

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, JUNE 6, 2017 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. 1. Citizen Comment Period.
- C. Approval of Minutes:
 - 1. Regular Common Council Meeting of May 16, 2017.
 - 2. Special Common Council Meeting of May 22, 2017.
- D. Hearings:
 - 1. 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 Two Properties Located at Approximately 9733 South 76th Street, from Commercial Use to Residential-Multi-Family Use and Areas of Natural Resource Features Use (Neumann Developments, Inc., Applicant). The Properties Which are the Subject of this Application Bear Tax Key Nos. 896-9999-007 and 896-9999-008, Consisting of Approximately 15.04 acres of land (Tax Key No. 896-9999-008) and Approximately 2.73 Acres of Land (Tax Key No. 896-9999-007) (Total Acreage Approximately 17.77 acres). This Public Hearing is being held Pursuant to the Requirements of Wis. Stat. § 66.1001(4)(d).
 - 2. 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 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 (Neumann Developments, Inc., Applicant). The Property Which is the Subject of this Application Bears Tax Key No. 934-9992-010, Consisting of Approximately 43.63 Total Acres of Land. This Public Hearing is Being Held Pursuant to the Requirements of Wis. Stat. § 66.1001(4)(d).
- E. Organizational Business.
 - Mayoral Appointment: Alderman Mayer – Fair Commission, term of office, expires 4-16-19.
- F. Letters and Petitions.
 - 1. Letter from County Executive Chris Abele Regarding Activation of New Digital Consoles at Six Dispatch Centers: Milwaukee County OEM-911, Milwaukee County Transit System, Oak Creek, Franklin, Cudahy and Greendale.
 - 2. Letter from Intergovernmental Cooperation Council to President Donald Trump Regarding Budgeted Reductions by the Environmental Protection Agency for Great Lakes Pollution Cleanup and Protection.

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 Property Located at Approximately 9733 South 76th Street From Business Park Use to Residential-Multi-Family Use and Areas of Natural Resource Features Use (Approximately 15.04 Acres (Tax Key No. 896-9999-008); 2.73 Acres (Tax Key No. 896-9999-007)) (Neumann Developments, Inc., Applicant).
2. An Ordinance to Amend the Unified Development Ordinance (Zoning map) to Rezone Two Parcels of Land From BP Business Park District to R-8 Multiple-Family Residence District (Approximately 9733 South 76th Street) (Approximately 15.04 Acres (Tax Key No. 896-9999-008); 2.73 Acres (Tax Key No. 896-9999-007)) (Neumann Developments, Inc., Applicant).
3. 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 (Approximately 43.63 Acres) (Neumann Developments, Inc., Applicant).
4. An Ordinance 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 (the Northwest Corner of South 76th Street and West Oakwood Road) (Approximately 43.63 Acres) (Neumann Developments, Inc., Applicant).
5. A Resolution Approving an Expansion of a Legal Nonconforming Use for Milwaukee County House of Corrections Located at 9225 South 68th Street (Jose Hernandez, Assistant Superintendent of the Milwaukee County House of Corrections, Applicant).
6. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Food Truck Business Use Upon the Rawson Pub Property Located at 5621 West Rawson Avenue (Susan C. Van Erden, Owner/Operator of Down-n-Cheesy LLC, Applicant).
7. An Ordinance to Amend the Unified Development Ordinance Text Within Section 15-8.0607: Performance Standards, to Update its Provisions and Resolve Conflicts Between Wisconsin Department of Natural Resources Wisconsin Administrative Code Standards and Regulations as they Pertain to Storm Water Management Within the City of Franklin.
8. A Resolution Authorizing Change Order 2 with Lunda Construction Company to Execute Cost Reduction Incentive Proposal for West St. Martins Road Bridge.
9. An Ordinance to Amend §169-1. Licenses Required of the Municipal Code to Create Certain License Fees as Authorized by the Contract to Administer the Retail Food and Recreational Programs for the State of Wisconsin Department of Agriculture, Trade and Consumer Protection.

Common Council Meeting Agenda

June 6, 2017

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10. Amendment to the Purchase Order with Building Service Incorporated for Installation of Carpeting in City Hall.
11. An Ordinance to Amend Ordinance 2016-2240, An Ordinance Adopting the 2017 Annual Budget for the Grants Fund for the City of Franklin for Fiscal Year 2017 to Reallocate Appropriations for Health Grants to Provide for a Copier Purchase.
12. April 2017 Monthly Financial Report.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of June 6, 2017.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

* [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:

June 8	Plan Commission Meeting	7:00 p.m.
June 20	Common Council Meeting	6:30 p.m.
June 22	Plan Commission Meeting	7:00 p.m.
July 4	City Hall Closed	

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RES. 2017-7269
CONSERVATION EASEMENT
AND APPROVAL OF SITE PLAN
AMENDMENT AT 10405 W. ST.
MARTINS RD. (INDIAN
COMMUNITY SCHOOL OF
MILWAUKEE, INC., APPLICANT)

G.4. Alderman Nelson moved to adopt Resolution No. 2017-7269, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN AND NATURAL RESOURCE SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 10405 WEST ST. MARTINS ROAD (TO ALLOW FOR CONSTRUCTION OF A SYSTEM OF TRAILS, A RECREATIONAL/EDUCATIONAL BOARDWALK WITH AN OUTDOOR LEARNING PLATFORM WITH BENCH SEATING AND AN OVERLOOK DOCK AND FOUR WETLAND PONDS WITHIN AND ADJACENT TO WETLANDS LOCATED NORTH OF THE EXISTING SCHOOL BUILDING) (INDIAN COMMUNITY SCHOOL OF MILWAUKEE, INC., APPLICANT). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2017-7270
APPROVAL OF SPECIAL USE AT
S. 27TH ST. AND S. OAKWOOD
RD. (JOHN HELLER, PRESIDENT,
INTERSTATE PARTNERS II
WISCONSIN LLC, APPLICANT)

G.5. Alderman Taylor moved to adopt Resolution No. 2017-7270, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR A MULTI-TENANT BUILDING DEVELOPMENT CONSISTING OF COMMERCIAL, LIGHT INDUSTRIAL AND DISTRIBUTION SPACE USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SOUTH 27TH STREET AND WEST OAKWOOD ROAD (JOHN HELLER, PRESIDENT OF INTERSTATE PARTNERS II WISCONSIN LLC, APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2017-7271
CSM AT SOUTHWEST CORNER
OF S. 27TH ST. AND S.
OAKWOOD RD. (JOHN HELLER,
PRESIDENT, INTERSTATE
PARTNERS II WISCONSIN LLC,
APPLICANT)

G.6. Alderman Taylor moved to adopt Resolution No. 2017-7271, A RESOLUTION CONDITIONALLY APPROVING A 3 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING THE NORTHWEST 1/4 AND THE PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (JOHN HELLER, PRESIDENT OF INTERSTATE PARTNERS II WISCONSIN LLC, APPLICANT) (THE SOUTHWEST CORNER OF SOUTH 27TH STREET AND WEST OAKWOOD ROAD), with technical corrections. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2017-7272
CONSERVATION EASEMENT
AND CSM AT 8647 S. 35TH ST.
(RYAN S. KONICEK,
BRIDGESTONE CAPITAL, LLC,
APPLICANT)

G.7. Alderman Barber moved to adopt Resolution No. 2007-7272, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR PROPERTY LOCATED AT 8647 SOUTH 35TH STREET (RYAN S. KONICEK, OPERATOR OF BRIDGESTONE CAPITAL LLC, APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2017-7273
ENGAGING ACTUARIAL &
HEALTH CARE SOLUTION, LLC
TO PERFORM STUDY ON OTHER
POST EMPLOYMENT BENEFITS
FOR 2017

G.8. Alderman Taylor moved to adopt Resolution No. 2017-7273, A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO ENGAGE ACTUARIAL & HEALTH CARE SOLUTION, LLC TO PERFORM AN ACTUARIAL STUDY ON THE CITY OF FRANKLIN OTHER POST EMPLOYMENT BENEFITS FOR 2017. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2017-7274
DESIGNATING SIGNATURES
FOR CHECKS AND ORDERS

G.9. Alderman Taylor moved to adopt Resolution No. 2017-7274, A RESOLUTION DESIGNATING SIGNATURES FOR CHECKS AND ORDERS PURSUANT TO § 66.0607 WISCONSIN STATUTES. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

ESTABLISH COMM. OF THE
WHOLE/COUNCIL SCHEDULE
FOR JUNE, JULY, AUG., SEPT.

G.10. Alderman Taylor moved to establish the following meeting dates: June 6 and 20, July 18, August 1 and 15, and September 5 and 19, 2017. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

ORD. 2017-2269
AMEND FAIR COMMISSION
COMPOSITION OF THE
MUNICIPAL CODE

G.11. Alderman Nelson moved to adopt Ordinance No. 2017-2269, AN ORDINANCE TO AMEND § 10-9.A.(1) FAIR COMMISSION COMPOSITION, OF THE MUNICIPAL CODE, TO INCREASE THE MEMBERSHIP OF THE COMMISSION BY THE ADDITION OF AN ALDERPERSON AND A CITIZEN AS MEMBERS. Seconded by Alderman Taylor. All voted Aye; motion carried.

NOTICE OF CLAIM
INJURIES SUSTAINED AS A
RESULT OF TRIP AND FALL OF
A LARGE PIECE OF
ASPHALT(NORA HART)

G.12. Alderman Taylor moved to deny the Claim of Nora (and Thomas) Hart pursuant to § 893.80(1g), Wis. Stats., based upon and in concurrence with the insurance adjuster that the investigation revealed no negligence on behalf of the City. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1.

Alderman Taylor moved to approve the following:

Grant Extraordinary Entertainment & Special Event License to The Rock Summer Concert Series (Jim Rinelli) every Saturday in June, July, and August, 2017, 7:00 p.m. to 11:00 p.m.;

Grant Extraordinary Entertainment & Special Event Licenses and Temporary Class B Beer and Wine License to Xaverian Missionaries for their Annual Mission Festival (Fr. Alejandro Rodriguez) on 6/24/2017 to 6/25/2017; Grant Class A Combination licenses, subject to satisfactory inspections, to Midwest Retail Group-Franklin Inc., Agent James Fiene, 7610 W. Rawson Ave.; 27th Street Mobile, LLC, Agent Karam Singh Toor, 6611 S. 27th St.; Ryan Fuel LLC, Agent Kavita Khullar, 5120 W. Ryan Rd.; Hodach Petroleum Inc., Agent Stephen Hodach, 9830 W. St. Martins Rd.; Wisconsin CVS Pharmacy LLC, Agent Samantha Jo Klaphake, 5220 W. Rawson Ave.; Spirit Dreams LLC, Agent Scott Haese, 6507A S. 27th St.; Franklin Liquor Store Inc., Agent Virendra Verma, 8305 S. 27th St.; Kwik Trip, Inc., Agent Samuel McCormick, 5040 W. Rawson Ave.; Kwik Trip Inc., Agent Andrew Wichmann, 10750 W. Speedway Dr.; Jujhar LLC, Agent Hardip Singh Bhatti, 11123 W. Forest Home Ave.; Ultra Mart Foods, LLC, Agent Gordon Graf, 7201 S. 76th St.; Mega Marts, LLC, Agent Daniel Romero, 7780 S. Lovers Lane Rd.; Sam's East, Inc., Agent Henry Monti, 6705 S. 27th St.; Sendik's Franklin LLC, Agent Theodore Balistreri, 5200 W. Rawson Ave.; Target Corporation, Agent Shane Clapsaddle, 7800 S. Lovers Lane Rd.; Wal-Mart Stores East, LP, Agent Jon McCourt, 6701 S. 27th St.; Walgreen Co., Agent Robin Harmon, 9527 S. 27th St.; Walgreen Co., Agent Jessica Hennlich, 7130 S. 76th St.; Walgreen Co., Agent Sara Mason, 9909 W Loomis Rd.; Grant 2017-18 Class B Beer licenses, subject to satisfactory inspections, to M-Squared Inc., Agent Michael Falk, 11357 W. St. Martins Rd.; Oyagi Asian Bistro LLC, Agent Danny Lin, 6509B S. 27th St.;

Grant 2017-18 Class C Wine and Class B Beer license, subject to satisfactory inspections, to Pandori LLC, Agent Harjinder Singh Braich, 7107 S. 76th St.;

Grant Class B Combination licenses, subject to satisfactory inspections, to The Bowery, LLC, Agent Roger Hein, 3023 W. Ryan Rd.; RLGIDI, Inc., Agent Rex Idrizi, 3137 W. Rawson Ave.; ERJ Dining III, LLC, Agent Paul Scott, 6439 S. 27th St.; M&W Leung, LLC,

Agent May Leung, 7236 S. 76th St.; Robley Tech Inc., Agent Dennis Rau, 8330 W. Puetz Rd.; Enthusiast Approved LLC., Agent Apostolos Evreniadis, 9405 S. 27th St.; Romey's Place LLC, Agent Nathan Fabry, 7508 S. North Cape Rd.; QT Pizza LLC, Agent Susan Toetz, 7119 S. 76th St.; St. Martins Inn, LLC, Agent Dennis Wegner, 11318 W. St. Martins Rd.;

Grant 2017-18 Class B Combination and Entertainment & Amusement licenses, subject to satisfactory inspections, to Christopher Matecki, 9461 S. 27th St.; Gus' Mexican Cantina, LLC, Agent Gus Hosseini, 6514 S. Lovers Lane Rd.; Seventy-Six Street Pub & Grill Inc., Agent Debra Schaefer, 9643 S. 76th St.; Irish Cottage of Franklin LLC, Agent Jenny Jennings, 11433 W. Ryan Rd.; Iron Mike's Bar LLC, Agent Mike Pues, 6357 S. 27th St.; Little Cancun LLC, Agent Veronica Cervera, 7273A S. 27th St.; B.S.T. LLC, Agent Brian Francis, 8933 S. 27th St.; HB&H, LLC, Agent Gerald Hay, 10741 S. 27th St.; Point After LLC, Agent Darryl Malek, 7101 S. 76th St.; Polish Heritage Alliance Inc., Agent Jeffrey Kuderski, 6941 S. 68th St.; Polonia Sport Club Inc., Agent Irene Hawkinson, 10200 W. Loomis Rd.; The Rock Sports Complex LLC, Agent Thomas Johns, 7900 W. Crystal Ridge Dr.; Franklin Hotel Company LLC, Agent Eric Bates, 9575 S. 27th St.; Grant 2017-18 Class B Combination, Entertainment & Amusement and Bowling licenses, subject to satisfactory inspections, to Country Lanes LLC, Agent Robert Sczerzen, 11231 W. Forest Home Ave.; and Root Group LLC, Agent David Church, 7220 W. Rawson Ave.;

Grant 2017-18 Reserve Class B Combination license, subject to satisfactory inspections, to FF&E, LLC, Agent Teresa D'Amato, 6901 S. 76th St.;

Grant 2017-18 Reserve Class B Combination, Entertainment & Amusement, subject to satisfactory inspections, to Federation of Croatian Societies, Inc., Agent Josip Veber, 9100 S. 76th St.;

Grant 2017-18 Class B Combination, and Coin Operator licenses, subject to satisfactory inspections, to Pantheon of Wisconsin Inc., Agent Debbie Koutromanos, 7621 W. Rawson Ave.;

Grant 2017-18 Class B Combination, Country Club, and Entertainment & Amusement licenses, subject to satisfactory inspections, to Tuckaway Country Club, Agent Jennifer Jacobi, 6901 W. Drexel Ave.;

Grant 2017-18 Amusement Device Operator licenses to Wisconsin P&P Amusements, Owner Michael Weigel,

12565 W. Lisbon Rd., Brookfield; Mitchell Novelty Co., Owner Ralph Fleege, 3506 W. National Ave., Milwaukee; Grant 2017-18 Daycare license, subject to satisfactory inspections, to Academy of Integrity, Manager LaQueesha Blockton, 3900 W. Ryan Rd.;

Grant 2017-18 Entertainment & Amusement license, subject to satisfactory inspections, to Innovative Health & Fitness Building LLC, Owner Scott Cole, 8800 S. 102nd St.;

Hold 2017-18 Class B Combination, and Entertainment & Amusement licenses, for appearance, for The Landmark of Franklin LLC, Agent Lorie Beth Knaack-Helm, 11401 W. Swiss St.; Rawson Pub, Inc., Agent Steven Schweitzer, 5621 W. Rawson Ave.; Alley Kats Pub and Grill LLC, Agent John Trudeau, 11430 W. Swiss St.;

Hold 2017-18 Reserve Class B Combination license for appearance for Hudson Burger LLC, Agent Nicholas Dillon, 6421 S. 27th St.; and

Approve amendment to Event 5 of the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant for Franklin Lions Club Meetings and Fund Raisers. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

Alderman Taylor moved to approve the following:

Hold 2016-17 and 2017-18 Operator license applications for appearance from Molly Baron, 206 W. Jefferson St., Apt. A, Oconomowoc; Jason Johnson, 1533 S. Green Bay Rd., #203, Mount Pleasant; Peter Mundschau, 213 Fountain Ave., Waukesha;

Hold 2016-17 Operator license application for appearance from Matthew Johnson, 11200 W. Cleveland Ave., #G12, West Allis;

Hold 2017-18 Operator license applications for appearance from Carolyn Christensen, 3800 Spruce St., Racine; Jody Isaacson, 7815 S. Scepter Dr., #25, Franklin; Vito Siciliano, 26500 104th St., Trevor; Tricia Bernhardt, 1338 Timmie Dr, Racine; Darrell Bostwick, 7308 Lakeshore Dr., Racine; Haley Dixon, 4175 S. 58th St., Milwaukee; Amanda Julian, 2811 W. Acre Ave., Franklin; Grant 2016-17 Operator license to Megan Pesich, 9195 S. Meyer Ln., #10109, Oak Creek;

Grant 2016-17 & 2017-18 Operator licenses to Amanda Aimers, 10568 W. Cortez Cir., #35, Franklin; Christopher Curry, 12665 W. Beloit Rd., #109, New Berlin; Amy Einhaus, 265 N. Main St., Walworth; Ashley Moeller,

2415 W. Briar Lake Way, #3B, Oak Creek; Reman Mustafa, 8210 S. 88th St., Franklin; Brenna Tomczak, 2450 S. 99th St., West Allis;

