APPROVAL	REQUEST FOR	MEETING DATE
Sho	COUNCIL ACTION	10/17/17
REPORTS &	RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE	ITEM NUMBER
RECOMMENDATIONS	APPROVAL OF A SPECIAL USE FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT USE UPON PROPERTY	6,4,
	LOCATED AT 7333 SOUTH 27TH STREET (ZILBER LTD., APPLICANT)	

At its September 7, 2017 meeting the Plan Commission recommended approval of the following motion:

Commissioner Fowler moved and Commissioner Haley seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a multi-family residential development use upon property located at 7333 South 27th Street with striking Condition No. 7, changing Condition No. 9, which shall read that the applicant shall prepare a simple form mitigation plan that includes restoration and/or enhancements to the existing westerly wetlands, changing Condition No. 10 as per the discussion of the City Attorney, deletion of Condition No. 11 and adding a condition stating that the developer and City shall enter into a Development Agreement prior to issuance of a Building Permit. On voice vote, 4 voted 'aye' and 1 voted 'nay'. Motion carried (4-1-1).

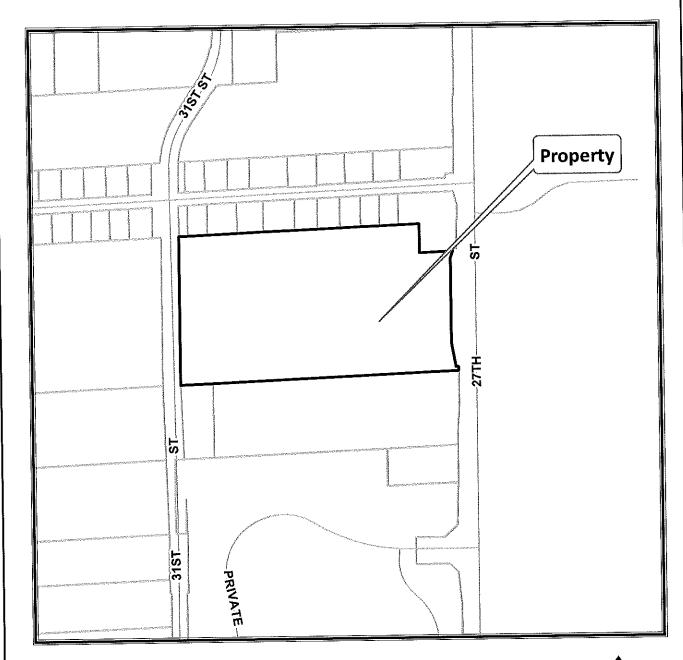
The draft resolution is attached, which has been revised per the Plan Commission motion above. A tracked change version of the original draft resolution is also attached for review.

COUNCIL ACTION REQUESTED

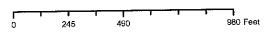
A motion to adopt Resolution No. 2017-______, a resolution imposing conditions and restrictions for the approval of a special use for a multi-family residential development use upon property located at 7333 South 27th Street (Zilber, LTD., Applicant).



7333 S. 27th Street TKN 761 9992 004



Planning Department (414) 425-4024

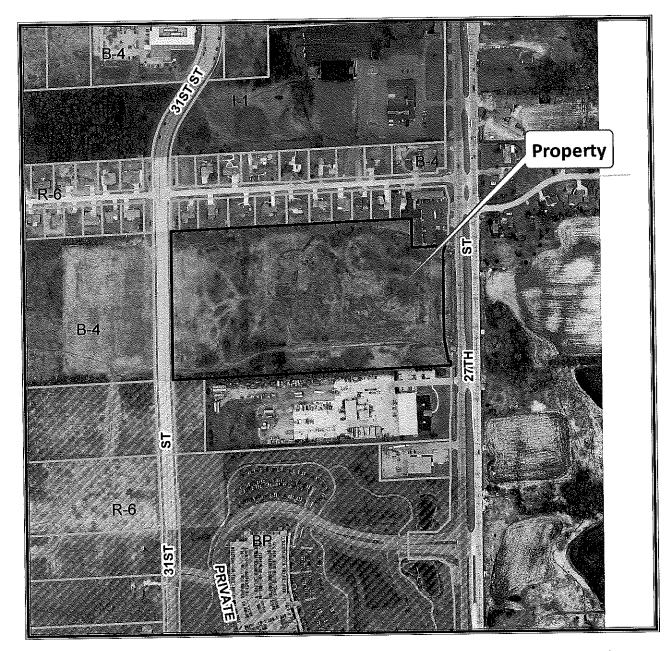


NORTH 2017 Aerial Photo

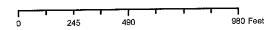
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7333 S. 27th Street TKN 761 9992 004



Planning Department (414) 425-4024



NORTH 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.



REPORT TO THE PLAN COMMISSION

Meeting of September 7, 2017

Comprehensive Master Plan Amendment, Special Use and Certified Survey Map

RECOMMENDATION: Department of City Development staff recommends denial of the Comprehensive Master Plan Amendment, Special Use, and Certified Survey Map. If approved, staff recommends approval subject to the conditions in the attached draft ordinance and resolutions.

Project Name: Zilber Apartments

General Project Location: 7333 South 27th Street

Property Owner: Metropolitan Milwaukee YMCA Bank Creditor Trust

Applicant: Zilber Ltd.

Agent: Mike King, Zilber Ltd.

Current Zoning: B-4 South 27th Street Mixed Use Commercial District

2025 Comprehensive Plan: Mixed Use

Use of Surrounding Properties: Single-family residential to the north, Platt Construction,

Inc. and vacant land to the south, City of Oak Creek to the east and vacant land (zoned B-4 District) to the west

Applicant's Action Requested: Approval of applications related to the proposed multi-

family residential development

INTRODUCTION:

Please note:

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

On July 26, 2017, Zilber Ltd. filed Comprehensive Master Plan (CMP), Special Use, and Certified Survey Map (CSM) applications for a proposed multi-family residential development located at 7333 South 27th Street. These applications are further described below.

Comprehensive Master Plan Amendment:

The CMP Amendment application requests to amend the Future Land Use designation of Lot 1 and Lot 3 of the proposed CSM from "Mixed Use" to "Residential – Multi-Family" and "Areas of Natural Resource Features" and the proposed Lot 2 from "Mixed Use" to "Commercial." The applicant does not currently have plans to develop Lot 2; however, staff has recommended the applicant amend the future land use designation to Commercial to be more consistent with the current zoning and the likely anticipated use of the property.

Note that staff neglected to discuss the Areas of Natural Resource Features designation for Lot 1 and Lot 3 with the applicant, which is why it is not currently indicated on the provided Comprehensive Master Plan Amendment Exhibit. Staff will work with the applicant to revise this exhibit to match the attached draft ordinance and resolution, which includes the Areas of Natural Resource Features designation for Lot 1 and Lot 3. The Areas of Natural Resource Features designation will reflect the Conservation Easement area as shown on the final CSM.

Special Use:

The Special Use application has been submitted for development of 180 market rate apartments. Table 15-3.0602 of the Unified Development Ordinance (UDO) allows "Multiple-family dwellings and apartments" as a Special Use in the B-4 District.

The B-4 District requires that new residential development meet the R-8 Multiple-Family Residence District Development Standards in Table 15-3.0209 of the UDO. The applicant is requesting to exceed the R-8 Residence District density standards under Options 1 and 2, which allows a Gross Density of 6.10 for Option 1 and 8.00 for Option 2 and Net Density of 8.00 for either Special Use Option.

Certified Survey Map:

The Certified Survey Map application proposes to divide the existing approximately 18.06-acre property into three separate parcels. Lot 1 of the proposed CSM is about 7.82-acres, Lot 2 is about 2.00-acres and Lot 3 is approximately 6.46-acres.

PROJECT DESCRIPTION/ANALYSIS:

It is important to note that the applicant intends to acquire the motel and restaurant property to the north, to raze and market the motel portion of the property for a future commercial use, and to allow the restaurant portion of the property to remain. However, the applicant has not included that property as part of the current applications. The applicant has indicated that those changes will be submitted for separate City review and approval at some future date.

In regard to Lot 2 of the proposed Certified Survey Map, the applicant envisions that a commercial use will be developed on that property (most likely a daycare) at some point in the future. However, the applicant has not included that project as part of the current applications. Therefore, the applicant will need to submit a Site Plan or Special Use application (depending upon the proposed use) at some future date.

It can also be noted that the subject property is located within Tax Incremental Financing (TIF) District No. 3, and that the applicant has initiated discussions with the City of Franklin for use of TIF funds to assist with development of the subject project.

Comprehensive Master Plan Amendment/Consistency:

 Consistent with, as defined by Wisconsin State Statute, means "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan." Comprehensive Master Plan Amendment:

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property as Mixed Use and Areas of Natural Resource Features. The surrounding future land uses are Mixed Use and Office to the south, Mixed Use to the west, and Mixed Use and Residential to the north. The subject area is also part of the South 27th Street Corridor Plan which recommends the area's future land use as Mixed Use – Commercial.

At staff's recommendation, and as an apartment complex is proposed for the majority of the subject area (to be planned and developed separately from the potential future daycare and motel/restaurant proposals), the applicant has applied for a CMP Amendment. As previously noted, the Amendment is to change the future land use from Mixed Use to Residential – Multi-Family for the apartment development, and to Commercial for the potential daycare parcel.

Comprehensive Master Plan Consistency:

The Department of City Development believes that the proposed project, and its associated CMP Amendment and Special Use request, are not consistent with certain elements of the City's Comprehensive Master Plan including but not limited to:

- The 70/30 Goal of the City, which seeks to establish a 70/30 ratio of residential to commercial assessed valuation.
- Pursue and achieve business attraction, retention, and expansion.
- Accommodate (where appropriate) mixed-use development within identified districts and commercial areas. Including, "Provide for mixed-use buildings to include housing within identified districts and commercial corridors."
- The future land use map, which envisions that the subject area and surrounding area be developed for mixed use purposes, as opposed to multi-family residential uses.

The subject proposal is also not consistent with the "South 27th Street Corridor Plan" which recommends:

- That this area serve as a premiere employment center and as a transition from the large regional retail uses to the north.
- That this area consist of smaller scale commercial, office, civic, institutional and residential uses.
- That the primary uses in this area include retail, office, and institutional uses.
- Approval of the previously proposed YMCA development for this site, which included a medical facility.

Furthermore, staff would note that the subject property is one of a few remaining large parcels along S. 27th Street. Staff would likely be supportive of a proposal that was more consistent with a traditional mixed use development, which would better fit the future land use designation of mixed use. A traditional mixed use development would integrate uses more, such as first floor retail with residential apartments above.

On the other hand, the subject proposal is consistent with certain Comprehensive Master Plan goals, objectives, and/or policies including:

Ensure compatibility with adjacent land uses.

