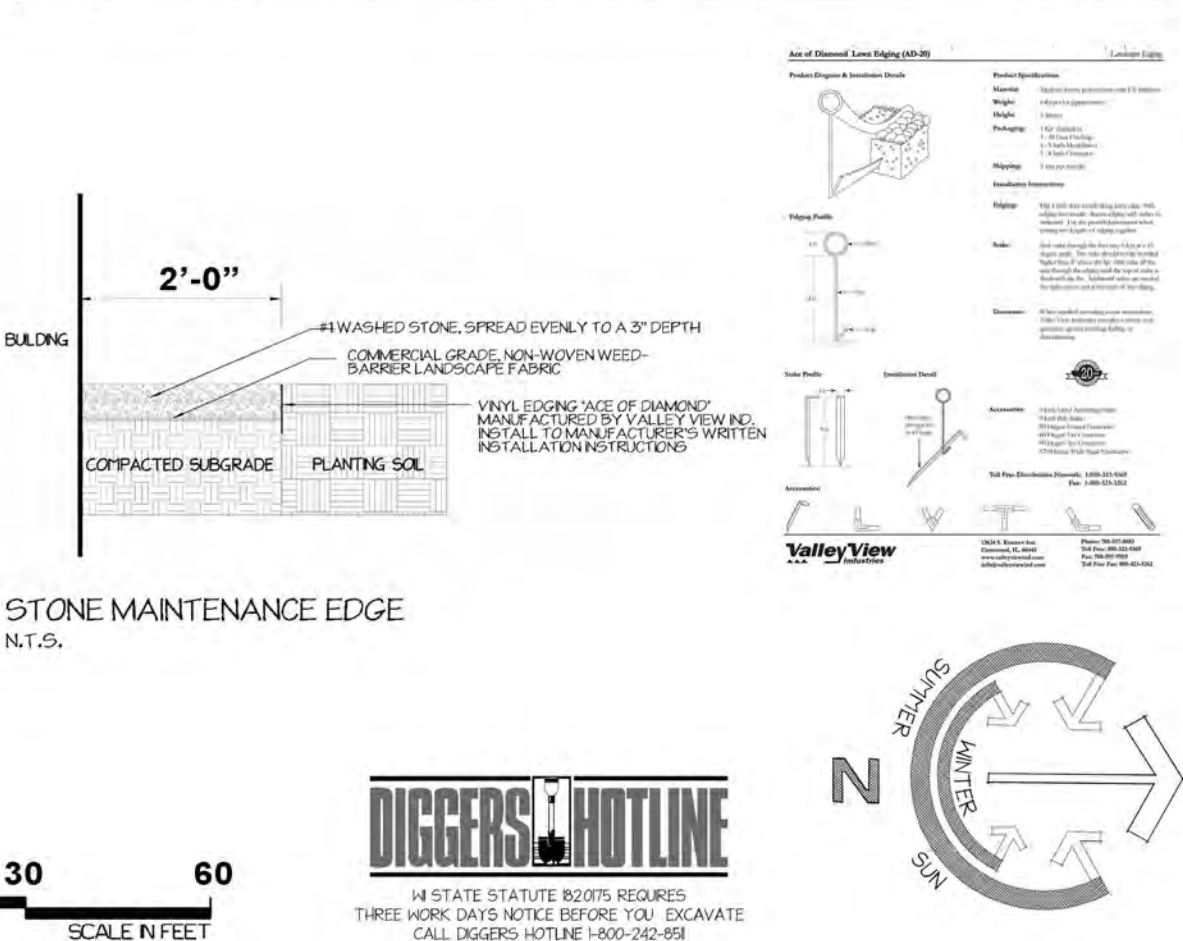
9) SUPPLY AND INSTALL BLACK VINYL EDGING "ACE OF DIAMOND" MANUFACTURED BY VALLEYVIEW INDUSTRIES OR APPROVED EQUAL IN ALL PLANTING BEDS THAT ADJOIN TURF AREAS ACCORDING TO THE MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS.