Grant 2017-18 Operator licenses to Alyssa Edwards, 550 W. Riverwood Dr., #202, Oak Creek; Michael Bartolone, 8041 W. Tripoli Ave., Milwaukee; Wendy Beierle, 9221 S. 96th St., Franklin; Megan Bieringer, 8136 W. Coventry Dr., Franklin; Phoebe Botros, 10350 S. Justin Dr., Oak Creek; William Canales, 809 Lakeview Ave., #4, South Milwaukee; Scott Christofferson, 3800 Spruce St., Racine; Shane Clapsaddle, 234 N. Broadway, Milwaukee; Joel Clifford, 2155A S. Kinnickinnic Ave., Milwaukee; Kristen Duffy, 8761 S. County Dr., #205, Oak Creek; Cali Dunn, 1800 W. Meyer Ln., #15107, Oak Creek; Matthew Fannin, S79W18997 Janesville Rd, Muskego; Joshua Farrell, 7417 S. 36th St., Franklin; Katelynn Flowers, 5829 S. New York Ave., Cudahy; Rebecca Fox, 8243 Shadwell Cir., Franklin; Nicole Gaus, 6247 S. Howell Ave., Milwaukee; Patricia Greer, 1702 E. Eden Pl., St. Francis; Halina Grochowski, 1111 W. Rosewood Trl., Oak Creek; Jeremy Haese, 11811 W. Rawson Ave., Franklin; Jennifer Hallisch, 4416 S. 62nd St., Greenfield; Desirea Hart, 2137 W. College Ave., #309, Oak Creek; Patti Hartung, 664 Shirley Dr., Franksville; Bambi Hatfield, 3343 W. Colony Dr., Greenfield; Michelle Henning, 6100 S. 18th St., Milwaukee; Lisa Hutts, 5612 Euston St., Greendale; Ozzie Jackson, Jr., 3450 E. American Ave., Oak Creek; Samantha Jaskie, 7515 Mission Hills Ct., Franklin; Emily Kleist, W198S10993 Racine Ave., Muskego; Jon Mankowski, 3555 S. Sunnyslope Rd., New Berlin; Janet Miller, 2737 S. 58th St., Milwaukee; Tanina Poteracki, 2933 W. Drexel Ave., #502, Franklin; Mark Reikowski, W125S8317 North Cape Rd., Muskego; Judy Schneider, 1088 Quail Ct., #226, Pewaukee; Mary Schultz, 2664 Hidden Dr., St. Francis; Jenna Skenandore, 1333 N. Franklin Pl., #10, Milwaukee; Deborah Sporleder, S108W16327 Loomis Dr., Muskego; Nathan Tiedke, 8029 S. 61st St., Franklin; Sarah Walkington, 2231 N. Himount Blvd., Milwaukee; Sharon Weiss, 8481 S. 51st St., #18B, Oak Creek; Jennifer Aguilar, 2121 W. Grant St. Upper, Milwaukee; Qyinn Applin, 4521 W. Ramsey Ave., #65, Greendale; Nina Arthur, 23221 7 Mile Rd., Muskego; Jamie Balistreri, 10139 W. Forest Home Ave., Hales Corners; Wendy Balistreri, 7271 S. Delaine Dr., Oak Creek; Stephanie Bluemel, 10701 W. Grange Ave., #26, Hales Corners; John Brown, 3023 Nostalgic Ct., Hubertus;

Danielle Conrad, W127S6807 Jaeger Pl., Muskego; Jessica Curler, W130S7025 Hale Park Dr., Muskego; Michael Dach, 109 N. 3rd St., Waterford; Katie Davis, 6814 Johnson Ct., Waterford; Barbara Davison, 6931 S. Phyllis Ln., Franklin; Sarah Deshambo, 3411A S. Indiana Ave., Milwaukee; Mitchell Dolata, 3118 El Camino Way, Waterford; Christine DuCharme, 7811 S. Scepter Dr., #4, Franklin; Theresa Enk, 1509 Walnut St., South Milwaukee; Lori Falkowski, 10227 Parklane Ct., Hales Corners; Stephanie Feest, 2117 W. Grays Ln., Oak Creek; Jennacy Frey, 10210 63rd St., Kenosha; Leah Gdaniec, 2210 S. 96th St., West Allis; Tori Hanson, 1303 N. Cass St., #106, Milwaukee; Michael Hughes, 9636 S. Greenfield Ave., West Allis; Tina Jahnke, 11207 42nd Ave., Pleasant Prairie; Josip Jaksic, 413 S. 67th St., Milwaukee; Adam Jubeck, 2430 W. Briar Lake Way, #2B, Oak Creek; Karen Kehoe, 10305 Plum Tree Cir., #104, Hales Corners; Kristin Kowalski, 11210 W. 6th Mile Rd., Franksville; Traci Krueger, 5836 S. 37th Ct., Milwaukee; Jill Lake, W135S7013 Hall Park Dr., Muskego; Barbara Lebeck, 8825 S. 77th St., Franklin; Rebecca Lehmann, 3651 E. Pulaski Ave., Cudahy; Sara Ligocki, 10400 S. Redwood Ln., Oak Creek; June Loh, 7930 W. Coldspring Rd., Greenfield; Marcia Lonzaga, 753 N. 116th St., Wauwatosa; Grace Mantyh, 6214 W. Lincoln Ave., #2, West Allis; Shelly Marquardt, 26011 75th St., Upper, Salem; Jennifer Martinez, 8725 Wood Creek Dr., #8, Oak Creek; Mark Matecki, 1007 W. Morgan Ave., Milwaukee; Rachel Maurer, 6160 S. 6th St., W70, Milwaukee; Mandy Mayrand, 28911 Fir Ln., Waterford; Sarah McNichols, 6752 S. Parkedge Cir., Franklin; Bailey Menke, 9343 S. 35th St., Franklin; Kristen Menzel, 6938A S. Howell Ave., Oak Creek; Olyvia Moczynski, W148S8290 Harvest Ct., Muskego; Celena Mooren, 5746 S. 116th St., Hales Corners; Josefina Mora, 435 W. Aspen Dr., #19, Oak Creek; Lauren Nerby, 3203 W. Minnesota Ave., Franklin; Sarah Page, 1227 Williams Ave., South Milwaukee; Terese Riesner, 3426 S. Glen Park Ct., New Berlin; Bobette Sakiewicz, 9205 S. Orchard Park Cir., #2A, Oak Creek; Elizabeth Schley, W128S9584 Walter Hagen Dr., Muskego; Jason Schnell, 1612 59th St., Kenosha; Andrea Sommer, 3578A S. 14th St., Milwaukee; James Steuck, 3119 S. 122nd St., #19, West Allis; Kathleen Wegner, 26545 Nordic Ridge Dr., Wind Lake; Jeffrey West, 8111 S. Mission Dr., Franklin; Michael Wichman, 6436 W. Ohio Ave., Milwaukee; Jared Zakszewski, 2924 W. Hilltop Ln.,

Franklin;

Grant 2017-18 Operator license, pending correction of application, to Sharon Larscheidt, 11126 W. Ryan Rd., Franklin; Javier Moralez, 8315 W. Puetz Rd., Franklin; Grant 2017-18 Operator license, pending completion of application, to Toni Ruyle, 1835 Ellis Ave., Racine; and Grant 2017-18 Operator license, pending provision of updated Driver's license, to Candi Lucksted, 14619 Two Mile Rd., Franksville.

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

Alderman Taylor moved to grant Extraordinary Entertainment & Special Event License to Croatian Park for the Midwest Original Music Festival on August 18 to August 20, 2017 with music until 11:00 p.m., contingent upon addressing staff plan layout and all items other than music. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1.

Alderman Dandrea moved to approve the following: City vouchers with an ending date of May 11, 2017 in the amount of \$3,019,752.48; Payroll dated May 12, 2017 in the amount of \$362,815.46 and payments of the various payroll deductions in the amount of \$214,256.95, plus City matching payments; and estimated payroll dated May 26, 2017 in the amount of \$428,500.00 and payments of the various payroll deductions in the amount of \$495,800.00, plus City matching payments and property tax refunds with an ending date of May 11, 2017 in the amount of \$1,943.95. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 7:10 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING
MAY 22, 2017
MINUTES

ROLL CALL

- A. The special meeting of the Common Council was held on May 22, 2017 and called to order at 4:30 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, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Administration Mark Lubarda, Police Chief Rick Oliva, City Attorney Jesse A. Wesolowski and Deputy City Clerk Shirley Roberts.

CITIZEN COMMENT

- B. Citizen comment period was opened at 4:30 p.m. and closed at 4:30 p.m.

RES. 2017-7275
REPAIR OF POLICE
DEPARTMENT HVAC
SYSTEM

- C. Alderman Taylor moved to adopt Resolution No. 2017-7275, A RESOLUTION TO AUTHORIZE THE REPAIR OF THE HVAC SYSTEM OF THE POLICE DEPARTMENT BY J & H HEATING, INCORPORATED, FOR AN AMOUNT NOT TO EXCEED \$125,000 AS REQUIRED DUE TO DAMAGE FROM A LIGHTNING STRIKE AND IN ACCORDANCE WITH A DECLARATION OF PUBLIC EMERGENCY BY THE BOARD OF PUBLIC WORKS. Seconded by Alderman Mayer. All voted Aye; motion carried.

ADJOURNMENT

- D. Alderman Taylor moved to adjourn the special meeting at 4:32 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.

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, June 6, 2017, 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 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 (Neumann Developments, Inc., applicant). The property which is the subject of this application bears Tax Key No. 934-9992-010, consisting of approximately 43.63 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 26th day of April, 2017.

Sandra L. Wesolowski
City Clerk

N.B. Class I

Publish: May 4th

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, June 6, 2017, 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 two properties located at approximately 9733 South 76th Street, from Commercial Use to Residential – Multi-Family Use and Areas of Natural Resource Features Use (Neumann Developments, Inc., applicant). The properties which are the subject of this application bear Tax Key Nos. 896-9999-007 and 896-9999-008, consisting of approximately 15.04 acres of land (Tax Key No. 896-9999-008) and approximately 2.73 acres of land (Tax Key No. 896-9999-007) (total acreage approximately 17.77 acres). 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 26th day of April, 2017.

Sandra L. Wesolowski
City Clerk

N.B. Class I

Publish: May 4th

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COMMON COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6-6-2017</p>
<p>ORGANIZATIONAL BUSINESS</p>	<p>Board and Commission Appointments - Mayoral</p>	<p>ITEM NUMBER</p> <p><i>E.</i></p>

Mayoral Appointment:

Alderman Mayer-Fair Commission, term of office, expires 4-16-19.

MOTION

Motion to confirm Alderman D. Mayer-Fair Commission

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F. I.



INTERGOVERNMENTAL
COOPERATION COUNCIL

Greenfield Mayor Michael Neitzke, Chair & Secretary, 7325 West Forest Home Avenue, Greenfield, WI 53220; (414) 329-5208
West Allis Mayor Dan Devine, Vice-Chair, 7525 West Greenfield Avenue, West Allis, WI 53214; (414) 302-8290
Shorewood President Guy Johnson, Treasurer, 3939 North Murray Avenue, Shorewood, WI 53211; (414) 847-2700

May 25, 2017

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

On behalf of the 19 municipal members of the Milwaukee County Intergovernmental Cooperation Council (ICC), in concert with the Milwaukee Metropolitan Sewer Commission, we *respectfully oppose proposed budgeted reductions* by the Environmental Protection Agency for Great Lakes pollution cleanup and protection.

Our opposition is not politically based. We recognize that the Great Lakes are one of the world's most valuable assets. We believe that a concerted federal effort to protect this international body of water is critical to its long-term protection. We understand that federally sponsored initiative is, in fact, the only mechanism to insure cooperation between the United States and Canada, as well as the eight states directly impacted by these great bodies of water.

Loss of federal funding will have drastic consequences. The loss of funding will not only adversely impact the long-term gains made to improved water quality and the enormous eco-system, but even more importantly will have a significant negative impact on the employment supported by the Great Lakes. The Great Lakes presently supports 1.5 million jobs in Wisconsin, Michigan, Wisconsin, Pennsylvania, Ohio and Indiana and generates nearly \$62 billion in revenues to support sport fishing, boating, hunting and wildlife resources¹. The proposed elimination of funding and its impact on fueling unemployment cannot be overstated, especially as these states are still struggling to recover from the recession and the loss of major industrial base.

We respectfully request that the \$300 million in funding for protection of the Great Lakes freshwater system and the Great Lakes Restoration Initiative be restored to the 2018 federal budget.

Thank you for your consideration.

Respectfully,

Michael Neitzke, Chair
Mayor, Greenfield

Dan Devine, Vice-Chair
Mayor, West Allis

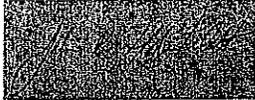
Guy Johnson, Treasurer
Village President, Shorewood

Bayside - Brown Deer - Cudahy - Fox Point - Franklin - Glendale - Greendale
Greenfield - Hales Corners - Milwaukee - Milwaukee County - Oak Creek - River Hills - St. Francis
Shorewood - South Milwaukee - Wauwatosa - West Allis - West Milwaukee - Whitefish Bay

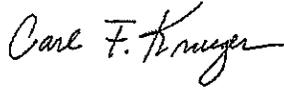
May 25, 2017
Page 2



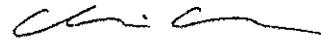
Samuel Dickman
Village President, Bayside



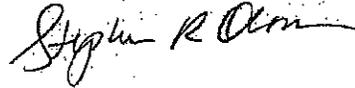
John R. Hohenfeldt
Mayor, Cudahy



Carl F. Krueger
Village President, Brown Deer



Chris Abele
Milwaukee County Executive



Stephen R. Olson
Mayor, Franklin



Bryan Kennedy
Mayor, Glendale

James Birmingham
Village President, Greendale



Robert G. Ruesch
Village President, Hales Corners

Tom Barrett
Mayor, Milwaukee

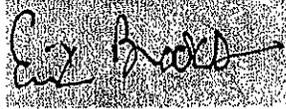
Dan Bukiewicz
Mayor, Oak Creek



J. Stephen Anderson
Village President, River Hills



CoryAnn St. Marie-Carls
Mayor, Saint Francis



Erik Brooks
Mayor, South Milwaukee



Kathy Ehley
Mayor, Wauwatosa



Jim Stalewski
Village President, West Milwaukee



Julie Siegel
Village President, Whitefish Bay

cc: Senators Baldwin and Johnson; Congressmen Ryan and Sensenbrenner;
Congresswoman Moore; Governor Scott Walker

¹The Hill, "Proposed Great Lakes Restoration Cuts Would Damage Economy, Environment" D. Kildee, March 7, 2017



OFFICE OF THE COUNTY EXECUTIVE

Milwaukee County

CHRIS ABELE • COUNTY EXECUTIVE

F. 2.

May 22, 2017

Cindy Manke
Communication Supervisor
Franklin Police Department
9455 W. Loomis Rd.
Franklin, WI 53132

Dear Cindy:

Thank you for your efforts toward the successful OASIS radio system console cutover on March 15, 2017. This project milestone was years in the making and included:

- Activating new digital consoles at six dispatch centers: Milwaukee County OEM-911, Milwaukee County Transit System, Oak Creek, Franklin, Cudahy, and Greendale; and
- Launching a state-of-the-art Shared Core of controllers to interconnect those centers to the existing radio system, the replacement OASIS system, and its ten upgraded towers across Milwaukee County.

Accomplishing all this, with minimal interruption to the vital public safety network our County and 17 municipalities rely on, is truly an incredible accomplishment. It also paves the way for the remaining 911 centers and departments to begin their transition to OASIS.

This project establishes OASIS, its participating agencies and Milwaukee County Office of Emergency Management as leaders in public safety communications interoperability. It illustrates Milwaukee County as a model government, committed to modernization and efficiency. But most importantly, it further strengthens our ability to deliver critical, life-saving services to a million County residents.

In both planning and execution, your contribution to the flawless completion of the project was significant, and on behalf of Milwaukee County, I would like to commend you for your role in its success. Please extend my appreciation to all members of your team who assisted in the cutover. This was truly a team effort. Well done!

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Abele".

Chris Abele
Milwaukee County Executive

Cc:
Andy Pederson; Chair, OASIS Governance Board
Christine Westrich; Vice-Chair, OASIS Governance Board
Hon. Steve Olson, Mayor, City of Franklin
Chief Rick Oliva, Franklin Police Department
Chief Adam Remington, Franklin Fire Department

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/06/07</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">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 APPROXIMATELY 9733 SOUTH 76TH STREET FROM BUSINESS PARK USE TO RESIDENTIAL- MULTI-FAMILY USE AND AREAS OF NATURAL RESOURCE FEATURES USE (APPROXIMATELY 15.04 ACRES (TAX KEY NO. 896-9999-008); 2.73 ACRES (TAX KEY NO. 896-9999-007)) (NEUMANN DEVELOPMENTS, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>B.1.</i></p>

At its May 18, 2017 meeting, the Plan Commission passed a motion to approve a resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 9733 South 76th Street from Business Park use to Residential – Multi-Family use and Areas of Natural Resource Features use (approximately 15.04 acres (Tax Key No. 896-9999-008); 2.73 acres (Tax Key No. 896-9999-007)) (Neumann Developments, Inc., Applicant).

