

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY, FEBRUARY 19, 2019 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayoral Announcements - Proclamation In Recognition of Patrick M. Hays Upon His Retirement as Assistant Fire Chief.
- C. Approval of Minutes:
Regular Common Council Meeting of February 5, 2019.
- D. Hearings.
Public Hearing - A Proposed Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the Future Land Use Map Use Designation for a Portion of the Property Located at the Northwest Corner of South 76th Street and West Oakwood Road, from Business Park Use to Residential Use (Oakwood at Ryan Creek, LLC, Applicant). The Property which is the Subject of this Application Bears Tax Key No. 934-9992-010, Consisting of Approximately 43.63 Acres of Land. The Portion of the Property Subject to this Amendment is Approximately 3.25 Total Acres of Land Located in the City of Franklin, Milwaukee County, Wisconsin.
- E. Organizational Business - Mayoral Appointments to the Tourism Commission:
 - 1. Hotel/Motel Industry Member: Lance A. Schaefer, Everest Hospitality, LLC, 6901 S. 76th St. (Ald. Dist. 2), one year term expiring 12/31/2019.
 - 2. Shaun Marefka, 7644 S. Mission Ct. (Ald. Dist. 2), one year term expiring 12/31/2019.
 - 3. Amy Schermetzler, 4227 W. Central Ave. (Ald. Dist. 4), one year term expiring 12/31/2019.
 - 4. Mark Wylie, 7468 Carter Circle S. (Ald. Dist. 5), one year term expiring 12/31/2019.
 - 5. Ann Adamski, 7825 S. Stonebrook Ct. (Ald. Dist. 3), one year term expiring 12/31/2019.
- F. Letters and Petitions:
 - 1. Correspondence from Jeff and Karen Malecki Regarding New City Logo.
 - 2. Correspondence from Alderwoman Kristen Wilhelm to Jason Knutson, Wisconsin Department of Natural Resources, regarding Wisconsin Electric Power Co., Oak Creek Power Plant and Elm Road Generating Station Wisconsin Pollutant Discharge Elimination System (WPDES) Permit No. WI-0000914-08-0.
 - 3. Correspondence from Mike Sullivan, General Manager of Oak Creek Water and Sewer Utility, regarding Wisconsin Electric Power Co., Oak Creek Power Plant and Elm Road Generating Station Wisconsin Pollutant Discharge Elimination System (WPDES) Permit No. WI-0000914-08-0.

G. Reports and Recommendations:

1. An Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map for a Portion of the Property Located at the Northwest Corner of South 76th Street and West Oakwood Road from Business Park Use to Residential Use (Approximately 3.25 Acres) (Oakwood at Ryan Creek, LLC, Applicant).
2. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a Portion of a Certain Parcel of Land from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District (the Northwest Corner of South 76th Street and West Oakwood Road) (Approximately 3.25 Acres) (Oakwood at Ryan Creek, LLC, Applicant).
3. A Resolution Conditionally Approving a Final Plat for Ryanwood Manor Phase 1 Subdivision (at Approximately South 76th Street and West Oakwood Road) (Oakwood at Ryan Creek, LLC, Applicant).
4. Concept Review for a Proposed Hotel at 3030 W. Rawson Avenue (R&P, LLC, Owner) (Odyssey Hotels, LLC, Applicant).
5. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for an Over-the-Road Trucking Company Business Use Upon Property Located at 11141 West Forest Home Avenue (Boris Strbac, Owner, Star Trucking, LLC, Applicant).
6. Franklin Senior Citizens, Inc. Program Update.
7. THIEL Brand Design, Economic Development Commission and Tourism Commission Update on City Brand and Marketing Campaign.
8. An Ordinance to Amend the Municipal Code to Increase the Ambulance Service Emergency Medical Services Fees for Basic Life Support Services and Advanced Life Support Services and Transport.
9. Authorization to Execute a Memorandum of Understanding with the City of Greenfield to have the Wisconsin Policy Forum Study and Report Opportunities for Shared Fire Services and to Authorize an Expenditure of \$5,000 from the General Fund Unrestricted Contingency Appropriation for such a Report.
10. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Temporarily Relocate the Villages of Hales Corners Department of Public Works Equipment and Employees to the Site of the City of Franklin Department of Public Works Facility Located at 7979 West Ryan Road (Michael J. Martin, Director of Public Works for the Village of Hales Corners, Applicant).
11. Request to Rebid the Pavilion in Pleasant View Park Project, 4901 W. Evergreen Street (Project 2018-7).
12. Appointment of Alternate Natural Gas Supplier for Franklin Law Enforcement Center.
13. A Resolution to Amend Professional Services Contract with Greeley and Hansen for Task 7 of the Design of Industrial Park Lift Station Abandonment and Sewer Extension for an Additional \$5,400.
14. Request to Bid 2019 Local Road Program.

Common Council Meeting Agenda

February 19, 2019

Page 3

15. Authorization to Purchase 31 Computer Replacements for the Police Department and Planning Department for a Cost not to Exceed \$17,000 to be Funded Out of the \$100,000 Appropriation in the 2019 Capital Outlay Budget for "Planned Spending Pending Additional Consideration."
16. Update on City Hall Roof, HVAC, and Fascia Wood Replacement Project.
17. Budget Preparation Timetable for the 2020 Budget.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of February 19, 2019.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

[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:

February 21	Plan Commission Meeting	7:00 p.m.
March 4	Committee of the Whole	6:30 p.m.
March 5	Common Council Meeting	6:30 p.m.
March 7	Plan Commission Meeting	7:00 p.m.
March 19	Common Council Meeting	6:30 p.m.
March 21	Plan Commission Meeting	7:00 p.m.

A PROCLAMATION IN RECOGNITION OF PATRICK M. HAYS

WHEREAS, Patrick M. Hays started his career with the Franklin Fire Department on August 1st, 1989 as one of the "Original Twelve" Firefighter-Paramedics hired to staff Franklin's first paramedic ambulance on a 24-hour basis, bringing Advanced level pre-hospital emergency care and round-the-clock fire protection to the Citizens of Franklin for the first time in its history; and

WHEREAS, Patrick M. Hays had previously begun his fire service career as a paid-on-call firefighter for the Village of Greendale and is a current member of the Vernon Fire Department, demonstrating his passion for and commitment to the fire service throughout his lifetime; and

WHEREAS, Patrick M. Hays had previously proudly served as a medic in the United States Air Force from 1981 to 1985, earning the rank of Staff Sergeant, and was returned to active duty during Operation Desert Storm in 1991, and is a current member of American Legion Post 375; and

WHEREAS, Patrick M. Hays earned the respect of his peers, and the trust of his superiors, and was promoted to the rank of Lieutenant in 2002, and to Battalion Chief in 2012, proudly and adeptly serving in those ranks as Commander of the Black Shift; and

WHEREAS, in 2017 Patrick M. Hays once again placed his loyalty to the needs of the Department and the City of Franklin above his own interests, and stepped up to accept promotion to the position of Assistant Chief; and in that capacity, Assistant Chief Hays not only served as the Department's Operations and Training Officer, but also as the Department's liaison to multiple professional organizations, including the Milwaukee County Fire Training Officers Association and the Mutual Aid Box Alarm System (MABAS) Division 107 Operations Committee, where his participation has enhanced the reputation of the Franklin Fire Department, and has helped to foster a more progressive and collaborative Fire and EMS response throughout the region; and

WHEREAS, Patrick M. Hays was a founding member of the Franklin Fire Department Dive Team, as well as a past member of the Technical Rescue and Haz-Mat teams, which through his participation, leadership, and mentorship have evolved to become among the most capable Special Teams of their kind in the region; and

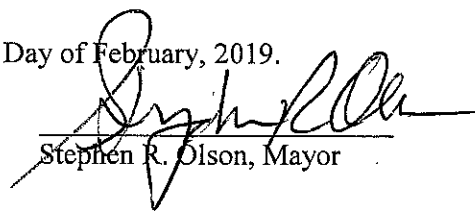
WHEREAS, Patrick M. Hays has repeatedly jeopardized his own safety in the service of others, having received the Fraternal Order of Eagles EMS Rescue Award; and numerous other Valor, Merit, and Lifesaving awards; repeatedly displaying the stated Mission, Vision, and Values of the Franklin Fire Department, where he truly served the Community for over 29 years with *Courage, Honor, and Integrity*.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Stephen R. Olson, Mayor, and I, Mark A. Dandrea, Common Council President, of the City of Franklin, Wisconsin, on behalf of all of the Citizens of Franklin and the staff of City government, Thank you for your service to the People for the health, safety and welfare of not only the City of Franklin, but to all persons and property in the metropolitan region and beyond. Thank you.

Presented to the City of Franklin Common Council this 19th Day of February, 2019.

Mark A. Dandrea, Common
Council President




Stephen R. Olson, Mayor

C.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FEBRUARY 5, 2019
MINUTES

- | | | |
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| ROLL CALL | A. | The regular meeting of the Common Council was held on February 5, 2019 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor (arrived at 7:31 p.m.), Alderman Mike Barber (arrived at 6:32 p.m.) and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberta, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski. |
| CITIZEN COMMENT | B.1. | Citizen comment period was opened at 6:33 p.m. and closed at 7:17 p.m. |
| CHAMBER ANNUAL
AWARDS DINNER | B.2.(a) | Mayor Olson noted the South Suburban Chamber of Commerce Annual Awards Dinner will be held on February 20, 2019. |
| ARBOR DAY
PROCLAMATION | B.2.(b) | Mayor Olson presented a Proclamation designating May 4, 2019 as Arbor Day in the City of Franklin. |
| MINUTES
1/22/2019 | C. | Alderman Dandrea moved to approve the minutes of the January 22, 2019 regular meeting of the Common Council as presented. Seconded by Alderman Barber. All voted Aye; motion carried. |
| ENVIRONMENTAL
COMM.
APPOINTMENT | D. | Alderman Dandrea moved to confirm the Mayoral appointment of Linda Horn, 9451 W. Puetz Road, to the Environmental Commission for a 3-year unexpired term expiring 4/30/2021. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried. |
| RES. 2019-7462
SALE OF \$13,685,000
GO BONDS | G.1. | Alderman Dandrea moved to adopt Resolution No. 2019-7462, A RESOLUTION AWARDING THE SALE OF \$13,685,000 TAXABLE GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2019A. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried. |
| RES. 2019-7463
SALE OF \$6,365,000
GO BONDS | G.2. | Alderman Nelson moved to adopt Resolution No. 2019-7463, A RESOLUTION AWARDING THE SALE OF \$6,365,000 GENERAL OBLIGATION COMMUNITY DEVELOPMENT BONDS, SERIES 2019B. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried. |

- | | | |
|---|------|---|
| EHLERS, INC.
CONTRACT FOR
OVERLAY OF TID 4 | G.3. | Alderman Taylor moved to authorize staff to contract Ehlers, Inc. for up to \$15,000 to conduct additional financial analysis of a potential overlay of Tax Increment District No. 4. Seconded by Alderman Barber. All voted Aye; motion carried. |
| RES. 2019-7464
LAND COMBINATION
6943 S.
TUMBLECREEK DR.
AND OUTLOT | G.4. | Alderwoman Wilhelm moved to adopt Resolution No. 2019-7464, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 739-0019-000 AND 739-0106 (6943 SOUTH TUMBLECREEK DRIVE AND OUTLOT 16 OF PLAT OF OUTLOTS 1 THROUGH 5 OF TUMBLECREEK) (KEVIN J. CALVERLEY AND DEBORAH J. CALVERLEY, APPLICANTS). Seconded by Alderman Barber. All voted Aye; motion carried. |
| WATER MAIN RELAY
AND DRAINAGE
IMPROVEMENTS
CONTRACT WITH
DORNER INC. | G.5. | <p>Alderwoman Wilhelm moved to authorize execution of a contract for Dorner Inc. to construct Rawson Homes drainage improvements and water main relay in the amount of \$2,261,745.70 and also Change Order No. 1 in the amount of \$232,784.50 savings, subject to the verification of insurance and full review by the City Attorney Seconded by Alderman Taylor. All voted Aye; motion carried.</p> <p>Alderwoman Wilhelm then moved to direct the City Engineer to send the residents that will be affected by the elimination of the project an update on the project status with coordination with the District Alderwoman. Seconded by Alderman Barber. All voted Aye; motion carried.</p> |
| RES. 2019-7465
AGREEMENT WITH
HALES CORNERS FOR
TEMP. USE OF DPW
BUILDING | G.6. | Alderman Taylor moved to adopt Resolution No. 2019-7465, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE VILLAGE OF HALES CORNERS FOR THE TEMPORARY USE OF THE FRANKLIN DEPARTMENT OF PUBLIC WORKS FACILITIES AT 7979 WEST RYAN ROAD, AND AUTHORIZATION FOR FRANKLIN TO SPONSOR ANY RELATED APPLICATIONS REQUIRED BY FRANKLIN, AS DETERMINED BY THE DEPARTMENT OF CITY DEVELOPMENT. Seconded by Alderman Mayer. All voted Aye; motion carried. |
| ORD. 2019-2352
AMENDING ORD.
ADOPTING 2019
ANNUAL BUDGETS | G.7. | Alderman Dandrea moved to adopt Ordinance No. 2019-2352, AN ORDINANCE TO AMEND ORDINANCE NO. 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE GENERAL FUND FOR THE CITY OF FRANKLIN, TO RECLASSIFY PERSONNEL COSTS ASSOCIATED WITH EMPLOYEE ELECTIONS RELATED TO BENEFIT CHANGES |

IN HEALTH COVERAGE AND PENSIONS. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

AMEND CONTRACT
WITH QUORUM
ARCHITECTS, INC.
FOR INSURANCE
LIMIT

- G.8. Alderman Barber moved to authorize a change to Section VI.A. of the contract with Quorum Architects, Inc. for "Architectural Services Related to the Design and Construction Phases of the City Hall Roof, HVAC, and Fascia Wood Replacement Project," as previously approved on January 22, 2019, to change the Limit of General/Commercial Liability from \$3,000,000 to \$1,000,000, and to authorize its execution as otherwise previously approved. Seconded by Alderman Nelson. On roll call, Alderman Mayer, Alderwoman Wilhelm, Alderman Barber and Alderman Nelson voted Aye; Alderman Dandrea and Alderman Taylor voted No. Motion carried.

KAYLA'S
PLAYGROUND
AMBASSADOR
PROGRAM

- G.10.(a) Following a presentation at the Committee of the Whole meeting on February 4, 2019, Alderman Barber moved to refer to staff the Kayla's Playground Ambassador Program: A Volunteer Program approved by the Parks Commission. Seconded by Alderman Nelson. With no objections from the governing body, Alderman Nelson withdrew his second. Motion died due to the lack of a second.

Alderman Nelson then moved to refer to staff the Kayla's Playground Ambassador Program: A Volunteer Program approved by the Parks Commission. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderman Mayer, Alderman Barber, and Alderman Nelson voted Aye; Alderwoman Wilhelm and Alderman Taylor Abstained. Motion carried.

NEW CITY LOGO

- G.10.(b) Following a presentation at the Committee of the Whole meeting on February 4, 2019, Alderwoman Wilhelm moved to postpone to the February 19, 2019 Common Council meeting the THIEL Brand Design, Economic Development Commission and Tourism Commission two recommended logos for the new City Brand and Marketing Campaign. Seconded by Alderman Barber. All voted Aye; motion carried.

LABOR NEG. AND
BARGAINING

- G.10.(c) Upon recommendation from the Committee of the Whole held on February 4, 2019, no action was taken on Labor Contract Negotiations and Collective Bargaining Strategies and Guidelines.

LICENSES AND
PERMITS

- H. Alderwoman Wilhelm moved to grant the following licenses:
Grant Entertainment & Amusement License to Milwaukee Burger Company, 6421 S. 27th St. (Brad Herron) for Live Music on the

Patio Fridays and Saturdays, April through October, 5pm to 9pm with a re-evaluation at the end of the season or upon substantial number of complaints;

Grant Change of Agent to Hudson Burger LLC, Brad Herron, 207 W. Hidden Trail, Elkhorn, WI subject to satisfactory background check;

Grant Operator licenses to Carsen J. Abraham, 8528 S. 68th St.; Robin L. Ariens, 5808 Dendron Ln., Greendale, with warning letter from City Clerk; Sheyla Lee Davila-Lopez, 3125 S. 11th St., Milwaukee; Michael A. Bergevain, 4283D S. Whitnall Ave., Milwaukee; Rachel K. Clark, 8054 W. Imperial Dr.; Jerrad A. Hamilton, 3570 E. Norwich Ct., St Francis; Miranda R. Peters, 4950 S. Heritage Dr. #101, Greenfield;

Deny Operator License application Melissa JM Kronenburg, 3317 W. Colony Dr., Greenfield, based upon habitual criminality record substantially related to the license activity, contrary to Wis. Stat. §125.04.

The Police Incident Reports were reviewed and will be filed with no further action.

Seconded by Alderman Nelson. All voted Aye; motion carried.

CLOSED SESSION
TID 5 PDD 37
THE ROCK SPORTS
COMPLEX/BALLPARK
COMMONS

G.9. Alderman Barber moved to enter closed session at 7:40 p.m. pursuant to Wis. Stat. §19.85(1)(e), to deliberate upon a Tax Incremental District No. 5 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Potential Amendment to Development Agreement(s), the negotiation of a Potential Amendment and Potential Agreement(s) terms and the investing of public funds and the retention of financial consultant and special legal counsel services in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:53 p.m., Alderman Barber moved to authorize and approve an agreement for financial consultant services for the Tax Incremental District No. 5 Ballpark Commons development financial feasibility review with Ehlers & Associates, Inc., in an amount not to exceed \$5,900.00, and to authorize the Mayor, City Clerk and City Director of Finance and Treasurer to execute and deliver such agreement. Seconded by Alderman Mayer. All voted Aye; motion carried.

Alderman Dandrea then moved to authorize and approve an agreement for financial consultant services for the Tax Incremental

District No. 5 Ballpark Commons development sources of funding and uses of funding review with Ehlers & Associates, Inc., in an amount not to exceed \$15,000.00, and to authorize the Mayor, City Clerk and City Director of Finance and Treasurer to execute and deliver such agreement. Seconded by Alderman Mayer. All voted Aye; motion carried.

Alderman Barber then moved to authorize and approve an agreement for special legal counsel services for the Tax Incremental District No. 5 Ballpark Commons development with Quarles & Brady, including Attorney Douglas S. Buck, in an amount not to exceed \$25,000.00, and to authorize the Mayor, City Clerk and City Director of Finance and Treasurer to execute and deliver such agreement as may be required. Seconded by Alderman Mayer. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Dandrea moved to approve City vouchers with an ending date of February 1, 2019 in the amount of \$5,859,810.37; and payroll dated February 1, 2019 in the amount of \$396,208.37 and payments of the various payroll deductions in the amount of \$215,408.20 plus City matching payments; and estimated payroll dated February 15, 2019 in the amount of \$395,000.00 and payments of the various payroll deductions in the amount of \$425,000.00 plus City matching payments; and property tax vouchers with an ending date of February 1, 2019 in the amount of \$28,624,450.17. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the regular meeting of the Common Council at 9:56 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

D.