- Provide a wide range of housing opportunities to support the needs of working professionals, seniors, and families.
- Create a plan that provides direction but allows flexibility in the development of residential and non-residential areas.

The subject proposal is also consistent with certain South 27th Street Corridor Plan recommendations, including:

- Work with Minnesota Avenue residents and St. James Church to create a Sub-Area Plan for the area designated as "Mixed-Use Commercial"...
- That a new mixed use commercial zoning district be created for this area, which should allow such uses as residential as a permitted or special use.

Based upon the preceding information, the Department of City Development has concluded that the subject proposal is not consistent with a preponderance of the Comprehensive Master Plan's goals, objectives, and policies.

Director of Economic Development Comments:

Economic Development staff disagrees with Planning Staff's assessment of the project's mixed-use status and therefore the necessity for an amendment to the comprehensive master plan to accommodate the project. When considered in context, the proposed project is mixed-use and will function among a mix of uses in the surrounding area. The area is appropriately zoned B-4 which allows for both multi-family residential and commercial uses. Both types of uses are proposed as part of the Zilber development. Commercial uses along 27th Street include; the proposed day-center, the retained restaurant, and the existing motel site, which will be marketed for future commercial/mixed-use development. Land set further back from 27th Street will be residential creating a mix of development uses on the site. While it may be argued that a different style of mixed-use development is preferred, the proposed mix of uses provides balance of activity that is generally sought from mixed-use development.

Additionally, the project serves as a transitional use between the single family residential homes to the north and the commercial uses to the south. The mixed-use direction of the project better positions the City for incorporating additional mixed-use development along the 27th Street corridor in the future.

On March 21, 2017, the Common Council directed staff to "work with Zilber LTD. regarding a proposed mixed-use development at 7333 S. 27th Street and to pursue a development agreement that includes financial support from tax increment finance (TIF) district No. 3 with the understanding that the development agreement will include removal of the hotel, [and with regard to Tax Incremental Financing] "lookback" provision, and "pay as you go" [incentive balance], as outlined in the Council Action Sheet for this item." Negotiations of the development agreement between the City and Zilber are on-going.

Special Use:

The applicant is requesting approval to develop 180 market rate apartments within six 30-unit buildings. Each building is anticipated to consist of 13 one-bedroom units and 17 two-bedroom units. In total, there will be 78 one-bedroom units and 102 two-bedroom units. A typical one

bedroom unit will be approximately 789 square feet and two bedroom units are about 1,258 square feet on average. The applicant has indicated a projected average rental rate of \$1.40 per square foot.

The table below summarizes the maximum number of dwelling units allowed and the density proposed by the applicant.

Parcel	Maximum number of dwelling units per maximum ND of 8.00	Maximum number of dwelling units per maximum GD of 8.00	Proposed dwelling units	Proposed ND	Proposed GD
Lot 1 (north multi-family parcel)	47 dwelling units	63 dwelling units	90 dwelling units	15.35	11.51
Let 3 (south multi-family parcel)	39 dwelling units	52 dwelling units	90 dwelling units	18.56	13.92

Per Section 15-3.0701A.7. of the UDO (below), the Common Council, pursuant to the recommendations of the Plan Commission, may modify regulations of the zoning district.

Compliance with Standards. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

Pursuant to Section 15-3.0701 of the UDO, the applicant has provided responses to the General Standards for Special Uses, which are included in this submittal. However, as noted above, staff does not agree with the applicant that the proposed project is consistent with the City's Comprehensive Master Plan.

Furthermore, it should be noted that the Fire Department, in its comments provided in its review of this project indicated: "The Fire Department does not support further high-density residential development relative to existing Fire Department staffing levels. Response times for Fire and EMS incidents may exceed Fire Department benchmark goals and/or industry standard recommendations."

Certified Survey Map:

As previously noted, a three lot Certified Survey Map (CSM) is proposed as part of the subject project and is included in the application submittal. However, the Engineering Department is still reviewing the CSM as well as the associated easements, utilities, infrastructure, erosion control, etc. Therefore, <u>staff recommends that the applicant shall revise the Certified Survey Map to incorporate the Engineering Department's technical review comments prior to recording the Certified Survey Map.</u>

In particular, the applicant has indicated that they are open to discussions about cross access between Lot 1 and the motel/restaurant parcel to the north, but are concerned about the impacts upon the adjacent natural resource features. Therefore, the applicant has not shown such access on the CSM, nor have those natural resources been included within the proposed Conservation Easement.

However, the B-4 South 27th Street Mixed Use Commercial District requires, and the South 27th Street Corridor Plan recommends, that cross access be provided. Therefore, <u>staff recommends</u> that the applicant shall provide a cross-access easement between Lot 1 and the adjacent motel/restaurant parcel to the north, and revise the Certified Survey Map accordingly, to be utilized at the point in time when the adjacent parcel undergoes development or redevelopment, for Department of City Development review and approval prior to recording of the Certified Survey Map.

It is also important to note that pursuant to Sections 15-2.0303 and 15-8.0101 of the UDO, a Development Agreement (to ensure the proper furnishing, construction, and installation of required improvements), will be required for the subject development, for review by the City Engineer and the City Attorney, and approval by the Common Council, prior to recording of the CSM.

Site Plan:

The apartment development is located upon Lots 1 and 3 of the proposed CSM. The site plan includes six 30-unit multi-family buildings, a recreation building, outdoor swimming pool, grilling area, playground, dog park and associated parking, landscaping and storm water management facilities. The development is divided in half by a proposed public road with the north side and south side of the development each containing three buildings.

However, the applicant did not provide any site plan details for the grilling area, playground, and dog park. Therefore, <u>staff recommends that the applicant shall revise the Site Plan to include details of the proposed grilling area, playground, and dog park prior for Department of City Development review and approval prior to issuance of a Building Permit. Alternatively, the applicant may apply for a Minor Site Plan Amendment prior to development of the grilling area, playground, and dog park, for Department of City Development review and approval.</u>

The R-8 District requires an Open Space Ratio (OSR) of 0.35 for Option 1 and 0.25 for Option 2. The applicant is proposing an OSR of 0.745 for the north side of the development and 0.750 for the south side, well exceeding the R-8 District Development Standard.

It should be noted that the Engineering Department is still reviewing the Site Plan as well as the associated Sewer and Water Plan, Storm Sewer System Plan, Grading and Drainage Plan, etc. Therefore, <u>staff recommends that the applicant shall revise the Site Plan and associated Sewer, Water, Storm, Grading, etc. plans to incorporate the Engineering Department's technical review comments prior to issuance of a Building Permit.</u>

Ingress and Egress:

The applicant is proposing to extend a public road from S. 27th Street to S. 31st Street. All access to apartment buildings will be from the new public road. According to the applicant, the Wisconsin Department of Transportation has conceptually approved the access location to S. 27th Street and permit documents have been submitted and are currently under review.

Recreation Building and Site Amenities:

The applicant has provided a Site Amenities Plan that includes several facilities for tenants and guests including, a recreation building, swimming pool, grilling area, a playground and a dog park.

The recreation building is located on the north side of the development and includes a fitness center and multipurpose room, restrooms, clubroom and a leasing office. Adjacent to the recreation building is the outdoor pool and a large grilling area.

The playground is located on the south side of the development and will include a jungle gym, slide, swings and other children activities as well as benches and trash receptacles. The dog park is also located on the south side of the property. The pool, playground and dog park are all enclosed or partially enclosed by a 4-foot high aluminum fence.

Additionally, bike racks, benches, trash receptacles and dog waste stations are located throughout the site. Bike racks are located in front of all six buildings. The applicant has included benches adjacent to the playground and within the dog park area. Trash receptacles and dog waste stations with bags are located adjacent to the sidewalk along the north side of the proposed public road at either end of the site.

Parking:

The Unified Development Ordinance requires a Standard Parking Ratio of 1 space per dwelling unit for efficiency and one-bedroom apartments, 2 spaces per dwelling unit for two-bedroom apartments and 2.5 spaces per dwelling unit for three or more bedroom apartments.

The applicant is proposing 180 apartment units, which will be a mix of one bedroom and two bedroom units. The applicant anticipates a total of 78 one-bedroom units and 102 two-bedroom units; therefore, the UDO Standard Parking Ratio is 282 parking spaces.

Four of the buildings will have 33 interior parking spaces and the other two buildings will have 34 parking spaces, totaling 200 parking spaces. In addition, the site plan includes 84 surface parking spaces. Therefore, a total of 284 parking spaces are proposed, which meets the requirements of Section 15-5.0203 of the UDO. The applicant notes that interior parking will be reserved for tenants, but that exterior parking will not, but rather will be available for both tenants and guests. The applicant further notes that the recreational amenities will be available for tenant use only, as such, additional parking is not required.

The 284 parking spaces include 4 exterior ADA compliant parking stalls and one ADA compliant stall is located in each underground parking area. The north side of the development has 50 parking spaces and the south side has 34 parking spaces. Each portion of the development includes two ADA parking stalls, which meets Table 15-5.0202(I)(1) of the UDO.

Additionally, the proposed exterior parking spaces are a minimum of size of 9' wide and 20' long (180 square feet), meeting the UDO required minimum parking space size.

Landscaping:

The UDO requires 1.5 canopy/shade trees per dwelling unit, 1 decorative tree per dwelling unit, 1 evergreen per dwelling unit and 3 shrubs per dwelling unit. With this request, the applicant is proposing to construct 180 dwelling units; therefore, a total of 270 canopy/shade trees, 180 evergreen trees, 180 decorative trees and 540 shrubs are required. However, the development abuts less intense single-family residential homes, thus a 20% increase is required per Section 15-5.0302C. of the UDO. This result in 324 canopy/shade trees, 216 evergreen trees, 216 decorative trees and 648 shrubs are required.

The Landscape Plan identifies 229 canopy/shade trees, 144 evergreens, 216 decorative trees and 648 shrubs. This equates to 1.27 canopy/shade trees per unit, 1.2 decorative trees per unit, 0.8 evergreen trees per unit and 3.6 shrubs per unit.

To compensate for the shortfall of 95 canopy/shade trees and 36 evergreens, the applicant has proposed to plant minimum 7-foot tall evergreen trees, opposed to the UDO required minimum of 4 foot tall trees. In addition, the applicant has noted that 180 existing shade trees will be preserved onsite, which is equivalent to 95 shade trees per Section 15-5.0302D. of the UDO. Staff notes, however, that this Section also requires the exact location, size and type of existing trees to be preserved be shown as part of the landscape plan. This information has not been provided. Therefore, <u>staff recommends that the applicant shall revise the Landscape Plan to identify the existing trees to be retained, for Department of City Development review and approval, prior to issuance of a Building Permit.</u>

The applicant has provided hose bibs on the buildings for irrigation. Areas for snow storage are illustrated on the Landscape Plans as well.