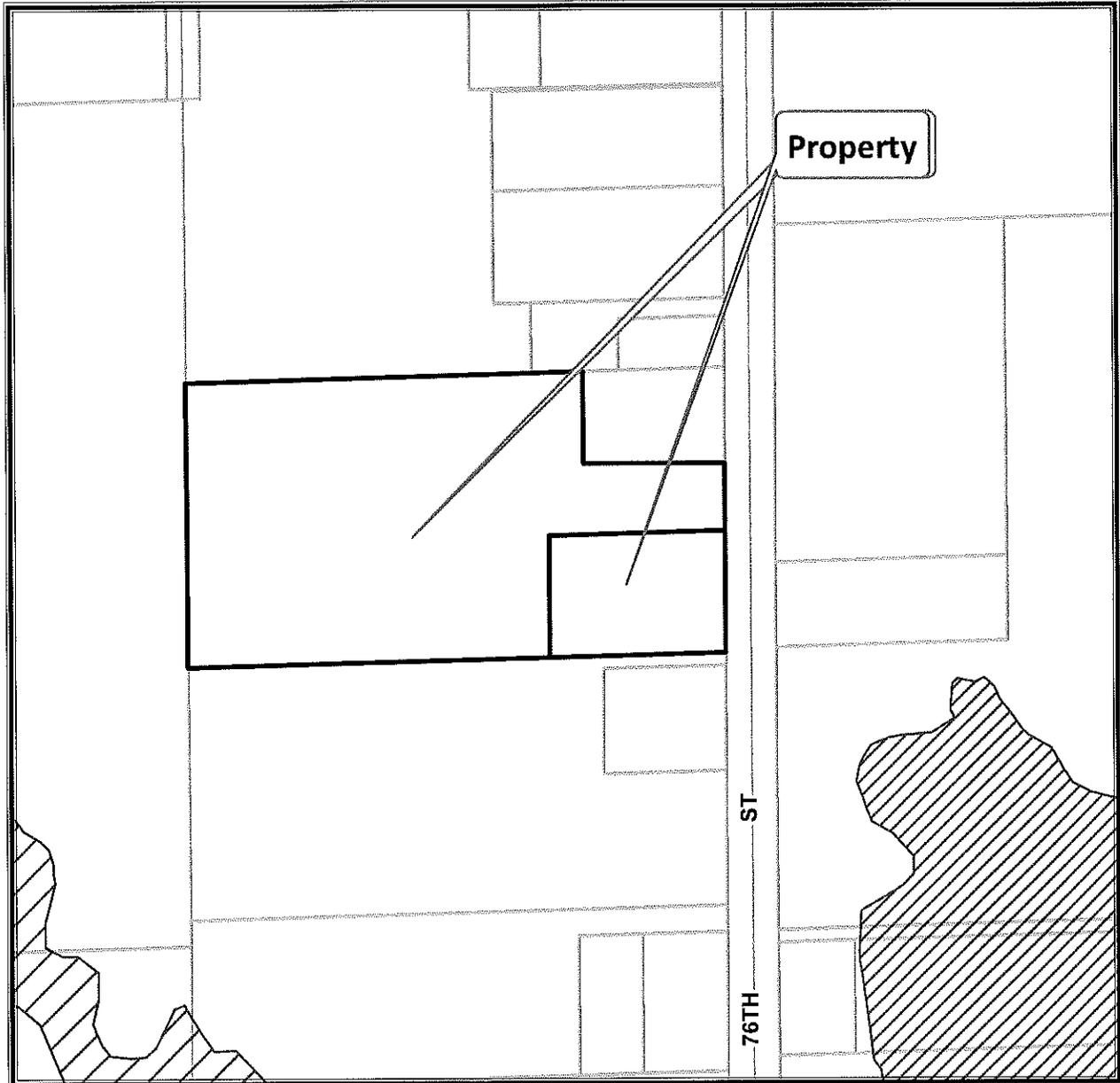
COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2017-_____, 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 approximately 9733 South 76th Street from Business Park use to Residential – Multi-Family use and Areas of Natural Resource Features use (approximately 15.04 acres (Tax Key No. 896-9999-008); 2.73 acres (Tax Key No. 896-9999-007)) (Neumann Developments, Inc., Applicant).

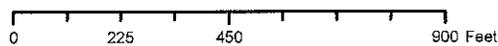


9733 S. 76th Street

TKN's 896 9999 007 and 896 9999 008



Planning Department
(414) 425-4024

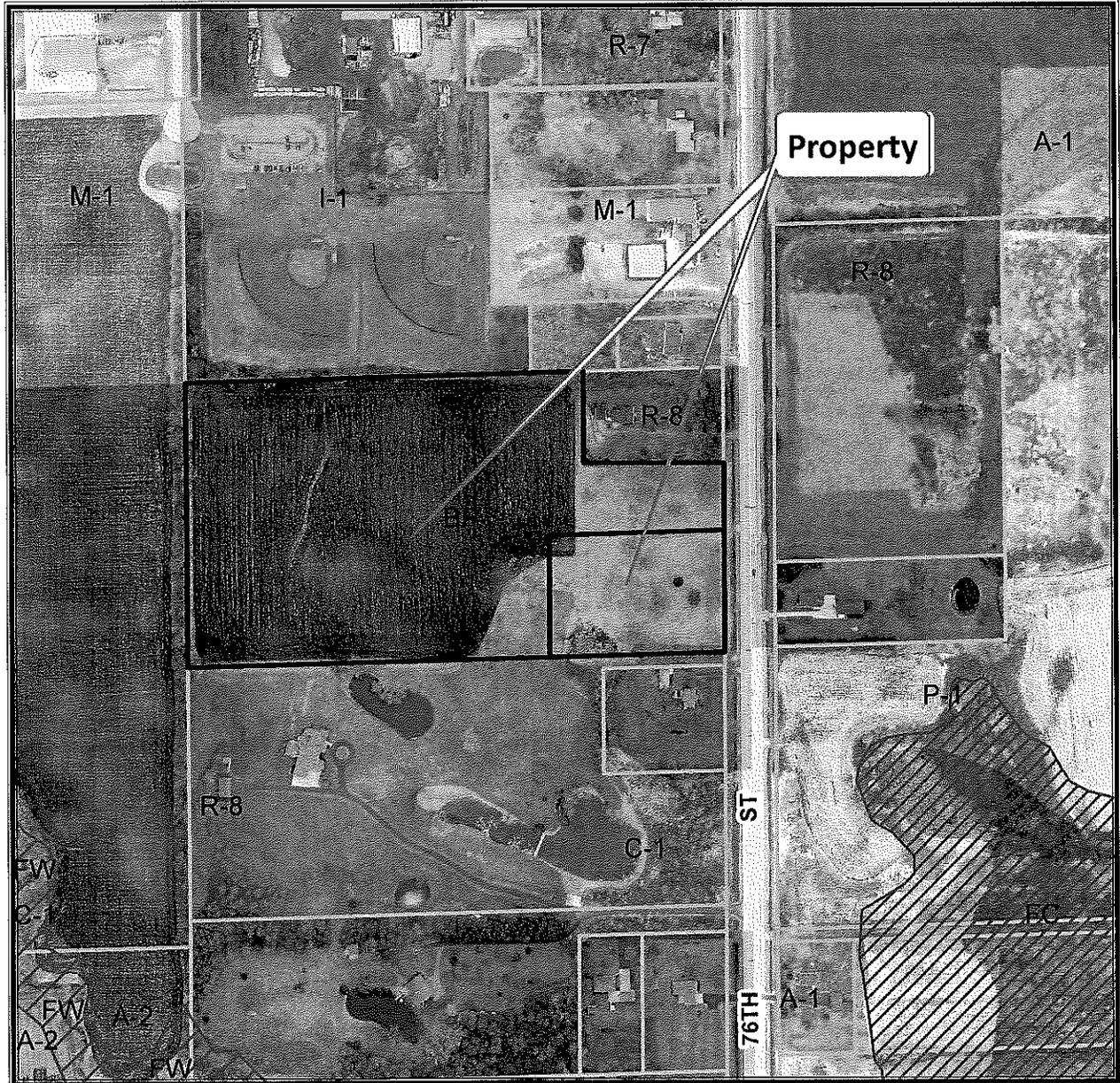


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

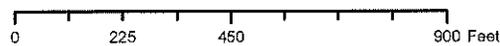


9733 S. 76th Street

TKN's 896 9999 007 and 896 9999 008



Planning Department
(414) 425-4024



2017 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.



CITY OF FRANKLIN

REPORT TO THE PLAN COMMISSION

Meeting of May 18, 2017

Rezoning and Comprehensive Master Plan Amendment

RECOMMENDATION: Department of City Development staff recommends denial of the Rezoning and Comprehensive Master Plan Amendment. If approved, staff recommends that approval be subject to the conditions set forth in the attached draft resolution and ordinances.

Project Name:	Neumann Developments, Inc. Rezoning and Comprehensive Master Plan Amendment – Southbrook subdivision development
Project Location:	Approximately 9733 S. 76 th Street (Taxkey Nos. 896-9999-007 & 896-9999-008)
Property Owner:	Southbrook Church, Inc.
Applicant:	Neumann Developments, Inc.
Agent:	Cory O'Donnell, Project Manager, Neumann Developments, Inc.
Current Zoning:	BP Business Park District
2025 Comprehensive Plan:	Business Park
Use of Surrounding Properties:	City of Franklin Public Works facility (zoned I-1), vacant land (zoned M-1) and single-family residential (zoned M-1 and R-8) to the north, single-family residential (zoned R-8) to the south, vacant land and single-family residential (zoned R-8) to the east and vacant land owned by the Archdiocese of Milwaukee to the west
Applicant's Action Requested:	Approval of the Rezoning and Comprehensive Master Plan Amendment for future multi-family residential development

Introduction and Background

On April 21, 2017, Cory O'Donnell of Neumann Developments, Inc. filed a Rezoning and Comprehensive Master Plan (CMP) Amendment Application in anticipation of a future multi-family residential development for two properties located at approximately 9733 S. 76th Street. The properties are located along South 76th Street, south of West Ryan Road. The larger parcel is approximately 15.04-acres and the smaller parcel is approximately 2.73-acres, totaling about 17.77-acres.

History

Prior to 2010, the subject properties were zoned R-8 Multiple-Family Residence District and were designated as Commercial on the 2025 Future Land Use Map in the Comprehensive Master Plan.

On July 28, 2010, Southbrook Church, Inc. submitted an application to rezone the two properties from R-8 Multiple-Family Residence District to I-1 Institutional District in anticipation of constructing a new church facility. Consequently, Southbrook Church also had to submit an application to amend the 2025 Comprehensive Master Plan to change the future land use map designation from Commercial to Institutional to be consistent with the proposed zoning district.

The Plan Commission, at their August 19, 2010 meeting, recommended approval of the Rezoning and Comprehensive Master Plan Amendment. At their September 7, 2010 meeting, the Common Council approved the two applications via Ordinance No. 2010-2020 and Ordinance No. 2010-2021.

Following the approvals in 2010, Southbrook Church did not move forward with its plans to construct a church at this location, but rather, purchased an existing church in the St. Martins area, 11010 W. St. Martins Road.

As the church was not moving forward, in 2013 the City of Franklin rezoned the property from I-1 Institutional District to BP Business Park District (Ordinance No. 2013-2107) and amended the future land use designation from Institutional to Business Park (Ordinance No. 2013-2106). The business park zoning and future land use designation were recommended by Mayor Tom Taylor and Department of City Development staff and found to be appropriate at that time in consideration of the construction of the Ryan Creek Interceptor Sewer, growing interest among property owners along South 76th Street to connect to the new sewer, potential interest in a possible future business park(s) within the southwest portion of the City, and that the surrounding lands are planned for future business park and commercial development.

Project Description and Analysis

Rezoning Application

The Rezoning Application requests that the two subject properties be rezoned from BP Business Park District to R-8 Multiple-Family Residence District. The rezoning request is in anticipation of a multi-family development consisting of twenty-eight 2-unit attached homes.

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 properties are currently designated as Business Park on the City's 2025 Future Land Use Map. The applicant is requesting to change that future land use designation to Residential – Multi-Family and Areas of Natural Resource Features.

As indicated in the City's Comprehensive Master Plan, the entire southeastern portion of the City, tributary to the Ryan Creek Interceptor Sewer, is envisioned to be developed with public sanitary sewer and water service. The subject area in particular (along with the lands located immediately to the west) is envisioned to be developed as a future business park, with adjacent lands to the north, south, and east envisioned for future commercial uses.

In this regard, staff would note that:

- these future commercial and business park lands were identified by the Economic Development Commission during the preparation of the City's Comprehensive Master Plan, and are part of Area F as identified in the Franklin First Development Plan prepared by R.A. Smith & Associates, Inc. in 2001 (which plan identified the subject area as part of one of the five best areas within the City of Franklin for non-residential development);
- the subject area is located relatively near (approximately 1,500 feet south of) the intersection of 76th Street and Ryan Road/Hwy 100 with its higher traffic volumes and greater road infrastructure, and the existing public water supply system;
- the subject area is located immediately adjacent to the Ryan Creek Interceptor Sewer and to vacant developable land to the east and west that are planned for commercial and business park uses respectively (although most of these lands are currently zoned R-8, the adjacent lands to the north are zoned M-1 and I-1); and
- none of the adjacent existing rural residential development is zoned for such use, rather they are all zoned R-8 or M-1, and as such, have long been envisioned for other more intensive uses.

Natural Resource Protection Plan

The applicant has included natural resource features delineations on the attached Site Development Plan. The property contains wetlands and associated wetland buffers and setbacks, shore buffer and mature woodlands. The wetlands were delineated on May 8, 2017 by Dave Meyer of Wetland & Waterway Consulting. Mr. Meyer is on the Wisconsin Department of Natural Resources list of Assured Delineators.

Upon submittal of a Preliminary Plat Application, a full and complete Natural Resource Protection Plan will be required and all natural resources required for protection will be placed within a Conservation Easement.

Economic Development Commission

The Economic Development Commission reviewed this item at their April 24, 2017 meeting, focusing their discussion on lands zoned business park west of S. 76th Street between W. Ryan and W. Oakwood Roads, including both parcels proposed for development by Neumann Developments, Inc. Understanding that consideration of specific project proposals is under the purview of the Plan Commission and Common Council, the EDC addressed the likelihood of a business park being constructed in that area:

The EDC recommends the Common Council be open to considering the necessary rezoning and changes to the future land use plan to accommodate residential development on lands currently designated for business park northwest of S. 76th Street and W. Oakwood Road based on the quality of the transportation infrastructure in the area and the lack of market demand for industrial and business park uses.

The Community Development Authority will discuss the proposed changes to the Future Land Use plan at their meeting prior to the Plan Commission meeting on May 18, 2017.

Staff Recommendation

Department of City Development staff recommends denial of the Rezoning and Comprehensive Master Plan Amendment. Staff finds that 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, albeit primarily single-family residential. Furthermore, the City identifies the surrounding areas for commercial and business park uses which are highly desired uses 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 a significant addition of lands identified as future Residential – Multi-Family 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)

Draft resolution and ordinances are attached if the Plan Commission wishes to approve the Rezoning and Comprehensive Master Plan Amendment requests.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2017-____

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 APPROXIMATELY 9733
SOUTH 76TH STREET FROM BUSINESS PARK USE TO RESIDENTIAL- MULTI-
FAMILY USE AND AREAS OF NATURAL RESOURCE FEATURES USE
(APPROXIMATELY 15.04 ACRES (TAX KEY NO. 896-9999-008);
2.73 ACRES (TAX KEY NO. 896-9999-007))
(NEUMANN DEVELOPMENTS, INC., 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, Neumann Developments, Inc. has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 9733 South 76th Street from Business Park Use to Residential – Multi-Family Use and Areas of Natural Resource Features Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on May 18, 2017, 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 property located at approximately 9733 South 76th Street from Business Park Use to Residential – Multi-Family Use and Areas of Natural Resource Features 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 June 6, 2017; 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 property located at approximately 9733 South 76th Street from Business Park Use to Residential – Multi-Family Use and Areas of Natural Resource Features Use. Such property is more particularly described within Resolution No. 2017 ____ 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 _____, 2017, 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 _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



Southbrook

Neumann Developments is eager to provide details regarding its latest potential subdivision in the City of Franklin, located at the corner of S. 76th St and Oakwood Ave. Neumann Developments has been creating single-family residential subdivisions in South-Eastern and South-Central Wisconsin since the year 2000. Neumann Developments, Inc. has had the proud distinction to have their communities selected for the Metropolitan Builders Association Parade of Homes in seven of the past nine years!

Project Summary for Southbrook:

- 28 duplex single family lots
- Average Lot size 14,025 SF
- Density 1.55 lots/acre
- Total Area 18.00 Acres

Current Zoning is BP

Proposed Zoning R-8

The proposed development would utilize an access point at S. 76th St.

The average lot size is 14,025 square feet with a density of 1.55 lots/acre. All lots and stormwater management facilities are located in upland. A proposed 30' wide landscape buffer easement and outlot is suggested along S. 76th St. Landscape buffer-yards are incorporated into the design based on prior natural resource protection plan. An updated protection plan will be completed in spring and any necessary changes will be incorporated into the design. Common area amenities including a passive park are planned for this community.

This community will be created with a common architectural requirements throughout the development. Multiple architectural styles of homes will be required. Typically four or more are incorporated into the design theme. The architectural details will be reviewed by an architectural control committee reviewing the minimum home size, construction materials, and other pertinent details regarding the community standards. The anticipated home size floor areas are to be between 1,400 square feet and 1,900 square feet and cost to be around \$320,000 to \$400,000.

- Variations on side entry and front entry for garage
- Deep lot and wide lots allow for variation on floor plan design
- Option sun room and bonus rooms also provide for varied building design

Southbrook is within the existing sanitary sewer and water service areas. Sanitary and water services would be obtained from off-site services located north along S. 76th St and/or 80th St.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/06/17</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE TWO PARCELS OF LAND FROM BP BUSINESS PARK DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT (APPROXIMATELY 9733 SOUTH 76TH STREET) (APPROXIMATELY 15.04 ACRES (TAX KEY NO. 896-9999-008); 2.73 ACRES (TAX KEY NO. 896-9999-007)) (NEUMANN DEVELOPMENTS, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.2.</i></p>

At their May 18, 2017 meeting, following a properly noticed public hearing, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone two parcels of land from BP Business Park District to R-8 Multiple-Family Residence District (approximately 9733 South 76th Street) (approximately 15.04 acres (Tax Key No. 896-9999-008); 2.73 acres (Tax Key No. 896-9999-007)) (Neumann Developments, Inc., Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance 2017-_____, an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone two parcels of land from BP Business Park District to R-8 Multiple-Family Residence District (approximately 9733 South 76th Street) (approximately 15.04 acres (Tax Key No. 896-9999-008); 2.73 acres (Tax Key No. 896-9999-007)) (Neumann Developments, Inc., Applicant).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2017-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
(ZONING MAP) TO REZONE TWO PARCELS OF LAND FROM BP BUSINESS PARK
DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT
(APPROXIMATELY 9733 SOUTH 76TH STREET)
(APPROXIMATELY 15.04 ACRES (TAX KEY NO. 896-9999-008);
2.73 ACRES (TAX KEY NO. 896-9999-007))
(NEUMANN DEVELOPMENTS, INC., APPLICANT)

WHEREAS, Neumann Developments, Inc. having petitioned for the rezoning of two parcels of land from BP Business Park District to R-8 Multiple-Family Residence District, such land being located at approximately 9733 South 76th Street; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 18th day of May, 2017, 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 BP Business Park District to R-8 Multiple-Family Residence District:

That part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, described as follows: Commencing at the Northeast corner of said Section 28; thence South 00° 15' 12" East along the East line of said Northeast 1/4 of Section 28, 1553.93 feet to the point of beginning; thence continue South 00° 15' 12" East along the East line of said Northeast 1/4 of Section 28, 157.51 feet; thence South 88° 30'

36" West, 60.01 feet to the West right of way line of S. 76th Street; thence South 00° 15' 12" East along said right of way line, 285.07 feet to the Northeast corner of Parcel 1 of Certified Survey Map 7040 as recorded in the Milwaukee County Registry; thence South 88° 30' 36" West along the North line of Parcel 1 of said Certified Survey Map No. 7040, 1264.46 feet to the Northwest corner of Parcel 1 of said Certified Survey Map No. 7040 and the West line of said Southeast 1/4 of the Northeast 1/4 of said Section 28; thence North 00° 22' 22" West along said West line of the Southeast 1/4 of the Northeast 1/4 of Section 28, 670.75 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 28; thence North 88° 31' 42" East along the North line of said Southeast 1/4 of the Northeast 1/4 of Section 28, 933.77 feet to the Northwest corner of Parcel 1 of Certified Survey Map No. 4504 as recorded in the Milwaukee County Registry; thence South 00° 15' 12" East along the West line of Parcel 1 of said Certified Survey Map No. 4504, 219.45 feet to the Southwest corner of Parcel 1 of said Certified Survey Map No. 4504; thence North 89° 44' 42" East along the South line of Parcel 1 of said Certified Survey Map No. 4504, 392.00 feet to the East line of said Northeast 1/4 of Section 28 and the point of beginning. Tax Key Nos. 896-9999-007 and 896-9999-008.