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, February 19, 2019, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for a portion of the property located at the northwest corner of South 76th Street and West Oakwood Road, from Business Park Use to Residential Use (Oakwood at Ryan Creek, LLC, applicant). The property which is the subject of this application bears Tax Key No. 934-9992-010, consisting of approximately 43.63 acres of land. The portion of the property subject to this amendment is approximately 3.25 total acres of land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at www.franklinwi.gov. Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 9th day of January, 2019.

Sandra L. Wesolowski
City Clerk

N.B. Class I

Publish: January 16th

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 02-19-2019
ORGANIZATIONAL BUSINESS	Boards and Commissions Appointments	ITEM NUMBER <i>E.</i>

The Mayor has made the following appointments for Council confirmation:

Tourism Commission:

1. Hotel/motel industry member: Lance A. Schaefer, Everest Hospitality, LLC, 6901 S. 76th Street (Ald. Dist. 2), one year term expiring 12/31/2019.
2. Shaun Marefka, 7644 S. Mission Ct., (Ald. Dist. 2), one year term expiring 12/31/2019.
3. Amy Schermetzler, 4227 W. Central Ave., (Ald. Dist. 4), one year term expiring 12/31/2019.
4. Mark Wylie, 7468 Carter Circle S., (Ald. Dist. 5), one year term expiring 12/31/2019.
5. Ann Adamski, 7825 S. Stonebrook Ct., (Ald. Dist. 3), one year term expiring 12/31/2019

COUNCIL ACTION REQUESTED

Motion to confirm the following Mayoral appointments to the Tourism Commission for one-year terms expiring 12/31/2019:

1. Hotel/motel industry member: Lance A. Schaefer, Everest Hospitality, LLC, 6901 S. 76th Street (Ald. Dist. 2), one year term expiring 12/31/2019.
2. Shaun Marefka, 7644 S. Mission Ct., (Ald. Dist. 2), one year term expiring 12/31/2019.
3. Amy Schermetzler, 4227 W. Central Ave., (Ald. Dist. 4), one year term expiring 12/31/2019.
4. Mark Wylie, 7468 Carter Circle S., (Ald. Dist. 5), one year term expiring 12/31/2019.
5. Ann Adamski, 7825 S. Stonebrook Ct., (Ald. Dist. 3), one year term expiring 12/31/2019

F.1.

Sandi Wesolowski

From: Jeff Malecki [jmalecki3@wi.rr.com]
Sent: Tuesday, February 12, 2019 3:20 PM
To: Sandi Wesolowski
Subject: Franklin Branding Logo
Attachments: Franklin Logo Final.pdf

Dear Committee and Council Members,

Our sincere gratitude to the Common Council for tabling the vote for two weeks regarding the proposed new city logo. This has allowed us the opportunity to formulate several strong and vibrant ideas for the logo which you will find attached. We greatly value any input that any among you may have regarding the submissions. It is our firm belief that the City of Franklin deserves a strong image to represent the community that we can all be proud to show. We hope that you agree that this group of submissions are closer to the mark than what has been previously seen by the committee. We are also willing to lend our expertise in the area of printing and signage if this would be of help. At this time we request that this material be added to the Council Packet for discussion in an upcoming Common Council meeting. Thank you again for the opportunity.

Sincerely,

Jeff & Karen Malecki
Malecki Graphic Art
(414) 421-1831



Branding City of Franklin (Sample Logos)

Our design goal is to create a logo that reflects a welcoming/inviting feel. Combining the feel of nature/open land while promoting new development. We incorporated a strong bold font(s) to emphasize and feature the word Franklin.

In the event that one of our logos is chosen, we will provide the City of Franklin with high resolution graphic electronic files as needed (PDF, TIFF, EPS formats) for print or web.

All files will be the property of the City of Franklin.

Possible Tag Line...

Growing Tomorrow. Today.

Malecki Graphic Art

Jeff / Karen Malecki

8072 S. 59th Street • Franklin, WI 53132
(414) 421-1831 • jmalecki3@wi.rr.com

February 11, 2019



February 14, 2019

Jason Knutson, Wastewater Section Chief
Wisconsin Department of Natural Resources
101 S. Webster St.
PO Box 7921
Madison, WI 53707

Subject: Permit # WI-0000914-08-0 Permittee: Wisconsin Electric Power Company
Oak Creek Power Plant (OCPP) and Elm Road Generating Station (ERGS)

Dear Mr. Knutson,

As an elected official, I often hear a strong request from residents on the importance of holding meetings for public input at times outside of the normal working hours and to have adequate room space. The time and meeting location for this important hearing fell short of these typical public needs.

In reviewing the available on line documents, I was not able to find a project summary in which a technical reviewer such as myself, or the average citizen, could reach a very complete conclusion regarding the merits of the permit.

The Department makes no mention of any potential secondary and cumulative impact analysis for multiple discharge permits into Lake Michigan. If the Department is not required to do this analysis under NR-150 or other laws, the applicant should be required. This is especially important in light of the requested variance standards and the known health concerns of mercury. This is relevant due to the public exposure to accumulated mercury. The permit notes the Department relies on their fish consumption advisory to protect the public. There is reliance by a sector of the population on wild protein to supplement their diet. A warning is not enough to protect the public; reduction is a better solution to mercury pollution.

The USEPA recently finished a clean up of toxic sediments in the Milwaukee River Estuary Area of Concern (AOC). This took multiple years and millions of dollars. This permit just contributes to the development of yet another AOC in Lake Michigan.

The lack of wastewater treatment technologies capable of reducing mercury pollution is not a valid justification to grant a variance under the cited 20-year old literature. The EPA has cited technological advancements in mercury reduction. The applicant should be required to research and incorporate newer mercury removal technologies as a permit condition. This would be more consistent with the Department's charge in protecting the public's health, safety and welfare from toxins. This permit only postpones the EPA Effluent Limitation Guidelines (ELG) rule for coal operators to phase out wet ash handling by 2020.

The data on the ERGS Condenser at sample point 13 allows the permittee up to 4.38 lbs. of mercury per/year from this point alone. It would be important to note the total annual poundage of mercury discharge by the entire OCPP. This figure is important for the public to understand the mercury release capacity from this facility as it relates to the impact it may have on their health.

As a municipal consumer of Oak Creek water withdrawn from Lake Michigan near the OCPP, the proposed variance would set the highest attainable condition of the receiving water. Mercury should cause concern at any additional level related to human health and a higher level of mercury discharge should not be permitted.

Previous financial payments related to this same power plant without consideration to other water consumption communities have placed Franklin at a social and economic disadvantage to its neighbor in both economic development and job creation. If mercury discharge is allowed at the increase requested, a direct payment is justified commensurate with Franklin's water consumption. Words such as "unlikely accumulation" are not science based yet mercury pathways as they relate to human health are well documented.


For Permit Fact Sheet Pg. 7, I disagree with allowing calculation of the TSS load and waiving former requirements for TSS monitoring of the ERGS treated process wastewater. Waste water TSS should be sampled if for no other reason than to support the accuracy of any calculated discharge.

Coal Pile runoff precipitation measurements should not be waived. Precipitation estimations by the applicant are not a realistic approach in light of increasingly severe precipitation events. Measurements allow correlation of the pollutant loading with each precipitation event.

Related to OCPP WWTP Sample point 7, the new permit reduces TSS sampling from daily to weekly. Provide the statistical justification for an 86% reduction in TSS sampling effort in support of a daily TSS maximum limit standard.

Please consider the high toxicity of mercury to human health and use the permitting process to promote the reduction of toxins into Lake Michigan, a source of drinking water for Wisconsin residents.

Sincerely,



Kristen Wilhelm
3rd District Alderwoman
City of Franklin
9229 West Loomis Road
414.427.7603
kwilhelm@franklinwi.gov

F.3.

Shirley Roberts

Subject: FW: WeEnergies discharge permit

From: Mike Sullivan [<mailto:msullivan@water.oak-creek.wi.us>]
Sent: Wednesday, February 13, 2019 11:05 AM
To: 'Steve Olson'
Cc: 'Glen Morrow'; 'Gary R Grobner'
Subject: RE: WeEnergies discharge permit

Mayor,

I am aware of the We Energies mercury variance request submitted to the DNR. The proposed variance would set the highest attainable condition of the receiving water at 0.0041 ug/L. The current maximum contaminant level (MCL) for drinking water is 2 ug/L. Past testing of Lake Michigan water, for mercury, yielded a range of results from no detect (ND) to under 0.2 ug/L. Since the We Energies variance limit is almost 500 times lower than the drinking water MCL and since the detected level in the lake now is at least 10 times lower than the MCL, the discharge poses little threat to the drinking water supply.

In addition, our intake is over 1.5 miles away from the We Energies discharge point, which allows for significant dispersion and the lake circulates in a southerly direction at that point in the lake. The circulation minimizes the effect of anything discharged from the We Energies facility.

While we do have significant concerns with water quality and associated health risk implications, mercury is not a concern at this time.

You may also want to pose your question about the WE Energies mercury variance to the Milwaukee Water Works. As you know, the initial term of the water supply agreement between Oak Creek and Franklin ends on April 23, 2024 and Oak Creek sent Franklin, on October 10, 2018, written notice that it does not intend to renew this agreement after the end of this initial term. In that notice, Oak Creek indicated a willingness to discuss terms for a new long-term wholesale water agreement, but since it has heard nothing from Franklin on this, Oak Creek presumes that Franklin is moving forward to obtain water from Milwaukee.

Mike Sullivan
General Manager

msullivan@water.oak-creek.wi.us
Office: (414) 570-8200 x19
Cell: (414) 416-5886

Oak Creek Water and Sewer Utility
170 W. Drexel Avenue
Oak Creek, WI 53154

From: Steve Olson <steve-olson@wi.rr.com>
Sent: Tuesday, February 12, 2019 10:25 AM
To: Mike Sullivan <msullivan@water.oak-creek.wi.us>

Cc: 'Glen Morrow' <GMorrow@franklinwi.gov>; Gary R Grobner <g.grobner@tcnb.com>

Subject: WeEnergies discharge permit

Mike:

As you know, WeEnergies is petitioning the DNR to allow an increased amount of discharge of mercury into Lake Michigan.

Your (our) source of water is not too far away from the discharge point.

What is the position of the Oak Creek Water Utility in this matter and has that position been filed with the DNR?

Thanks.

Steve

Steve Olson
Mayor
City of Franklin
9229 W. Loomis Rd.
Franklin, Wi. 53132
O: 414-427-7529



City of Franklin

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 02/19/19
REPORTS & RECOMMENDATIONS	ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR A PORTION OF THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF SOUTH 76TH STREET AND WEST OAKWOOD ROAD FROM BUSINESS PARK USE TO RESIDENTIAL USE (APPROXIMATELY 3.25 ACRES) (OAKWOOD AT RYAN CREEK, LLC, APPLICANT)	ITEM NUMBER <i>G. I.</i>

At the February 7, 2019 meeting of the Plan Commission the following action was approved: A motion to recommend approval of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for a portion of the property located at the Northwest corner of South 76th Street and West Oakwood Road from Business Park use to Residential use pursuant to WIS. STAT. §66.1001(4)(b), subject to striking the N.B. language in brackets on page 2 of the draft resolution.

Staff struck the N.B. language in brackets from page 2 of the draft resolution.

COUNCIL ACTION REQUESTED

A motion to approve Ordinance 2019-_____, to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin Future Land Use Map for a portion of the property located at the Northwest corner of South 76th Street and West Oakwood Road (Approximately 3.25 acres) (Oakwood at Ryan Creek, LLC, Applicant).



S. 76th Street & W. Oakwood Road
TKN: 934 9992 010



Planning Department
(414) 425-4024

0 380 760 1,520 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.



STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2019-____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR A PORTION OF THE PROPERTY LOCATED AT
THE NORTHWEST CORNER OF SOUTH 76TH STREET AND WEST OAKWOOD ROAD
FROM BUSINESS PARK USE TO RESIDENTIAL USE
(APPROXIMATELY 3.25 ACRES)
(OAKWOOD AT RYAN CREEK, LLC, APPLICANT)

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

WHEREAS, Oakwood at Ryan Creek, LLC has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for a portion of the property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use to Residential Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on February 7, 2019, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for a portion of the property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use to Residential Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on February 19, 2019; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation for a portion of the property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use to Residential Use. Such property is more particularly described within Ordinance No. 2019 ____ of even-date herewith.

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

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

Passed and adopted by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN

CITY OF FRANKLIN
PLAN COMMISSION

MILWAUKEE COUNTY

RESOLUTION NO. 2019-_____

A RESOLUTION RECOMMENDING THE ADOPTION OF AN
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR A PORTION OF THE PROPERTY LOCATED AT
THE NORTHWEST CORNER OF SOUTH 76TH STREET AND WEST OAKWOOD
ROAD FROM BUSINESS PARK USE TO RESIDENTIAL USE, PURSUANT TO WIS.
STAT. § 66.1001(4)(b)

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

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

WHEREAS, Oakwood at Ryan Creek, LLC has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for a portion of the property located at the northwest corner of South 76th Street and West Oakwood Road, from Business Park Use to Residential Use, such property bearing Tax Key No. 934-9992-010, more particularly described as follows:

Being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the southeast corner of the Southeast 1/4 of said Section 28; thence South 88°25'24" West along the south line of said Southeast 1/4, 600.00 feet; thence North 01°25'36" West, 80.00 feet to the north right-of-way line of Oakwood Road; thence North 88°25'24" East along said north right-of-way line, 60.00 feet to the point of beginning; Thence continuing North 88°25'24" East along said north right-of-way line, 139.79 feet; thence North 77°15'47" East along said north line right-of-way line, 206.66 feet; thence North 88°25'24" East along said north right-of-way line, 125.00 feet to the west right of way line South 76th Street – County Trunk Highway "U"; thence North 08°16'54" East along said west right of way line, 101.50 feet; thence North 00°14'11" West along said west right-of-way line, 60.74 feet to the southeast corner of Parcel 1 of Certified Survey Map No. 1911; thence South 88°33'42" West along the south line of said Parcel 1, 182.00 feet to the southwest corner of said Parcel 1; thence North 00°14'11" West along the west line of said Parcel 1, 239.34 feet to the northwest corner of said Parcel 1; thence South

88°33'42" West, 121.03 feet; thence North 89°58'28" West, 50.00 feet; thence South 00°01'32" West, 124.50 feet; thence South 75°40'04" West, 142.77 feet; thence southeasterly 40.54 feet along the arc of said curve to the right, whose radius is 180.00 feet and whose chord bears South 07°52'46" East, 40.46 feet to a point of tangency; thence South 01°25'36" East, 245.95 feet to the point of beginning. Containing 141,533 square feet (3.2491 acres) of land; and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on February 7, 2019, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for a portion of the property located at the northwest corner of South 76th Street and West Oakwood Road, from Business Park Use to Residential Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2019.

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

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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

Meeting of February 7, 2019

Rezoning, Comprehensive Master Plan Amendment, and Final Plat

RECOMMENDATION: City Development Staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolutions.

Project Name:	Ryanwood Manor Phase 1 (formerly Oakwood at Ryan Creek)
Project Location:	Northwest corner of 76 th Street & West Oakwood Road (Tax Key No: 934-9992-010)
Property Owner:	Oakwood at Ryan Creek, LLC
Applicant:	Oakwood at Ryan Creek, LLC
Agent:	Eric Obarski, Neumann Developments, Inc.
Current Zoning:	R-2 Estate Single-Family Residence District, R-5 Suburban Single-Family Residence District, and FW Floodway District
Proposed Zoning:	R-5 Suburban Single-Family Residence District for a portion of the property
2025 Comprehensive Plan:	Business Park and Residential
Use of Surrounding Properties:	Single-family residential to the north, single-family and agricultural to the south, single-family and Milwaukee County parkland to the east, and agricultural to the west.
Applicant's Action Requested:	Recommendation of approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat

Introduction/Background:

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 resolution.

On December 11, 2018, the applicant submitted Rezoning, Comprehensive Master Plan Amendment, and Final Plat Applications for a portion of the Ryanwood Manor Subdivision (formerly known as the Oakwood at Ryan Creek subdivision) located at the northwest corner of South 76th Street and West Oakwood Road. The applicant is proposing to subdivide the existing 43.63-acre property to create 66 R-5 single-family residential lots in two phases. However, this Final Plat Application is for Phase 1 (which is essentially the northern and eastern portions of the original preliminary plat), includes 32 single-family lots, 3 outlots, and a public trail along Ryan Creek. Average lot size is 15,621 square feet, with a density of 1.09 lots/acre.

On July 17, 2018 the Common Council adopted Resolution No. 2018-7387, to authorize the construction of a public street and trail upon lands in part supporting natural resource features.

On July 17, 2018 the Common Council adopted Resolution No. 2018-7386, imposing conditions and restrictions for the approval of a Special Use to allow for a road and storm water management pond within the 100 year floodplain.

On June 5, 2018 the applicant presented a concept review to the Common Council to revise the Oakwood at Ryan Creek Preliminary Plat to remove the approximately 97,054 square foot Outlot 5 from the Southeast corner of the subdivision and move the proposed adjacent stormwater manangement pond to this location. This would have allowed the creation of three (3) new single-family residential lots on the west end of Outlot 3.

- Staff had concerns with the proposed change, as Outlot 5 was intended for future commercial uses.
- Members of the Common Council had concerns with the location of a stormwater pond so close to the intersection of South 76th Street and West Oakwood Road.

On September 19, 2017 the Common Council conditionally approved a Preliminary Plat for the Oakwood at Ryan Creek Subdivision via Resolution No. 2017-7301. The Preliminary Plat consisted of 63 lots and five (5) outlots.

- However, the applicant has now renamed the subdivision plat, and is only requesting final plat approval of a portion of the original preliminary plat at this time.
- In addition, the applicant has reconfigured Outlots 3 and 5 as originally depicted on the preliminary plat to reflect additional single-family residential lots instead of an outlot for future commercial development, and for a different stormwater management pond configuration.

On June 6, 2017 the Common Council adopted Ordinance No. 2017-2271 to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-2 Estate Single-Family Residence District, R-8 Multiple-Family Residence District and FW Floodway District to R-5 Suburban Single-Family Residence District and FW Floodway District.

- However, the applicant is now requesting a rezoning of the last remaining portion of the property still zoned R-2 (in the southeast corner of the property) to R-5. In this regard, the applicant had previously expressed concerns with, and had not previously rezoned, this portion of the property, as they do not agree with staff's recommendation to rezone this area to a commercial district.

On June 6, 2017 the Common Council adopted Ordinance No. 2017-2270 to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use.