The applicant is providing street trees in conformance with Section 15-8.0117 of the UDO, which are not included in the Plant Schedule.

Outdoor Lighting:

The applicant provided a Site Lighting Plan, which includes light details and photometrics. Lighting detail/catalog sheets have also been provided. The applicant is proposing 15-foot poles on 3" bases within the north and south parking lots. The north lot includes 7 light poles and the south lot has 6 light poles. Seven street lights are also included on the north side of the public road. Street lights are on 25' poles on a 3" base.

As the proposed project includes a number of outdoor recreational amenities in close proximity to the proposed public street, <u>staff recommends that the applicant shall revise the Lighting Plan to include pedestrian scale decorative lighting at the recreational building, playground, and dog park areas, for Department of City Development review and approval prior to issuance of an Occupancy Permit. Staff suggests that pedestrian scale decorative lighting be provided throughout the subject property.</u>

Natural Resource Protection Plan:

A Natural Resource Protection Plan (NRPP) has been completed for the subject development by Tina Meyers of RA Smith National, dated May 5, 2017. According to the NRPP, the site contains four wetlands and the association wetland buffers and wetland setback. The NRPP notes that the tree line along the south property line meets the definition of young woodland; however, approximately 90% of the trees are Green Ash and are diseased/dying due to the Emerald Ash Borer.

The wetlands were delineated by Heather Patti of RA Smith National on October 8, 2015. A full and complete wetland delineation report is on file with the Department of City Development. The cover letter of that report is attached.

In total, approximately 2.3 acres of the site consist of protected natural resource features. The applicant is proposing wetland, wetland buffer and wetland setback impacts for the construction of the proposed public road. Specifically, the applicant is requesting approval to fill approximately 2,391 square feet of wetlands, and about 8,822 square feet of wetland buffer. The applicant did not indicate how many square feet of wetland setback would be impacted. Therefore, staff recommends that the applicant shall revise the Natural Resource Protection Plan to indicate the amount of wetland setback disturbance and loss for Department of City Development review and approval prior to issuance of a Building Permit.

The applicant is not proposing mitigation for the proposed impacts. Although the impact is for a public road, <u>staff recommends that the applicant shall prepare a mitigation plan that includes restoration and/or enhancements to the existing wetlands onsite, for review and approval by Department of City Development, prior to issuance of a Building Permit.</u>

The applicant has illustrated the conservation easement boundary on Sheet EX.1, which includes protection of the wetland and wetland buffer for the two wetlands adjacent to S. 31st Street, but not for a third wetland adjacent to S. 27th Street. Therefore, <u>staff recommends that the applicant shall revise the Conservation Easement to include protection of the wetland and 30-foot wetland buffer for all three remaining wetland areas onsite. Sheet EX.1, the Site Development Plan (Sheet C300) and the Certified Survey Map shall all be revised to illustrate the boundary as such and be labeled accordingly. In addition, staff suggests that the conservation easement also include the 50-foot wetland setback.</u>

It can be noted that a Natural Resource Special Exception will be required at the time that the cross access between Lot 1 and the motel/restaurant parcel to the north is developed.

Furthermore, <u>staff recommends that the applicant shall prepare a written conservation easement document for Common Council review and approval and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.</u>

Architecture:

The proposed buildings are 3 stories and 40-feet in height. The recreation building is 1 story and just over 19 feet in height. The primary building materials include brick and two styles of fiber cement siding. The front elevations include a storefront entry feature and a metal canopy.

Secondary entrances also have a metal canopy. The building contains balconies, which will be enclosed by painted steel or aluminum railings.

The applicant has indicated that rooftop mechanicals will be screened by the building's parapet walls. Otherwise, mechanicals are located within each building.

It can be noted that the facades for all six buildings are the same, and that the entrances for each building only include a small canopy. As such, little architectural variation and interest is provided to distinguish the buildings from one another, to moderate the scale and mass of the proposed development, and to enhance the pedestrian environment. Furthermore, although the South 27th Street Design Standards do not apply to residential development, they do still serve as a guideline through their incorporation into the City's Comprehensive Master Plan, and they still provide valid design and architectural considerations. Therefore, staff recommends that the applicant shall revise the Building Elevations to incorporate at least two different building types, incorporating such features as window treatments, colors, trim/edging materials, and distinct building entrances to distinguish the building types from one another, for Department of City Development review and approval prior to issuance of a Building Permit.

Signage:

The site plan includes two monument signs, adjacent to S. 31st Street and S. 27th Street. Sign details have not been provided; therefore, staff recommends that the applicant shall prepare sign plans for Department of City Development review and approval prior to issuance of a Sign Permit by the Inspection Department. Note that staff anticipates requiring a brick or stone base and that the sign comply with the same monument sign standards for commercial signage per Chapter 210 of the Municipal Code.

Stormwater Management:

The Engineering Department is currently reviewing the preliminary storm water management plans. The applicant will provide a final stormwater management plan and stormwater management agreement with the final engineering plans. Staff recommends that the applicant shall submit to the Engineering Department, for review and approval, a final storm water management plan prior to issuance of a Building Permit.

PUBLIC STREETS, SIDEWALKS, AND TRAILS PRACTICABLE ALTERNATIVES **ANALYSIS:**

The applicant is proposing wetland, wetland buffer, and wetland setback impacts/loss for construction of the proposed public street. Specifically, the applicant is requesting approval to fill 2,391 square feet of wetland and 8,822 square feet of wetland buffer. The applicant has not indicated that amount of wetland setback impact/loss.

The applicant has provided an exhibit (Sheet EX.1) illustrating these impacts as well as an alternative analysis. These impacts may be allowed by the Common Council per Ordinance No. 2016-2224, which states that all public streets, sidewalks and trails construction shall not be subject to the natural resource features protection standards following review and approval by the Common Council. However, the applicant did not address sections i), ii), and iii) of

Ordinance No. 2016-2224 pertaining to conformance with the City's road construction standards, status of other governmental permits, and impacts upon natural resource features located outside of the limits of disturbance associated with the public road construction. Therefore, <u>staff</u> recommends that the applicant shall revise the practicable alternatives analysis to address sections (f) i), ii), and iii), for review and approval by the Common Council prior to issuance of a Building Permit.

STAFF RECOMMENDATION

Based upon a lack of consistency with a preponderance of the goals, objectives, and policies contained within the City's Comprehensive Master Plan, the Department of City Development recommends denial of the Comprehensive Master Plan Amendment, the Special Use, and the Certified Survey Map.

In addition, as previously noted, the Fire Department indicated concerns with the subject project, specifically, "The Fire Department does not support further high-density residential development relative to existing Fire Department staffing levels. Response times for Fire and EMS incidents may exceed Fire Department benchmark goals and/or industry standard recommendations."

However, if the Plan Commission chooses to recommend approval of the subject proposal, staff recommends such approval be subject to the conditions set forth in the draft Ordinance and draft Resolution.

CITY OF FRANKLIN

RESOLUTION NO. 2017-

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT USE UPON PROPERTY LOCATED AT 7333 SOUTH 27TH STREET (ZILBER LTD., APPLICANT)

WHEREAS, Zilber LTD. having petitioned the City of Franklin for the approval of a Special Use in a B-4 South 27th Street Mixed-Use Commercial District, to allow for a 3 story, 180 unit multi-family residential development use, consisting of six 30 unit apartment buildings, each building being 3 stories, 48,574 square feet, with exterior parking as well as underground parking, a approximately 5,319 square foot recreation building, swimming pool and patio, dog park and playground, and approval to fill a 2,390.8 square foot wetland and associated wetland buffer and setback, upon property located at 7333 South 27th Street, bearing Tax Key No. 761-9992-004, more particularly described as follows:

Being a part of Lot 2 of Certified Survey Map Number 7905, located in a part of the Southeast 1/4 of the Northeast 1/4 of Section 12, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, now being more particularly bounded and described as follows: Commencing at the Southeast Corner of the said Northeast 1/4 Section; Thence North 00°00′27″ West along the East line of the Northeast 1/4 of said Section a distance of 664.17 feet to a point; Thence South 87°39'42" West 80.07 feet to a point on the Westerly right-of-way line of "South 27th Street", said point being the Northeast corner of Parcel 1 of Certified Survey Map No. 5794 and the place of beginning of lands hereinafter described; Thence continuing South 87°39'42" West along the North line of said Certified Survey Map No. 5794 a distance of 1241,22 feet to a point on the Easterly right-of-way line of "South 31st Street"; Thence North 00°00'31" West along said Easterly right-of-way line 662.82 feet to a point on the South line of Certified Survey Map No. 7807; Thence North 87°35'59" East along said South line and its extension 1073.64 feet to a point; Thence South 00°00'27" East 130.00 feet to a point; Thence North 87°35′59" East 149.15 feet to a point on the West right-of-way line of "South 27th Street" as shown on Transportation Project Plat No. 2265-16-20; Thence South 20°32′55" West along said West line 32.80 feet to a point; thence South 00°00'27" East along said West line 375.00 feet to a point; Thence South 10°18'45" East along said West line 111.80 feet to a point; Thence North 89°59'33" East along said West line 10.00 feet to a point; Thence South 00°00'27" East along said West line 17.68 feet to the point of beginning of this description. The Gross area of said Parcel contains 786,887 Square Feet (or 18.0644 Acres) of land, more or less. The Net area of said

ZILBER LTD. – SPECIAL USE RESOLUTION NO. 2017-____ Page 2

Parcel after the Right-of-Way dedication of "Road A" contains 709,500 Square Feet (or 16.2878 Acres) of land, more or less; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 7th day of September, 2017, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Zilber LTD., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

- 1. That this Special Use is approved only for the use of the subject property by Zilber LTD., successors and assigns, as a multi-family residential development use, which shall be developed in substantial compliance with, and operated and maintained by Zilber LTD., pursuant to those plans City file-stamped August 28, 2017 and annexed hereto and incorporated herein as Exhibit A.
- 2. Zilber LTD., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Zilber LTD. multifamily residential development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
- 3. The approval granted hereunder is conditional upon Zilber LTD., and the multi-

ZILBER LTD. – SPECIAL USE RESOLUTION NO. 2017-____ Page 3

family residential development use, for the property located at 7333 South 27th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

- 4. The applicant shall revise the Site Plan to include details of the proposed grilling area, playground, and dog park prior for Department of City Development review and approval prior to issuance of a Building Permit. Alternatively, the applicant may apply for a Minor Site Plan Amendment prior to development of the grilling area, playground, and dog park, for Department of City Development review and approval.
- 5. The applicant shall revise the Site Plan and associated Sewer, Water, Storm, Grading, etc. plans to incorporate the Engineering Department's technical review comments prior to issuance of a Building Permit.
- 6. The applicant shall revise the Landscape Plan to identify the existing trees to be retained, for Department of City Development review and approval, prior to issuance of a Building Permit.
- 7. The applicant shall revise the Natural Resource Protection Plan to indicate the amount of wetland setback disturbance and loss for Department of City Development review and approval prior to issuance of a Building Permit.
- 8. The applicant shall prepare a simple form mitigation plan that includes restoration and/or enhancements to the existing westerly wetlands onsite, for review and approval by Department of City Development, prior to issuance of a Building Permit.
- 9. The applicant shall revise the Conservation Easement to include protection of the wetland and 30-foot wetland buffer for all three remaining wetland areas onsite, with the northeasterly area conservation easement to include specific provisions to allow for the use of the area in furtherance of the development of the adjoining parcel, access thereto and drainage. Sheet EX.1, the Site Development Plan (Sheet C300) and the Certified Survey Map shall all be revised to illustrate the boundary as such and be labeled accordingly.
- 10. The applicant shall prepare sign plans for Department of City Development review and approval prior to issuance of a Sign Permit by the Inspection Department.
- 11. The applicant shall submit to the Engineering Department, for review and approval, a final storm water management plan prior to issuance of a Building Permit.