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 _____, 2017, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

ORDINANCE NO. 2017-_____

Page 3

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/06/07</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">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 (APPROXIMATELY 43.63 ACRES) (NEUMANN DEVELOPMENTS, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G. 3.</i></p>

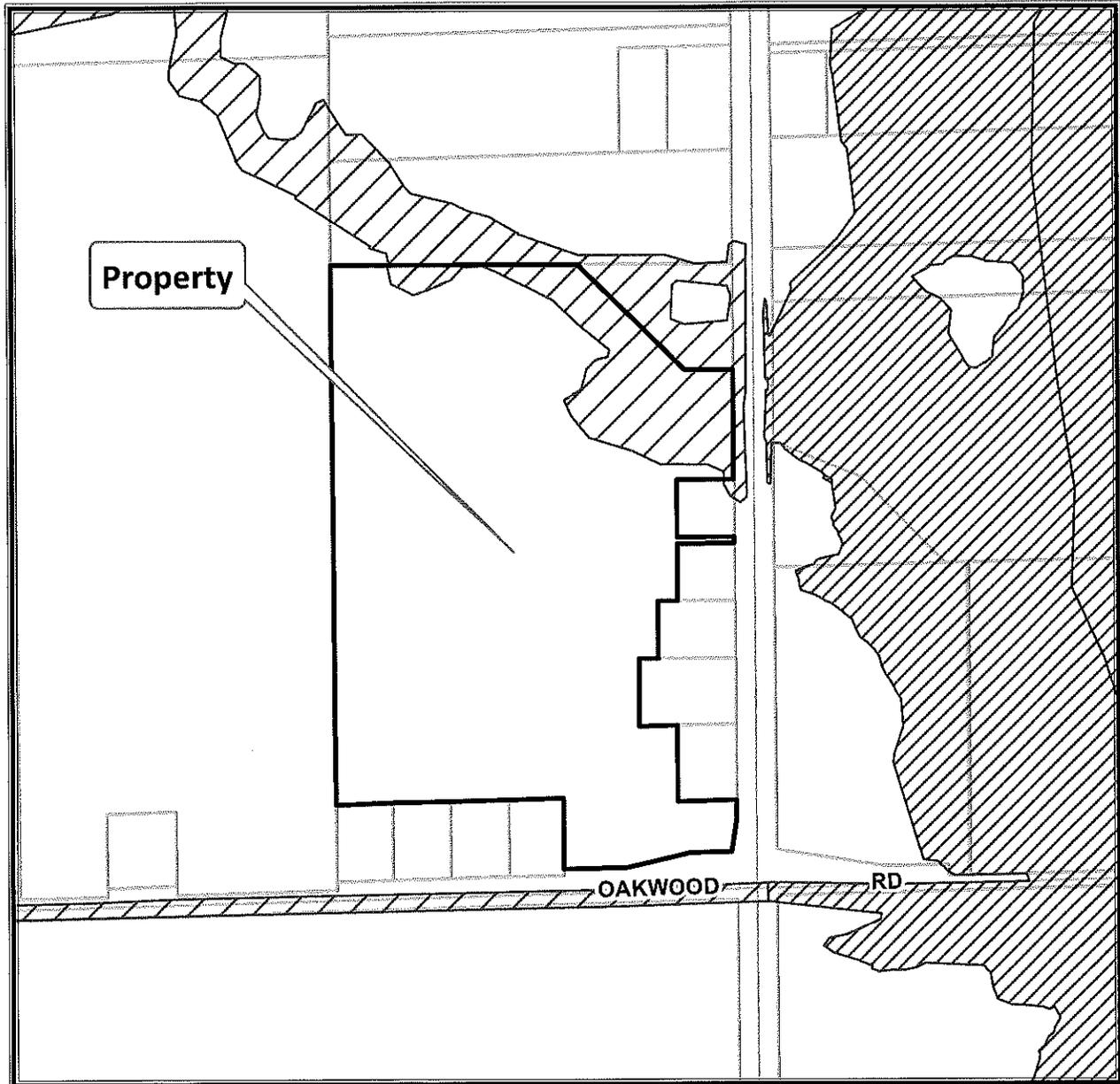
At its May 18, 2017 meeting, the Plan Commission passed a motion to approve a resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 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 (approximately 43.63 acres) (Neumann Developments, Inc., Applicant).

COUNCIL ACTION REQUESTED

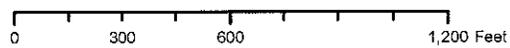
A motion to adopt Ordinance No. 2017-_____, an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at the northwest corner of South 76th Street and West Oakwood Road from Business Park use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use (approximately 43.63 acres) (Neumann Developments, Inc., Applicant).



Oakwood Road and 76th Street



Planning Department
(414) 425-4024

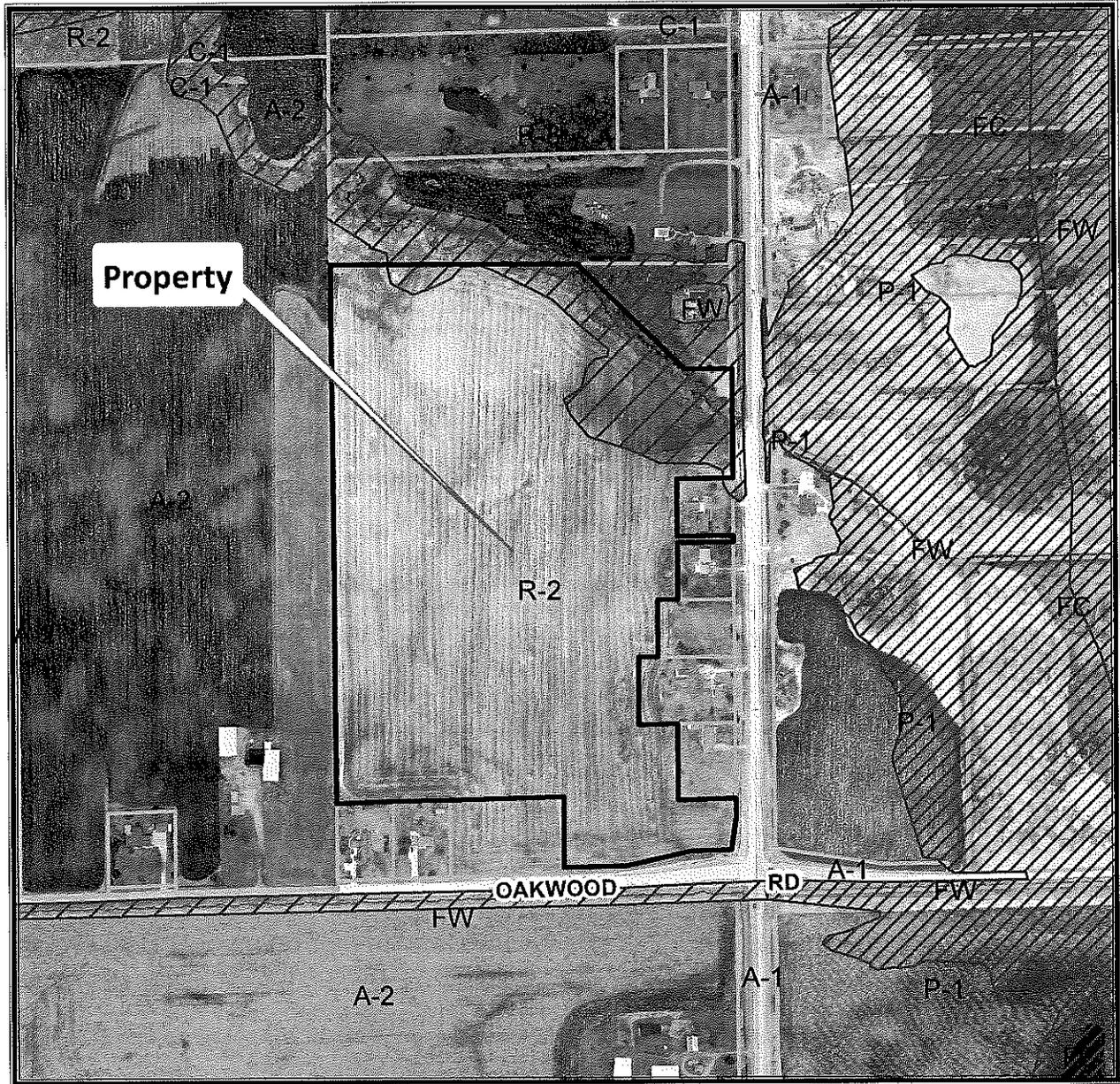


2017 Aerial Photo

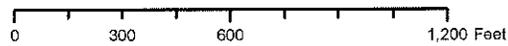
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



Oakwood Road and 76th Street



Planning Department
(414) 425-4024



2017 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.



CITY OF FRANKLIN

REPORT TO THE PLAN COMMISSION

Meeting of May 18, 2017

Rezoning and Comprehensive Master Plan Amendment

RECOMMENDATION: Department of City Development staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment, subject to the conditions set forth in the attached draft resolution and ordinances.

Project Name:	Neumann Developments, Inc. Rezoning and Comprehensive Master Plan Amendment – Oakwood subdivision development
Project Location:	Northwest corner of S. 76 th Street and W. Oakwood Road
Property Owner:	Schweitzer Family Partnership
Applicant:	Neumann Developments, Inc.
Agent:	Cory O'Donnell, Project Manager, Neumann Developments, Inc.
Current Zoning:	R-2 Estate Single-Family Residence District, R-8 Multiple-Family Residence District and FW Floodway District
2025 Comprehensive Plan:	Business Park and Areas of Natural Resource Features
Use of Surrounding Properties:	Single-family residential to the north (primarily zoned R-8), agricultural land and single-family residential to the south, single-family residential and Milwaukee County parkland to the east and agricultural land to the west
Applicant's Action Requested:	Approval of the Rezoning and Comprehensive Master Plan Amendment for future residential and commercial development

Introduction and Project Description

Please note:

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

On April 21, 2017, Cory O'Donnell of Neumann Developments, Inc. filed a Rezoning and Comprehensive Master Plan (CMP) Amendment Application for a single-family and future commercial development for property located at the northwest corner of S. 76th Street and W. Oakwood Road.

Rezoning Application

Originally, the Rezoning Application request included amending the current zoning for the entire 43.63 acre parcel 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.

Upon further discussions with staff, the applicant has removed the “Possible Commercial” area from their request. Therefore, as currently presented, that future commercial area would retain its existing R-2 Residence District zoning. The applicant intends to return in the future to rezone that area to an appropriate commercial zoning district.

As split lot zoning is not allowed, *staff recommends that the Ordinance shall take effect and be in force from and after its passage and publication and Common Council approval of a Preliminary Plat and the approval and recording of a Final Plat or Common Council approval of a Rezoning Application for the “Possible Commercial” area to a nonresidential zoning district.*

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 property is currently designated as Business Park and Areas of Natural Resource Features on the City’s 2025 Future Land Use Map. Similarly to the Rezoning request described above, the applicant originally proposed to amend the Future Land Use Map designation for the entire 43.60 acres parcel to Residential and Areas of Natural Resource Features.

The applicant has revised the proposal to remove the future commercial area, thus retaining its current Business Park use designation for that area.

Natural Resource Protection Plan

The applicant has included natural resource features delineations on the attached Site Development Plan. The property contains wetlands and associated wetland buffers and setbacks, a navigable stream, shore buffer and floodway. The wetlands were delineated on May 8, 2017 by Dave Meyer of Wetland & Waterway Consulting. Mr. Meyer is on the Wisconsin Department of Natural Resources list of Assured Delineators.

Upon submittal of a Preliminary Plat Application, a full and complete Natural Resource Protection Plan will be required and all natural resources required for protection will be placed within a Conservation Easement.

Economic Development Commission

The Economic Development Commission reviewed this item at their April 24, 2017 meeting, focusing their discussion on lands zoned business park west of S. 76th Street between W. Ryan and W. Oakwood Roads, including both parcels proposed for development by Neumann Developments, Inc. Understanding that consideration of specific project proposals is under the purview of the Plan Commission and Common Council, the EDC addressed the likelihood of a business park being constructed in that area:

The EDC recommends the Common Council be open to considering the necessary rezoning and changes to the future land use plan to accommodate residential development on lands currently designated for business park northwest of S. 76th Street and W. Oakwood Road based on the quality of the transportation infrastructure in the area and the lack of market demand for industrial and business park uses.

The Community Development Authority will discuss the proposed changes to the Future Land Use plan at their meeting prior to the Plan Commission meeting on May 18, 2017.

Staff Recommendation

Department of City Development staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment, subject to the conditions set forth in the attached draft resolution and ordinances.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2017-_____

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
(APPROXIMATELY 43.63 ACRES)
(NEUMANN DEVELOPMENTS, INC., 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, Neumann Developments, Inc. has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 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; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on May 18, 2017, 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 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; 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 June 6, 2017; 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 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. Such property is more particularly described

within Resolution No. 2017 _____ 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 _____, 2017, 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 _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



Oakwood at Ryan Creek

Neumann Development is eager to provide details regarding its latest potential subdivision in the City of Franklin, located at the corner of S. 76th St and Oakwood Ave. Neumann Developments has been creating single-family residential subdivisions in South-Eastern and South-Central Wisconsin since the year 2000. Neumann Developments, Inc. has had the proud distinction to have their communities selected for the Metropolitan Builders Association Parade of Homes in seven of the past nine years!

Project Summary for Oakwood at Ryan Creek:

- 72 single family lots
- Average Lot size 14,876 SF
- Density 1.65 lots/acre
- Total Area 43.60 Acres

Current Zoning is R-2 and FW

Proposed Zoning R-5 and FW

The proposed development would utilize an access point at both Oakwood Ave. and S. 76th St. including over a 3 Acre outlot at the corner of S. 76th and Oakwood Ave for commercial purposes.

The average lot size is 14,876 square feet with a density of 1.65 lots/acre. All lots and stormwater management facilities are located in upland. A proposed 20' wide utility easement is provided for municipal access for future main extensions along S. 76th Street.

Landscape buffer-yards are incorporated into the design based on natural resource areas. A natural resources protection plan will be completed in spring and any necessary changes will be incorporated into the design. Common area amenities include a proposed trail system along Ryan Creek and a passive park and/or tot lot for this community.

Oakwood at Ryan Creek 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.

Oakwood Crossing is within the existing sanitary sewer and water service areas. Sanitary is to the North West corner of the property and Water would need to be brought from the North along S 76th St. or 80th St. Storm water management will be located in the southwest corner and northeast corner of the parcel.

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/06/17</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE 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 (THE NORTHWEST CORNER OF SOUTH 76TH STREET AND WEST OAKWOOD ROAD) (APPROXIMATELY 43.63 ACRES) (NEUMANN DEVELOPMENTS, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.4.</i></p>

At their May 18, 2017 meeting, following a properly noticed public hearing, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-2 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 (the northwest corner of South 76th Street and West Oakwood Road) (approximately 43.63 acres) (Neumann Developments, Inc., Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance 2017-_____, an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-2 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 (the northwest corner of South 76th Street and West Oakwood Road) (approximately 43.63 acres) (Neumann Developments, Inc., Applicant).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2017-_____

AN ORDINANCE 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
(THE NORTHWEST CORNER OF SOUTH 76TH STREET
AND WEST OAKWOOD ROAD)
(APPROXIMATELY 43.63 ACRES)
(NEUMANN DEVELOPMENTS, INC., APPLICANT)

WHEREAS, Neumann Developments, Inc. having petitioned for the rezoning of 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, 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 18th day of May, 2017, 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, R-8 Multiple-Family Residence District and FW Floodway District to R-5 Suburban Single-Family Residence District and FW Floodway District:

The East 1/2 of the Southeast 1/4 of Section 28, in Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, State of Wisconsin.

EXCEPTING THEREFROM the North 330 feet and the South 33 feet thereof.

ALSO EXCEPTING THEREFROM the following parcels:

Parcel 1: Commencing at a point on the East line of said Southeast 1/4 Section, 1103.13 feet North of the Southeast corner of said Southeast 1/4 Section; thence continuing North on said East line, 180 feet to a point; thence West, 242 feet to a point; thence South and parallel to the East line of said 1/4 Section, 180 feet to a point; thence East, 242 feet to the place of beginning.

Parcel 2: Beginning at the Southeast corner of said 1/4 Section; and running thence West along the South line of said 1/4 Section, 600 feet to a point; thence North to a point, 60 feet North of and at right angles to the South line of said 1/4 Section; thence East on a line, being parallel to and 80 feet North of the South line of said 1/4 Section, 200 feet to a point; thence Northeasterly along a line to a point being 120 feet North of and at right angles to the South line of said 1/4 Section and also being 200 feet West of the East line of said 1/4 Section; thence East along a line, being parallel to and 120 feet North of the South line of said 1/4 Section, 125 feet to a point; thence Northeasterly along a line to a point, 60 feet West of and at right angles to the East line of said 1/4 Section and 220 feet North of the South line of said 1/4 Section; thence North along a line, being parallel to and 60 feet at right angles, West of the East line of said 1/4 Section to a point in the South line of a 1 acre tract of land; thence East along said South line to the East line of said 1/4 Section; thence South along the East line of said 1/4 Section, 1103.13 feet to the point of beginning.