- Similar to the rezoning noted above, the applicant is now requesting to change the last remaining portion of this property still identified as Business Park on the Future Land Use Map, to Residential. The applicant had previously expressed concerns with, and had not previously amended the Comprehensive Master Plan for this portion of the property,

as they do not agree with staff's recommendation to retain this are for future Commercial or Business Park uses.

On May 18, 2017 the Plan Commission adopted Resolution No. 2017-002 recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use.

Rezoning Application:

The applicant is proposing to rezone approximately 3.25 acres of land in the Southeast corner of the subdivision from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District. The 3.25 acres encompass Outlot 5 and a small portion of Outlot 3 as originally depicted on the Oakwood at Ryan Creek Preliminary Plat. The applicant is now proposing to reconfigure Outlot 3 and Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat into Outlot 2 of Ryanwood Manor Phase 1 and three (3) future single-family lots to be developed in future Phase 2. The stormwater pond depicted on Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat would be shifted south onto the new Outlot 2. According to the developer, relocating the pond will create a subdivision identifying feature including a stormwater pond with a fountain, subdivision monument sign, split rail fencing, and extensive landscaping.

Staff does not support rezoning Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat to R-5 Suburban Single-Family Residence District. Staff believes Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat should be rezoned to B-1 Neighborhood Business District, which would be consistent with the City's 2025 Comprehensive Master Plan. Therefore, Staff recommends rezoning an approximately 44,479 square foot portion of Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat from R-2 to R-5, to correct a technical error.

Comprehensive Master Plan Amendment Application:

- *Consistent with, as defined by Wisconsin State Statute, means "furtheres or does not contradict the objectives, goals, and policies contained in the comprehensive plan."*

The applicant is proposing to amend the 2025 Comprehensive Master Plan to change the future land use designation for approximately 3.25 acres of land in the Southeast corner of the subdivision from Business Park to Residential.

Staff finds the request is not consistent with the following principles and goals set forth within the Comprehensive Master Plan:

- **Balanced Development Principle.** As an overall guiding element of the CMP, Chapter 2 recommends that development be balanced with natural resource protection such that the high quality suburban character of the City is maintained, and that large-lot residential development, small-scale commercial development, and preservation of natural resources be supported. Chapter 4 specifically includes Balanced

Development as an economic development goal, and recommends that the City stabilize and expand a diverse tax base as a central economic development principle.

- The subject request is not consistent with this principle as the CMP already identifies a substantial amount of future residential uses within the southwest portion of the City and elsewhere in the City. Furthermore, the City identifies the surrounding areas for commercial which is a highly desired use as stated herein.
- 70/30 Goal. Chapter 2 of the CMP recommends that the City strive to achieve a balance of 70 percent residential to 30 percent commercial assessed valuation to help lower the City's tax rate and to help achieve the Balanced Development Principle. Chapter 4 specifically includes the 70/30 Goal as part of the City's economic development efforts.
 - The subject request is not consistent with the 70/30 Goal, as it would result in even more land identified as future Residential uses, which would not help achieve the 30 percent commercial assessed valuation, and in turn, will not help lower the City's tax base and achieve balanced development.
- Other Principles and Goals for which the subject request is not consistent include:
 - Create jobs for a growing population (Economic Development chapter principle)
 - Encourage high quality commercial, retail and office development in appropriate locations (Land Use chapter goal)

Staff does not support the proposed amendment. Staff believes the future land use designation for the 3.25 acres in the Southeast corner of the subdivision should be amended to Commercial use for the subject area. Therefore, Staff recommends an amendment to the 2025 Comprehensive Master Plan to change the future land use designation for an approximately 44,479 square foot portion of Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat from Business Park to Residential, to correct a technical error.

As indicated in the City's Comprehensive Master Plan, the 3.25 acres of land in the Southeast corner of the subdivision (along with the lands located immediately to the west) were envisioned to be developed as a future business park, with adjacent lands along the west side S. 76th Street (both north and south of the subject property) envisioned for future commercial uses, and for future residential and park purposes along the east side of S. 76th Street.

However, as this area is approximately one mile from the intersection of S. 76th Street and Ryan Road, staff had indicated to the applicant that it had few concerns or reservations in regard to the proposed residential subdivision development, should at least some land at the corner of S. 76th Street and W. Oakwood Road be set aside for future commercial development of a more limited neighborhood scale.

Project Description/Analysis:

As noted Phase 1 of the proposed Subdivision development includes 32 single-family residential lots, three (3) outlots and a public trail along Ryan Creek. Staff recommends amending the Ryanwood Manor Phase 1 Final Plat to match the Outlot boundaries and numbering of the approved Oakwood at Ryan Creek Preliminary Plat. Also, Staff recommends a written pedestrian access and bicycle path easement document be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.

As proposed, Phase 1 does not include a connection to West Oakwood Road at West Oakwood Way. Therefore, Phase 1 only has one point of ingress/egress from South 76th Street at South Creek View Court. Staff suggests adjusting the boundary of Ryanwood Manor Phase 1 to include a secondary point of ingress/egress for Phase 1 from W. Schweitzer Street to W. Oakwood Road (a portion of S. Ryan Creek Court and W. Oakwood Way that is currently not depicted in Phase 1). Also, Staff suggests including a financial surety in the Development Agreement for the amount of the estimated cost to construct a secondary point of ingress/egress for Ryanwood Manor Phase 1 from W. Schweitzer Street to W. Oakwood Road (a portion of S. Ryan Creek Court and W. Oakwood Way that is currently not depicted in Phase 1).

Average lot size is 15,621 square feet, with a density of 1.09 lots/acre. All of the proposed lots meet the R-5 Suburban Single-Family Residence District minimum lot size requirement of 13,000 square feet. All single-family lots abut a public right-of-way and have sufficient width.

Stormwater ponds are proposed within Outlot 3 and Outlot 2, within the north and south sides of the property respectively. The proposed subdivision will be served by municipal water and public sanitary sewer.

Natural Resource Protection Plan:

A Natural Resource Protection Plan (NRPP) has been completed for the subject development by Dave Meyer of Wetland & Waterway Consulting, LLC and Ecological Services of Milwaukee, Inc., dated August 25, 2017. According to the NRPP, the site contains floodplain, wetlands and associated wetland buffers and setbacks, mature woodlands (primarily located within wetland areas), a stream (Ryan Creek) and the adjacent 75-foot shore buffer. Note that all wetlands onsite are shoreland wetlands.

The wetlands were delineated by Dave Meyer of Wetland and Waterway Consulting on April 22, 2017 and May 5, 2017. A full and complete wetland delineation report is on file with the Department of City Development. Dave Meyer is a Wisconsin Department of Natural Resources (WDNR) assured delineator; therefore, Department of City Development staff did not require separate review by a third-party consultant. Staff recommends a written conservation easement document be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.

Resolution No. 2018-7386 granted Special Use approval to allow a road (South Creekview Court) and a stormwater management pond within the 100 year floodplain. Condition No. 4 of Resolution No. 2018-7386 stated that, "A mitigation plan demonstrating one to one floodplain compensation measures onsite shall be submitted for Department of City Development review

and approval, prior to issuance of a Land Disturbing Permit.” The applicant has provided a floodplain mitigation exhibit satisfying the above condition. However, Staff recommends all natural resource mitigation areas be depicted on the plat in accordance with Section 15-7.0602F. of the City of Franklin Unified Development Ordinance.

Landscape Plan:

The applicant has submitted a Landscape Plan depicting landscape plantings for Outlot 2, Outlot 1, and street trees for the development. Staff has identified several technical corrections needed on the Landscape Plan. Therefore, Staff recommends a revised Landscape Plan be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

Signage:

Signage is not being proposed at this time. Staff recommends any proposed subdivision monument sign(s) be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.

Staff Recommendation:

City Development Staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolutions.

If the Plan Commission agrees with Staff’s position concerning the preoposed rezoning and the Comprehensive Master Plan Amendment, then staff recommends the following language be added to the motion for the Final Plat:

The Plan Commission recommends rezoning Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat to B-1 Neighborhood Business District, to be consistent with the City’s 2025 Comprehensive Master Plan.

The Plan Commission recommends the 2025 Comprehensive Master Plan shall be amended to change the future land use designation for Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat from Business Park to Commercial use.



Ryanwood Manor

Neumann Developments is proposing an amendment to its currently approved subdivision in the City of Franklin, located at the corner of S. 76th St. and Oakwood Road. We are requesting a change in the comprehensive master plan and the rezoning of outlot #5 and a small portion of outlot 3 that was left out of the previous rezoning due to a technical error, as depicted on the preliminary plat, located in the South East corner of the project. The current zoning is R-2 with business park land use classification. The request is being made so the developer can create a subdivision identifying feature in this corner including a storm pond with fountain, large subdivision monument and extensive landscaping. This would also create 3 additional residential lots in Phase 2 changing the total project from 63 lots to 66 lots or a 4.5% increase.

Summary of area being requested:

- 3.249 acres or 141,533 square feet

Current Zoning is R-2

Proposed Zoning R-5

This change in CMP and zoning is being requested by Neumann developments so that a substantial subdivision identifying feature can be created including a pond with fountain, extensive landscaping and monument sign. This pond would be relocated from the interior of the development to this corner and provide for 3 additional residential lots in Phase 2. These additional lots would create an estimated \$1.5 million dollars of taxable value to the city within the next 2 years. These lots would also help with the feasibility of the project. Extensive infrastructure costs, including sizable off site costs, make these additional lots important to the overall project. They give us not only the space, but the resources necessary to create the proposed subdivision feature.

The average size of the additional lots is 15,663 square feet. All storm water calculations have been performed by Pinnacle engineering and the proposed change meets all state and local storm water requirements.

Ryanwood Manor will be a deed restricted community with an incorporated home owners association. The responsibilities of the home owners association include management of the stormwater management facilities and commonly owned land. The deed restrictions will reflect the minimum home size, construction materials, and other pertinent details regarding the community standards. The minimum home size floor areas are anticipated to be 1,700 square feet for a ranch/one story home and 2,100 square feet for a two-story homes. Natural building materials and stone accent requirements will be included.

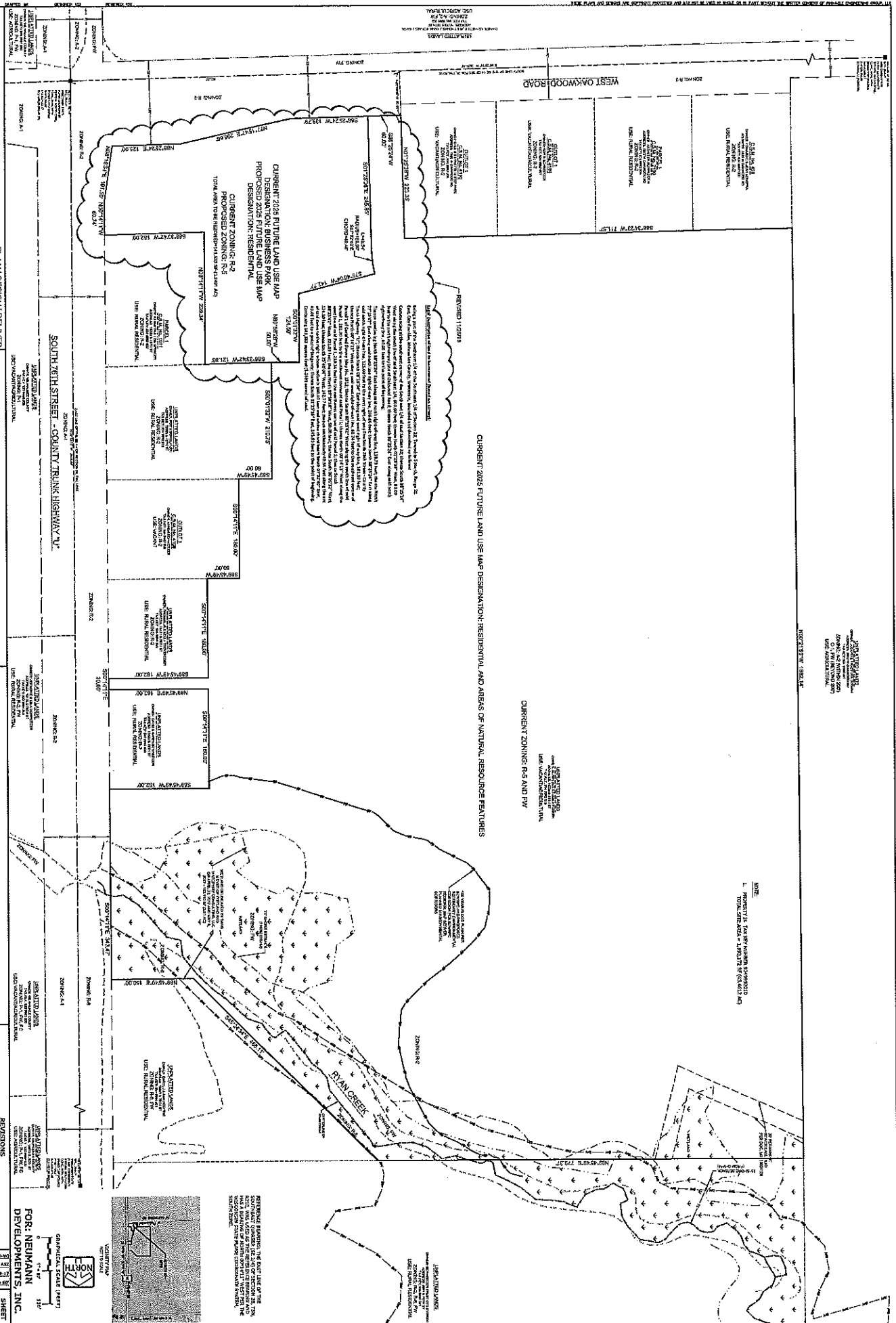
2025 FUTURE LAND USE MAP
DESIGNED BY: Pinnacle Engineering Group
DRAWN BY: J. SCHWETZER
DATE: 10/15/2024
SHEET: C-1

NOT TO SCALE - SEE EXHIBIT A FOR SCALE

NOTE:
1. PROPERTY LINES SHOWN FOR INFORMATION ONLY.
TOTAL SITE AREA = 1,000.00 ACRES (APPROX.)

CURRENT ZONING: R-9 AND PV

CURRENT 2025 FUTURE LAND USE MAP DESIGNATION: RESIDENTIAL AND AREAS OF NATURAL RESOURCE FEATURES



Pinnacle Engineering Group
10000 W. WISCONSIN AVE., SUITE 200
MILWAUKEE, WI 53227
TEL: 414.224.1100
WWW.PINNACLE-ENGR.COM

PLANNING DESIGN DELIVER

SCHWETZER PROPERTY
CITY OF FRANKLIN, MILWAUKEE CO.

REZONING AND COMPREHENSIVE MASTER PLAN EXHIBIT

FOR: NEUMANN DEVELOPMENTS INC.

REVISIONS

NO.	DATE	DESCRIPTION
1	10/15/2024	INITIAL DESIGN
2	10/15/2024	REVISIONS

SHEET

C-1

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>02/19/19</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A PORTION OF A CERTAIN PARCEL OF LAND FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO R-5 SUBURBAN SINGLE- FAMILY RESIDENCE DISTRICT (THE NORTHWEST CORNER OF SOUTH 76TH STREET AND WEST OAKWOOD ROAD) (APPROXIMATELY 3.25 ACRES) (OAKWOOD AT RYAN CREEK, LLC, APPLICANT)</p>	<p>ITEM NUMBER</p> <p><i>6.2.</i></p>

At the February 7, 2019 meeting of the Plan Commission the following action was approved: A motion to recommend approval of an ordinance to amend the Unified Development Ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a portion of a certain parcel of land from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District (The Northwest corner of South 76th Street and West Oakwood Road) (Approximately 3.25 acres), subject to striking the N.B. language in brackets on page 2 of the draft resolution.

Staff struck the N.B. language in brackets from page 2 of the draft resolution and renumbered the conditions accordingly.

COUNCIL ACTION REQUESTED

A motion to approve Ordinance 2019-_____, to amend the Unified Development Ordinance (Zoning Map) to rezone a portion of a certain parcel of land from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District (The Northwest corner of South 76th Street and West Oakwood Road) (Approximately 3.25 acres) (Oakwood at Ryan Creek, LLC, Applicant).



S. 76th Street & W. Oakwood Road
TKN: 934 9992 010



Planning Department
(414) 425-4024

0 380 760 1,520 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.



STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2019-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A PORTION OF A CERTAIN
PARCEL OF LAND FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE
DISTRICT TO R-5 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT
(THE NORTHWEST CORNER OF SOUTH 76TH STREET
AND WEST OAKWOOD ROAD)
(APPROXIMATELY 3.25 ACRES)
(OAKWOOD AT RYAN CREEK, LLC, APPLICANT)

WHEREAS, Oakwood at Ryan Creek, LLC having petitioned for the rezoning of a portion of a certain parcel of land from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District, such land being located at the northwest corner of South 76th Street and West Oakwood Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 7th day of February, 2019, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

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

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

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District:

Being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of the Southeast 1/4 of said Section 28; thence South 88°25'24" West along the south line of said

Southeast 1/4, 600.00 feet; thence North 01°25'36" West, 80.00 feet to the north right-of-way line of Oakwood Road; thence North 88°25'24" East along said north right-of-way line, 60.00 feet to the point of beginning; Thence continuing North 88°25'24" East along said north right-of-way line, 139.79 feet; thence North 77°15'47" East along said north line right-of-way line, 206.66 feet; thence North 88°25'24" East along said north right-of-way line, 125.00 feet to the west right of way line South 76th Street – County Trunk Highway "U"; thence North 08°16'54" East along said west right of way line, 101.50 feet; thence North 00°14'11" West along said west right-of-way line, 60.74 feet to the southeast corner of Parcel 1 of Certified Survey Map No. 1911; thence South 88°33'42" West along the south line of said Parcel 1, 182.00 feet to the southwest corner of said Parcel 1; thence North 00°14'11" West along the west line of said Parcel 1, 239.34 feet to the northwest corner of said Parcel 1; thence South 88°33'42" West, 121.03 feet; thence North 89°58'28" West, 50.00 feet; thence South 00°01'32" West, 124.50 feet; thence South 75°40'04" West, 142.77 feet; thence southeasterly 40.54 feet along the arc of said curve to the right, whose radius is 180.00 feet and whose chord bears South 07°52'46" East, 40.46 feet to a point of tangency; thence South 01°25'36" East, 245.95 feet to the point of beginning. Containing 141,533 square feet (3.2491 acres) of land. Tax Key No. 934-9992-010.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

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

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

ORDINANCE NO. 2019-____
Page 3

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of February 7, 2019

Rezoning, Comprehensive Master Plan Amendment, and Final Plat

RECOMMENDATION: City Development Staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolutions.