ZILBER LTD SPECIAL	USE
RESOLUTION NO. 2017	
Page 4	

- 12. The applicant shall revise the practicable alternatives analysis to address sections (f) i), ii), and iii). for review and approval by the Common Council prior to issuance of a Building Permit.
- 13. The applicant shall enter into a Development Agreement with the City of Franklin, prior to the issuance of a Building Permit.

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

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

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

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

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

Introduced day of	l at a regular meeti	ing of the Common (, 2017.	Council of the	City of Franklin	this
Passed and	d adopted at a regul	lar meeting of the Cor	mmon Council	of the City of	
Franklin this	day of	, 20	017.		

ZILBER LTD RESOLUTIO Page 5		USE ——		
			APPROVED:	
			Stephen R. Olson, Mayor	•
ATTEST:			Stephen R. Olson, Mayor	
Conduct We	esolowski, City	Clerk		
Sandra L. We	esolowski, City	CICIK		
AVES	NOES	ABSENT		

CITY OF FRANKLIN

RESOLUTION NO. 2017-

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT USE UPON PROPERTY LOCATED AT 7333 SOUTH 27TH STREET (ZILBER LTD., APPLICANT)

WHEREAS, Zilber LTD. having petitioned the City of Franklin for the approval of a Special Use in a B-4 South 27th Street Mixed-Use Commercial District, to allow for a 3 story, 180 unit multi-family residential development use, consisting of six 30 unit apartment buildings, each building being 3 stories, 48,574 square feet, with exterior parking as well as underground parking, a approximately 5,319 square foot recreation building, swimming pool and patio, dog park and playground, and approval to fill a 2,390.8 square foot wetland and associated wetland buffer and setback, upon property located at 7333 South 27th Street, bearing Tax Key No. 761-9992-004, more particularly described as follows:

Being a part of Lot 2 of Certified Survey Map Number 7905, located in a part of the Southeast 1/4 of the Northeast 1/4 of Section 12, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, now being more particularly bounded and described as follows: Commencing at the Southeast Corner of the said Northeast 1/4 Section; Thence North 00°00′27″ West along the East line of the Northeast 1/4 of said Section a distance of 664.17 feet to a point; Thence South 87°39'42" West 80.07 feet to a point on the Westerly right-of-way line of "South 27th Street", said point being the Northeast corner of Parcel 1 of Certified Survey Map No. 5794 and the place of beginning of lands hereinafter described; Thence continuing South 87°39'42" West along the North line of said Certified Survey Map No. 5794 a distance of 1241.22 feet to a point on the Easterly right-of-way line of "South 31st Street"; Thence North 00°00′31" West along said Easterly right-of-way line 662.82 feet to a point on the South line of Certified Survey Map No. 7807; Thence North 87°35'59" East along said South line and its extension 1073.64 feet to a point; Thence South 00°00'27" East 130.00 feet to a point; Thence North 87°35'59" East 149.15 feet to a point on the West right-of-way line of "South 27th Street" as shown on Transportation Project Plat No. 2265-16-20; Thence South 20°32′55" West along said West line 32.80 feet to a point; thence South 00°00'27" East along said West line 375.00 feet to a point; Thence South 10°18'45" East along said West line 111.80 feet to a point; Thence North 89°59'33" East along said West line 10.00 feet to a point; Thence South 00°00'27" East along said West line 17.68 feet to the point of beginning of this description. The Gross area of said Parcel contains 786,887 Square Feet (or 18.0644 Acres) of land, more or less. The Net area of said

ZILBER LTD. – SPECIAL USE RESOLUTION NO. 2017-____ Page 2

Parcel after the Right-of-Way dedication of "Road A" contains 709,500 Square Feet (or 16.2878 Acres) of land, more or less; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 7th day of September, 2017, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Zilber LTD., for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

- 1. That this Special Use is approved only for the use of the subject property by Zilber LTD., successors and assigns, as a multi-family residential development use, which shall be developed in substantial compliance with, and operated and maintained by Zilber LTD., pursuant to those plans City file-stamped August 28————, 2017 and annexed hereto and incorporated herein as Exhibit A.
- 2. Zilber LTD., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Zilber LTD. multifamily residential development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
- 3. The approval granted hereunder is conditional upon Zilber LTD., and the multi-

ZILBER LTD. – SPECIAL USE RESOLUTION NO. 2017-____ Page 3

family residential development use, for the property located at 7333 South 27th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

- 4. The applicant shall revise the Site Plan to include details of the proposed grilling area, playground, and dog park prior for Department of City Development review and approval prior to issuance of a Building Permit. Alternatively, the applicant may apply for a Minor Site Plan Amendment prior to development of the grilling area, playground, and dog park, for Department of City Development review and approval.
- 5. The applicant shall revise the Site Plan and associated Sewer, Water, Storm, Grading, etc. plans to incorporate the Engineering Department's technical review comments prior to issuance of a Building Permit.
- 6. The applicant shall revise the Landscape Plan to identify the existing trees to be retained, for Department of City Development review and approval, prior to issuance of a Building Permit.
- 7. The applicant shall revise the Lighting Plan to provide pedestrian scale decorative lighting at the recreational building, playground, and dog park areas, for Department of City Development review and approval prior to issuance of an Occupancy Permit.
- 8.7. The applicant shall revise the Natural Resource Protection Plan to indicate the amount of wetland setback disturbance and loss for Department of City Development review and approval prior to issuance of a Building Permit.
- 9.8. The applicant shall prepare a <u>simple form</u> mitigation plan that includes restoration and/or enhancements to the existing <u>westerly</u> wetlands onsite, for review and approval by Department of City Development, prior to issuance of a Building Permit.
- the wetland and 30-foot wetland buffer for all three remaining wetland areas onsite, with the northeasterly area conservation easement to include specific provisions to allow for the use of the area in furtherance of the development of the adjoining parcel, access thereto and drainage. Sheet EX.1, the Site Development Plan (Sheet C300) and the Certified Survey Map shall all be revised to illustrate the boundary as such and be labeled accordingly.
- 11. The applicant shall revise the Building Elevations to incorporate at least two different building types, incorporating such features as window treatments, colors, trim/edging materials, and distinct building entrances to distinguish the building types from one

another, for Department of City Development review and approval prior to issuance of a Building Permit.

ZILBER LTD. – SPECIAL USE RESOLUTION NO. 2017-____ Page 4

- 12.10. The applicant shall prepare sign plans for Department of City Development review and approval prior to issuance of a Sign Permit by the Inspection Department.
- 13.11. The applicant shall submit to the Engineering Department, for review and approval, a final storm water management plan prior to issuance of a Building Permit.
- 14.12. The applicant shall revise the practicable alternatives analysis to address sections (f) i), ii), and iii). for review and approval by the Common Council prior to issuance of a Building Permit.
- 15.13. [other conditions, etc.] The applicant shall enter into a Development Agreement with the City of Franklin, prior to the issuance of a Building Permit.

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

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

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

BE IT FURTHER RESOLVED, pursuant to \$15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution,

unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

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

ZILBER LTD. – SPECIAL USE
RESOLUTION NO. 2017-____
Page 5

Introduced at a regular meeting of the Common Council of the City of Franklin this ______, 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

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES NOES ____ABSENT ____

Special Use Narrative 7333 South 27th Street Multi-Family Housing Development August 28, 2017

The project will be developed by Zilber Ltd., a privately held diverse real estate company headquartered in Wisconsin since being founded by Joseph J. Zilber in 1949. Under Zilber's Homes by Towne and Towne Island Homes brands, Zilber builds single family homes and condos in six states; and under our Zilber Property Group brand, we own approximately 4.5 million square feet of office/light industrial buildings and just over 1,000 apartments.

The project consists of a high quality mixed use project located at 7333 S. 27th Street and the redevelopment of an adjoining parcel currently occupied by a motel and stand-alone restaurant. The parcel is approximately 18 acres that was previously programmed to be a YMCA facility and the adjoining parcel is approximately 1.5 acres. The mixed use project includes 180 market rate apartment units and a two-acre commercial parcel. A specific development plan for the commercial parcel is not included with this submission, but we are in discussions to sell the parcel to a group who intends to develop a day care facility.

Both the vacant parcel and motel parcel are under contract. The sites will be acquired upon receiving required city approvals. If approvals are obtained in a timely manner site work will begin in fall 2017 allowing vertical construction of the multifamily community to commence spring 2018. We anticipate work on the commercial parcel to begin shortly after infrastructure, including the public road, is complete. Demolition of the motel will occur during the upcoming winter, with the parcel redeveloped based on market demand.

These project uses are allowed under the existing B-4 south 27th street mixed use commercial zoning district. The development is consistent with the mixed use land use identified in the Comprehensive Master Plan Future Land Use Map. It is also consistent with the overall goals, primary uses, and land use recommendations of the 27th Street Corridor Plan and District 2 within the 27th Street Corridor Plan.

The project plan was developed to maximize the value of these underutilized infill parcels. Total project value is estimated to be between twenty-five and thirty million dollars; not including the value to the surrounding 27th street corridor resulting from increased demand and development potential. The developer intends to create a public private partnership with the city to assist with the project costs. A combination of a five million dollar city grant and a two

million dollar developer funded package is currently anticipated. The significant increment created by the project combined with existing increment already created within the district will allow the entire city financing package to be repaid in less than five years.

The 180 market rate rental community will be developed in six three-story thirty unit buildings with underground parking included for every unit. The apartments will be a mix between one and two bedroom units, with anticipated average rents of approximately \$1.40 per square foot. The community will be operated from the on-site office using a third party management company experienced in operating high quality market rate apartment communities.