10) ALL TURF AREAS ARE TO BE FINE-GRADED. ALL TURF AREAS ARE TO BE SEEDED, AREAS ARE TO BE SOWN AT THE MANUFACTURER'S RECOMMENDED RATES AND COVERED WITH A CLEAN OAT STRAW. TURF AREAS ARE TO BE SOWN WITH NELSON LANDSCAPE'S CUSTOM BLENDED SEED FOR LAWNS AND IS TO BE APPLIED AT THE RECOMMENDED RATE, A STARTER FERTILIZER APPLIED, AND COVERED WITH A CLEAN OAT STRAW. ANY AREAS WHERE POTENTIAL EROSION EXISTS DUE TO WIND OR WATER OR OTHER MEANS INCLUDING ALL SLOPES OF 3:1 OR GREATER SHALL BE COVERED WITH STRAW EROSION CONTROL BLANKETS DS-75" MANUFACTURED BY NORTH AMERICAN GREEN, INSTALLED TO MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS.

11) ALL NEW LANDSCAPED AREAS SHALL BE IRRIGATED AND MAINTAINED FOR A PERIOD OF THIRTY DAYS FROM INSTALLATION BY NELSON LANDSCAPE. ALL NEW PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF TWO YEARS FROM INSTALLATION. ALL NEW PLANTINGS SHALL BE ADEQUATELY MAINTAINED AND MONITORED BY THE OWNER FOLLOWING THE INITIAL THIRTY DAY MAINTENANCE PERIOD THROUGH THE TWO YEAR WARRANTY PERIOD.



Qty	Botanical Name	Common Name	Size/Condition
Ornamental Trees			
6	Cornus mas 'Golden Glory'	GOLDEN GLORY CORNELIAN CHERRY DOGWOOD	5/6" b.
1	Malus x 'Prairifire'	PRAIRIFIRE FLOWERING CRAB	2/6" b.
4	Pyrus calleryana 'Cleveland Select'	CLEVELAND SELECT CALLERY PEAR	2/6" b.
2	Syringa reticulata ' Ivory Silk'	IVORY SILK JAPANESE TREE LLAC	2/6" b.
Evergreen Trees			
3	Picea abies	NORWAY SPRUCE	5/6" b.
2	Picea glauca var. densata	BLACK HILLS SPRUCE	5/6" b.
3	Picea pungens	COLORADO GREEN SPRUCE	5/6" b.
5	Picea pungens f. glauca	COLORADO BLUE SPRUCE	5/6" b.
Canopy Trees			
1	Ginkgo biloba 'Autumn Gold'	AUTUMN GOLD MADDENHAR TREE	2 1/2" b. b.
3	Gymnocladus dioica	KENTUCKY COFFEE TREE	2 1/2" b. b.
3	Platanus x acerifolia	LONDON PLANETREE	2 1/2" b. b.
3	Tilia cordata 'Greenspire'	GREENSPIRE SMALL-LEAVED LINDEN	2 1/2" b. b.
3	Taxodium distichum	BALDCYPRESS	2 1/2" b. b.
Shrubs			
8	Aronia melanocarpa 'Viking'	VIKING BLACK CHOKEBERRY	24-30"/cont.
5	Cornus stolonifera 'Kelsey'	KELSEY'S DOGWOOD	18-24"/cont.
5	Diervilla lonicera	BUSH HONEYSUCKLE	18-24"/cont.
3	Juniperus virginiana 'Grey Owl'	GREY OWL BURK EASTERN RED CEDAR	18-24"/cont.
7	Rosa rugosa 'Purple Pavement'	PURPLE PAVEMENT RUGOSA ROSE	18"/cont.
6	Rhus typhina 'Bailiger' PP# 685	TIGER EYES(R) SUMAC	24-30"/cont.
2	Spiraea japonica 'Magic Carpet'	MAGIC CARPET SPREA	18"/cont.
20	Taxus x media 'Everlow'	EVERLOW YEW	18-24"/cont.
Ornamental Grasses			
15	Panicum virgatum 'Dallas Blues'	DALLAS BLUES SWITCH GRASS	#1 cont.
Perennials			
11	Baptisia australis	BLUE FALSE INDIGO	#1 cont.
6	Baptisia australis minor	DIARF FALSE FALSE INDIGO	#1 cont.
20	Hemerocallis Black Eyed Stella	BLACK EYED STELLA DAYLILY	#1 cont.
18	Hemerocallis Mary Todd	MARY TODD DAYLILY	#1 cont.
30	Hemerocallis Prairie Blue Eyes	PRAIRIE BLUE EYES DAYLILY	#1 cont.



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