Project Name:	Ryanwood Manor Phase 1 (formerly Oakwood at Ryan Creek)
Project Location:	Northwest corner of 76 th Street & West Oakwood Road (Tax Key No: 934-9992-010)
Property Owner:	Oakwood at Ryan Creek, LLC
Applicant:	Oakwood at Ryan Creek, LLC
Agent:	Eric Obarski, Neumann Developments, Inc.
Current Zoning:	R-2 Estate Single-Family Residence District, R-5 Suburban Single-Family Residence District, and FW Floodway District
Proposed Zoning:	R-5 Suburban Single-Family Residence District for a portion of the property
2025 Comprehensive Plan:	Business Park and Residential
Use of Surrounding Properties:	Single-family residential to the north, single-family and agricultural to the south, single-family and Milwaukee County parkland to the east, and agricultural to the west.
Applicant's Action Requested:	Recommendation of approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat

Introduction/Background:

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 resolution.

On December 11, 2018, the applicant submitted Rezoning, Comprehensive Master Plan Amendment, and Final Plat Applications for a portion of the Ryanwood Manor Subdivision (formerly known as the Oakwood at Ryan Creek subdivision) located at the northwest corner of South 76th Street and West Oakwood Road. The applicant is proposing to subdivide the existing 43.63-acre property to create 66 R-5 single-family residential lots in two phases. However, this Final Plat Application is for Phase 1 (which is essentially the northern and eastern portions of the original preliminary plat), includes 32 single-family lots, 3 outlots, and a public trail along Ryan Creek. Average lot size is 15,621 square feet, with a density of 1.09 lots/acre.

On July 17, 2018 the Common Council adopted Resolution No. 2018-7387, to authorize the construction of a public street and trail upon lands in part supporting natural resource features.

On July 17, 2018 the Common Council adopted Resolution No. 2018-7386, imposing conditions and restrictions for the approval of a Special Use to allow for a road and storm water management pond within the 100 year floodplain.

On June 5, 2018 the applicant presented a concept review to the Common Council to revise the Oakwood at Ryan Creek Preliminary Plat to remove the approximately 97,054 square foot Outlot 5 from the Southeast corner of the subdivision and move the proposed adjacent stormwater manangement pond to this location. This would have allowed the creation of three (3) new single-family residential lots on the west end of Outlot 3.

- Staff had concerns with the proposed change, as Outlot 5 was intended for future commercial uses.
- Members of the Common Council had concerns with the location of a stormwater pond so close to the intersection of South 76th Street and West Oakwood Road.

On September 19, 2017 the Common Council conditionally approved a Preliminary Plat for the Oakwood at Ryan Creek Subdivision via Resolution No. 2017-7301. The Preliminary Plat consisted of 63 lots and five (5) outlots.

- However, the applicant has now renamed the subdivision plat, and is only requesting final plat approval of a portion of the original preliminary plat at this time.
- In addition, the applicant has reconfigured Outlots 3 and 5 as originally depicted on the preliminary plat to reflect additional single-family residential lots instead of an outlot for future commercial development, and for a different stormwater management pond configuration.

On June 6, 2017 the Common Council adopted Ordinance No. 2017-2271 to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-2 Estate Single-Family Residence District, R-8 Multiple-Family Residence District and FW Floodway District to R-5 Suburban Single-Family Residence District and FW Floodway District.

- However, the applicant is now requesting a rezoning of the last remaining portion of the property still zoned R-2 (in the southeast corner of the property) to R-5. In this regard, the applicant had previously expressed concerns with, and had not previously rezoned, this portion of the property, as they do not agree with staff's recommendation to rezone this area to a commercial district.

On June 6, 2017 the Common Council adopted Ordinance No. 2017-2270 to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use.

- Similar to the rezoning noted above, the applicant is now requesting to change the last remaining portion of this property still identified as Business Park on the Future Land Use Map, to Residential. The applicant had previously expressed concerns with, and had not previously amended the Comprehensive Master Plan for this portion of the property,

as they do not agree with staff's recommendation to retain this are for future Commercial or Business Park uses.

On May 18, 2017 the Plan Commission adopted Resolution No. 2017-002 recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use.

Rezoning Application:

The applicant is proposing to rezone approximately 3.25 acres of land in the Southeast corner of the subdivision from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District. The 3.25 acres encompass Outlot 5 and a small portion of Outlot 3 as originally depicted on the Oakwood at Ryan Creek Preliminary Plat. The applicant is now proposing to reconfigure Outlot 3 and Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat into Outlot 2 of Ryanwood Manor Phase 1 and three (3) future single-family lots to be developed in future Phase 2. The stormwater pond depicted on Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat would be shifted south onto the new Outlot 2. According to the developer, relocating the pond will create a subdivision identifying feature including a stormwater pond with a fountain, subdivision monument sign, split rail fencing, and extensive landscaping.

Staff does not support rezoning Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat to R-5 Suburban Single-Family Residence District. Staff believes Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat should be rezoned to B-1 Neighborhood Business District, which would be consistent with the City's 2025 Comprehensive Master Plan. Therefore, Staff recommends rezoning an approximately 44,479 square foot portion of Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat from R-2 to R-5, to correct a technical error.

Comprehensive Master Plan Amendment Application:

- *Consistent with, as defined by Wisconsin State Statute, means "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."*

The applicant is proposing to amend the 2025 Comprehensive Master Plan to change the future land use designation for approximately 3.25 acres of land in the Southeast corner of the subdivision from Business Park to Residential.

Staff finds the request is not consistent with the following principles and goals set forth within the Comprehensive Master Plan:

- **Balanced Development Principle.** As an overall guiding element of the CMP, Chapter 2 recommends that development be balanced with natural resource protection such that the high quality suburban character of the City is maintained, and that large-lot residential development, small-scale commercial development, and preservation of natural resources be supported. Chapter 4 specifically includes Balanced

Development as an economic development goal, and recommends that the City stabilize and expand a diverse tax base as a central economic development principle.

- The subject request is not consistent with this principle as the CMP already identifies a substantial amount of future residential uses within the southwest portion of the City and elsewhere in the City. Furthermore, the City identifies the surrounding areas for commercial which is a highly desired use as stated herein.
- 70/30 Goal. Chapter 2 of the CMP recommends that the City strive to achieve a balance of 70 percent residential to 30 percent commercial assessed valuation to help lower the City's tax rate and to help achieve the Balanced Development Principle. Chapter 4 specifically includes the 70/30 Goal as part of the City's economic development efforts.
 - The subject request is not consistent with the 70/30 Goal, as it would result in even more land identified as future Residential uses, which would not help achieve the 30 percent commercial assessed valuation, and in turn, will not help lower the City's tax base and achieve balanced development.
- Other Principles and Goals for which the subject request is not consistent include:
 - Create jobs for a growing population (Economic Development chapter principle)
 - Encourage high quality commercial, retail and office development in appropriate locations (Land Use chapter goal)

Staff does not support the proposed amendment. Staff believes the future land use designation for the 3.25 acres in the Southeast corner of the subdivision should be amended to Commercial use for the subject area. Therefore, Staff recommends an amendment to the 2025 Comprehensive Master Plan to change the future land use designation for an approximately 44,479 square foot portion of Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat from Business Park to Residential, to correct a technical error.

As indicated in the City's Comprehensive Master Plan, the 3.25 acres of land in the Southeast corner of the subdivision (along with the lands located immediately to the west) were envisioned to be developed as a future business park, with adjacent lands along the west side S. 76th Street (both north and south of the subject property) envisioned for future commercial uses, and for future residential and park purposes along the east side of S. 76th Street.

However, as this area is approximately one mile from the intersection of S. 76th Street and Ryan Road, staff had indicated to the applicant that it had few concerns or reservations in regard to the proposed residential subdivision development, should at least some land at the corner of S. 76th Street and W. Oakwood Road be set aside for future commercial development of a more limited neighborhood scale.

Project Description/Analysis:

As noted Phase 1 of the proposed Subdivision development includes 32 single-family residential lots, three (3) outlots and a public trail along Ryan Creek. Staff recommends amending the Ryanwood Manor Phase 1 Final Plat to match the Outlot boundaries and numbering of the approved Oakwood at Ryan Creek Preliminary Plat. Also, Staff recommends a written pedestrian access and bicycle path easement document be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.

As proposed, Phase 1 does not include a connection to West Oakwood Road at West Oakwood Way. Therefore, Phase 1 only has one point of ingress/egress from South 76th Street at South Creek View Court. Staff suggests adjusting the boundary of Ryanwood Manor Phase 1 to include a secondary point of ingress/egress for Phase 1 from W. Schweitzer Street to W. Oakwood Road (a portion of S. Ryan Creek Court and W. Oakwood Way that is currently not depicted in Phase 1). Also, Staff suggests including a financial surety in the Development Agreement for the amount of the estimated cost to construct a secondary point of ingress/egress for Ryanwood Manor Phase 1 from W. Schweitzer Street to W. Oakwood Road (a portion of S. Ryan Creek Court and W. Oakwood Way that is currently not depicted in Phase 1).

Average lot size is 15,621 square feet, with a density of 1.09 lots/acre. All of the proposed lots meet the R-5 Suburban Single-Family Residence District minimum lot size requirement of 13,000 square feet. All single-family lots abut a public right-of-way and have sufficient width.

Stormwater ponds are proposed within Outlot 3 and Outlot 2, within the north and south sides of the property respectively. The proposed subdivision will be served by municipal water and public sanitary sewer.

Natural Resource Protection Plan:

A Natural Resource Protection Plan (NRPP) has been completed for the subject development by Dave Meyer of Wetland & Waterway Consulting, LLC and Ecological Services of Milwaukee, Inc., dated August 25, 2017. According to the NRPP, the site contains floodplain, wetlands and associated wetland buffers and setbacks, mature woodlands (primarily located within wetland areas), a stream (Ryan Creek) and the adjacent 75-foot shore buffer. Note that all wetlands onsite are shoreland wetlands.

The wetlands were delineated by Dave Meyer of Wetland and Waterway Consulting on April 22, 2017 and May 5, 2017. A full and complete wetland delineation report is on file with the Department of City Development. Dave Meyer is a Wisconsin Department of Natural Resources (WDNR) assured delineator; therefore, Department of City Development staff did not require separate review by a third-party consultant. Staff recommends a written conservation easement document be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.

Resolution No. 2018-7386 granted Special Use approval to allow a road (South Creekview Court) and a stormwater management pond within the 100 year floodplain. Condition No. 4 of Resolution No. 2018-7386 stated that, "A mitigation plan demonstrating one to one floodplain compensation measures onsite shall be submitted for Department of City Development review

and approval, prior to issuance of a Land Disturbing Permit.” The applicant has provided a floodplain mitigation exhibit satisfying the above condition. However, Staff recommends all natural resource mitigation areas be depicted on the plat in accordance with Section 15-7.0602F. of the City of Franklin Unified Development Ordinance.

Landscape Plan:

The applicant has submitted a Landscape Plan depicting landscape plantings for Outlot 2, Outlot 1, and street trees for the development. Staff has identified several technical corrections needed on the Landscape Plan. Therefore, Staff recommends a revised Landscape Plan be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

Signage:

Signage is not being proposed at this time. Staff recommends any proposed subdivision monument sign(s) be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.

Staff Recommendation:

City Development Staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolutions.

If the Plan Commission agrees with Staff’s position concerning the preproposed rezoning and the Comprehensive Master Plan Amendment, then staff recommends the following language be added to the motion for the Final Plat:

The Plan Commission recommends rezoning Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat to B-1 Neighborhood Business District, to be consistent with the City’s 2025 Comprehensive Master Plan.

The Plan Commission recommends the 2025 Comprehensive Master Plan shall be amended to change the future land use designation for Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat from Business Park to Commercial use.



Ryanwood Manor

Neumann Developments is proposing an amendment to its currently approved subdivision in the City of Franklin, located at the corner of S. 76th St. and Oakwood Road. We are requesting a change in the comprehensive master plan and the rezoning of outlot #5 and a small portion of outlot 3 that was left out of the previous rezoning due to a technical error, as depicted on the preliminary plat, located in the South East corner of the project. The current zoning is R-2 with business park land use classification. The request is being made so the developer can create a subdivision identifying feature in this corner including a storm pond with fountain, large subdivision monument and extensive landscaping. This would also create 3 additional residential lots in Phase 2 changing the total project from 63 lots to 66 lots or a 4.5% increase.

Summary of area being requested:

- 3.249 acres or 141,533 square feet

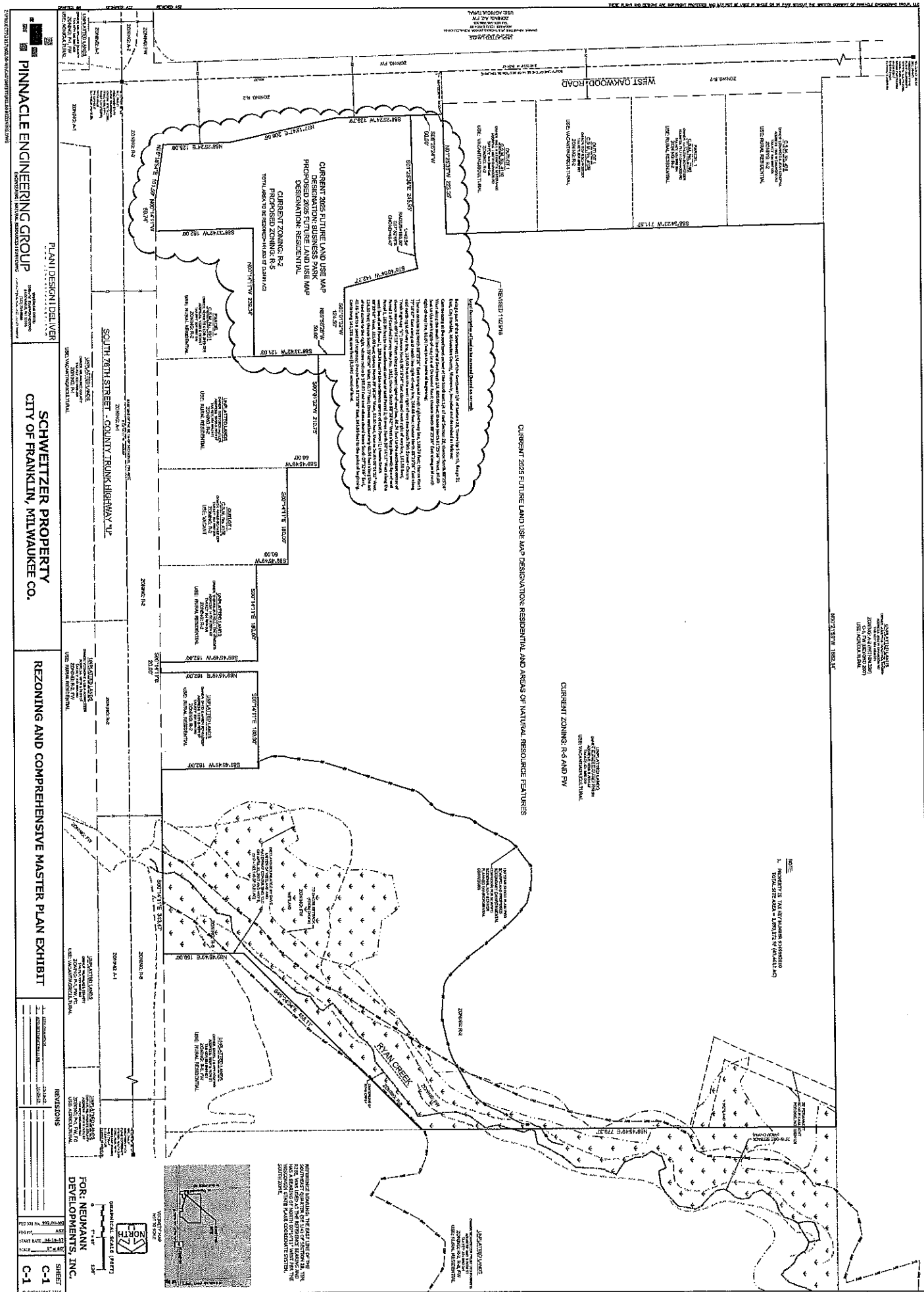
Current Zoning is R-2

Proposed Zoning R-5

This change in CMP and zoning is being requested by Neumann developments so that a substantial subdivision identifying feature can be created including a pond with fountain, extensive landscaping and monument sign. This pond would be relocated from the interior of the development to this corner and provide for 3 additional residential lots in Phase 2. These additional lots would create an estimated \$1.5 million dollars of taxable value to the city within the next 2 years. These lots would also help with the feasibility of the project. Extensive infrastructure costs, including sizable off site costs, make these additional lots important to the overall project. They give us not only the space, but the resources necessary to create the proposed subdivision feature.

The average size of the additional lots is 15,663 square feet. All storm water calculations have been performed by Pinnacle engineering and the proposed change meets all state and local storm water requirements.

Ryanwood Manor will be a deed restricted community with an incorporated home owners association. The responsibilities of the home owners association include management of the stormwater management facilities and commonly owned land. The deed restrictions will reflect the minimum home size, construction materials, and other pertinent details regarding the community standards. The minimum home size floor areas are anticipated to be 1,700 square feet for a ranch/one story home and 2,100 square feet for a two-story homes. Natural building materials and stone accent requirements will be included.



APPROVAL <i>Slu</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 02/19/19
REPORTS & RECOMMENDATIONS	RESOLUTION CONDITIONALLY APPROVING A FINAL PLAT FOR RYANWOOD MANOR PHASE 1 SUBDIVISION (AT APPROXIMATELY SOUTH 76TH STREET AND WEST OAKWOOD ROAD) (OAKWOOD AT RYAN CREEK, LLC, APPLICANT)	ITEM NUMBER <i>G. 3.</i>

At the February 7, 2019 meeting of the Plan Commission the following action was approved: move to recommend approval of a resolution conditionally approving a Final Plat for Ryanwood Manor Phase 1 Subdivision (at approximately South 76th Street and West Oakwood Road, subject to striking Condition No. 9 from the draft resolution.

Staff struck Condition No. 9 from the draft resolution and renumbered the conditions accordingly.

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2019-_____, conditionally approving a Final Plat for Ryanwood Manor Phase 1 Subdivision (at approximately South 76th Street and West Oakwood Road) (Oakwood at Ryan Creek, LLC, Applicant).



S. 76th Street & W. Oakwood Road
TKN: 934 9992 010



Planning Department
(414) 425-4024

0 380 760 1,520 Feet



2019 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.