ALSO, beginning at a point on the East line of said 1/4 Section, 330.0 feet South of the Northeast corner of said 1/4 Section; and running thence South along said East line, 1033.31 feet to a point on the North line of a 1 acre tract; thence West along said North line to a point, 60 feet West of and at right angles to the East line of said 1/4 Section; thence North along a line, 60 feet West of and parallel to the East line of said 1/4 Section to a point on the South line of a 10 acre tract; thence East along said South line to the point of beginning.

Parcel 3: Commencing at a point on the East line of said 1/4 Section, 690.00 feet South of the Northeast corner of said 1/4 Section; continuing thence South, 180.00 feet along the East line of said 1/4 Section; thence West and at right angles to the East line of said 1/4 Section, 242.00 feet to a point; thence North and parallel to the East

line of said 1/4 Section, 180.00 feet to a point; thence East, 242.00 feet to the point of commencement.

Parcel 4: Commencing at a point on the East line of said 1/4 Section, 903.13 feet North of the Southeast corner of said 1/4 Section; continuing thence North on and along the East line of said 1/4 Section, 180.00 feet to a point; thence West and at right angles to the East line of said 1/4 Section to a point; thence South and parallel to the East line of said 1/4 Section, 180.00 feet to a point; thence East, 242.00 feet to the place of beginning.

ALSO EXCEPTING therefrom the parcels conveyed by Document Nos. 4003098, 4828560 and 5146264 and parcels now known as Certified Survey Map No. 436, Certified Survey Map No. 1911, Certified Survey Map No 2190, Certified Survey Map No. 4108, Certified Survey Map No. 4109 and Certified Survey Map No. 4110.

Parcel 5: Commencing at the Southeast corner of 1/4 Section; running thence North 00° 14' 00" West along the center line of South 76th Street, a distance of 520.00 feet to a point; running thence South 88° 33' 53" West, a distance of 60.01 feet to the point of beginning of the parcel to be described; continuing thence South 86° 33' 53" West, a distance of 303.03 feet to a point; running thence North to a point, being the Southwest corner of Outlot 1 of Certified Survey Map No. 4108; running thence North 89° 46' 00" East, a distance of 302.00 feet to a point on the West line of South 76th Street; running thence South 00° 14' 00" East upon and along the West line of South 76th Street to the point of beginning.

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 and Common Council approval of a Preliminary Plat and the approval and recording of a Final Plat or Common Council approval of a Rezoning Application for the "Possible Commercial" area to a nonresidential zoning district.

ORDINANCE NO. 2017-_____

Page 4

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/06/17</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION APPROVING AN EXPANSION OF A LEGAL NONCONFORMING USE FOR MILWAUKEE COUNTY HOUSE OF CORRECTIONS LOCATED AT 9225 SOUTH 68TH STREET (JOSE HERNANDEZ, ASSISTANT SUPERINTENDENT OF THE MILWAUKEE COUNTY HOUSE OF CORRECTIONS, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.5.</i></p>

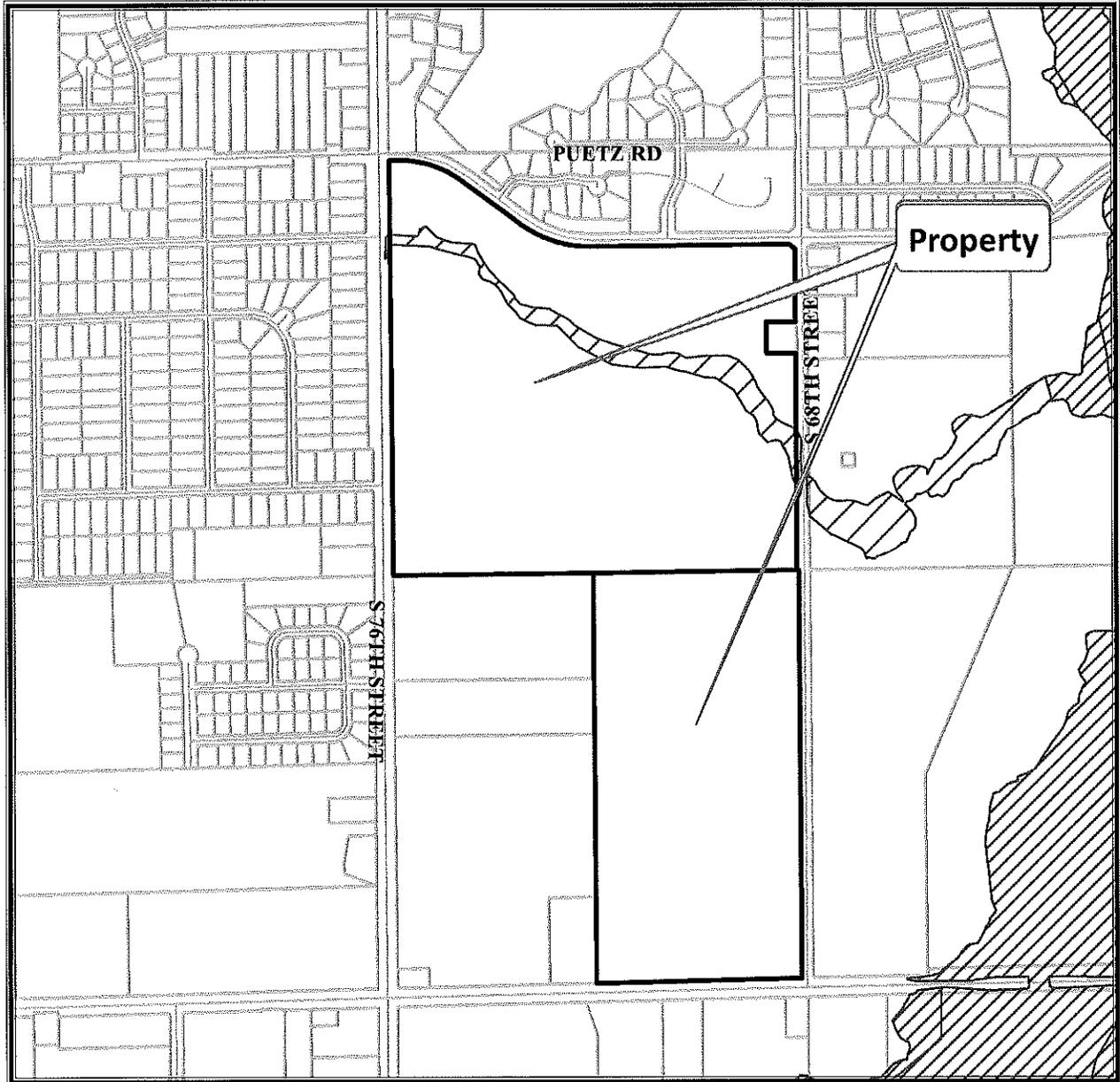
At its May 17, 2017 meeting the Board of Zoning and Building Appeals recommended approval of a resolution approving an expansion of a legal nonconforming use for Milwaukee County House of Corrections located at 9225 South 68th Street (Jose Hernandez, Assistant Superintendent of the Milwaukee County House of Corrections, Applicant).

COUNCIL ACTION REQUESTED

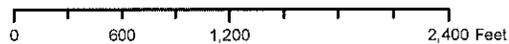
A motion to adopt Resolution No. 2017-_____, a resolution approving an expansion of a legal nonconforming use for Milwaukee County House of Corrections located at 9225 South 68th Street (Jose Hernandez, Assistant Superintendent of the Milwaukee County House of Corrections, Applicant).



8885 S. 68th Street and 9225 S. 68th Street
TKNs 850 0003 000 and 884 9994 000



Planning Department
(414) 425-4024

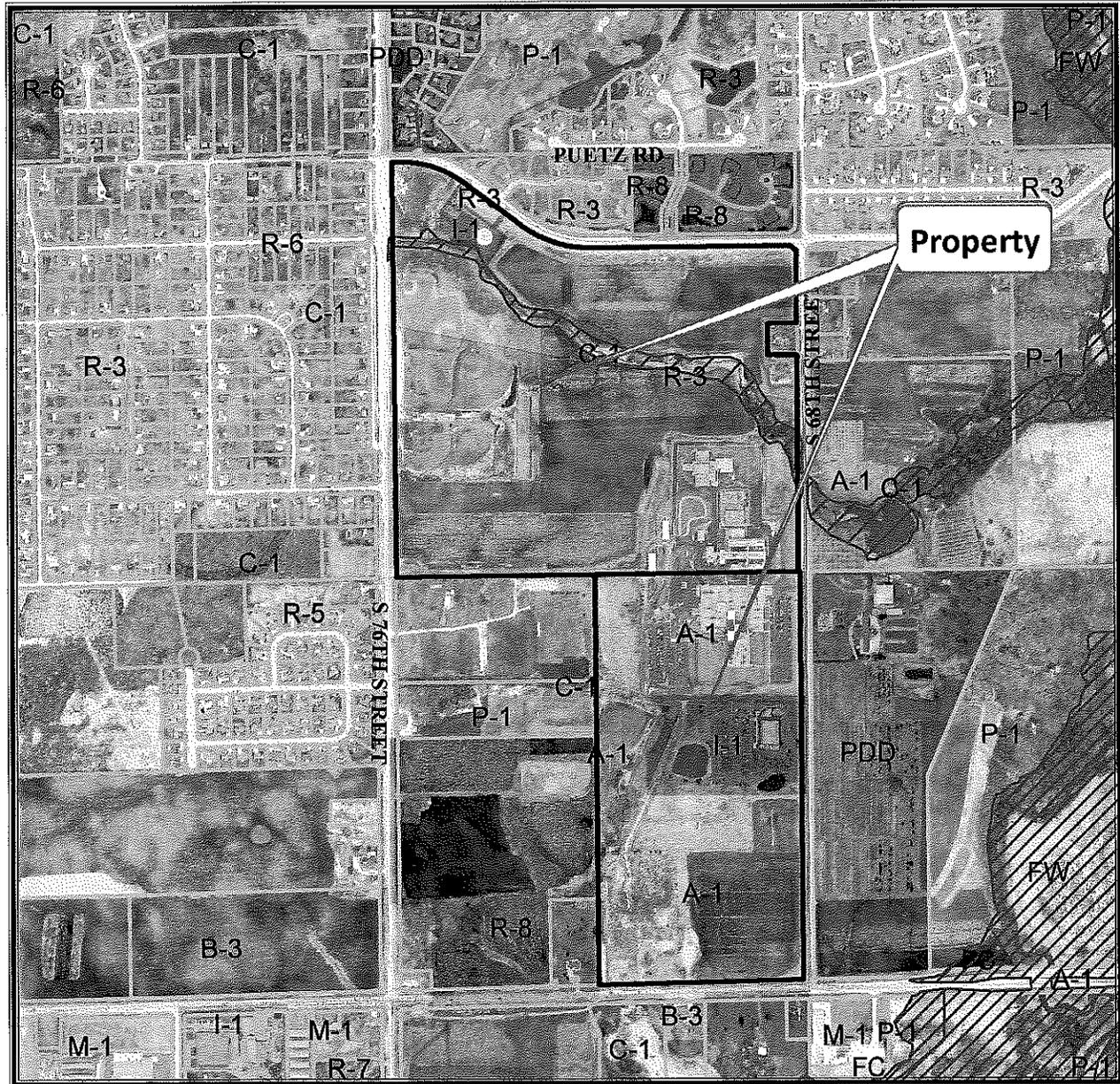


2017 Aerial Photo

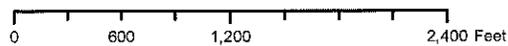
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8885 S. 68th Street and 9225 S. 68th Street
TKNs 850 0003 000 and 884 9994 000



Planning Department
(414) 425-4024



2017 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. 2017-_____

A RESOLUTION APPROVING AN EXPANSION OF A LEGAL
NONCONFORMING USE FOR MILWAUKEE COUNTY HOUSE OF
CORRECTIONS LOCATED AT 9225 SOUTH 68TH STREET
(JOSE HERNANDEZ, ASSISTANT SUPERINTENDENT OF THE MILWAUKEE
COUNTY HOUSE OF CORRECTIONS, APPLICANT)

WHEREAS, an application having been filed by Jose Hernandez, Assistant Superintendent of the Milwaukee County House of Corrections, 8885 and 9225 South 68th Street, Franklin, WI 53132 for the expansion of its existing legal nonconforming use at 9225 South 68th Street to allow for an ancillary operation of a compost site upon a portion of the property zoned A-1 Agricultural District, located at 9225 South 68th Street, Franklin, WI 53132. Said application requests approval of a maximum of five windrows, totaling 1,500 cubic yards of materials and associated landscaping. The compost site is 150 feet by 250 feet and is located to the southwest of the Milwaukee County Sheriff Training Center building and parking lot. The proposed windrows will be 4 feet high, 10 feet wide and up to 80 feet long. The compost site will primarily consist of food and organic waste material from the Milwaukee County House of Corrections, in addition to other Milwaukee County departments and the Hunger Task Force waste contributions. Composted material will be used by those entities that contributed to the site as needed, and the compost site will be maintained and managed by the Milwaukee County House of Corrections; and

WHEREAS, the existing and proposed use is upon lands zoned A-1 Agricultural District, I-1 Institutional District and C-1 Conservancy District, owned by Milwaukee County-House of Corrections, more particularly described as follows:

That part of the East 1/4 of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; Tax Key No. 884-9994-000.

WHEREAS, a public hearing was held before the Board of Zoning and Building Appeals on April 19, 2017, pursuant to §15-3.1010E. of the Unified Development Ordinance and the Board having recommended approval thereof upon certain Findings, a copy of which is annexed hereto and incorporated herein as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the application of Jose Hernandez, Assistant Superintendent of the Milwaukee County House of Corrections for the expansion of its existing non-conforming use at 9225 South 68th Street to allow for an ancillary operation of a compost site upon a portion of the property zoned A-1 Agricultural District, located at 9225 South 68th Street, Franklin, WI 53132, be and the same is hereby granted, upon the Findings

MILWAUKEE COUNTY HOUSE OF CORRECTIONS – EXPANSION OF A LEGAL
NONCONFORMING USE

RESOLUTION NO. 2017 - _____

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of the Board of Zoning and Building Appeals set forth in Exhibit A which are hereby approved, subject to the following conditions:

1. That the applicant obtains all required Building Permits through the Inspection Department, prior to construction.
2. The compost site shall consist of no more than five windrows and a total of 1,500 cubic yards of material without approval of an expansion of a legal nonconforming use per Section 15-3.1010E. of the Unified Development Ordinance.
3. Windrows shall not exceed 4 feet in height, 10 feet in width and 80 feet in length without approval of an expansion of a legal nonconforming use per Section 15-3.1010E. of the Unified Development Ordinance.
4. The compost site shall be limited to the 150-foot by 250-foot area as illustrated on the plans submitted by the Milwaukee County House of Corrections, date-stamped by the City of Franklin on April 11, 2017 without approval of an expansion of a legal nonconforming use per Section 15-3.1010E. of the Unified Development Ordinance
5. A grading plan shall be submitted for review and approval by the Engineering Department, prior to any land disturbing activities.
6. A Landscape Plan shall be submitted, for Department of City Development review and approval, that includes a dense landscape screen consisting primarily of evergreen trees to the south and east sides of the compost site area. Landscaping shall be installed as part of the initial phase of the project.
7. No outdoor storage of equipment or materials other than the water storage containers, feed stock and material piles consisting of wood chips, leaves, grass and/or straw shall be allowed onsite.
8. A storm water management plan shall be submitted for Engineering Department review and approval that complies with all Milwaukee Metropolitan Sewerage District and City of Franklin storm water management requirements, prior to commencement of any further land disturbing activities.
9. A Soil Disturbance or Fill Permit shall be submitted, for Engineering Department review and approval, which shall consist of a topographic survey of all disturbed areas, prior to commencement of any further land disturbing activities.
10. Applicant shall notify the Wisconsin Department of Natural Resources of the mass grading that has already taken place and obtain a wetland

MILWAUKEE COUNTY HOUSE OF CORRECTIONS – EXPANSION OF A LEGAL
NONCONFORMING USE
RESOLUTION NO. 2017 - _____

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- delineation/determination or exemption from the WDNR, prior to commencement of any further land disturbing activities.
11. Waste contributions shall only be allowed from Milwaukee County House of Corrections, other Milwaukee County Departments, The Hunger Task Force, and the City of Franklin, which may be dropped off by appointment only between the hours of 7:00 a.m. and 5:00 p.m, Monday through Friday.
 12. A Minor Site Plan Amendment shall be submitted for staff review of the detailed site plans and to ensure that all conditions have been satisfied, prior to commencement of any further land disturbing activities.
 13. The compost site shall be managed per best management practices for windrow composting as may be updated from time to time, including, but not limited to NR 502.12 of the Wisconsin Administrative Code and Chapter 218 of the Franklin Municipal Code.
 14. Any and all reports for recording temperature and turning events required by the Wisconsin Department of Natural Resources shall be submitted to the Department of City Development for review and confirmation that best management practices are being adhered.
 15. An annual license shall be obtained from the City of Franklin per Chapter 218-7 of the Franklin Municipal Code.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of a copy of this Resolution 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 _____, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

MILWAUKEE COUNTY HOUSE OF CORRECTIONS – EXPANSION OF A LEGAL
NONCONFORMING USE
RESOLUTION NO. 2017 - _____

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ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN

REPORT TO THE BOARD OF ZONING AND BUILDING APPEALS

Meeting of May 17, 2017

Expansion of a Nonconforming Use

RECOMMENDATION: Department of City Development staff recommends approval of the expansion of the nonconforming use and further recommends that the Board of Zoning and Building Appeals take into account all public comment, consider the applicant's comments, and proposed findings and factors, and thereafter provide documentation to the Common Council specifically addressing the projects compliance with Section 15-3.1010(E) of the Unified Development Ordinance.

Project Name:	Milwaukee County House of Corrections Compost Site
Project Address:	9225 South 68 th Street
Applicant:	Jose Hernandez, Assistant Superintendent
Owners (property):	Milwaukee County
Current Zoning:	A-1 Agricultural District, I-1 Institutional District and C-1 Conservancy District
Use of Surrounding Properties:	Milwaukee County House of Corrections facility to the north, B-3 District and R-8 District zoned property to the south, Hunger Task Force farm to the east and vacant R-8 District zoned land and a single-family home (zoned R-8) to the west
Action Requested:	Approval of the proposed expansion to operate a compost site.

Introduction/Background:

On March 27, 2017, the applicant submitted a request to allow the Milwaukee County House of Corrections (HOC) to expand their legal nonconforming use to allow for operation of a windrow compost site as an ancillary use to the Milwaukee County House of Corrections (HOC) use upon a portion of the HOC property located at 9225 S. 68th Street.