The buildings will be designed with flat roofs to keep the overall height consistent with pitched roof, two story homes, which will set the building heights below the maximum allowed per zoning. Three story buildings are proposed to reduce the required building footprints and allow the development to be positioned towards the center of the property. This creates a much larger distance from the lot line to the buildings, and retains a large amount of open green space. The existing tree line will be preserved along both property boundaries and as many trees as possible on-site. Additional enhanced landscaping will be provided along the natural tree buffer adjacent to the residential neighbors. The buildings will have high quality facades as documented in the submission materials.

Our goal for the proposed landscape design is to meet the vision of the UDO requirements with a high quality design. Taking into consideration our site and roadway layout, site amenities including a playground, gathering and grilling areas, and a dog park, a 20% increase to landscaping quantities required by our adjacency to the single family to the north, and a significant number of existing trees on site, we feel that a slight deviation of the required number of trees, specifically evergreen trees only, is reasonable and offers a better overall landscape design. Our landscape design proposes increasing the height of 144 evergreen trees from 4' to 7' in lieu of 216 evergreen trees at 4'. This proposed landscape equivalency table is provided on the landscape drawings.

The community features an office and community building, providing the amenity package desired by today's tenants including a pool and sun deck, fitness center, community gathering space with kitchen area, outdoor grilling stations, and pet friendly amenities including a fenced dog park.

The resident units will feature high quality modern finishes, ample storage, and a full appliance package including washers and dryers. All units will also feature outdoor living space on patios and balconies.

The commercial parcel along 27th Street will be consistent with the City's desire for commercial activity in this area as outlined in the 27th Street Corridor Plan. Should the day care proceed; in

discussions with Northwestern Mutual they indicated that they view this use to be a tremendous value-add for their employees. Having nearby services available for their employees is high on their priority list. The use will also provide service for the nearby residential neighborhoods along with our rental community.

The motel parcel will provide additional redevelopment opportunities. We will acquire and immediately raze the motel while marketing it to commercial users. The restaurant lease will be assumed with the restaurant continuing to operate per usual.

This mixed use project will provide significant value for the City. The currently vacant infill parcel achieves its highest and best use through this proposal. It will provide an appropriate transition between the single family homes along Minnesota Street and the more intensive commercial uses to the south of the parcel. It will fill a need in the marketplace for rental units and provide a housing option for employees of nearby businesses as well as downtown Milwaukee via I-94. In addition, the new households will also drive demand for additional retail and commercial uses in the surrounding areas. The commercial component will provide much needed services to nearby employers and residents. Acquisition of the adjoining parcel and demolition of the motel will significantly reduce negative community impacts and allow for redevelopment of the parcel to a use better serving the neighborhood and community.

Ed Ross

From: Blackwood, Allison - DOT <Allison.Blackwood@dot.wi.gov>

Sent: Wednesday, June 21, 2017 11:08 AM

To: 'Chris Hitch'

Cc: Ed Ross; Kevin Mantz; Koehnke, Kevin F - DOT; gmorrow@franklinwi.gov;

nfuchs@franklinwi.gov; ahertzberg@franklinwi.com

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Thanks Chris! With that clarification, it looks like you have addressed all of the roadway items that were discussed in the previous meeting. The only item that is not covered is the cross access easement. I see that there is only one proposed commercial lot, but an easement should still be provided to the existing commercial lot on the north side of the site. The connection would not need to be built at this time. We just want the easement to be provided for the future when the restaurant site redevelops. By redevelop, I mean beyond the current plan to remove the hotel and resurface the parking lot.

In my opinion, the 6/27 meeting is not necessary because it appears that everything has been addressed. You may proceed to the permit phase and begin coordinating with Kevin Koehnke on the permit plans.

I will cancel the meeting unless I hear from you or the City that there is more to discuss. If I don't hear from anyone by noon on Thursday, I will cancel.

Allison Blackwood, P.E.
Traffic Operations Engineer
WI Department of Transportation, SE Region allison.blackwood@dot.wi.gov
262-548-5626

From: Chris Hitch [mailto:chitch@trioeng.com]
Sent: Wednesday, June 21, 2017 10:24 AM

To: Blackwood, Allison - DOT < Allison. Blackwood@dot.wi.gov>

Cc: 'Ed Ross' <Ed.Ross@Zilber.com>; 'Kevin Mantz' <Kevin.Mantz@Zilber.com> Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

My apologies Allison – I need to clarify. There were two driveways on WIS 241 prior to reconstruction by WisDOT. One of those driveways was eliminated by the reconstruction project and only one remains. Our proposal is to keep the existing driveway as access for the existing commercial lot by shifting it straight west.

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Chris Hitch [mailto:chitch@trioeng.com]
Sent: Wednesday, June 21, 2017 10:13 AM

To: 'Blackwood, Allison - DOT' < Allison. Blackwood@dot.wi.gov>

Cc: 'Ed Ross' < Ed.Ross@Zilber.com'>; 'Kevin Mantz' < Kevin.Mantz@Zilber.com'> Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Allison,

We're proposing that the new right turn lane also function as an auxiliary lane in front of the existing commercial lot so that both driveways on WIS 241 can remain. They will be "relocated" straight west to fall within the new curb line. Basically everything in this area (driveways, sidewalk, light poles, etc.) would be reconstructed to accommodate shifting the curb to the west.

Thanks, Chris

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Blackwood, Allison - DOT [mailto:Allison.Blackwood@dot.wi.gov]

Sent: Wednesday, June 21, 2017 10:00 AM To: 'Chris Hitch' < chitch@trìoeng.com>

Cc: 'Ed Ross' < Ed.Ross@Zilber.com'>; 'Kevin Mantz' < Kevin.Mantz@Zilber.com'> Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Chris,

One more question about the commercial driveway just south of Minnesota – The concept plan and your notes indicate that the WIS 241 driveway is to be relocated. Where do you request that the driveway will be relocated?

Allison Blackwood, P.E.
Traffic Operations Engineer
WI Department of Transportation, SE Region
allison.blackwood@dot.wi.gov
262-548-5626

From: Chris Hitch [mailto:chitch@trioeng.com]

Sent: Tuesday, June 20, 2017 9:46 AM

To: Blackwood, Allison - DOT < Allison.Blackwood@dot.wi.gov>

Cc: 'Ed Ross' < Ed.Ross@Zilber.com'>; 'Kevin Mantz' < Kevin.Mantz@Zilber.com'> Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Allison,

I believe the future user for the proposed commercial lot is still anticipated to be a daycare. KM Development can confirm that.

The current plan is for the existing commercial lot to remain. The motel will be razed and the parking lot will be resurfaced, but the restaurant and both commercial driveways will be retained.

Thanks, Chris

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Blackwood, Allison - DOT [mailto:Allison.Blackwood@dot.wi.gov]

Sent: Tuesday, June 20, 2017 8:07 AM **To:** 'Chris Hitch' <chitch@trioeng.com>

Cc: 'Ed Ross' < Ed.Ross@Zilber.com'>; 'Kevin Mantz' < Kevin.Mantz@Zilber.com'>
Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Thanks Chris. We'll be discussing internally at our team meeting tomorrow. I have a couple of initial questions:

- Are they still proposing a daycare for the commercial lot?
- Is the "Existing Commercial Lot" on the north side part of the development? The previous site plan includes that area.

Allison Blackwood, P.E.
Traffic Operations Engineer
WI Department of Transportation, SE Region allison.blackwood@dot.wi.gov
262-548-5626

From: Chris Hitch [mailto:chitch@trioeng.com]

Sent: Monday, June 19, 2017 5:33 PM

To: Blackwood, Allison - DOT < Allison. Blackwood@dot.wi.gov>

Cc: 'Ed Ross' < Ed.Ross@Zilber.com'>; 'Kevin Mantz' < Kevin.Mantz@Zilber.com'> Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Allison,

Attached is the most current site development plan, as well as an exhibit to illustrate the proposed modifications to STH "241". Please share as appropriate within WisDOT.

The following is a summary of the key geometrics being proposed:

- 450' between centerline of Minnesota Avenue and new public street
- 12' wide right turn/auxiliary lane
- 5' wide bicycle lane
- 30' curb radius
- 12.5 to 1 taper
- Relocation of existing commercial driveway
- Relocation of existing 6' wide public sidewalk
- Relocation of existing street lighting, storm drainage and water main
- 32' wide (face of curb) City of Franklin street with 5' wide sidewalk (one side)

Please let me know if you have any questions, or require any additional information prior to the meeting next Tuesday.

Thank you,

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Blackwood, Allison - DOT [mailto:Allison.Blackwood@dot.wi.gov]

Sent: Monday, June 12, 2017 12:41 PM To: 'Chris Hitch' < chitch@trioeng.com>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

You are on the schedule. We do still need to see a concept plan and hear what you need to discuss at least one week prior to the meeting. Again, the sooner you can share this information, the better.

Allison Blackwood, P.E.
Traffic Operations Engineer
WI Department of Transportation, SE Region
allison.blackwood@dot.wi.gov
262-548-5626

From: Chris Hitch [mailto:chitch@trioeng.com]

Sent: Monday, June 12, 2017 11:59 AM

To: Blackwood, Allison - DOT < Allison.Blackwood@dot.wi.gov>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Allison,

I'm meeting with the project team this afternoon and would like to give them an update on this meeting. Are we confirmed for 9:00 on June 27?

Thanks, Chris

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Chris Hitch [mailto:chitch@trioeng.com]

Sent: Thursday, June 01, 2017 9:49 AM

To: 'Blackwood, Allison - DOT' < Allison.Blackwood@dot.wi.gov>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Allison,

Yes, Nick and Glen are confirmed.

Please also add Aaron Hertzberg - ahertzberg@franklinwi.com

Thanks, Chris

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Blackwood, Allison - DOT [mailto:Allison.Blackwood@dot.wi.gov]

Sent: Wednesday, May 31, 2017 1:44 PM
To: 'Chris Hitch' < chitch@trioeng.com>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Chris,

Have you reached out to the City to coordinate their attendance on your selected date/time? I need to know if a City rep will be there before scheduling the meeting.

From: Chris Hitch [mailto:chitch@trioeng.com]
Sent: Wednesday, May 31, 2017 10:20 AM

To: Blackwood, Allison - DOT < Allison. Blackwood@dot.wi.gov >

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Allison,

Please include the following representatives from Franklin on the meeting invitation.

- Nick Fuchs <u>nfuchs@franklinwi.gov</u>
- Glen Morrow gmorrow@franklinwi.gov

Thanks, Chris

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Blackwood, Allison - DOT [mailto:Allison.Blackwood@dot.wi.gov]

Sent: Wednesday, May 31, 2017 9:52 AM To: 'Chris Hitch' < chitch@trioeng.com>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Chris, please confirm that a representative from City of Franklin will be in attendance. Thanks!