RESOLUTION NO. 2019-_____

A RESOLUTION CONDITIONALLY APPROVING A
FINAL PLAT FOR RYANWOOD MANOR PHASE 1 SUBDIVISION
(AT APPROXIMATELY SOUTH 76TH STREET AND WEST OAKWOOD ROAD)
(OAKWOOD AT RYAN CREEK, LLC, APPLICANT)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a final plat for Ryanwood Manor (formerly known as Oakwood at Ryan Creek) Subdivision (Phase 1), such plat being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at approximately South 76th Street and West Oakwood Road [Phase 1 has 32 lots (average size of 15,621 square feet) and 3 outlots, including a public trail within Outlot 3, on the north end of the Subdivision, with reconfiguration of Outlot 3 and Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat into Outlot 2 and three future single-family lots to be developed in future Phase 2 of Ryanwood Manor (the stormwater basin depicted on Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat would be shifted south onto the new Outlot 2)], bearing Tax Key No. 934-9992-010, Oakwood at Ryan Creek, 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 February 7, 2019, 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 Ryanwood Manor Subdivision (Phase 1), as submitted by Oakwood at Ryan Creek, 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

OAKWOOD AT RYAN CREEK, LLC - FINAL PLAT FOR RYANWOOD MANOR
SUBDIVISION (PHASE 1)
RESOLUTION NO. 2019-_____
Page 2

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 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 Ryanwood Manor Subdivision (Phase 1); 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 Oakwood at Ryan Creek, 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. Oakwood at Ryan Creek, LLC, successors and assigns and any developer of the Ryanwood Manor 32 lot and 3 outlot single-family residential subdivision (Phase 1) 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 the Ryanwood Manor 32 lot and 3 outlot single-family residential subdivision (Phase 1) development, within 30 days of

OAKWOOD AT RYAN CREEK, LLC - FINAL PLAT FOR RYANWOOD MANOR
SUBDIVISION (PHASE 1)
RESOLUTION NO. 2019-_____

Page 3

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.

7. The approval granted hereunder is conditional upon Oakwood at Ryan Creek, LLC and the Ryanwood Manor 32 lot and 3 outlot single-family residential subdivision (Phase 1) development project for the property located at approximately South 76th Street and West Oakwood Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
8. The Ryanwood Manor 32 lot and 3 outlot single-family residential subdivision (Phase 1) development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
9. A written pedestrian access and bicycle path easement document shall be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.
10. A written conservation easement document shall be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.
11. All the natural resource mitigation areas shall be depicted on the plat in accordance with Section 15-7.0602F. of the City of Franklin Unified Development Ordinance.
12. A revised Landscape Plan shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.
13. Any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Services Department.

BE IT FURTHER RESOLVED, that the Final Plat of Ryanwood Manor Subdivision (Phase 1), 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,

OAKWOOD AT RYAN CREEK, LLC - FINAL PLAT FOR RYANWOOD MANOR
SUBDIVISION (PHASE 1)
RESOLUTION NO. 2019-_____
Page 4

and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a final plat, the City Clerk is hereby directed to obtain the recording of the Final Plat of Ryanwood Manor Subdivision (Phase 1) with the Office of the Register of Deeds for Milwaukee County.

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of February 7, 2019

Rezoning, Comprehensive Master Plan Amendment, and Final Plat

RECOMMENDATION: City Development Staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolutions.

Project Name:	Ryanwood Manor Phase 1 (formerly Oakwood at Ryan Creek)
Project Location:	Northwest corner of 76 th Street & West Oakwood Road (Tax Key No: 934-9992-010)
Property Owner:	Oakwood at Ryan Creek, LLC
Applicant:	Oakwood at Ryan Creek, LLC
Agent:	Eric Obarski, Neumann Developments, Inc.
Current Zoning:	R-2 Estate Single-Family Residence District, R-5 Suburban Single-Family Residence District, and FW Floodway District
Proposed Zoning:	R-5 Suburban Single-Family Residence District for a portion of the property
2025 Comprehensive Plan:	Business Park and Residential
Use of Surrounding Properties:	Single-family residential to the north, single-family and agricultural to the south, single-family and Milwaukee County parkland to the east, and agricultural to the west.
Applicant's Action Requested:	Recommendation of approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat

Introduction/Background:

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 resolution.

On December 11, 2018, the applicant submitted Rezoning, Comprehensive Master Plan Amendment, and Final Plat Applications for a portion of the Ryanwood Manor Subdivision (formerly known as the Oakwood at Ryan Creek subdivision) located at the northwest corner of South 76th Street and West Oakwood Road. The applicant is proposing to subdivide the existing 43.63-acre property to create 66 R-5 single-family residential lots in two phases. However, this Final Plat Application is for Phase 1 (which is essentially the northern and eastern portions of the original preliminary plat), includes 32 single-family lots, 3 outlots, and a public trail along Ryan Creek. Average lot size is 15,621 square feet, with a density of 1.09 lots/acre.

On July 17, 2018 the Common Council adopted Resolution No. 2018-7387, to authorize the construction of a public street and trail upon lands in part supporting natural resource features.

On July 17, 2018 the Common Council adopted Resolution No. 2018-7386, imposing conditions and restrictions for the approval of a Special Use to allow for a road and storm water management pond within the 100 year floodplain.

On June 5, 2018 the applicant presented a concept review to the Common Council to revise the Oakwood at Ryan Creek Preliminary Plat to remove the approximately 97,054 square foot Outlot 5 from the Southeast corner of the subdivision and move the proposed adjacent stormwater manangement pond to this location. This would have allowed the creation of three (3) new single-family residential lots on the west end of Outlot 3.

- Staff had concerns with the proposed change, as Outlot 5 was intended for future commercial uses.
- Members of the Common Council had concerns with the location of a stormwater pond so close to the intersection of South 76th Street and West Oakwood Road.

On September 19, 2017 the Common Council conditionally approved a Preliminary Plat for the Oakwood at Ryan Creek Subdivision via Resolution No. 2017-7301. The Preliminary Plat consisted of 63 lots and five (5) outlots.

- However, the applicant has now renamed the subdivision plat, and is only requesting final plat approval of a portion of the original preliminary plat at this time.
- In addition, the applicant has reconfigured Outlots 3 and 5 as originally depicted on the preliminary plat to reflect additional single-family residential lots instead of an outlot for future commercial development, and for a different stormwater management pond configuration.

On June 6, 2017 the Common Council adopted Ordinance No. 2017-2271 to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-2 Estate Single-Family Residence District, R-8 Multiple-Family Residence District and FW Floodway District to R-5 Suburban Single-Family Residence District and FW Floodway District.

- However, the applicant is now requesting a rezoning of the last remaining portion of the property still zoned R-2 (in the southeast corner of the property) to R-5. In this regard, the applicant had previously expressed concerns with, and had not previously rezoned, this portion of the property, as they do not agree with staff's recommendation to rezone this area to a commercial district.

On June 6, 2017 the Common Council adopted Ordinance No. 2017-2270 to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use.

- Similar to the rezoning noted above, the applicant is now requesting to change the last remaining portion of this property still identified as Business Park on the Future Land Use Map, to Residential. The applicant had previously expressed concerns with, and had not previously amended the Comprehensive Master Plan for this portion of the property,

as they do not agree with staff's recommendation to retain this are for future Commercial or Business Park uses.

On May 18, 2017 the Plan Commission adopted Resolution No. 2017-002 recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park Use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use.

Rezoning Application:

The applicant is proposing to rezone approximately 3.25 acres of land in the Southeast corner of the subdivision from R-2 Estate Single-Family Residence District to R-5 Suburban Single-Family Residence District. The 3.25 acres encompass Outlot 5 and a small portion of Outlot 3 as originally depicted on the Oakwood at Ryan Creek Preliminary Plat. The applicant is now proposing to reconfigure Outlot 3 and Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat into Outlot 2 of Ryanwood Manor Phase 1 and three (3) future single-family lots to be developed in future Phase 2. The stormwater pond depicted on Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat would be shifted south onto the new Outlot 2. According to the developer, relocating the pond will create a subdivision identifying feature including a stormwater pond with a fountain, subdivision monument sign, split rail fencing, and extensive landscaping.

Staff does not support rezoning Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat to R-5 Suburban Single-Family Residence District. Staff believes Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat should be rezoned to B-1 Neighborhood Business District, which would be consistent with the City's 2025 Comprehensive Master Plan. Therefore, Staff recommends rezoning an approximately 44,479 square foot portion of Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat from R-2 to R-5, to correct a technical error.

Comprehensive Master Plan Amendment Application:

- *Consistent with, as defined by Wisconsin State Statute, means "furtheres or does not contradict the objectives, goals, and policies contained in the comprehensive plan."*

The applicant is proposing to amend the 2025 Comprehensive Master Plan to change the future land use designation for approximately 3.25 acres of land in the Southeast corner of the subdivision from Business Park to Residential.

Staff finds the request is not consistent with the following principles and goals set forth within the Comprehensive Master Plan:

- **Balanced Development Principle.** As an overall guiding element of the CMP, Chapter 2 recommends that development be balanced with natural resource protection such that the high quality suburban character of the City is maintained, and that large-lot residential development, small-scale commercial development, and preservation of natural resources be supported. Chapter 4 specifically includes Balanced

Development as an economic development goal, and recommends that the City stabilize and expand a diverse tax base as a central economic development principle.

- The subject request is not consistent with this principle as the CMP already identifies a substantial amount of future residential uses within the southwest portion of the City and elsewhere in the City. Furthermore, the City identifies the surrounding areas for commercial which is a highly desired use as stated herein.
- 70/30 Goal. Chapter 2 of the CMP recommends that the City strive to achieve a balance of 70 percent residential to 30 percent commercial assessed valuation to help lower the City's tax rate and to help achieve the Balanced Development Principle. Chapter 4 specifically includes the 70/30 Goal as part of the City's economic development efforts.
 - The subject request is not consistent with the 70/30 Goal, as it would result in even more land identified as future Residential uses, which would not help achieve the 30 percent commercial assessed valuation, and in turn, will not help lower the City's tax base and achieve balanced development.
- Other Principles and Goals for which the subject request is not consistent include:
 - Create jobs for a growing population (Economic Development chapter principle)
 - Encourage high quality commercial, retail and office development in appropriate locations (Land Use chapter goal)

Staff does not support the proposed amendment. Staff believes the future land use designation for the 3.25 acres in the Southeast corner of the subdivision should be amended to Commercial use for the subject area. Therefore, Staff recommends an amendment to the 2025 Comprehensive Master Plan to change the future land use designation for an approximately 44,479 square foot portion of Outlot 3 of the Oakwood at Ryan Creek Preliminary Plat from Business Park to Residential, to correct a technical error.

As indicated in the City's Comprehensive Master Plan, the 3.25 acres of land in the Southeast corner of the subdivision (along with the lands located immediately to the west) were envisioned to be developed as a future business park, with adjacent lands along the west side S. 76th Street (both north and south of the subject property) envisioned for future commercial uses, and for future residential and park purposes along the east side of S. 76th Street.

However, as this area is approximately one mile from the intersection of S. 76th Street and Ryan Road, staff had indicated to the applicant that it had few concerns or reservations in regard to the proposed residential subdivision development, should at least some land at the corner of S. 76th Street and W. Oakwood Road be set aside for future commercial development of a more limited neighborhood scale.

Project Description/Analysis:

As noted Phase 1 of the proposed Subdivision development includes 32 single-family residential lots, three (3) outlots and a public trail along Ryan Creek. Staff recommends amending the Ryanwood Manor Phase 1 Final Plat to match the Outlot boundaries and numbering of the approved Oakwood at Ryan Creek Preliminary Plat. Also, Staff recommends a written pedestrian access and bicycle path easement document be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.

As proposed, Phase 1 does not include a connection to West Oakwood Road at West Oakwood Way. Therefore, Phase 1 only has one point of ingress/egress from South 76th Street at South Creek View Court. Staff suggests adjusting the boundary of Ryanwood Manor Phase 1 to include a secondary point of ingress/egress for Phase 1 from W. Schweitzer Street to W. Oakwood Road (a portion of S. Ryan Creek Court and W. Oakwood Way that is currently not depicted in Phase 1). Also, Staff suggests including a financial surety in the Development Agreement for the amount of the estimated cost to construct a secondary point of ingress/egress for Ryanwood Manor Phase 1 from W. Schweitzer Street to W. Oakwood Road (a portion of S. Ryan Creek Court and W. Oakwood Way that is currently not depicted in Phase 1).

Average lot size is 15,621 square feet, with a density of 1.09 lots/acre. All of the proposed lots meet the R-5 Suburban Single-Family Residence District minimum lot size requirement of 13,000 square feet. All single-family lots abut a public right-of-way and have sufficient width.

Stormwater ponds are proposed within Outlot 3 and Outlot 2, within the north and south sides of the property respectively. The proposed subdivision will be served by municipal water and public sanitary sewer.

Natural Resource Protection Plan:

A Natural Resource Protection Plan (NRPP) has been completed for the subject development by Dave Meyer of Wetland & Waterway Consulting, LLC and Ecological Services of Milwaukee, Inc., dated August 25, 2017. According to the NRPP, the site contains floodplain, wetlands and associated wetland buffers and setbacks, mature woodlands (primarily located within wetland areas), a stream (Ryan Creek) and the adjacent 75-foot shore buffer. Note that all wetlands onsite are shoreland wetlands.

The wetlands were delineated by Dave Meyer of Wetland and Waterway Consulting on April 22, 2017 and May 5, 2017. A full and complete wetland delineation report is on file with the Department of City Development. Dave Meyer is a Wisconsin Department of Natural Resources (WDNR) assured delineator; therefore, Department of City Development staff did not require separate review by a third-party consultant. Staff recommends a written conservation easement document be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office at the time of recording of the Final Plat.

Resolution No. 2018-7386 granted Special Use approval to allow a road (South Creekview Court) and a stormwater management pond within the 100 year floodplain. Condition No. 4 of Resolution No. 2018-7386 stated that, "A mitigation plan demonstrating one to one floodplain compensation measures onsite shall be submitted for Department of City Development review

and approval, prior to issuance of a Land Disturbing Permit.” The applicant has provided a floodplain mitigation exhibit satisfying the above condition. However, Staff recommends all natural resource mitigation areas be depicted on the plat in accordance with Section 15-7.0602F. of the City of Franklin Unified Development Ordinance.

Landscape Plan:

The applicant has submitted a Landscape Plan depicting landscape plantings for Outlot 2, Outlot 1, and street trees for the development. Staff has identified several technical corrections needed on the Landscape Plan. Therefore, Staff recommends a revised Landscape Plan be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.

Signage:

Signage is not being proposed at this time. Staff recommends any proposed subdivision monument sign(s) be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.

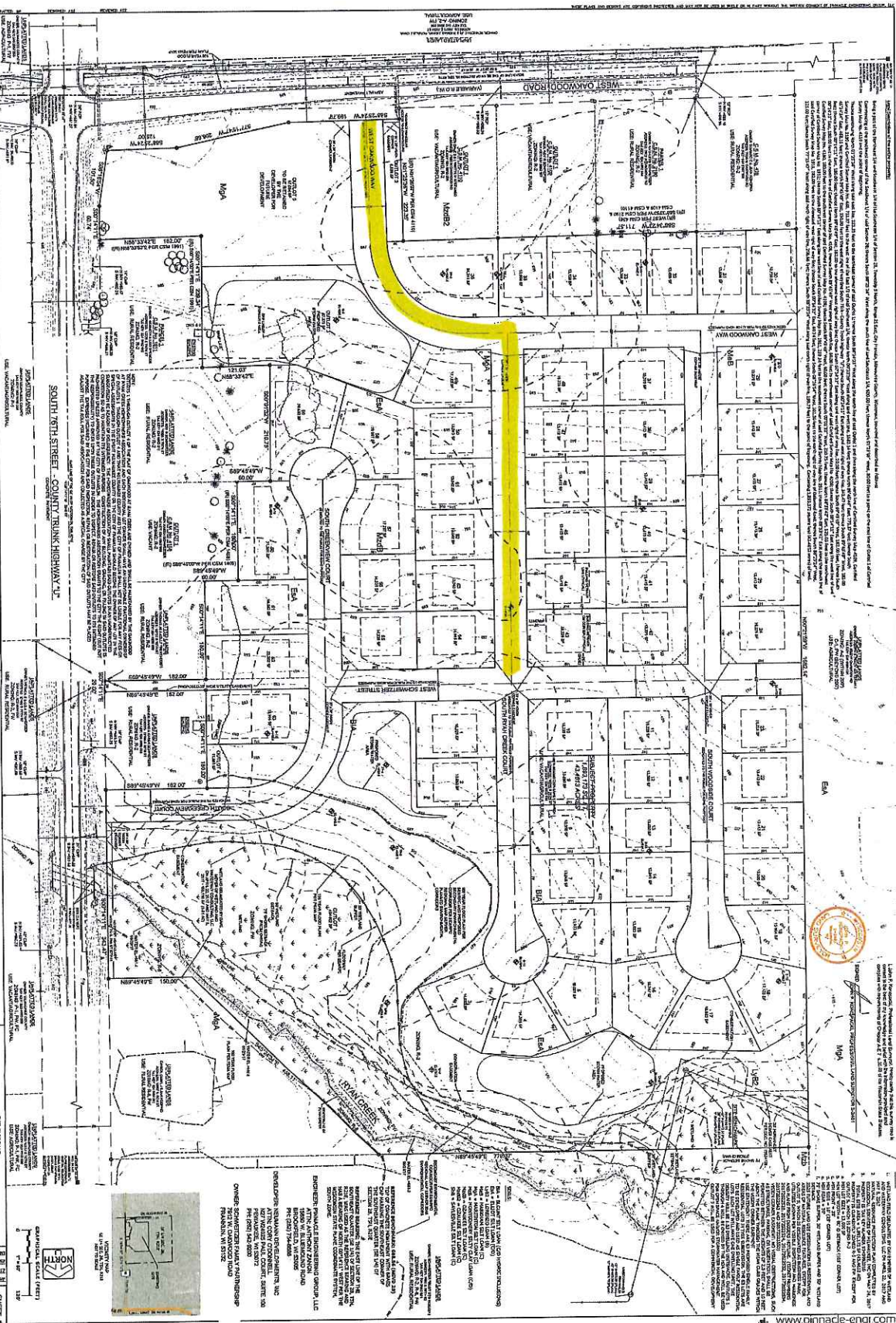
Staff Recommendation:

City Development Staff recommends approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolutions.

If the Plan Commission agrees with Staff’s position concerning the preoposed rezoning and the Comprehensive Master Plan Amendment, then staff recommends the following language be added to the motion for the Final Plat:

The Plan Commission recommends rezoning Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat to B-1 Neighborhood Business District, to be consistent with the City’s 2025 Comprehensive Master Plan.

The Plan Commission recommends the 2025 Comprehensive Master Plan shall be amended to change the future land use designation for Outlot 5 of the Oakwood at Ryan Creek Preliminary Plat from Business Park to Commercial use.





Ryanwood Manor

Neumann Developments is proposing an amendment to its currently approved subdivision in the City of Franklin, located at the corner of S. 76th St. and Oakwood Road. We are requesting a change in the comprehensive master plan and the rezoning of outlot #5 and a small portion of outlot 3 that was left out of the previous rezoning due to a technical error, as depicted on the preliminary plat, located in the South East corner of the project. The current zoning is R-2 with business park land use classification. The request is being made so the developer can create a subdivision identifying feature in this corner including a storm pond with fountain, large subdivision monument and extensive landscaping. This would also create 3 additional residential lots in Phase 2 changing the total project from 63 lots to 66 lots or a 4.5% increase.