A public hearing for this item was noticed for, opened and held at the April 19, 2017 Board of Zoning and Building Appeals meeting. At that meeting, the Board passed a motion to table the subject matter to their next meeting date.

The application materials were distributed with the April 19, 2017 Board of Zoning and Building Appeals packets. These plans should be utilized for the May 17th meeting as well. Please contact Department of City Development staff if new materials are needed.

The applicant recently provided letters in support of their request from three people residing at adjacent properties. These letters are attached.

Staff Recommendation:

Department of City Development staff recommends approval of the expansion of the nonconforming use and further recommend that the Board of Zoning and Building Appeals take into account all public comment, consider the applicant's comments, and proposed findings and factors, and thereafter provide documentation to the Common Council specifically addressing the projects compliance with Section 15-3.1010(E) of the Unified Development Ordinance.



HOUSE OF CORRECTION
Milwaukee County

Michael Hafemann • Superintendent

April 26, 2017

Dear Neighbor:

As part of our zero landfill initiative at the Milwaukee County House of Correction, we have been working diligently on starting a pilot composting program with hopes of making it permanent.

After an initial site investigation by the Wisconsin Department of Natural Resources, they deemed a parcel of land at 9225 South 68th Street an ideal site for composting. We have completed the application process with the Wisconsin Department of Natural Resources and have received approval.

Currently we are working with the City of Franklin and their Common Council on their approval. We would like to know your thoughts, for or against, the House of Correction composting.

If you have any questions or concerns please contact Correctional Officers Eric Gajewski or Mark Ratzmann at the House of Correction between the hours of 7 a.m. to 3 p.m., Monday through Friday, 414-207-3310.

Thanks for your time and consideration.

Michael Hafemann
Superintendent

Print Name: Richard Miller

Address: 7220 W Ryan Rd

Signature: Richard Miller

In Favor Of

Against



HOUSE OF CORRECTION
Milwaukee County

Michael Hafemann • Superintendent

April 26, 2017

Dear Neighbor:

As part of our zero landfill initiative at the Milwaukee County House of Correction, we have been working diligently on starting a pilot composting program with hopes of making it permanent.

After an initial site investigation by the Wisconsin Department of Natural Resources, they deemed a parcel of land at 9225 South 68th Street an ideal site for composting. We have completed the application process with the Wisconsin Department of Natural Resources and have received approval.

Currently we are working with the City of Franklin and their Common Council on their approval. We would like to know your thoughts, for or against, the House of Correction composting.

If you have any questions or concerns please contact Correctional Officers Eric Gajewski or Mark Ratzmann at the House of Correction between the hours of 7 a.m. to 3 p.m., Monday through Friday, 414-207-3310.

Thanks for your time and consideration.

Michael Hafemann
Superintendent

Print Name: DOUG HEBERT

Address: 8871 SO. 68TH ST. FRANKLIN, WI.

Signature:

In Favor Of

Against



HOUSE OF CORRECTION
Milwaukee County

Michael Hafemann • Superintendent

April 26, 2017

Dear Neighbor:

As part of our zero landfill initiative at the Milwaukee County House of Correction, we have been working diligently on starting a pilot composting program with hopes of making it permanent.

After an initial site investigation by the Wisconsin Department of Natural Resources, they deemed a parcel of land at 9225 South 68th Street an ideal site for composting. We have completed the application process with the Wisconsin Department of Natural Resources and have received approval.

Currently we are working with the City of Franklin and their Common Council on their approval. We would like to know your thoughts, for or against, the House of Correction composting.

If you have any questions or concerns please contact Correctional Officers Eric Gajewski or Mark Ratzmann at the House of Correction between the hours of 7 a.m. to 3 p.m., Monday through Friday, 414-207-3310.

Thanks for your time and consideration.

Michael Hafemann
Superintendent

Print Name: Kurt Hougum

Address: 8874 S 68th St Franklin WI

Signature: Kurt Hougum

In Favor Of Against



CITY OF FRANKLIN

REPORT TO THE BOARD OF ZONING AND BUILDING APPEALS

Meeting of April 19, 2017

Expansion of a Nonconforming Use

RECOMMENDATION: Department of City Development staff recommends approval of the expansion of the nonconforming use and further recommends that the Board of Zoning and Building Appeals take into account all public comment, consider the applicant's comments, and proposed findings and factors, and thereafter provide documentation to the Common Council specifically addressing the projects compliance with Section 15-3.1010(E) of the Unified Development Ordinance.

Project Name:	Milwaukee County House of Corrections Compost Site
Project Address:	9225 South 68 th Street
Applicant:	Jose Hernandez, Assistant Superintendent
Owners (property):	Milwaukee County
Current Zoning:	A-1 Agricultural District, I-1 Institutional District and C-1 Conservancy District
Use of Surrounding Properties:	Milwaukee County House of Corrections facility to the north, B-3 District and R-8 District zoned property to the south, Hunger Task Force farm to the east and vacant R-8 District zoned land and a single-family home (zoned R-8) to the west
Action Requested:	Approval of the proposed expansion to operate a compost site.

Introduction:

Please note:

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

On March 27, 2017, the applicant submitted a request to allow the Milwaukee County House of Corrections (HOC) to expand their legal nonconforming use to allow for operation of a windrow compost site¹ as an ancillary use to the Milwaukee County House of Corrections (HOC) use upon a portion of the HOC property located at 9225 S. 68th Street.

¹ In agriculture, **windrow composting** is the production of **compost** by piling organic matter or biodegradable waste, such as animal manure and crop residues, in long rows (**windrows**); *Wikipedia, The Free Encyclopedia*.

According to Milwaukee County's website, the County purchased 652 acres of farmland in the Town of Franklin for a new correctional facility. Farm buildings were initially constructed and utilized by the County starting in 1946. Construction of the dormitory and administrative building began in 1951 and was completed in May of 1953.

The City of Franklin incorporated as a fourth-class City on August 15, 1956. The existing zoning of A-1 Agricultural District does not allow Standard Industrial Classification Code No. 9223: Correctional Institutions. The HOC use has continued operations since 1946, thus the current use of the property is legal nonconforming and may continue. Expansion; however, may not occur without Board of Zoning and Building Appeals and Common Council review and approval per Section 15-3.1010E. This process is further discussed below.

Project Description:

The proposed compost site is approximately 150-feet by 250-feet and is located southwest of the Milwaukee County Sheriff Training Center building and parking lot. This site is approximately 1,000 feet northeast of the nearest residential home located on Ryan Road, and is about 2,100 feet east of the Stonewood subdivision at S. 76th Street and Stonewood Drive.

The applicant indicates that:

- The compost site will primarily consist of food and organic waste material from the HOC. Other Milwaukee County departments and the Hunger Task Force may also contribute waste to the compost site. This additional waste may be obtained from the Milwaukee County Zoo, Parks Department, Forestry, etc. Note the Zoo has expressed interest in composting herbivore excrement in addition to other organic waste.
- The completely composted material will be used by those entities that contributed to the site.
- The compost site will be maintained and managed by the HOC with assistance from the Hunger Task Force. The applicant has noted that inmate labor will be utilized.
- A copy of the Solid Waste Facility Operation License issued by the WDNR to the HOC as well certificates from Midwest BioSystems for completion of the Aeromaster Composting Systems – Humus Advantage Workshop by two HOC correctional officers have been provided.
- The compost will be laid out in windrows about 4' high, 10' wide, and 80' long.
- The ground surface will be comprised of compacted clay with an 8" base of compacted traffic bond.
- The subject site has recently been graded, and an adjacent access road to this site has recently been improved.

The applicant has further indicated that the City of Franklin would also be allowed to contribute waste to the site. The HOC is willing to partner with the City of Franklin to compost residential organic waste products. Details of this partnership would have to be further discussed by the Environmental Commission (per Section 10-4E.(1) of the Franklin Municipal Code) and Common Council.

Project Analysis:

The applicant's application materials indicate a maximum of five windrows totaling 1,500 cubic yards of materials. However, in the responses to staff comments, the applicant has indicated the site may contain up to seven windrows, depending upon the size of the windrows and may be 80' to 90' long².

As the hearing notice indicated a maximum of five windrows up to 80' long based upon the applicant's submittal materials, staff recommends that the compost site shall consist of no more than five windrows and a total of 1,500 cubic yards of material without approval of an expansion of a legal nonconforming use per Section 15-3.1010E. of the Unified Development Ordinance. Windrows shall not exceed 4 feet in height, 10 feet in width and 80 feet in length without approval of an expansion of a legal nonconforming use per Section 15-3.1010E. of the Unified Development Ordinance.

Furthermore, staff recommends that the compost site shall be limited to the 150-foot by 250-foot area as illustrated on the plans submitted by the Milwaukee County House of Corrections, date-stamped by the City of Franklin on April 11, 2017 without approval of an expansion of a legal nonconforming use per Section 15-3.1010E. of the Unified Development Ordinance. Staff suggests that the site be moved further north, closer to the Sheriff's Training Center, in consideration of any future use or development of the southeast corner of the House of Correction property.

The plan submittal illustrates a berm along the majority of the eastern side of the site and a shorter, but wider berm along the west side of the site. The berm along the east side of the site is approximately 12 feet in height and the berm along the west side of the site is approximately 15 feet in height. Note that no fencing is proposed to further screen the site. Staff suggests that the site be entirely enclosed by sight proof fencing and/or a berm with gates for access.

In the project narrative, the applicant has proposed planting a row of evergreen trees to the south and east of the site area to obstruct the view from W. Ryan Road and S. 68th Street once the site is operational. In the responses to staff comments, however, the applicant noted that landscaping is not in the current plan. Staff recommends:

- Submittal of a grading plan for review and approval by the Engineering Department, prior to any land disturbing activities.
- That a Landscape Plan be submitted, for Department of City Development review and approval, that includes a dense landscape screen consisting primarily of evergreen trees to the south and east sides of the compost site area. Landscaping shall be installed as part of the initial phase of the project.

² The size of windrows is typically determined by the equipment that will be utilized for turning. The applicant has indicated that a skid steer will be used to turn the windrows. The project narrative also indicates that, with funds available, a windrow turning implement may be purchased. The windrow turning implement would likely be a tow behind turner, which could accommodate an operation of this size. Large windrow tractor/turners are also available for larger operations.

In addition to the windrows, the site will consist of onsite water storage containers and feed stock and material piles. Equipment will be stored within existing facilities on the HOC property. Staff recommends that no outdoor storage of equipment or materials other than the water storage containers, feed stock and material piles consisting of wood chips, leaves, grass and/or straw shall be allowed.

The applicant has indicated that existing roads will be utilized for ingress and egress to the site, and that the main road is asphalt and the access road to the compost site is compacted stone and traffic bond.

The proposed project is adding more than the Milwaukee Metropolitan Sewerage District (MMSD) threshold of one-half acre of impervious area. Therefore, the project shall meet all MMSD and City of Franklin storm water management requirements or obtain an exemption from MMSD. As such, staff recommends that a storm water management plan be submitted, for Engineering Department review and approval, that complies with all MMSD and City of Franklin storm water management requirements, prior to commencement of any further land disturbing activities. Note that although the letter submitted by the applicant states, “the flow of water on the site has not been altered, it is a consistent 3% grade to prevent ponding,” that does not address the storm water requirements.

The project narrative also indicates that mass grading of the site and improvement of the access road has already been done. The City has issued no permits for such work. As it appears land disturbance activities have taken place, staff recommends submittal of a Soil Disturbance or Fill Permit, for Engineering Department review and approval, which shall consist of a topographic survey of all disturbed areas, prior to commencement of any further land disturbing activities.

The applicant has noted and submitted Wisconsin Department of Natural Resources (WDNR) approval of a solid waste facility operation license. WDNR Waste Management review and approval of the plans does not satisfy wetland review requirements. Therefore, staff recommends that the applicant notify the Wisconsin Department of Natural Resources of the mass grading that has already taken place and obtain a wetland delineation/determination or exemption from the WDNR, prior to commencement of any further land disturbing activities.

The applicant indicates that material to be composted will be dropped off by appointment only. The hours of operation for the site are from 7:00 a.m. to 3:00 p.m., seven days a week. Staff recommends that waste contributions only be allowed from Milwaukee County HOC, other Milwaukee County Departments, The Hunger Task Force, and the City of Franklin, which wastes may be dropped off by appointment only between the hours of 7:00 a.m. and 5:00 p.m.

If the expansion of the legal nonconforming use is approved, a Minor Site Plan Amendment will be required for staff review of the detailed site plans and to ensure that all conditions have been satisfied, prior to commencement of any further land disturbing activities.

Citizen Comment

Following issuance of the public hearing notice, staff has received two emails from a Franklin resident. Those emails are attached for your review. The resident has expressed concerns related to odor, insects, rodents, seagulls, equipment noise and transportation as well as the possible expansion of the size of the compost site in the future.

Additional Staff Considerations and Recommendations:

Staff's primary concern with the proposed compost site is odor. For reference as to the site location, staff roughly estimates the 150' x 250' site area to be:

- Approximately 950 feet north of W. Ryan Road right-of-way
- Approximately 600 feet from the northwest corner of the adjacent single-family property to the southwest and approximately 1,000 feet from the home.
- Approximately 400 feet from the vacant R-8 zoned property to the west
- Approximately 600 feet from southernmost Croatian Park property located at 9220 S. 76th Street.

To reduce odor, the applicant has indicated that the windrows will be turned regularly and the temperature and moisture of the windrows will be monitored regularly.

In addition to the conditions noted previously, *staff also recommends that:*

1. The compost site shall be managed per best management practices for windrow composting as may be updated from time to time, including, but not limited to NR 502.12 of the Wisconsin Administrative Code and Chapter 218 of the Franklin Municipal Code.
2. Any and all reports for recording temperature and turning events required by the Wisconsin Department of Natural Resources shall be submitted to the Department of City Development for review and confirmation that best management practices are being adhered.
3. An annual license shall be obtained from the City of Franklin per Chapter 218-7 of the Franklin Municipal Code.

Please note that if odor becomes an issue, it will be considered a nuisance under Chapter 178 and 1-19 of the Franklin Municipal Code and the required annual license may not be renewed.

Enlargement or Extension of a Non-conforming Use:

Per the Unified Development Ordinance Section 15-3.1010E., titled *Enlargement or Extension of a nonconforming Use May be Allowed by the Common Council*, the enlargement or extension of a nonconforming use may be allowed by the Common Council, following a public hearing duly noticed and held by the Board of Zoning Appeals, provided that the Board shall determine and set forth in writing the following:

- Such enlargement or extension is consistent with the public interest.
- Such enlargement or extension will not have an "adverse" effect on property in the surrounding neighborhood on account of visual appearance, increased traffic (pedestrian or vehicular), noise, smoke, odor, or other factors.

- Further, no such enlargement or extension of a nonconforming use shall be permitted unless all building height, yard, coverage, and off-street parking and loading requirements of this ordinance for the district in which such use is located are adhered to. [In the event that a written protest against any enlargement or extension of a nonconforming use, signed and acknowledged by the owners of twenty (20) percent of the property immediately adjoining or across an alley therefrom, or by the owners of twenty (20) percent of the frontage directly across the street therefrom, is filed with the Zoning Board of Appeals, such enlargement or extension shall not be allowed, except by a three-fourths (3/4) vote of the Common Council].
- No nonconforming use may be enlarged or expanded in floor area or lot area by more than fifty (50) percent in the aggregate, based upon its size or scope on the effective date of this amendatory ordinance, whether or not such aggregate enlargement or expansion occurs at one time or at successive times.
- Enlargements or extensions permitted under the provisions of this section to building and structures located on floodlands shall include floodproofing to a height two (2) foot above the elevation of the one hundred (100) year recurrence interval flood as delineated on large scale topographic maps prepared by the City or by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) under the Root River Watershed study or as determined through the use of flood profiles and accompanying hydrologic and hydraulic engineering data, to those portions of the building or structure involved in such enlargements or extensions. Certification of floodproofing shall be made to the Building Inspector and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the one hundred (100) year recurrence interval flood level for the particular area.

Prior to proceeding to the Common Council for final action, the Board of Zoning and Building Appeals must provide, in writing to the Common Council, statements relating to compliance with Section 15-3.1010E. (1-3) of the UDO. The applicant has provided statements relating to the above standards for BZBA acceptance.

Staff Recommendation:

Department of City Development staff recommends approval of the expansion of the nonconforming use and further recommend that the Board of Zoning and Building Appeals take into account all public comment, consider the applicant's comments, and proposed findings and factors, and thereafter provide documentation to the Common Council specifically addressing the projects compliance with Section 15-3.1010(E) of the Unified Development Ordinance.

From: [Rob LaSovage](#)
To: [Nick Fuchs](#)
Subject: Compost at HoC
Date: Monday, April 10, 2017 4:18:24 PM

Nick – Today I received your notice about a proposed compost operation at the County House of Corrections. My home is on River Point Drive, one lot from 68th Street, with a line of sight to the HoC. I am about to travel out of state for the better part of two weeks and will not be able to attend the April 19 public hearing, but have some concern for the proposal.

Specifically, I would object if compost presents a public nuisance because of associated aroma, insects, rodents, seagulls, equipment noise, etc. I would also object to vehicles carrying material to or from the site on 68th Street north of the House of Corrections, through residential areas. My understanding is inmates are only to be transferred to and from jail along 68th south of HoC, and I expect similar restrictions to apply to waste transportation, again taking into consideration all potential nuisances.

The letter makes no mention of capital improvement or investment needed to implement the proposal so I assume it will be minimal. If that is true, as a way to test the balance between beneficiaries of the site and imposition upon local residents, I might support common council approving provisional operation of a compost site for one year. Local residents and common council could then once again review whether legal non-conforming use should continue based on experience. If there is no way to provisionally approve the change, then I would suggest a smaller project that could only be scaled up with additional common council approval.

Let me know if there is a best way for me to communicate my feelings and ideas to common council under my circumstances, e.g. through more formal correspondence, via representation from our homeowners association, etc.

Regards,
Rob LaSovage
6752 W. River Pointe Drive
989-600-2741

From: [Robert LaSovage](#)
To: [Nick Fuchs](#)
Subject: RE: Compost at HoC
Date: Wednesday, April 12, 2017 12:47:36 PM

Nick – Thanks for sharing. Looks like a lot of thought has been put into the project and my ideas about nuisances have been contemplated by others. However, it is more clear to me now that operators see opportunity to scale up, which could have more consequence.