From: Blackwood, Allison - DOT

Sent: Wednesday, May 31, 2017 9:09 AM To: 'Chris Hitch' <chitch@trioeng.com>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

I'll get you reserved. If you forward the plans now, they will be reviewed earlier.

Allison Blackwood, P.E.
Traffic Operations Engineer
WI Department of Transportation, SE Region allison.blackwood@dot.wi.gov
262-548-5626

From: Chris Hitch [mailto:chitch@trioeng.com]
Sent: Wednesday, May 31, 2017 8:55 AM

To: Blackwood, Allison - DOT <Allison.Blackwood@dot.wi.gov>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Allison,

Appreciate the quick response. We'll take the 9-10:00 spot. I'll forward current drawings at least one week in advance.

Thanks, Chris

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Blackwood, Allison - DOT [mailto:Allison.Blackwood@dot.wi.gov]

Sent: Wednesday, May 31, 2017 6:32 AM

To: 'chitch@trioeng.com' < chitch@trioeng.com>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Chris,

Dan is in the field helping with a construction project this summer. I'll be the point of contact for this project moving forward.

Our next DRT meeting day with available spots is Tuesday, June 27 (open 9-12 and 1-3). With the meeting date being so far out, I suggest that you send what you have early so we can review and comment. Sometimes we can get these done without a meeting.

Allison Blackwood, P.E.
Traffic Operations Engineer
WI Department of Transportation, SE Region
allison.blackwood@dot.wi.gov
262-548-5626

From: Malicki, Daniel M - DOT

Sent: Tuesday, May 30, 2017 3:13 PM

To: Blackwood, Allison - DOT <Allison.Blackwood@dot.wi.gov>

Subject: FW: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Allison,

Trio/Zilber/Towne are looking to meet again on their 27th Street proposal (the old YMCA site).

Thanks.

Dan Malicki
Traffic Operations Engineer
WisDOT DTSD Southeast Region
daniel.malicki@dot.wi.gov

Office: 262-521-5285 Cell: 414-750-2562

From: Chris Hitch [mailto:chitch@trioeng.com]

Sent: Tuesday, May 30, 2017 3:00 PM

To: Malicki, Daniel M - DOT < Daniel. Malicki@dot.wi.gov>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Dan,

Zilber/Towne would like to meet again on this project to present their current development plan, including preliminary geometrics for the proposed improvements to 27th Street. When is your next scheduled DRT meeting and do you have any openings?

Thanks,

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Malicki, Daniel M - DOT [mailto:Daniel.Malicki@dot.wi.gov]

Sent: Tuesday, August 23, 2016 1:52 PM To: 'Chris Hitch' <chitch@trioeng.com>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Chris,

Thanks for taking the time to meet with us. Attached is a copy of today's sign-in sheet. I will forward a copy of the minutes once they are complete. We have three other sets of meeting minutes that we have to finish first, but we are hoping to have these done in the next month or so.

The second attachment contains the plan/profile sheets from the 27th Street LET plan for the area around the development. If you would like any additional sheets/information pertaining to the project, please let me know.

Thanks.

Dan Malicki
Traffic Operations Engineer
WisDOT DTSD Southeast Region
daniel.malicki@dot.wi.gov

Office: 262-521-5285 Cell: 414-750-2562

From: Chris Hitch [mailto:chitch@trioeng.com]
Sent: Tuesday, August 23, 2016 12:17 PM

To: Malicki, Daniel M - DOT < Daniel. Malicki@dot.wi.gov>

Subject: RE: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

One more request. Would it be possible to get a copy of the relevant 27th Street Reconstruction plan sheets for conceptual layout of the proposed intersection? We will ultimately get field survey data for preliminary engineering design, but this would just be for revising the conceptual masterplan based on the initial feedback provided this morning. We would like the masterplan to be as accurate as possible for the City submittal next month. Thanks again.

Chris Hitch, P.E.

Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290

From: Chris Hitch [mailto:chitch@trioeng.com]
Sent: Tuesday, August 23, 2016 11:35 AM

To: Daniel.Malicki@dot.wi.gov

Subject: KM Multi-Family - 7333 S. 27th Street - Franklin, WI - DRT follow up

Hi Dan,

It was a helpful discussion at DRT this morning. I'd like to request copies of your sign in sheet and meeting notes once compiled.

Thanks much,

Chris Hitch, P.E.

Vice President Trio Engineering

office: 262-790-1480, ext. 108 mobile: 262-434-0290 fax: 262-790-1481 chitch@trioeng.com

12660 W. North Avenue, Building D Brookfield, WI 53005

<u>DIVISION 15-3.0700</u> SPECIAL USE STANDARDS AND REGULATIONS SECTION 15-3.0701 GENERAL STANDARDS FOR SPECIAL USES

- **A.** <u>General Standards</u>. No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:
- 1. Ordinance and Comprehensive Master Plan Purposes and Intent. The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.
 - Response: The proposed use is consistent with the use intended for the B-4 South 27th Street Mixed-Use Commercial District. Increased density for the project was reviewed with neighbors, staff, and Council members
- 2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.
 - Response: This project will not have any undo detrimental effect on the community or neighborhood.
- 3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.
 - Response: This project will not have any undo detrimental effect on the use or development of neighboring properties.
- 4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.
 - Response: City staff has confirmed adequate public facilities exist. City staff or Common Council has not expressed any concerns with respect to public services.
- 5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic

congestion in the public streets.

- Response: The proposed roadway design has been reviewed with City staff and the Wisconsin Department of Transportation. All parties believe there will be no adverse traffic change because of this project.
- 6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
 - Response: The proposed project has no negative impact on natural or historic features based on City staff review and a third-party Natural Resource Study that was conducted for this project.
- 7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

Response: This project is in compliance with current zoning standards.

B. <u>Special Standards for Specified Special Uses</u>. When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

Response: This project does not fall under the categories requiring special standards as described in the Sections listed above.

- C. <u>Considerations</u>. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:
- 1. **Public Benefit**. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.
 - Response: The proposed project is the highest and best use for this infill parcel. It appropriately transitions uses along 27^{th} Street from the single family homes along Minnesota, to the south side of the site. It provides additional residents to attract new commercial and retail development along the 27^{th} Street corridor. The apartments

provide needed housing-type diversity and modern units to Northwestern Mutual campus workers and city residents, including long-time residents looking to downsize from single-family homes to maintenance-free living. The commercial parcel will provide desired daycare services to the Northwestern Mutual campus and surrounding neighborhoods. Acquisition and demolition of the motel will significantly reduce negative community impacts, reduce the number of service calls to the site, improve the quality of life for nearby residents, and allow for redevelopment of the parcel to a use that better serves the neighborhood and community.

2. **Alternative Locations**. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

- Response: Redevelopment of the motel parcel would not occur if the project were at any other location, negating those benefits to the community. The benefits of the commercial daycare to Northwestern Mutual's campus would be lessened or may not occur if the project were located further away from their site. The benefits that additional apartment residents will have on future 27th Street corridor development would not occur if the project were at another location.
- 3. **Mitigation of Adverse Impacts**. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.
 - Response: We believe the proposed development has no negative impacts on the surrounding area. Additionally, the current natural buffer that exists along the north property line will be expanded with additional plantings.
- 4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.
 - Response: Based on the dialog with City staff and Council members throughout the planning process, this project is compatible with the intended use.

City of Franklin Department of City Development

Date: August 16, 2017

To: Mike King, Zilber Ltd. From: City Development Staff

RE: Zilber Apartments Comprehensive Master Plan Amendment, Special Use and

Certified Survey Map - Staff Comments

Please be advised that City Staff has reviewed the above applications for the property located at 7333 South 27th Street. Department comments are as follows for the Comprehensive Master Plan Amendment, Special Use and Certified Survey Map (CSM) Applications submitted by Zilber, Ltd. and City file-stamped July 26, 2017. *Please see our responses following each comment in blue*

Planning Department

Site Plan

- 1. Please provide the following information on the Proposed Site Development Plan:
 - Soils Data. The characteristics and types of soils related to contemplated specific uses. Soil borings may be required by the City Engineer, Zoning Administrator, and/or Plan Commission.

Soils are suitable for the proposed project use. Soil boring locations have been added to the Proposed Site Grading Plan (C400) and soil boring logs are included with this submittal.

Type, Size, and Location of All Structures and Signs. The type, size, and location of all structures and signs with all building and sign dimensions. - - Please include the location of any proposed signage.

The proposed monument sign locations have been added to the Proposed Site Development Plan (C300). There are two locations, one located at the intersection of the new public street and south 31st street, and one located just north of the east end of the new public street.

• Building Height. Height of all building(s), including both principal and accessory, expressed in both feet and stories.

Sheets A103 and A104 has been updated with overall building heights. The number of stories remains as previously shown, 3-stories for the apartment buildings and 1-story for the recreation building. The apartments are 40 feet tall and the recreation building is just over 19 feet tall.

• Existing and Proposed Street Names. Existing and proposed street names. - - What is the proposed street name for the new public road extending from S. 27th Street to S. 31st Street?

We are currently working through road name options and will have a name to propose prior to the Plan Commission Meeting.

Site Intensity and Capacity Calculations to be Submitted. The "Site Intensity and Capacity Calculation" worksheets required under Division 15-3.0500 for determining the maximum site intensity, or development capacity, of the site. For residential uses, the maximum number of dwelling units permitted on the site shall be determined based upon the zoning district's maximum density (gross and net), the natural resources present on the site and the level of their preservation, minimum open space ratio, and the residential development option selected. For nonresidential uses, the maximum floor area permitted on the site shall be determined based upon the zoning district's allowable maximum floor area ratio (gross and net), the natural resources present on the site and their level of preservation, the minimum landscape surface ratio, and building height in feet and stories. - - Site Intensity and Capacity Calculation Worksheets are attached. Note that the B-4 District requires new residential development to meet R-8 Multiple-Family Residence District Development Standards, which are also attached.

Updated site intensity calculations are included with this submittal.

• **Development Staging/Phasing.** A graphic outline of any development staging or phasing which is planned. - • <u>Phasing of the project should be discussed within the project narrative.</u>

The phasing of the project has been added to the Project Narrative.

• Easements. The location of all existing and proposed easements on the site including natural resource protection and mitigation area easements, landscape easements, access easements, utility easements, and all other easements. - - Please illustrate the Conservation Easement boundary on the Site Plan. Also, attached is the City's template for the Conservation Easement, which must be reviewed and approved by the Common Council and then recorded with the Milwaukee County Register of Deeds.

Proposed utility easements have been added to the Proposed Site Development Plan (C300).

 Existing and Proposed Zoning Boundaries. The existing and proposed zoning boundaries of the property.

Proposed zoning boundaries have been added to the Proposed Site Development Plan (C300).