Summary of area being requested:

- 3.249 acres or 141,533 square feet

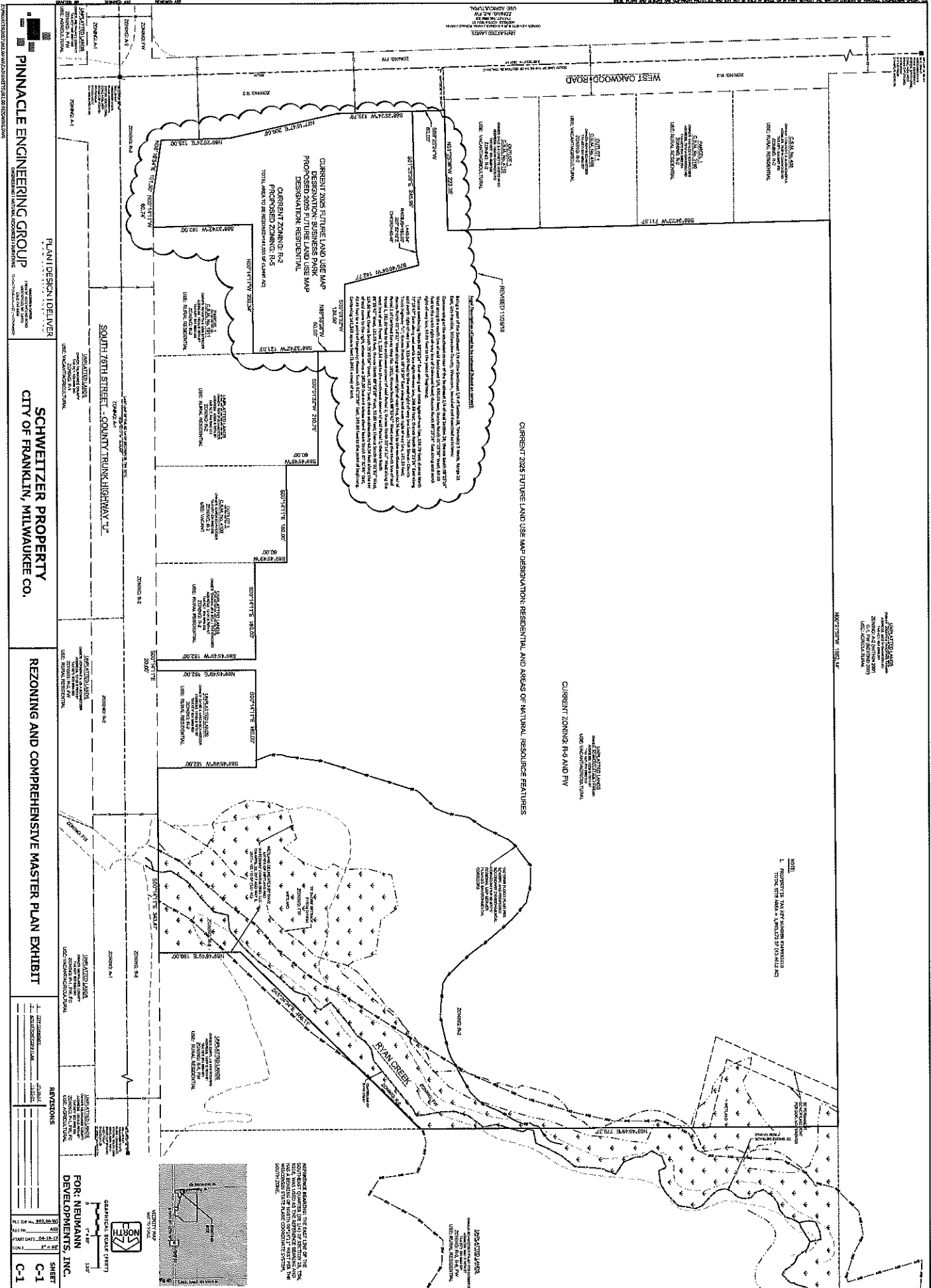
Current Zoning is R-2

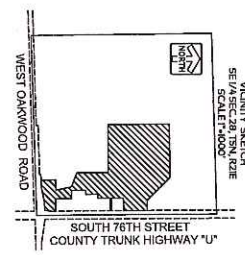
Proposed Zoning R-5

This change in CMP and zoning is being requested by Neumann developments so that a substantial subdivision identifying feature can be created including a pond with fountain, extensive landscaping and monument sign. This pond would be relocated from the interior of the development to this corner and provide for 3 additional residential lots in Phase 2. These additional lots would create an estimated \$1.5 million dollars of taxable value to the city within the next 2 years. These lots would also help with the feasibility of the project. Extensive infrastructure costs, including sizable off site costs, make these additional lots important to the overall project. They give us not only the space, but the resources necessary to create the proposed subdivision feature.

The average size of the additional lots is 15,663 square feet. All storm water calculations have been performed by Pinnacle engineering and the proposed change meets all state and local storm water requirements.

Ryanwood Manor will be a deed restricted community with an incorporated home owners association. The responsibilities of the home owners association include management of the stormwater management facilities and commonly owned land. The deed restrictions will reflect the minimum home size, construction materials, and other pertinent details regarding the community standards. The minimum home size floor areas are anticipated to be 1,700 square feet for a ranch/one story home and 2,100 square feet for a two-story homes. Natural building materials and stone accent requirements will be included.





VICINITY SKETCH
 SE CORNER OF 1/4 SECTION 28, T1N, R1E
 SCALE: 1"=100'

LEGEND
 - CONSTRUCTED OR EXISTING CURB
 - EXISTING SIDEWALK
 - EXISTING DRIVEWAY
 - EXISTING UTILITY
 - EXISTING LOT
 - EXISTING ROAD
 - EXISTING FENCE
 - EXISTING SIGN
 - EXISTING LIGHT
 - EXISTING TREE
 - EXISTING SHED
 - EXISTING GARAGE
 - EXISTING PORCH
 - EXISTING PATIO
 - EXISTING DECK
 - EXISTING STAIRS
 - EXISTING WALKWAY
 - EXISTING BIKEWAY
 - EXISTING TRAIL
 - EXISTING FENCE
 - EXISTING SIGN
 - EXISTING LIGHT
 - EXISTING TREE
 - EXISTING SHED
 - EXISTING GARAGE
 - EXISTING PORCH
 - EXISTING PATIO
 - EXISTING DECK
 - EXISTING STAIRS
 - EXISTING WALKWAY
 - EXISTING BIKEWAY
 - EXISTING TRAIL

NOTES
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
 3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
 5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
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 7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
 8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.
 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.

OWNER'S ADDRESS
 Oakwood at Ryan Creek, LLC
 12700 WISCONSIN AVE, SUITE 100
 FARMERSBURGH, WI 53126
 262.592.2200

DESIGNER'S ADDRESS
 PINNACLE ENGINEERING GROUP
 1880 ALBUQUERQUE BLVD, SUITE 200
 BROOKFIELD, WI 53005
 WWW.PINNACLE-ENGR.COM

DATE: NOVEMBER 21, 2018
REVISION: JANUARY 24, 2019

There are no objections to this plan with respect to
 WIS. Stats. as provided by s. 236.12, Wis. Stats.

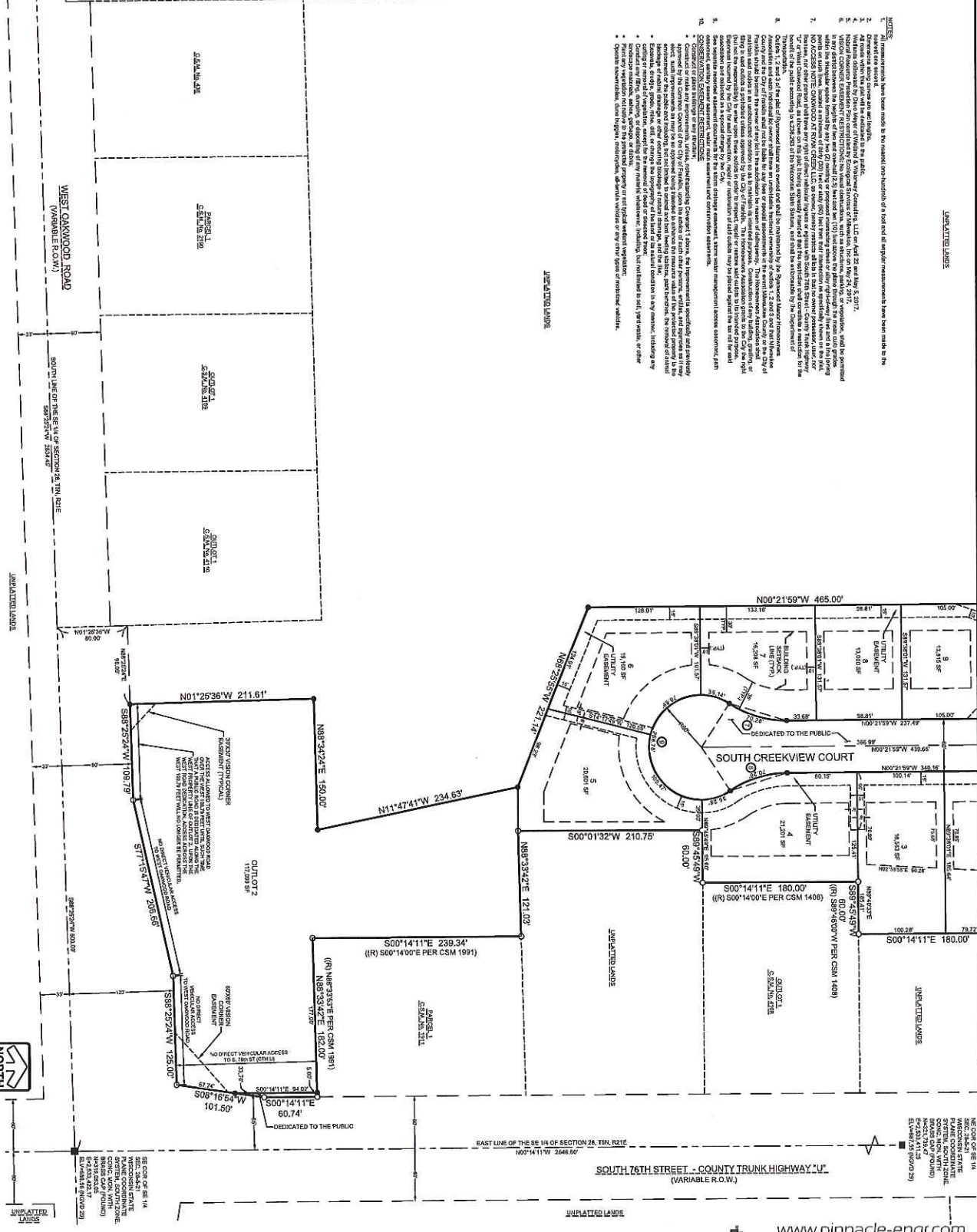
Certified _____ 20

Department of Administration

PINNACLE ENGINEERING GROUP

RYANWOOD MANOR

Being a part of the Northeast 1/4 and Southeast 1/4 of Section 28,
 Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



UNPLATTED LANDS

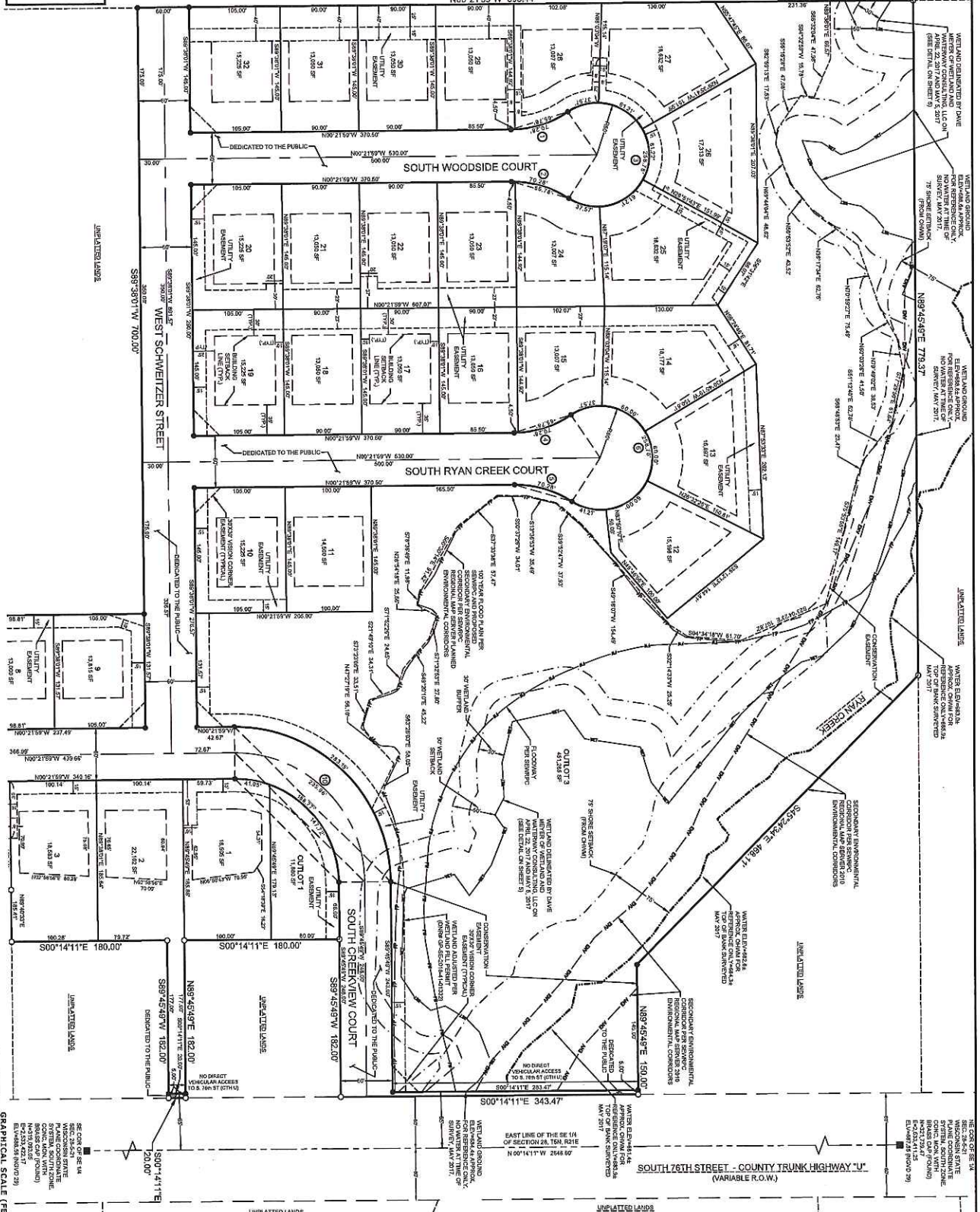
FINNACLE ENGINEERING GROUP
850 BLUEMOUND ROAD 1 SUITE 210
BROOKFIELD, WI 53005
OFFICE (262) 754-9888
WWW.FINNACLE-ENG.COM

Department of Administration



RYANWOOD MANOR

Being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



www.pinnacle-engr.com

REFERENCE BEARING: 688.56 (NGD 29)
TOP OF CONCRETE MONUMENT WITH BRASS GRS MARKING THE
SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4)
OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 21 EAST.

Owner/Subdivider
Oakwood at Ryan Creech LLC
N27 W24025 Paul Court, Suite 100
Pewaukee, WI 53072
262-542-9200

Prepared by:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD 1 SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888
WWW.PINNACLE-ENG.COM



DATE: ~~NOVEMBER~~ 21, 2018
REVISED: JANUARY 24, 2019

There are no objections to this plan 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

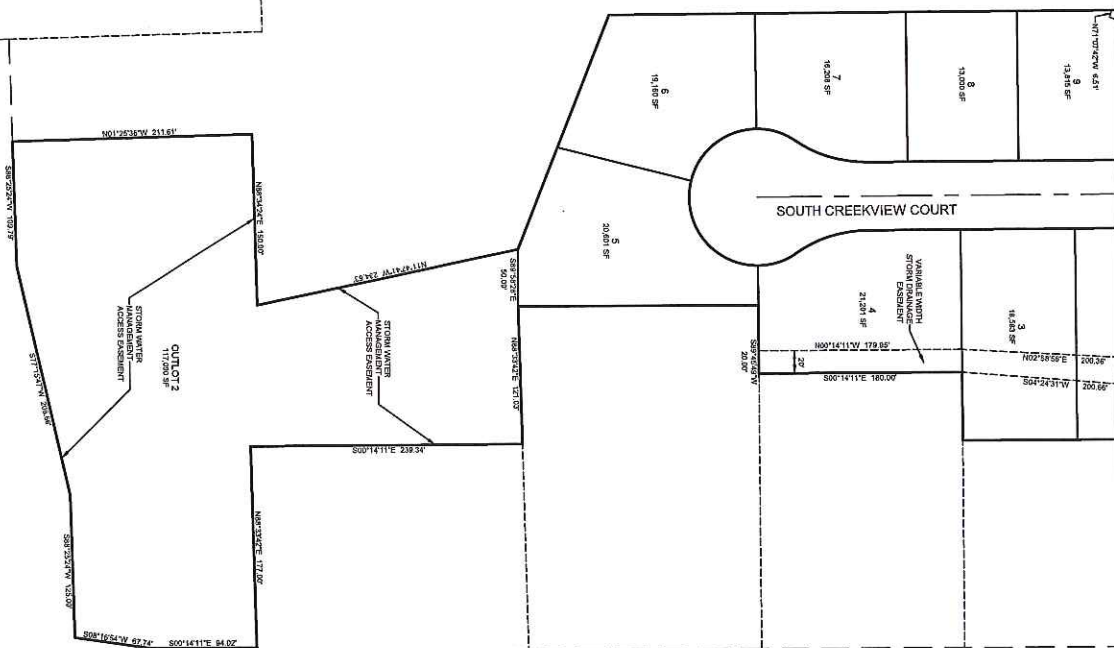


WEST OAKWOOD ROAD
(VARIABLE R.O.W.)