HoC should see itself as a neighbor in proximity to local residents and be cognizant that at some point, project scale can become so big that nuisances go out of control. HoC seems comfortable scaling up to accommodate the zoo, etc., and should also be prepared to scale back or adjust procedures depending on effects. In particular, if complaints arise, then apply mitigating procedures. For instance reduce project size, or turn piles at lower temperatures, or move the whole thing to a more appropriate location. If HoC can be flexible operator then I conditionally support approval now, at a scale needed to accommodate HoC and HTF. Let's give it a year and see how it goes, then go through this process again by requiring additional approval to scale further to support partners like the zoo. I don't see large, upfront capital being required of HoC or other users which would limit willingness to conditional scale-up.

In addition, if an inmate working the compost piles were to escape and present a risk to the local community, then it could indicate the project isn't worthwhile and should be reviewed to see whether it should continue.

If residents like me unconditionally support the project, we put ability to freely enjoy our property at risk. If flexibility is not an option, my position would be totally different. In that case, status quo would best for residents and no variance should be approved. Ongoing costs to HoC, HTF, the zoo, and other users are part of their operations, so they should continue with current arrangements, seek another site for a full scale project, or operate multiple sites at smaller scales with less severe consequences to neighbors.

Feel free to submit this correspondence on my behalf. I would like to think we can all work together and be a model for cooperation under the flexible approach.

Kind Regards,
Rob

From: Nick Fuchs [<mailto:NFuchs@franklinwi.gov>]
Sent: Wednesday, April 12, 2017 12:31 PM
To: Robert LaSovage
Subject: RE: Compost at HoC

I will include your email. The most recent submittal is attached. I uploaded it as well, which is better quality.

Nick Fuchs

Principal Planner
Department of City Development
9229 W. Loomis Road, Franklin, WI 53132
Phone: (414) 425-4024
Fax: (414) 427-7691

From: Robert LaSovage [<mailto:rlasovage@iafs.net>]
Sent: Wednesday, April 12, 2017 11:25 AM
To: Nick Fuchs
Subject: RE: Compost at HoC

Nick – That would be great, thanks.

I was unable to unzip the packet sent the other day. A more workable option may be this link to a secure system called ShareFile. [Click here](#) to upload files without compression.

Kind Regards,
Rob

From: Nick Fuchs [<mailto:NFuchs@franklinwi.gov>]
Sent: Wednesday, April 12, 2017 10:06 AM
To: 'Rob LaSovage'
Subject: RE: Compost at HoC

Rob,

I will be sending out the packets for the Board of Zoning and Building Appeals meeting today. Would you like me to include your email to the Board regarding the HOC compost site? Let me know as soon as possible. Thanks.

Nick Fuchs
Principal Planner
Department of City Development
9229 W. Loomis Road, Franklin, WI 53132
Phone: (414) 425-4024
Fax: (414) 427-7691

From: Nick Fuchs
Sent: Monday, April 10, 2017 5:02 PM
To: 'Rob LaSovage'
Subject: RE: Compost at HoC

Rob,

You may want to contact the Alderperson and the Mayor to further express your concerns. Your Alderperson is Steve Taylor. The Alderperson of the District (for the HOC property) is Mark Dandrea. Their contact information is below. I can also include your email, or if you would like to submit a

more formal letter, in the packets that go to the Plan Commission and Common Council for their review. Just let me know.

Attached for your review are the preliminary plans submitted by the HOC for the compost site. Let me know if you have any questions. Thanks.

Alderman Steve F. Taylor

Term thru April 2017
2812 W. Hilltop Lane
Franklin, WI 53132
staylor@franklinwi.gov
Phone: 414-301-9786

Alderman Mark A. Dandrea

Term thru April 2019
8041 S. Meadowcreek Court
Franklin, WI 53132
mdandrea@franklinwi.gov
Phone: 414-427-3587

Mayor Steve Olson

Term thru April 2020
9229 W. Loomis Road
Franklin, WI 53132
molson@franklinwi.gov
Phone: 414-427-7529
Fax: 414-425-6428

Nick Fuchs
Principal Planner
Department of City Development
9229 W. Loomis Road, Franklin, WI 53132
Phone: (414) 425-4024
Fax: (414) 427-7691

From: Rob LaSovage [<mailto:rlasovage@wcoil.com>]
Sent: Monday, April 10, 2017 4:18 PM
To: Nick Fuchs
Subject: Compost at HoC

Nick – Today I received your notice about a proposed compost operation at the County House of Corrections. My home is on River Point Drive, one lot from 68th Street, with a line of sight to the HoC. I am about to travel out of state for the better part of two weeks and will not be able to attend the April 19 public hearing, but have some concern for the proposal.

Specifically, I would object if compost presents a public nuisance because of associated aroma, insects, rodents, seagulls, equipment noise, etc. I would also object to vehicles carrying material to or from the site on 68th Street north of the House of Corrections, through residential areas. My understanding is inmates are only to be transferred to and from jail along 68th south of HoC, and I

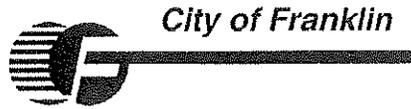
expect similar restrictions to apply to waste transportation, again taking into consideration all potential nuisances.

The letter makes no mention of capital improvement or investment needed to implement the proposal so I assume it will be minimal. If that is true, as a way to test the balance between beneficiaries of the site and imposition upon local residents, I might support common council approving provisional operation of a compost site for one year. Local residents and common council could then once again review whether legal non-conforming use should continue based on experience. If there is no way to provisionally approve the change, then I would suggest a smaller project that could only be scaled up with additional common council approval.

Let me know if there is a best way for me to communicate my feelings and ideas to common council under my circumstances, e.g. through more formal correspondence, via representation from our homeowners association, etc.

Regards,
Rob LaSovage
6752 W. River Pointe Drive
989-600-2741

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



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

Date of Application: _____

VARIANCE AND APPEALS APPLICATION

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

Property Owner/Legal Entity (Full Legal Name[s]): Name: <u>MILWAUKEE COUNTY</u> Name: <u>House of Correction</u> Mailing Address: <u>901 N. 9th Street</u> City / State: <u>Milwaukee, WI</u> Zip: <u>53233</u> Phone: _____ Email Address: _____	Applicant is Represented by (contact person) (Full Legal Name[s]): Name: <u>Jose Hernandez, Assistant Superintendent</u> Company: <u>Milwaukee County House of Correction</u> Mailing Address: <u>8885 S. 68th Street</u> City / State: <u>Franklin, WI</u> Zip: <u>53132</u> Phone: <u>(414) 427-4755</u> Email Address: <u>jose.hernandez@milwaukeecountywi.gov</u>
Project Property Information: Property Address: <u>8885 S. 68th Street (and) 9225 S. 68th Street</u> Tax Key Nos: <u>850-0003-000 (and) 884-9994-000</u> Existing Zoning: <u>A-1, C-1, I-1, R-3 (and) A-1, C-1, I-1</u> Existing Use: <u>Correctional Institutions</u> Proposed Use: <u>Solid Waste Management (Compost)</u> Future Land Use Identification: <u>Institutional</u>	Variance Type Requested: <input type="checkbox"/> Administrative Appeal * UDO Section 15-10.0205 <input type="checkbox"/> Area Variance * UDO Section 15-10.0206 <input type="checkbox"/> Use Variance * UDO Section 15-10.0207 <input checked="" type="checkbox"/> Non-Conforming Use(s) UDO Section 15-3.1010E <input type="checkbox"/> Land Division Variance** UDO Section 15-9.0310

The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/Resources/Documents/Maps.htm>
The Unified Development Ordinance is available at the City's website: www.franklinwi.gov

Variance and Appeals Application submittals for review must include and be accompanied by the following:

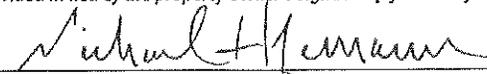
(See Section 15-10.0206 of the Unified Development Ordinance for additional Variance requirements and procedures.)

- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin: \$250
- Legal Description for the subject property (WORD.doc or compatible format).
- Seven (7) complete collated sets of Application materials to include:
 - One (1) original and six (6) copies of a written Project Summary describing the project and including the information requested in Sections 15-9.0105C. (Administrative Appeal) or 15-9.0106C. (Variance) of the Unified Development Ordinance.
 - Three (3) folded full size, drawn to scale copies of the Plat of Survey, Site Plan, Building Elevations, Landscape Plan and Outdoor Lighting Plan, as appropriate, Photographs and any other supporting documents, which illustrate the Variance request.
 - Four (4) folded reduced size (11"x17") copies of the above stated submittal materials.
- Three (3) Affidavit Forms with original and notarized signatures (facsimiles and copies will not be accepted).
- *Completed "Findings and Factors in the Review of Variances" Form (from Sections 15-10.0206C.1. and 15-10.0211 of the UDO).
- **Completed "Findings and Factors in the Review of Land Division Variances" Form (from Sections 15-9.0310B.1 of the UDO).
- Email (or CD ROM) with all plans/submittal materials (where applicable). *Plans must be submitted in both Adobe PDF and AutoCAD compatible format.*

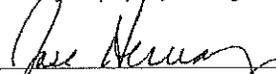
- *Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- *Most Variance and Appeal requests require a public hearing prior to Board or Commission approval.

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

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


Signature - Property Owner
Michael Hafemann, Superintendent
Name & Title (PRINT)
Date: 03/13/2017

Franklin


Signature - Property Owner
Jose Hernandez, Assistant Superintendent
Name & Title (PRINT)
Date: 03/13/2017

Signature - Applicant's Representative
Paul Kuglitsch, Milwaukee County Princ Asst. Corp. Counsel
Name & Title (PRINT)
Date: 03/13/2017

APR 11 2017

City Development



HOUSE OF CORRECTION

Milwaukee County

Michael Hafemann • Superintendent

March 13, 2017

NAME OF OPERATION:

MILWAUKEE COUNTY HOUSE OF CORRECTION

LOCATION OF OPERATION:

**E 1/4 OF SW 1/4 OF SECTION 22, T5, R21E
8885 S 68TH ST FRANKLIN
MILWAUKEE COUNTY, STATE OF WISCONSIN**

Franklin

APR 11

City Development



HOUSE OF CORRECTION
Milwaukee County

Michael Hafemann • Superintendent

Franklin

March 1, 2017

City Development

March 1, 2017

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

Re: Application for Non-Conforming Use(s) Variance

To Whom It May Concern,

The Milwaukee County House of Correction (HOC) is seeking approval for a non-conforming use(s) variance at 8885 & 9225 S. 68th Street. The exact location is at 9225 S. 68th Street, just south of the MCSO training academy. The purpose of the non-conforming use(s) variance is to allow the HOC to operate a windrow compost site on the property.¹

The compost site will be used primarily as a disposal site for food & organic waste material generated from the HOC. A large percentage of the current waste material generated by HOC is food waste. Other types of materials are also being considered to assist Milwaukee County in reducing the county's overall impact on the environment.

The other types of materials being considered are carbon materials, such as leaves and wood chips. This material would be procured through other Milwaukee County departments, e.g. Zoo, Parks, Forestry, etc. and, if desired, the City of Franklin. Milwaukee County and the City of Franklin would be the primary users of the site. The HOC would also consider partnering with the City of Franklin to compost residential organic waste products should this become a City initiative.

Besides carbon materials, the Milwaukee County Zoo has shown particular interest in composting herbivore excrement (carnivore waste will not be accepted). By taking the herbivore waste, HOC could potentially decrease County taxpayer levy by \$120,000.00 per year.

In addition to local government units, Hunger Task force is interested in contributing its pre-consumer material generated from the harvesting of the fields in conjunction with our packaging initiative. We have also discussed the composting of donated items that have been damaged or expired, which would keep these materials from becoming landfill waste.

¹ The Wisconsin Department of Natural Resources (WDNR) has already issued a *Solid Waste Facility Operation License* for the compost site. (License No. 4487) (see attached).

Ultimately, the end product of completely composted material would be made available to the organizations contributing to the site as the need arise. Hunger Task Force for instance has already shown a desire to use the material on its farm fields that it fears is becoming sterile.

The compost site will not be a private industry endeavor, and will be maintained by HOC staff with occasional assistance from Hunger Task Force.

Compost Site Footprint

- 150' x 250' (see attached map).
- Windrow area is prepped with compacted clay and an 8" base of compacted traffic bond gravel.
- All other areas are made up of compacted clay
- Windrows stand 4' high x 10' wide x up to 80' long.
- A maximum of 5 windrows totaling 1,500 cubic yards of material.
- Site slope is a 3% grade north to south.
- Silt fencing on the south end with a natural grassy slope will filter any runoff.
- No wetland encroachment has been noted by the WDNR.
- Once operational a row of evergreen type trees will be planted to the south (toward Ryan Rd.) and to the east (68th street) to conceal the site from view from the road.

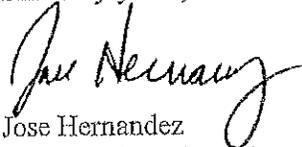
Compost Site Operation

- Two (2) HOC correctional officers have completed Midwest bio-systems training and attend regularly scheduled WDNR recycling meetings to maintain relevancy concerning composting.
- Odor is a sign that the row is becoming anaerobic reaching a temperature of 160 degrees. Regular monitoring of temperature and moisture will ensure odor is kept to a minimum. By turning the windrow the temperature can be lowered to mitigate the odor.
- Moisture content will be regularly monitored and adjusted with on-site water storage containers, which will be filled by well water from Hunger Task Force.

- Inmate labor (low level offenders with community access privileges) may be used in maintaining the compost site; however, at no time will inmates be allowed to operate machinery.
- Equipment / Traffic.
 - Single axle dump trucks may enter through the S. 68th Street entrance to deliver carbons with minimal increase to state/County highways.
 - Material will be delivered from HOC to the compost site using current roads with minimal impact to state/County highways.
 - Material will be delivered or picked-up by Hunger Task Force using current roadways with minimal impact to state/County highways.
 - Initially, a front end loader will be used to turn the Windrows. HOC will eventually procure a tractor and Windrow turning implement as funds become available.
 - All machinery related to the compost site will be stored inside the pole barn on the west side of HOC when not in use.
 - All equipment and vehicles will be washed on the HOC grounds.
 - All current access roads will be adequate for compost site access, no additional ingress or egress is required.
 - The covering of manure deliveries will be incorporated into any future verbal/written agreements to receive these types of materials. (i.e. Zoo)

If you have any questions or comments, please do not hesitate to contact me.

Sincerely yours,



Jose Hernandez
Assistant Superintendent
Milwaukee County House of Correction

Franklin

1

APR 11 2017



HOUSE OF CORRECTION

City Development

Milwaukee County

Michael Hafemann • Superintendent

DATE: April 7, 2017

TO: City of Franklin
Department of City Development
9229 West Loomis Road
Franklin, WI 53132

Re: Response –MCHOC Expansion of Legal Nonconforming Use-Staff Review Comments

Department of City Development

1. The project narrative indicates a maximum of five windrows as well as the site plan that shows the windrows in red. A larger site plan appears to illustrate 7 windrows in white. Please make sure all plans are consistent with the correct number of windrows.
 - a. We will utilize the 100 x 100 foot pad to accommodate as many windrows as possible, for example with 6 foot wide windrows we will be able to fit 7 windrows on the pad. The photos with noted windrows are only examples.

2. Staff recommends submittal of a detailed landscape plan, prior to Plan Commission review.
 - a. Map #1 reflects a 3%-5% grade to the south in accordance with the Wisconsin Department of Natural resources inspector's recommendation. The field has been graded professionally by Ross' Grading. Additional landscaping to create sight barriers are not in the current plan. However consideration will be given to any recommendations by the city of Franklin pending site approval.

3. Is any fencing proposed?
 - a. A 100' silt fence is in place at the south end of the windrow pad and will be maintained as a continuing standard practice.

4. How high are the proposed berms to the east and west of the compost site?
 - a. The East berm is approximately 12' high, the West berm is approximately 15' high.

5. Are all existing drives that will be utilized to access the site gravel? Are there any proposed roads?
 - a. The main road in that runs North to South is asphalt. The access road to the compost is compacted stone and traffic bond completed by Ross' Grading.
 - b. All roads are existing.

6. A concern of staff's will be odor. How often will the windrows typically be turned? Also, how often will monitoring of the temperature and moisture typically occur?
 - a. Moisture and temperature will be monitored at least once daily during the compost season. If temperatures reach 158 degrees the pile will be turned immediately to cool and prevent anaerobic conditions within the pile causing odors. Anaerobic conditions occur at 160 degrees causing odors from the pile. Under normal conditions the pile(s) will be turned every 4 weeks. Temperatures with a 36" analog thermometer and moisture will be monitored by the squeeze method.

7. What is the anticipated time-frame in purchasing a tractor and windrow turning implement? Also, is the "windrow turning implement" a tow behind windrow turner?
 - a. The intended machinery originally proposed for windrow turning was a tractor, however recent training attended by the staff revealed a Skid steer will suffice in turning the rows.
"Controlled hot method of compost" Per Angela Curtis of Grounded LLC.
(jazcurtis@earthlink.net) we anticipate the purchase of the skid steer following the approval of the site. No composting will take place until approval from City of Franklin and all proper equipment have been obtained.

8. Did the County consider the Hunger Task Force farm as a possible location for the compost site?
 - a. The current compost site proposal utilizes a remaining section of county property that does not fall under the current lease agreement with Hunger Task force. This section is currently under control of the House of Correction.
 - b. The House of Correction seeks to control the sight with the intent of reducing the institutions landfill waste footprint as priority with all other uses or partnerships are secondary. Land use of HTF would be subjected to oversight of an agency other than the HOC and could impact use and/or longevity of the project.

9. Staff recommends moving the site area further north in consideration of any future use or development of the southeast corner of the HOC property.
 - a. The current compost site proposal was deemed as the ideal positioning for the site by Wisconsin Department of Natural Resources representative Ken Hein. The site has the proper grade, filtration and leaching.

10. Please provide additional details on the feed stock, wood chip, screening and curing areas shown on the site plan, such as a detailed description of the use of these areas and size/quantity of the materials stored within these areas.
 - a. Each 80'-90' windrow will be broken up into 4 sections approximately 20' long. The 20' windrow allows us to have to store only 20 cubic yards of material before placing it in the windrow thus keeping mixing materials in either pile to a minimum. The raw materials storage areas will include but is not limited to wood chips, leaves, grass and/or straw. Screening will be done on the southwest corner as indicated on the map.

11. Are there set hours of operations? Will delivery of materials be accepted within certain hours or will these be scheduled by appointment only?
 - a. The hours of operation will be 7a.m. to 3p.m. 7 days a week. Any drop-offs must be scheduled in advance.

12. Note that a Minor Site Plan Amendment Application will be required following review and approval of the expansion of the nonconforming use. This application will consist of staff's detailed review of the proposed site plan and site changes. An Application is attached for your review.
 - a. Minor site plan application(s) has been included in the packets for review.