• **Project Summary.** A written project summary including fiscal impact upon the City of Franklin, operational information, building schedule, and estimate of project value and including all site improvement costs. - - Please include this information within the project narrative.

The items listed above have been added to the Project Narrative.

2. Has the Wisconsin Department of Transportation approved the s. 27th Street access? If so, please provide documentation of their approval.

The Wisconsin Department of Transportation has conceptually approved the South 27th Street improvements that are proposed. Correspondence with WisDOT is attached that illustrates the conceptual approval and authorizing the preparation of permit documents. These permit documents have been submitted to WisDOT for approval.

3. Please confirm the WisDOT required setback from S. 27th Street. Staff believes WisDOT may require a 42-foot setback, opposed to the City's 40-foot required setback. The more restrictive should then be illustrated on the plans.

Access permit documents are currently under review by WisDOT. Highway setbacks will be confirmed during this review.

4. Note that the UDO requires parking spaces to be a minimum of 9 feet wide and 180 square feet. Staff understands that residential parking has low turnover and the spaces abut a curb, which allow for an overhang to achieve the 20' length. With that said, there appears to be sufficient area to provide for 20 foot long parking stalls. Staff's preference would be to revise the site plan to include 9' x 20' (180 square feet) parking spaces.

Proposed site parking spaces have been revised to 9'x 20' (180 SF min.)

5. What type of fencing is proposed around the dog park area? Staff recommends a decorative type fence, such as a wrought iron or aluminum fence.

A 4'-0" high aluminum fence is proposed for the perimeter of the dog park area as well as the pool and the north side of the playground area. Please refer to the Proposed Site Amenities Plan (C301) for representative imagery of the fencing.

6. Will the dog park and playground be open to the general public? If so, staff recommends further discussions with the City/Engineering Department to consider street parking to accommodate for these uses.

The playground and dog park will not be open to the general public, they will be open to residents and guests only.

7. Please illustrate the vision triangles at the intersections of the proposed public road and S. 31st Street and S. 27th Street per Section 15-5.0201 of the UDO. Note that Section 15-5.0201 of the UDO states that no additional visual obstructions shall be permitted within the vision triangle, unless the obstruction is less than 2.5 feet (30 inches) high.

Vision triangles have been added to the Proposed Site Development Plan (C300) and the draft Certified Survey Map.

- 8. What is the size (in square feet) of the typical one and two bedroom units?

 The typical 1-bedroom unit is 789 SF and the typical 2-bedroom is 1,258 SF with the smallest being 1,098 SF.
- 9. In addition to the proposed walkways, staff recommends consideration of additional pedestrian amenities such as bike racks, trash receptacles, pet waste stations (and bag dispensers), pedestrian scale lighting, colored or textured concrete for walkways through parking areas, overlooks and paths around the storm water ponds, etc. Please include details of any planned pedestrian amenities on the site plan.

Pedestrian amenities provided include bike racks, trash/recycle receptacles, pet waste stations, grill patio, dog park, and children's playground. These are shown on sheet (C301) along with representative imagery.

- 10. Similarly, what type of site amenities are planned for the playground and dog park areas specifically (i.e. type of playground equipment and/or courts, benches, bike racks, trash receptacles, pet waste stations (and bag dispensers), lighting, etc.)?

 The playground will have a jungle gym/slide, swings, and other interactive activities along with benches and trash/recycle receptacles. Please refer to the Proposed Site Amenities Plan (C301) for representative imagery.
- 11. Where are mechanicals located and how will they be screened? Note that all roof and wall-mounted mechanicals must be entirely screened from public view by parapets, walls, or by other approved means.

The mechanical units will be located within each building. The air-conditioning condensing units will be located on the roof and screened by the adjacent parapet walls.

Natural Resource Protection Plan

12. Staff recommends including the 50-foot wetland setback within the Conservation Easement.

The 30-foot buffer is included in the proposed easement.

13. In regards to the wetland, wetland buffer and wetland setback impacts resulting from the public street, an alternative analysis must be provided as part of the Special Use submittal. A question and answer form is attached, which may be utilized to assist in providing this analysis.

An alternative analysis has been provided and is included with this submittal.

14. Staff recommends submittal of a mitigation plan to compensate for the impacts to the wetland, wetland buffer and wetland setback from the public road. Staff would further recommend that the mitigation plan include enhancements to the existing wetlands and wetland buffers onsite. Enhancements, for example, may include invasive species removal and/or planting native vegetation within the existing wetlands and wetland buffers.

Because wetlands are impacted by a public street exclusively, we are not anticipating any mitigation.

15. On the NRPP Map, please include the individual's name that performed the wetland delineations in addition to the company's name.

The name of the professional wetland scientist that performed the assured wetland delineation has been added to the NRPP Map.

Parking

16. On the site plan, please provide a breakdown of the number of one bedroom and two bedroom units. Also indicate if any units will have dens, guest rooms or bonus rooms.

Parking data on the Proposed Site Development Plan (C300) has been revised. A complete analysis of the required and provided parking spaces has been provided on sheet A102 of the Architectural sheets.

In addition, please include parking calculations based upon the Unified Development Ordinance Standard Parking Ratio for apartments (see below). If this standard is not met, please include the percent of reduction that is being requested.

- 1 space per dwelling unit for efficiency and one-bedroom apartments
- 2 spaces per dwelling unit for two-bedroom apartments
- 2.5 spaces per dwelling unit for three or more bedroom apartments.

If a significant reduction is being proposed, staff may suggest adding parking or reserving land for future parking if necessary. Note a future parking area would require revisions to the Site Capacity and Intensity Calculations as it would not be considered greenspace.

Parking quantities have been revised to reflect the code-required number of stalls. This analysis is located on sheet A102 of the Architectural sheets.

17. Please include a typical width on the Site Plan for the proposed surface parking stalls. This should be a minimum of 9 feet.

Typical site parking stall size of 9 feet has been identified on the Proposed Site Development Plan (C300).

18. Please label the appropriate number of ADA accessible parking spaces on the site plan (see Table 15-5.0202(I)(1) of the UDO). Also note that the UDO requires a minimum 13-foot width for ADA parking spaces.

Accessible parking spaces have been identified on the Proposed Site Development Plan (C300).

- 19. Will any underground parking be dedicated as ADA parking spaces?

 See sheet A102. There will be (1) accessible space within each building.
- 20. Will any surface parking spaces be specifically reserved for tenants or guests? If so, please specify on the site plan or discuss within the project narrative.

 Spaces within the buildings will be reserved for tenants. Parking spaces located outside will not be specifically reserved but will be available for both tenants and guests.

Landscaping

21. Please include a legend on the Landscape Plan to identify tree types, which correspond to the Plan Schedule.

A landscape plan legend has been added to both sheets L101A and L101B to include planting and seed mixture.

22. The Plant Schedule indicates 235 shade trees and 144 evergreens provided. However, the summary table states 285 canopy trees and 216 evergreens provided. It indicates that ½ of the existing trees count towards the canopy requirement, which would be 275, not 285. Please ensure that the quantity of plantings provided is consistent throughout the submittal.

Kapur & Associates will ensure our plant counts remain consistent through the submittal.

23. Also, it appears the total of 757 trees includes 40 for the existing, plus the 285 for canopy. Is the 40 credit already included in the 285 for canopy trees? If so, the total double counts the credit for existing trees.

The summary table on sheet L102 has been updated with additional existing tree count following an on-site review with Kevin Haley.

24. Staff will note in its report to the Plan Commission that 80 existing trees are intended to remain; however, if you wish to receive credit per Section 15-5.0302D. of the UDO you must identify the type, size and location of the existing trees.

The summary table on sheet L102 has been updated with additional existing tree count following an on-site review with Kevin Haley. Kapur & Associates will identify all existing trees that will remain through construction.

25. Staff recommends additional trees be planted to comply with UDO minimum landscaping standards, or at least to the greatest extent possible. Staff recommends planting additional trees within the existing tree lines, especially if the tree lines consist primarily of Ash trees.

Tree quantities have been increased to meet the UDO with exception of evergreens. Our proposal increases the height of 144 evergreens from 4' to 7' in lieu of 216 4' evergreen trees. Please see summary table on L102.

26. Does the plant schedule include street trees? Please note that it should not as the quantity provided is based upon a separate requirement and calculation.

The previous plant schedule included street trees and has now been amended to separate street trees and general trees. The street tree schedule is placed above the general planting schedule on sheet L102.

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

Permanent irrigation will be provided around the buildings and temporary irrigation will be utilized for the remaining landscape areas during stabilization. This is shown on the L100 sheet of the landscape drawings.

28. Please ensure that landscaping is placed outside of the required vision triangle (per Section 15-5.0201 of the UDO). There is landscaping at the northeast corner of S. 27th Street and the proposed new road that may be close or partly within the vision triangle.

Landscaping has been revised to eliminate any plantings within the vision triangle.

29. Please illustrate areas for snow storage on the Landscape Plan, Sheet L100, in compliance with Section 15-5.0210 of the UDO.

Snow storage areas have been designated on sheet L100.

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

The landscape notes on L102 have been amended to include a two year guarantee for all planting material.

Architecture

- 31. Please consider the following comments and recommendations related to the architecture of the buildings:
 - Provide greater articulation within the footprint and roofline of the buildings.
 - Provide enhancements to the main entrance and all secondary entrances.
 For example, include canopies above all secondary entrances.

- Include another building type, which would provide additional variation within the development, but at the same time should be compatible to the building type currently proposed. For example, the north side could be one building type and the south side another.
- Add corner features to the buildings, particularly where buildings are viewed from the public right-of-way.
- Add window treatments throughout.

The ends of the buildings have been revised to provide more articulation and interest. The updated design also provides for more distinctive corner features. Small canopies have also been added over the secondary entrance doors.

32. What is the material of the balcony railings?

The balcony railings are a painted steel or aluminum and will match the window frame color.

Lighting Plan

33. Staff suggests more decorative style lighting be utilized throughout the development.

The design intent of the current exterior light fixture style is it be complimentary to the building's clean, modern architecture. This light fixture style is also similar to the new LED fixtures located on 27th Street, in front of this site.

34. Staff recommends adding pedestrian lighting within the development, particularly along walkways to the recreation building.

The intent is to minimize any unnecessary exterior light pollution.

Sign Plan

35. Is any signage proposed? If so, staff recommends submittal of sign details, such as the location and base material for approval as part of the Special Use Application. Otherwise, sign details may have to go back to the Plan Commission and Common Council via Special Use Amendment process. Please also be aware that a Sign Permit will be required for any proposed sign, prior to installation. Please contact the Building Inspection Department at 414-425-0084 regarding the approval process and any required application.

Signage locations are proposed and are shown on the Proposed Site Development Plan (C300). The signage has not been designed and will be submitted for review and approval at a later date.