RYANWOOD MANOR

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

Being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



SOUTH 76TH STREET - COUNTY TRUNK HIGHWAY "U"
(VARIABLE R.O.W.)

www.pinnacle-engr.com



GRAPHICAL SCALE (FEET)

0
4" = 60'
120

REC'D 10/22/00
SHEET 3 OF 7

RECORDING INFORMATION: SEE SHEET 20
 1/4 OF CONCRETE MONUMENT WITH BEARS CAP MARKING THE
 SECTION CORNER OF THE SOUTHWEST 1/4 OF SECTION 1/4
 TOWNSHIP 21 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN,
 MILWAUKEE COUNTY, WISCONSIN.
 PREPARED BY: Pinnacle Engineering Group, Inc.
 15850 BLUEBOND ROAD, SUITE 210
 FARMERS, WI 53072
 262-942-9200
 WWW.PINNACLE-ENGR.COM

Owner/Developer:
 QUINWOOD RIVER CREEK LLC
 15850 BLUEBOND ROAD, SUITE 210
 FARMERS, WI 53072
 262-942-9200

Prepared by:
 PINNACLE ENGINEERING GROUP
 15850 BLUEBOND ROAD, SUITE 210
 FARMERS, WI 53072
 WWW.PINNACLE-ENGR.COM



DATE: NOVEMBER 21, 2018
 REVISED: JANUARY 24, 2019

There are no objections to this plat with respect to
 Secs. 25&13, 25&14, 25&29, 25&30, 25&31 (1) and (2),
 WIS. STAT., as provided by s. 256.12, WIS. STAT.

Certified _____ 20 _____

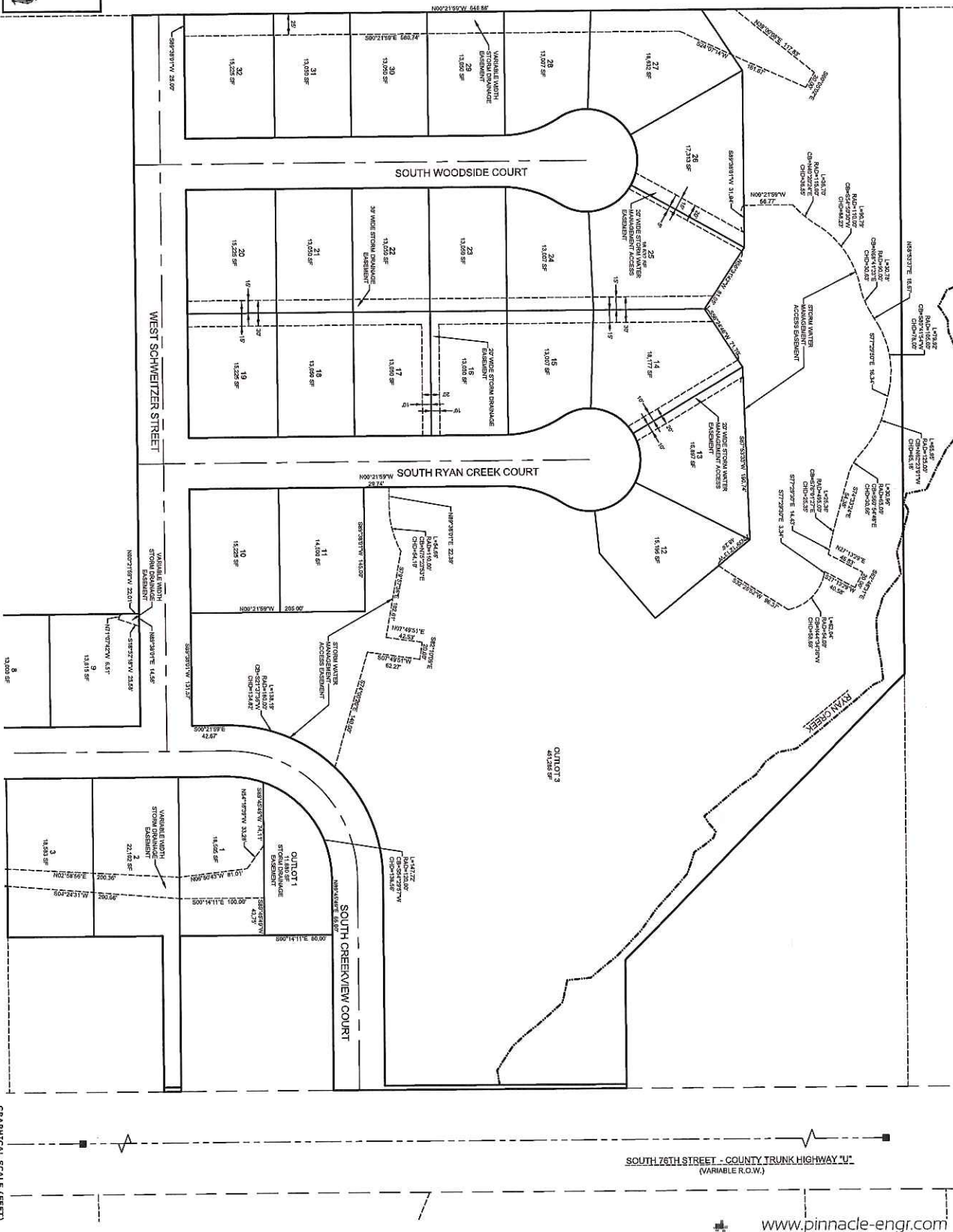
Department of Administration



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

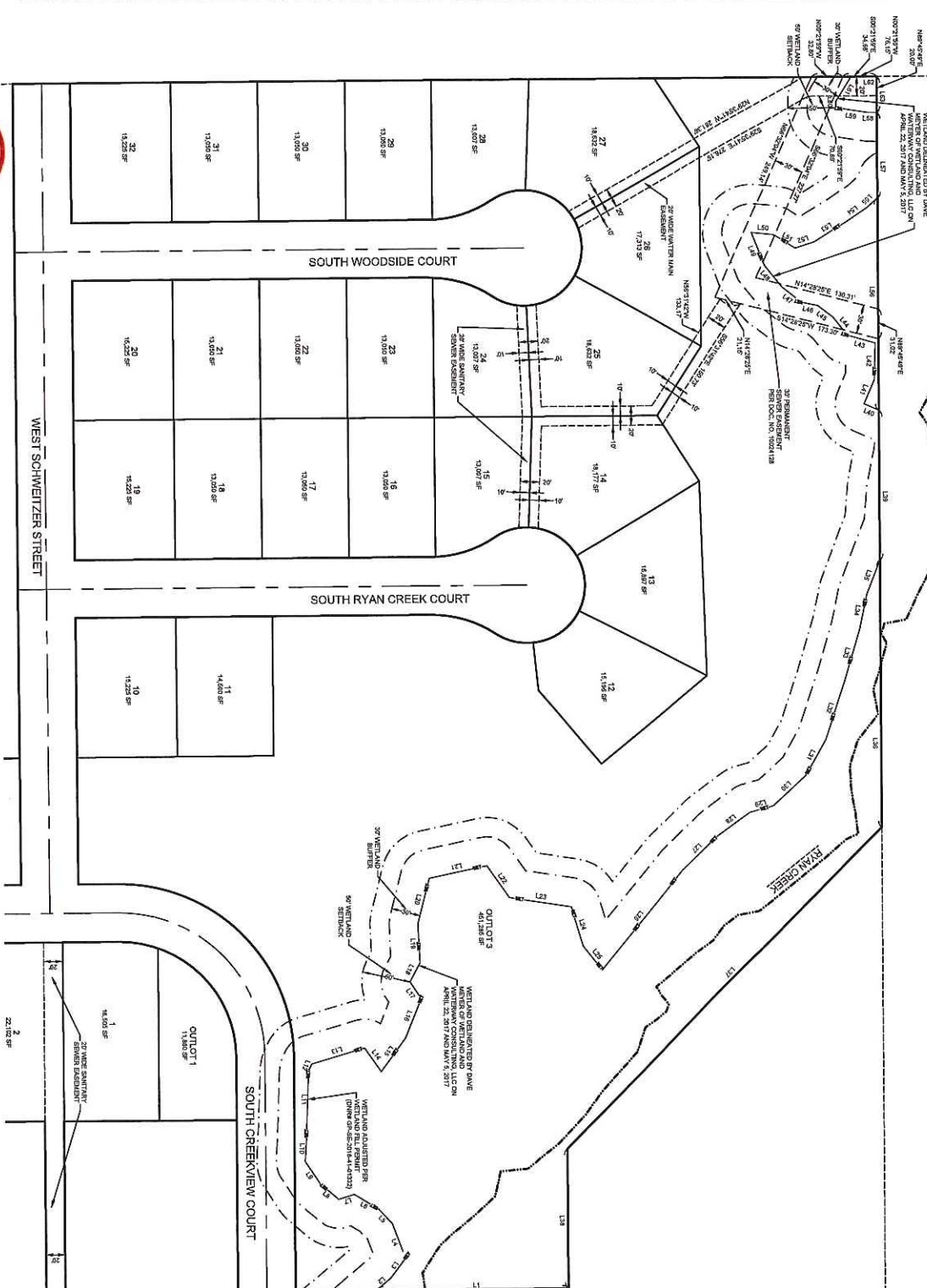
RYANWOOD MANOR

Being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28,
 Township 21 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



www.pinnacle-engr.com

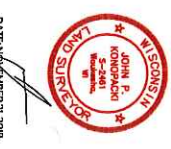
LINE NO.	BEARING	DISTANCE
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L2	N00°01'W	34.41'
L3	N03°16'W	32.00'
L4	S08°45'W	34.80'
L5	S04°37'W	28.80'
L6	S01°30'W	28.40'
L7	S17°31'E	11.14'
L8	S04°42'W	23.50'
L9	S07°42'W	27.20'
L10	N07°44'W	35.50'
L11	N07°28'W	36.60'
L12	N03°54'W	43.50'
L13	N03°54'W	43.50'
L14	N03°54'W	43.50'
L15	N03°54'W	43.50'
L16	N03°54'W	43.50'
L17	N03°54'W	43.50'
L18	N03°54'W	43.50'
L19	N03°54'W	43.50'
L20	N03°54'W	43.50'
L21	N03°54'W	43.50'
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L28	N03°54'W	43.50'
L29	N03°54'W	43.50'
L30	N03°54'W	43.50'
L31	N03°54'W	43.50'
L32	N03°54'W	43.50'
L33	N03°54'W	43.50'
L34	N03°54'W	43.50'
L35	N03°54'W	43.50'
L36	N03°54'W	43.50'
L37	N03°54'W	43.50'
L38	N03°54'W	43.50'
L39	N03°54'W	43.50'
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L57	N03°54'W	43.50'
L58	N03°54'W	43.50'
L59	N03°54'W	43.50'
L60	N03°54'W	43.50'
L61	N03°54'W	43.50'
L62	N03°54'W	43.50'
L63	N03°54'W	43.50'



There is no objection to the plat with respect to Section 206, 15, 236.11, 236.20 and 236.21(1) and (2), Wis. Stat. as provided by s. 236.12, Wis. Stat.

Certified _____ 20____

Department of Administration



DATE: JANUARY 21, 2018
REVISED: JANUARY 21, 2018

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

RYANWOOD MANOR
Being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28,
Township 5 North, Range 2 East, in the City of Franklin, Milwaukee County, Wisconsin.

Owner/Developer:
Ryanwood Manor, LLC
N27 WOODS FARM COURT, SUITE 100
Pewaukee, WI 53072
262-592-9200

Prepared by:
Pinnacle Engineering Group
1550 BLUEMOUNT ROAD, SUITE 200
BROOKFIELD, WI 53005
608-781-4444
WWW.PINNACLE-ENG.COM

REFERENCE BENCHMARK: 446.51' (NAD 83)
NAD 83 DATUM: 1983
SPHEROID: GRS 80
EARTH MODEL: WGS 84
DATUM: NAD 83
UNIT: FEET
SCALE: HORIZONTAL SCALE (FEET)
1" = 60'
VERTICAL SCALE (FEET)
1" = 120'



SOUTH 26TH STREET - COUNTY TRUNK HIGHWAY "U"
(VARIABLE R.O.W.)

There are no objections to this plan with respect to the proposed subdivision of the land shown hereon, as provided by s. 236.12, Wis. Stat., and the plan is hereby approved.

Certified _____, 20____

Department of Administration



DATE: NOVEMBER 21, 2018
REVISED: JANUARY 24, 2019

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

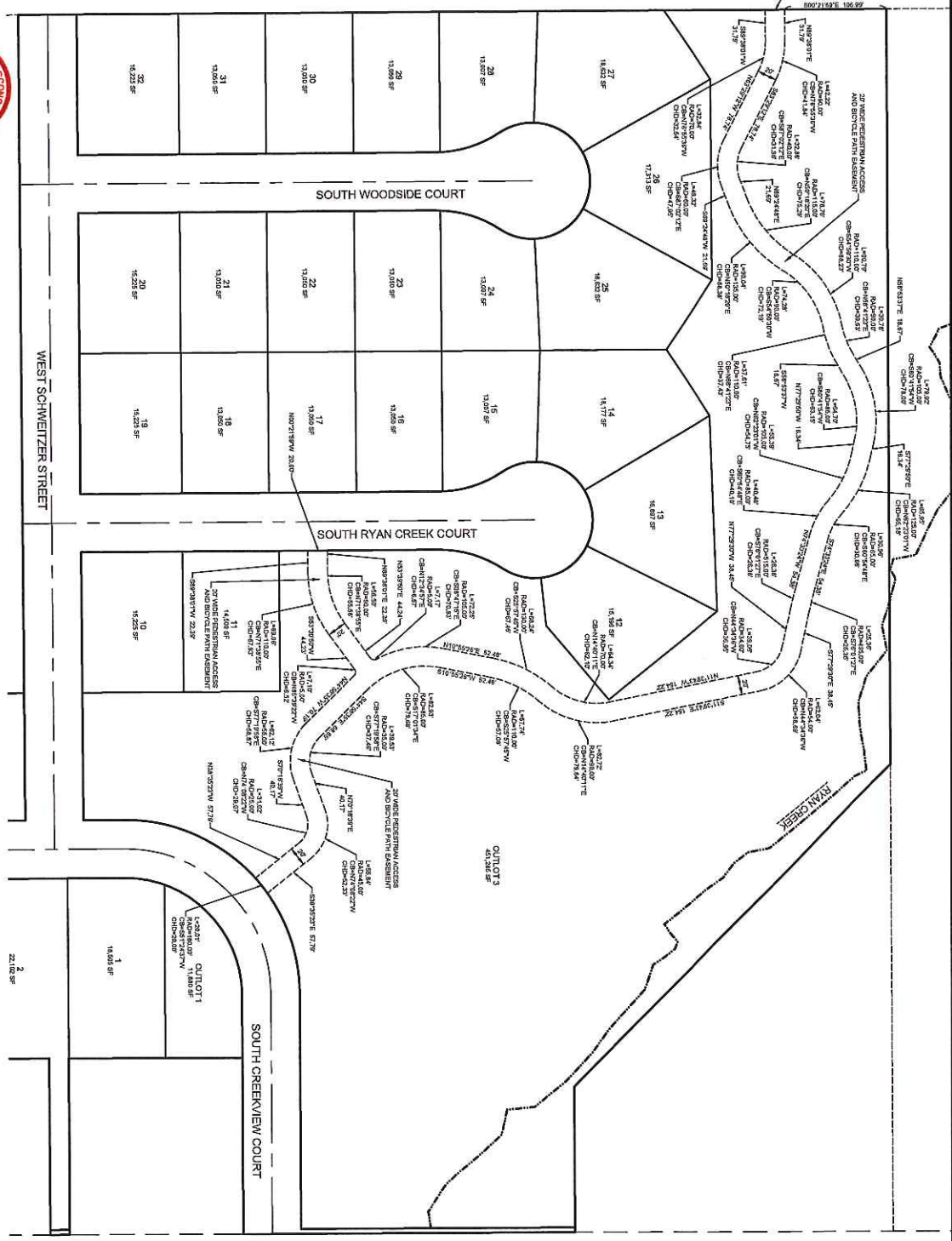
Being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28,
Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

RYANWOOD MANOR

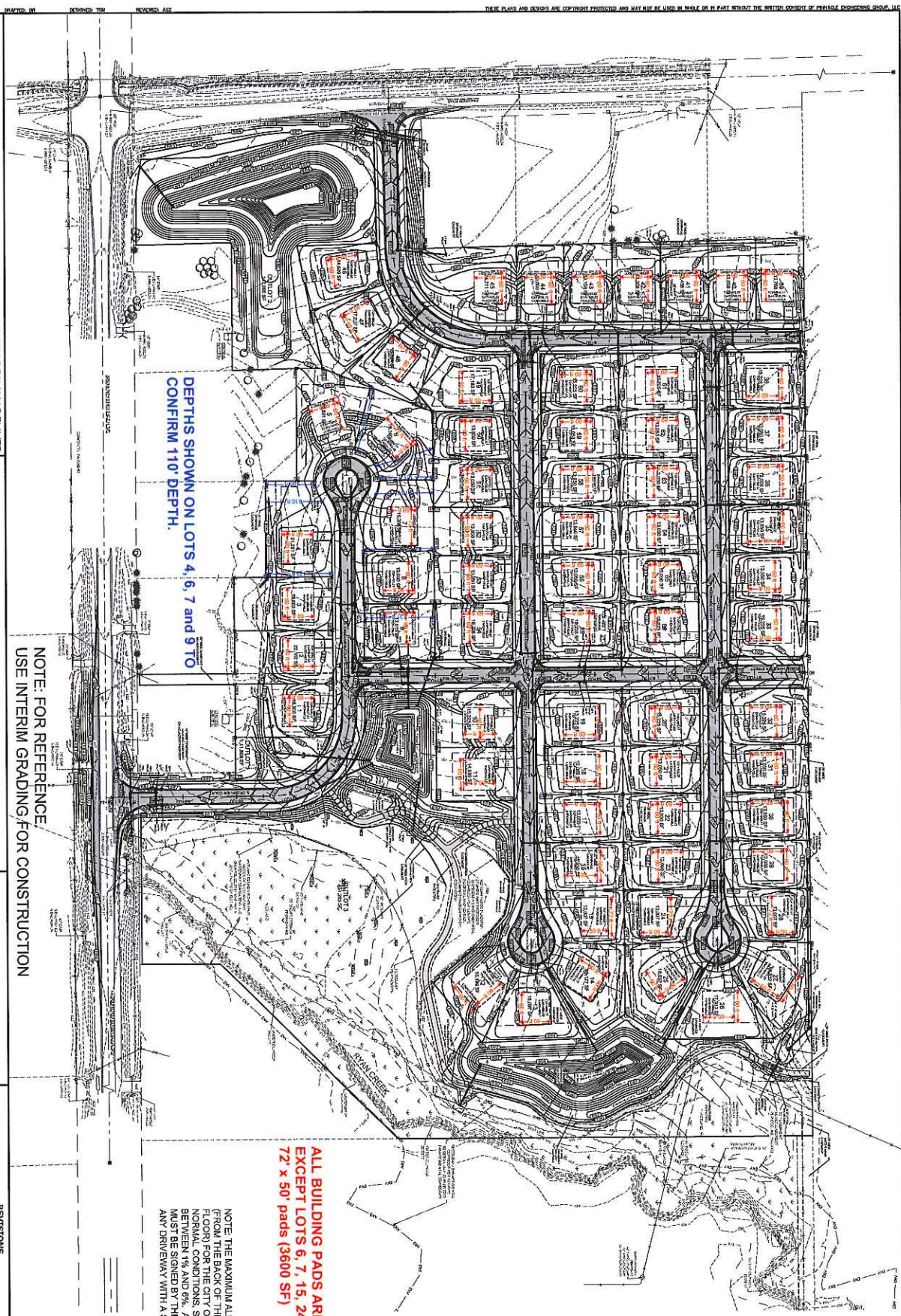
PINNACLE ENGINEERING GROUP
15500 BL. LIBERATION ROAD 1 SUITE 400
BROOKFIELD, WI 53005
WWW.PINNACLE-ENGR.COM

Owner/Subscriber:
Ryanwood Manor LLC
15500 BL. LIBERATION ROAD 1 SUITE 400
BROOKFIELD, WI 53005
262.592.9200

REFERENCE: BRIMMAGE, 184.56 (RANGE 21)
SECTION 28, TOWNSHIP 5 NORTH, RANGE 21 EAST.