Engineering

The Franklin Engineering Department has reviewed this submittal and has the following comments:

1. It is unclear exactly how much impervious area this project will be adding. For example, will the entire area labeled "WINDROWS PAD" be prepped with the compacted clay and TB, or just the areas directly under the windrows? Please add to the exhibits the impervious areas for the screening, curing, feed stock, wood chip, and windrows areas.
 - a. The windrow pad is 100' x 100'. It consists of existing compacted clay and 6" of compacted traffic bond where the windrows will be placed. See Map #1. The entire 150' x 250' site is compacted clay.

2. The letter says "all current access roads will be adequate for compost site access, no additional ingress or egress is required." However, a line labeled "ROAD" is shown on several sheets. Is a new roadway being proposed? If so, and even if the road will be gravel, the area of the road must be calculated and submitted.
 - a. The line labeled road on the maps is an existing road that has been refreshed with 10" of gravel and traffic bond, compacted. The road is 12' x 540' and is approximately 6,480 ft. sq.

3. Note that all MMSD Chapter 13 Storm Water regulations must be met.
 - a. The flow of water on the site has not been altered, it is a consistent 3% grade to prevent pooling or ponding.

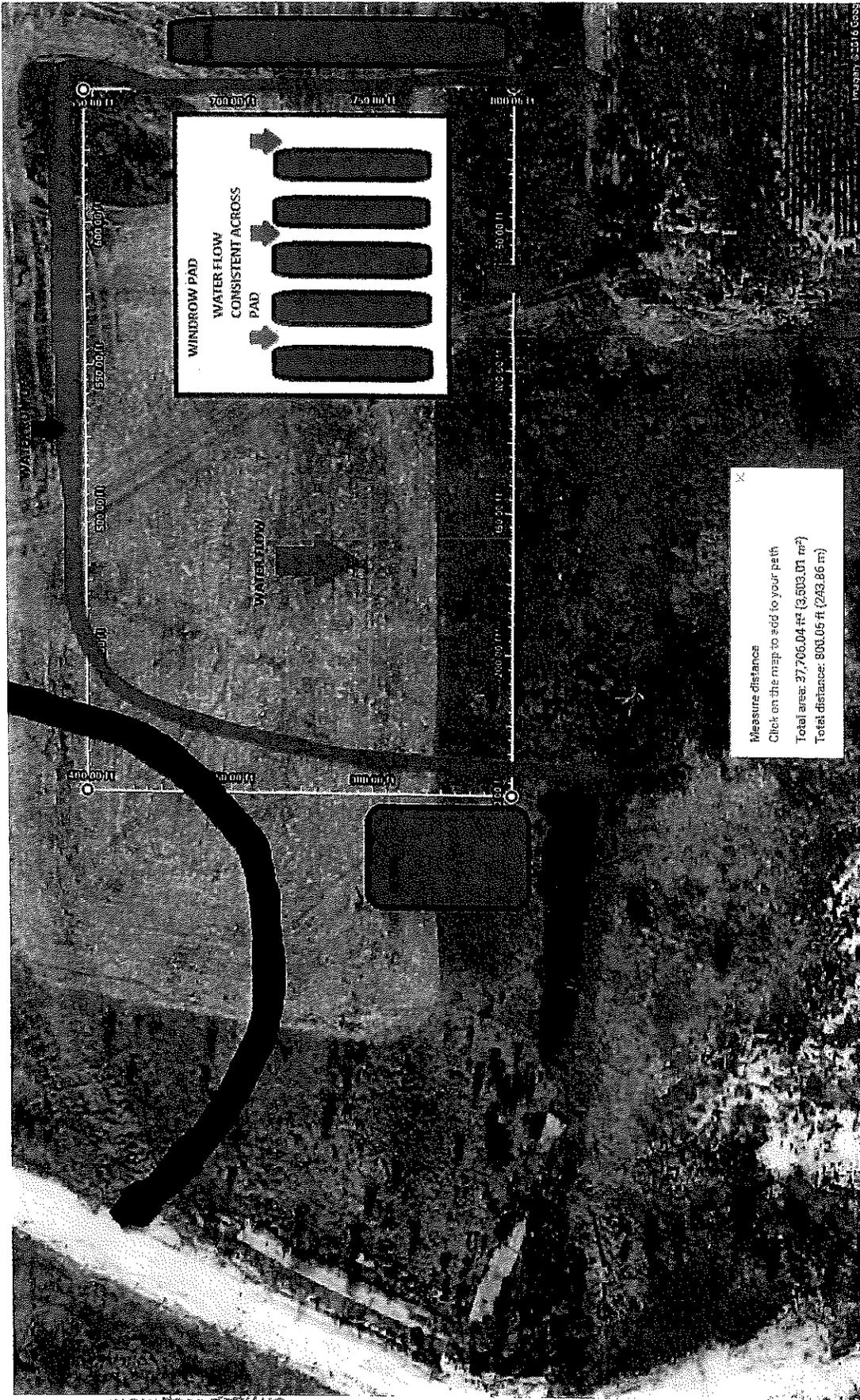
4. The "WATER FLOW" and "BERMS" as shown on the exhibits do not correspond to the existing conditions. Does this mean mass grading is proposed? If so, grading and erosion control plans must be submitted. A grading permit may be required.
 - a. All grading has been completed by Ross' Grading. All aspects of the site concerning Water Flow, Grade, Wetland encroachment and Erosion control have been reviewed and approved in advance by WDNR Waste Management Specialist Ken Hein (414) 263-8714.

5. The letter says, "No wetland encroachment has been noted by the WDNR." The Surface Water Data Viewer shows hydric soils within 75 feet of proposed disturbance, which would typically require a wetland determination/delineation. Has written correspondence been obtained from the WDNR that says this project is exempt from that requirement?
 - a. All aspects of the site concerning Water Flow, Grade, Wetland encroachment and Erosion control have been reviewed and approved in advance by WDNR Waste Management Specialist Ken Hein (414) 263-8714.

If you have any questions or comments, please do not hesitate to contact me.

Respectfully,

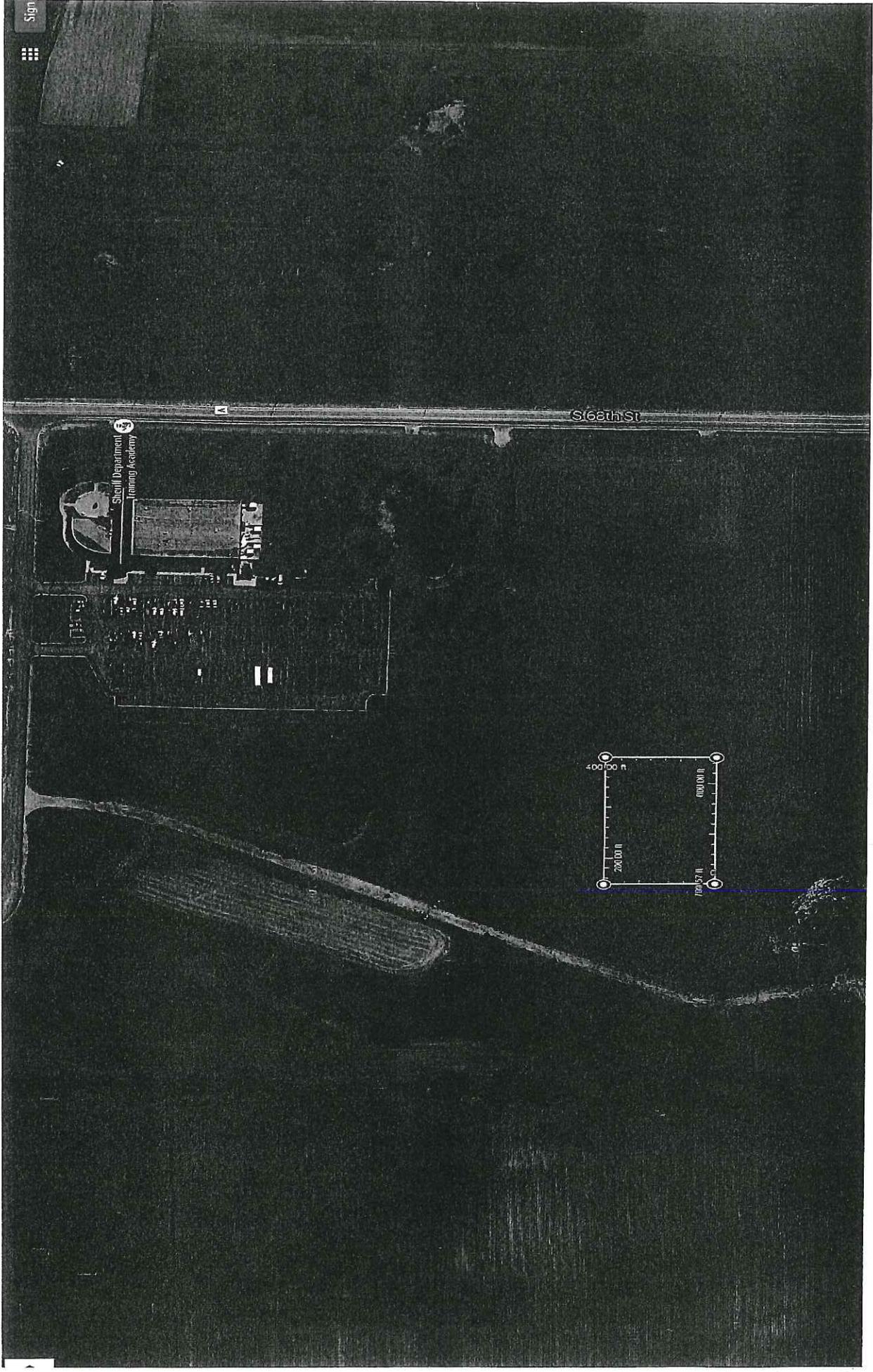
Jose Hernandez
Assistant Superintendent
Milwaukee County House of Correction
(414) 427-4755



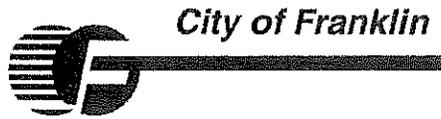
City Development

Map 1.1.2017

Project



Planning Department
9229 West Loomis Road
Franklin, Wisconsin 53132



City of Franklin

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

Findings and Factors in the Review of Enlargement or Extension of a Nonconforming Use

Date: March 20, 2017 Property Owner(s): Michael Hafemann, Superintendent

Property Address: 8885 S. 68th Street, Franklin WI 53132 (mailing address)

Section 15-3.1010E. of the City of Franklin Unified Development Ordinance titled Enlargement or Extension of a Nonconforming Use May be Allowed by the Common Council, the enlargement or extension of a nonconforming use may be allowed by the Common Council, following a public hearing duly noticed and held by the Board of Zoning Appeals, provided that the Board shall determine and set forth in writing: The Findings are:

1. Such enlargement or extension is consistent with the public interest.
 - a. The operation of windrow compost site will reduce the overall landfill footprint generated by the Milwaukee County House of Correction ("HOC") and other contributing governmental agencies.
 - b. The window compost site will reduce Milwaukee County tax levy currently spent on dumpster removal from HOC.
 - i. Additional cost savings may be realized once the site is fully operational, e.g. wood chip and leaf collection from City/County. It is estimated that the Milwaukee County Zoo alone could realize \$120,000 in savings by sending zoo waste to the compost site.
 - c. The site will allow Hunger Task Force to use composted materials in revitalizing its fields, producing higher crop yields.
 - d. The site will collect post-harvest materials from Hunger Task Force, as well as unusable items from the "My Plate" initiative, such as expired or damaged organic materials. This use also assists in reducing overall landfill footprint.
2. Such enlargement or extension will not have an "adverse" effect on property in the surrounding neighborhood on account of visual appearance, increased traffic (pedestrian or vehicular), noise, smoke, odor, or other factors.
 - a. The appearance of the windrow compost site can be mitigated by enclosing the site with natural trees and bushes. Strategically place flora would completely conceal the compost site and its operation from view.

Franklin

PR : 1 2017

City Development

- b. There would not be a noticeable increase in traffic caused by operating the windrow compost site. Material delivered by HOC would be transported on-site. Material delivered by other county departments and the City would enter through the S. 68th Street entrance.
- c. As with all types of compost sites, there would be some odor resulting from low oxygen or anaerobic conditions. This order will be reduced by turning the windrows and regulating the temperature and moisture of the composting materials.

3. Further, no such enlargement or extension of a nonconforming use shall be permitted unless all building height, yard, coverage, and off-street parking and loading requirements of this ordinance for the district in which such use is located are adhered to. In the event that a written protest against any enlargement or extension of a nonconforming use, signed and acknowledged by the owners of twenty (20) percent of the property immediately adjoining or across an alley therefrom, or by the owners of twenty (20) percent of the frontage directly across the street therefrom, is filed with the Zoning Board of Appeals, such enlargement or extension shall not be allowed, except by a three-fourths (3/4) vote of the Common Council.

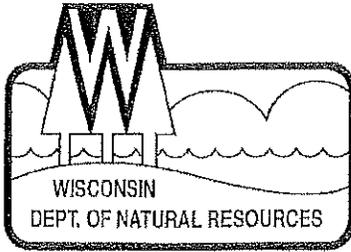
- a. Not applicable. The HOC is requesting a non-conforming uses(s) variance to allow the HOC to operate a windrow compost site on its property. The property is currently being used as a Correctional Institution and Training Facility. These uses are not being expanded upon or enlarged.

4. No nonconforming use may be enlarged or expanded in floor area or lot area by more than fifty (50) percent in the aggregate, based upon its size or scope on the effective date of this amendatory ordinance, whether or not such aggregate enlargement or expansion occurs at one time or at successive times.

- a. See answer to No. 3, above.

5. Enlargements or extensions permitted under the provisions of this section to building and structures located on floodlands shall include floodproofing to a height two (2) foot above the elevation of the one hundred (100) year recurrence interval flood as delineated on largescale topographic maps prepared by the City or by the Southeastern Wisconsin Regional Planning Commission (SEWRPC) under the Root River Watershed study or as determined through the use of flood profiles and accompanying hydrologic and hydraulic engineering data, to those portions of the building or structure involved in such enlargements or extensions. Certification of floodproofing shall be made to the Building Inspector and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the one hundred (100) year recurrence interval flood level for the particular area.

- a. Not applicable. The HOC is neither enlarging nor expanded a building or structure. The HOC is requesting is requesting a non-conforming uses(s) variance to allow the HOC to operate a windrow compost site on its property. Further, the State of Wisconsin Department of Natural Resources evaluated the HOC's compost site design plans and determined that the operation of the site would not impact the wetland areas due west.



**STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
SOLID WASTE FACILITY OPERATION LICENSE**

AUTHORIZED CONTACT:

JOSE HERNANDEZ, ASSISTANT SUPERINTENDENT
JOSE HERNANDEZ
8885 S 68TH ST
FRANKLIN, WI 53132

LICENSE NO: 4487
TYPE OF FACILITY: SW Source Separated Composting <5000
EFFECTIVE DATE: December 27, 2016
DATE OF EXPIRATION: September 30, 2017

U.S. EPA I.D. NUMBER: WIR000006882

LICENSEE: JOSE HERNANDEZ

NAME OF OPERATION: MILWAUKEE CNTY HOUSE OF CORRECTION

LOCATION OF OPERATION: E 1/4 OF SW 1/4 OF SECTION 22, T5, R21E
8885 S 68TH ST FRANKLIN
MILWAUKEE COUNTY , STATE OF WISCONSIN

Franklin

APR 11 2017

City Development

This license authorizes the licensee to operate the solid waste facility described above during the term hereof except as modified by the Department. This license is subject to and conditioned upon compliance with the provisions of chapter 289, Wis. Stats., and chapters NR 500-590, Wis. Adm. Code, any plan approval and modifications thereof, and any special order and modifications thereof issued by the Department. Any exemptions from the requirements of chapters NR 500-590, Wis. Adm. Code, Issued for the facility are listed above.

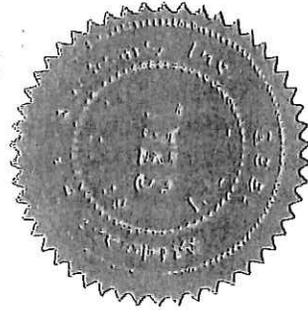
★
★
CERTIFICATE OF COMPLETION
★

THIS IS TO CERTIFY THAT

Eric Gajewski

has attended & successfully completed the
Aeromaster Composting Systems -
Humus Advantage Workshop
held on April 13-15, 2016
in Tampico, IL
by

MidwestBioSystems



Edwin J Blosser

Edwin J Blosser, President

Ernest Blosser

Ernest Blosser, Vice President

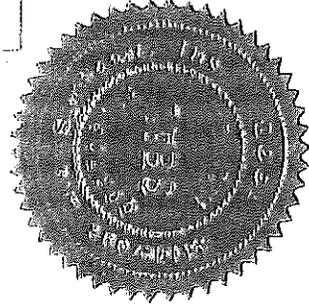
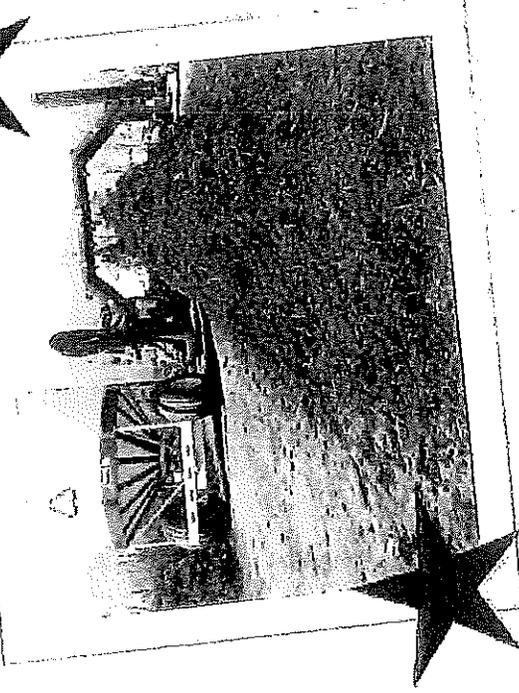
CERTIFICATE OF COMPLETION

THIS IS TO CERTIFY THAT

Mark Ratzmann

has attended & successfully completed the
Aeromaster Composting Systems -
Humus Advantage Workshop
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by

Midwest BioSystems



Edwin J Blosser

Edwin J Blosser, President

Ernest Blosser

Ernest Blosser, Vice President