SOUTH 76TH STREET - COUNTY TRUNK HIGHWAY "U"
(VARIABLE R.O.W.)



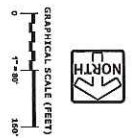
NOTE: FOR REFERENCE,
USE INTERIM GRADING FOR CONSTRUCTION

PLAN/DESIGN/DELIVER
Pinnacle Engineering Group
10000 W. WISCONSIN AVE. SUITE 100
MILWAUKEE, WI 53224
TEL: 414.224.1100
WWW.PINNACLE-ENGR.COM

OAKWOOD AT RYAN CREEK
CITY OF FRANKLIN, MILWAUKEE CO.

OVERALL MASTER
GRADING PLAN

REVISIONS	
1. CITY COMMENTS	06/22/16
2. CITY COMMENTS	06/26/16
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FOR CONSTRUCTION

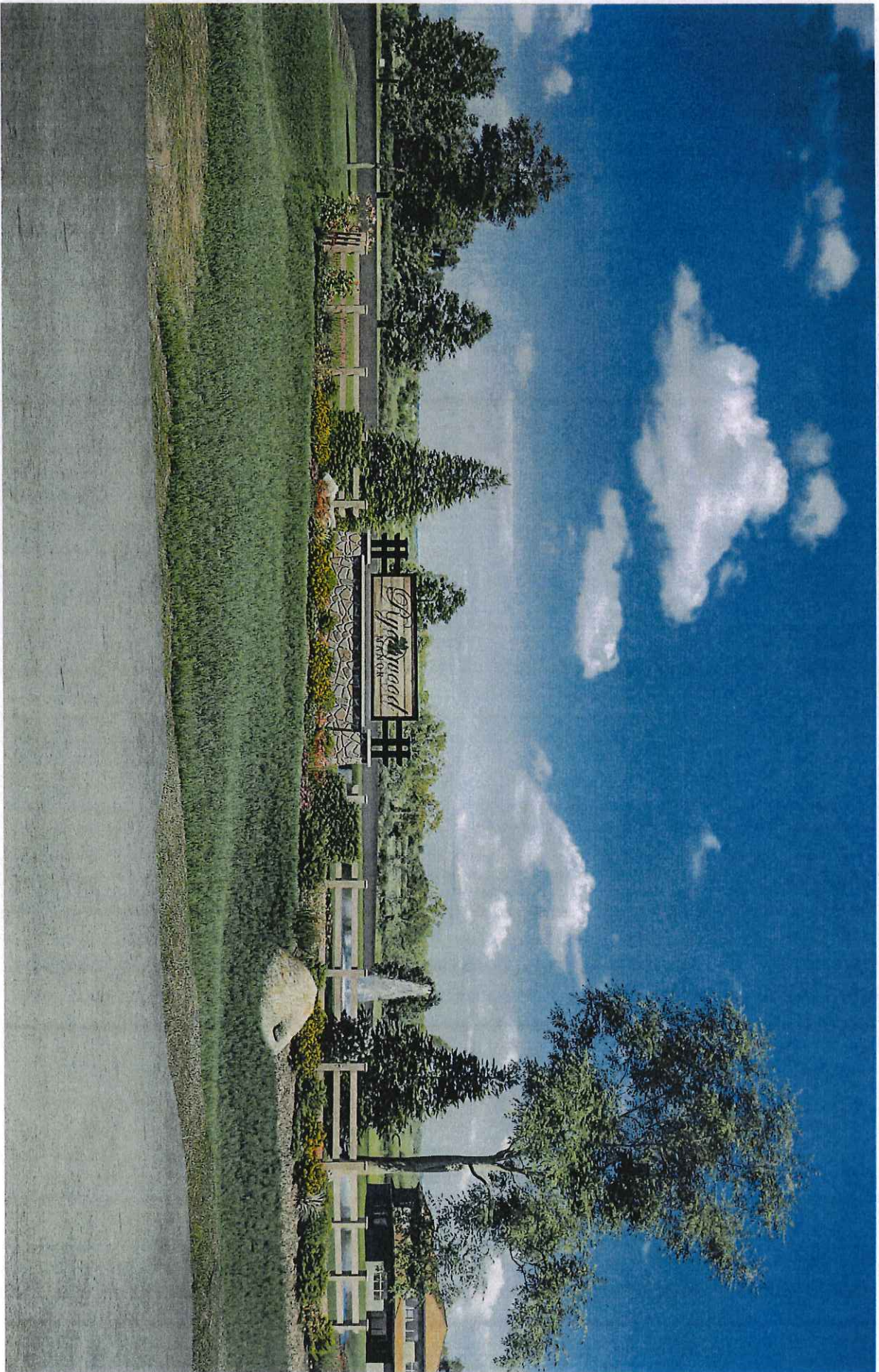
www.pinnacle-engr.com

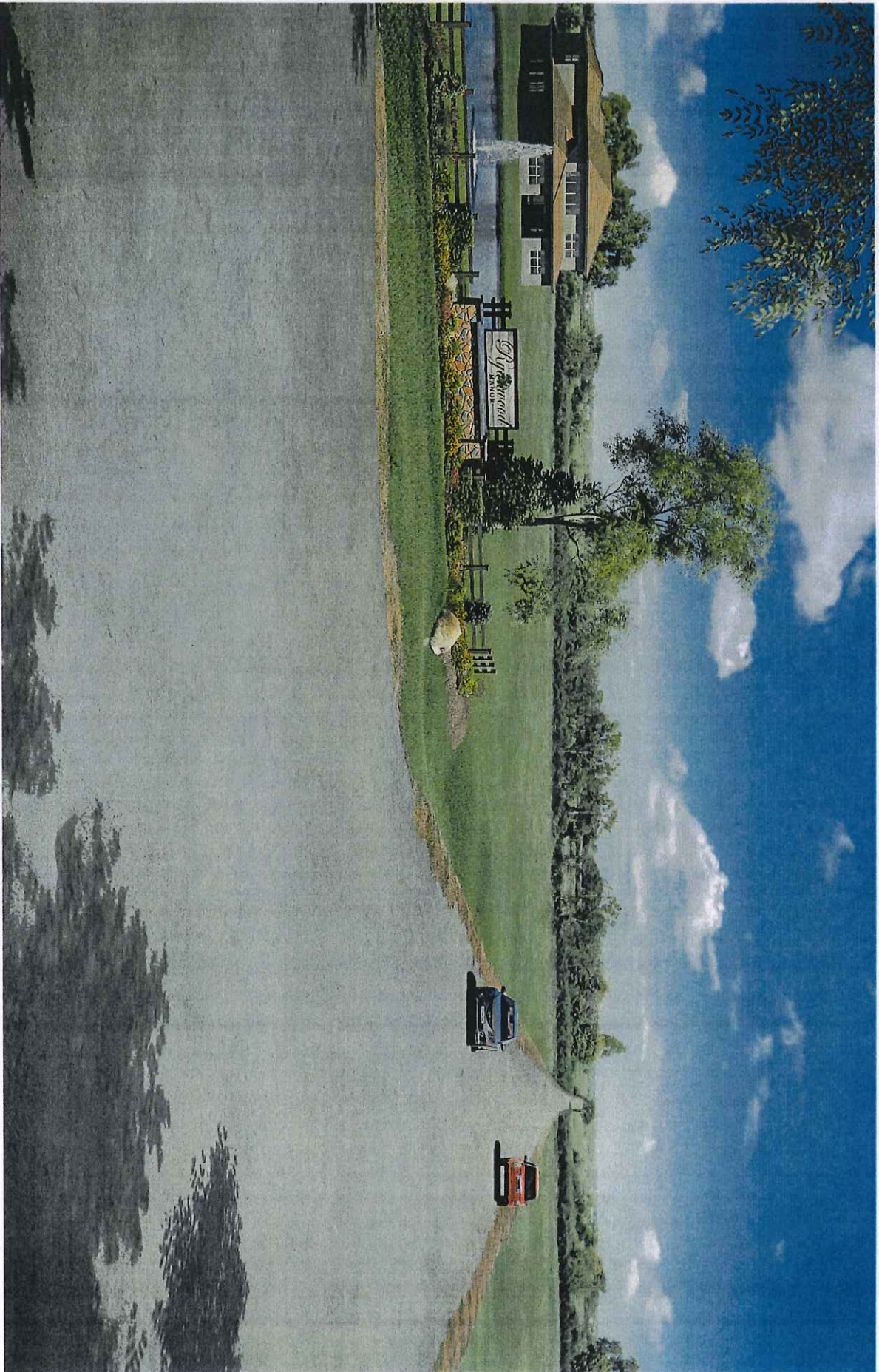


TRAINING

JAN 28 2019

City Development







30' x 30' VISION CORNER EASEMENT

OPTIONAL PLANTING

119 STREET

14H-BAUMANN HORSE

15A-NORV

15B-4

15

15D-H

15E-GREENSP

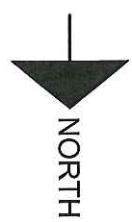
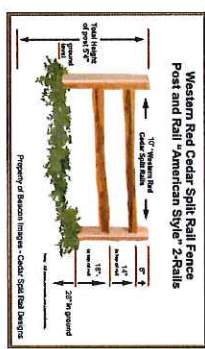
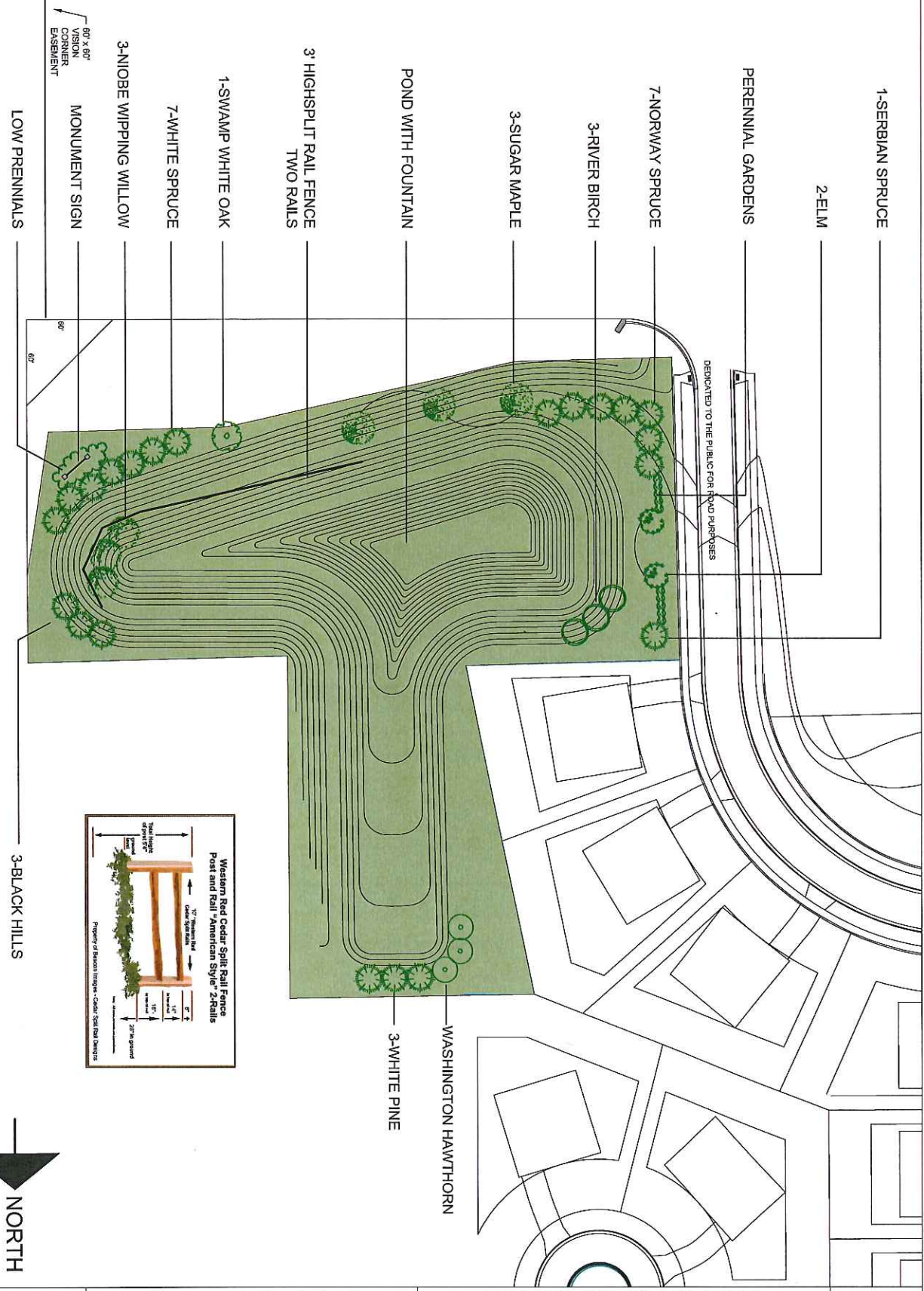
15F-SKYLINE HON

15G-BAUMANN HORSE



SHEET NUMBER: L1.1

LANDSCAPE PLAN-FRONT ENTRY DETAIL



REVISIONS:

NOVEMBER 20 2019

JANUARY 18 2019 Rep-City Review

SCALE: 1/32" = 1'

SHEET NUMBER: L1.2

GARLAND ALLIANCE
LANDSCAPE ARCHITECTS

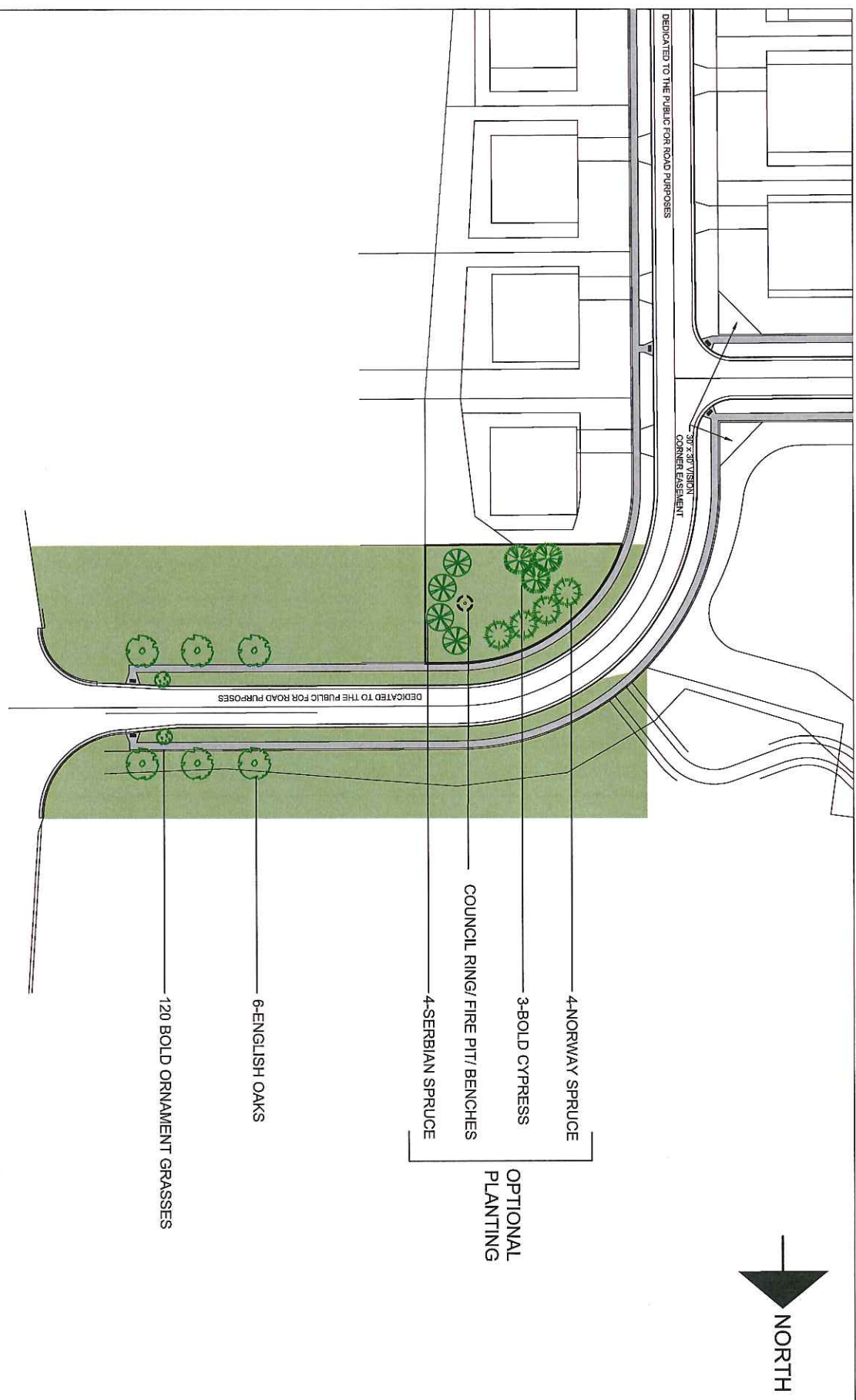
5107 6th Ave.
Milwaukee, WI 53203
(414) 952-1802 tim@garlandbygarland.com

PROPOSED GARDEN DESIGN FOR:

RYANWOOD MANOR
CITY OF FRANKLIN
MILWAUKEE, WISCONSIN



LANDSCAPE PLAN-SECONDARY ACCESS DETAIL



REVISIONS:
NOVEMBER 20 2019
JANUARY 18 2019 Rep-City Review
SCALE: 1/30" = 1'
SHEET NUMBER: L1.3

GARLAND ALLIANCE
LANDSCAPE ARCHITECTS



5107 6th Ave.
Milwaukee, WI 53203
(414) 962-1602 tim@gardensbygarland.com

PROPOSED GARDEN DESIGN FOR:
RYANWOOD MANOR
CITY OF FRANKLIN
MILWAUKEE, WISCONSIN