Certified Survey Map

36. As noted above, the setback from S. 27th Street should be confirmed with the WisDOT and the CSM revised as may be necessary.

Access permit documents are currently under review by WisDOT. Highway setbacks will be confirmed during this review.

37. Please label the Conservation Easement boundary on the CSM. Staff recommends that it match the 50-foot wetland setback line.

The proposed conservation easement have been identified on the draft Certified Survey Map.

Comprehensive Master Plan Amendment

- 38. For the Comprehensive Master Plan Amendment, please provide an exhibit labeled "Comprehensive Master Plan Amendment Exhibit" that illustrates the site boundaries and label the current and proposed designated future land uses on the parcel (see below).
 - Current Future Land Use Map designation: Mixed Use
 - Proposed Future Land Use Map designation: Residential Multi-Family for the proposed Lots 1 and 3 and Commercial for Lot 2.

A Comprehensive Master Plan Amendment Exhibit has been provided along with this submittal,

39. Please be aware that staff's preference for development of the subject parcel is for a more traditional mixed use development. This would include the apartments more directly blended and integrated with commercial, institutional, office, retail and recreational uses. For example, buildings with first floor retail and apartments above. As such, staff does not support amending the Future Land Use Map and recommends that it remain as Mixed Use.

In designing the project the following objectives were among those considered; maximizing the value of this infill land parcel, creating uses that will be successful given current market conditions, and creating a successful transition between the single family homes along West Minnesota Avenue and the more intense commercial uses to the south of the site. In considering these objectives a wide range of potential uses were evaluated, including a more traditional mixed use development. It was concluded that a traditional mixed use development of the type described in the City's comment would not be successful in the current market nor best meet the project's objectives, some of which are described above.

The developer has proposed a mixed use development for the site, including commercial development on the infill site and additional commercial, office, or retail development in addition to the current restaurant use on the adjacent motel site. This will ensure a mixed-use setting when considered comprehensively, with effective transitional uses creating a thoughtful balance for existing neighbors. An amendment of the Future Land Use Map is not required as the proposed mixed use project conforms to existing zoning and the Future Land Use Map.

Engineering Department Comments

See attached letter from the Engineering Department.

Certified Survey Map has been revised to address the Engineering Department comments.

Fire Department Comments

The Fire Department has the following Comments, Concerns, and Requirements:

• The Fire Department is does not support further high-density residential development relative to existing Fire Department staffing levels.

- Response times for Fire and EMS incidents may exceed Fire Department benchmark goals and/or industry standard recommendations.
- Full fire protection (fire alarm, automatic sprinkler system, and fire department standpipe system) are required per State and/or local code, and must be designed and installed in compliance with IBC and all applicable NFPA standards.

Fire protection system will be provided as required by State and/or local codes.

 Number and placement of fire hydrants must be acceptable to the Fire Department.

Fire hydrant locations will be reviewed and approved by the Fire Department.

Police Department Comments

The Franklin Police Department has reviewed the application for 7333 South 27th Street. The Police Department has no issues with this request.

Milwaukee County

See attached letter from the Milwaukee County Register of Deeds.

Certified Survey Map has been revised to address the Milwaukee County Register of Deeds comments.

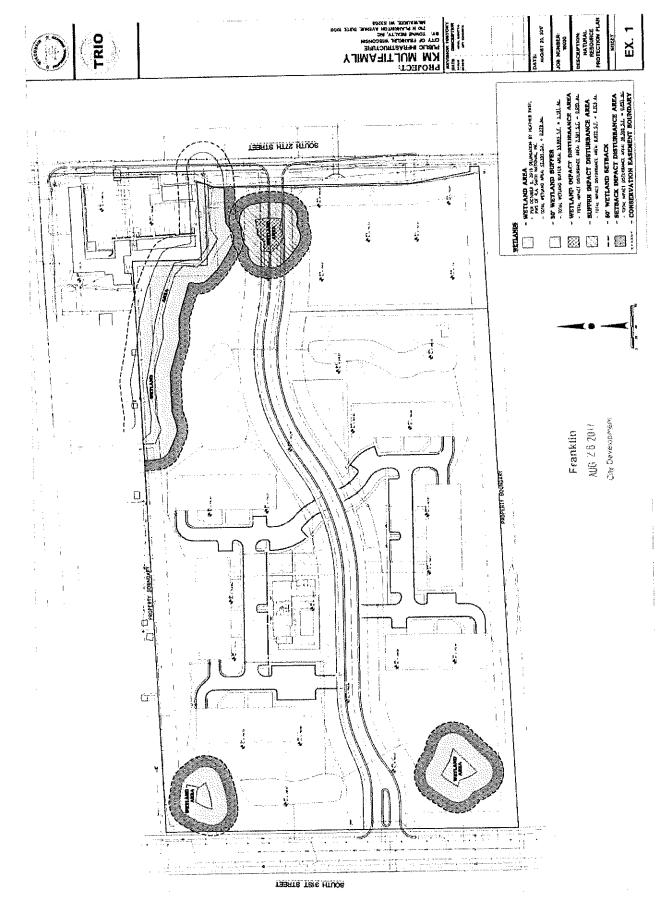


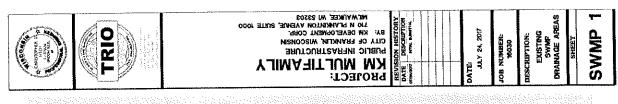
7333 SOUTH 27TH STREET MULTIFAMILY HOUSING DEVELOPMENT



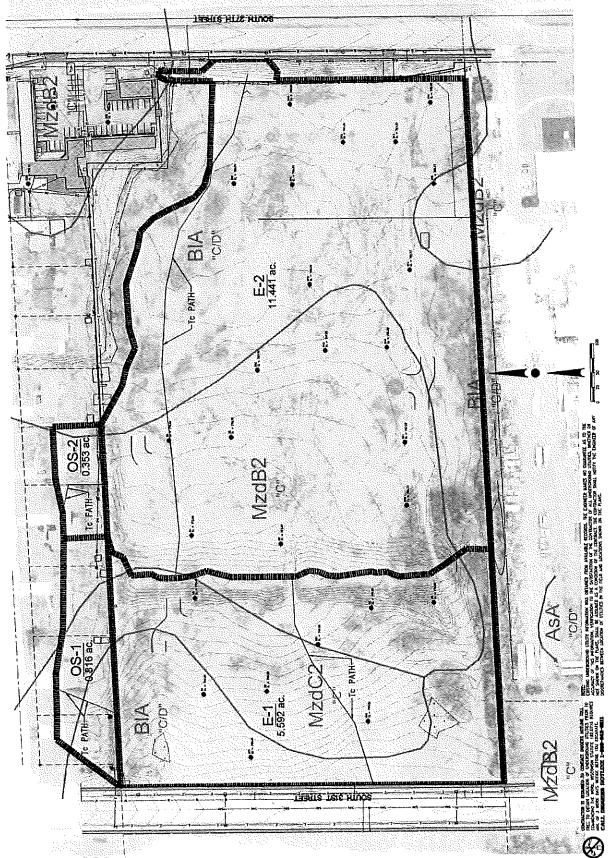
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AUGUST 25, 2017





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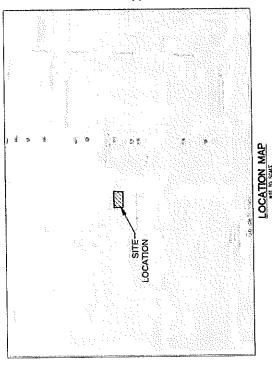
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7333 SOUTH 27TH STREET MULTI-FAMILY DEVELOPMEN

PUBLIC INFRASTRUCTURE PLANS CITY OF FRANKLIN, WISCONSIN



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1	ROADWAY & STORM SEWER EVISTER PLAN
61-62	HOLDWAY & STOKE SCHOOL PLAN & PROPERTY
9	DVEHALL MAPROVEMENTS PLAN
3	CENTRIC AND DELBURGE PLAN
577	STORM SCHER PLAN
3	PAYENCINI BURHAND TILE
7	SCHALGE PLAN
C6.5 C6.8	ROADWAY CROSS SECTIONS
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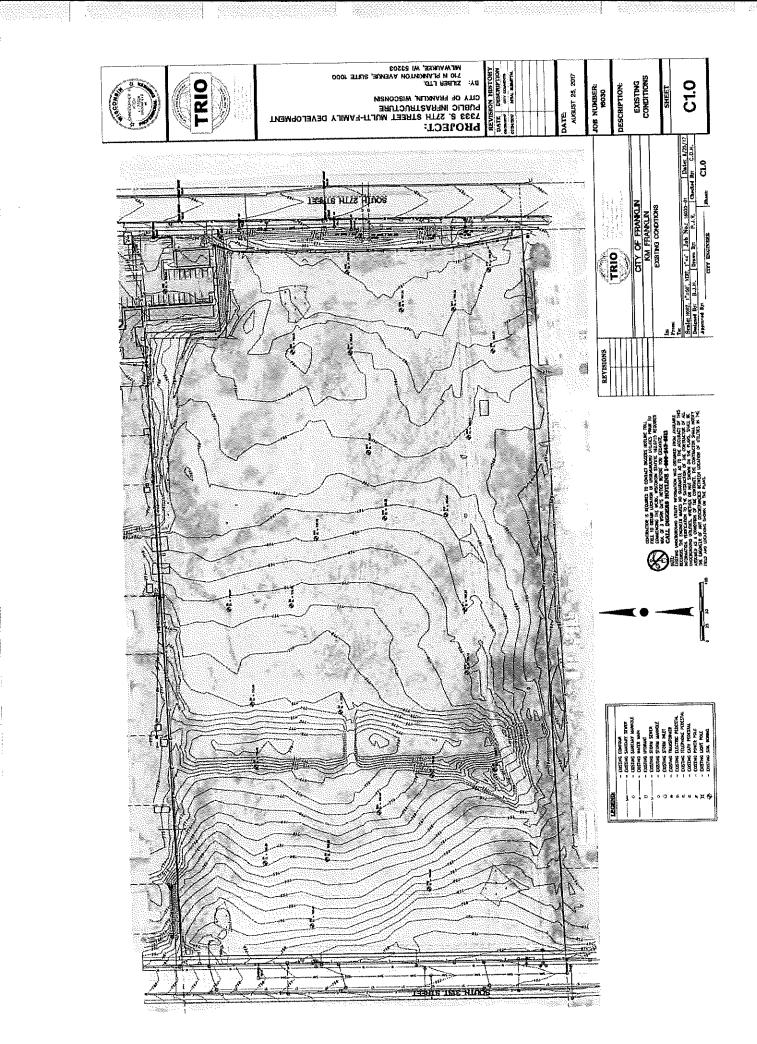
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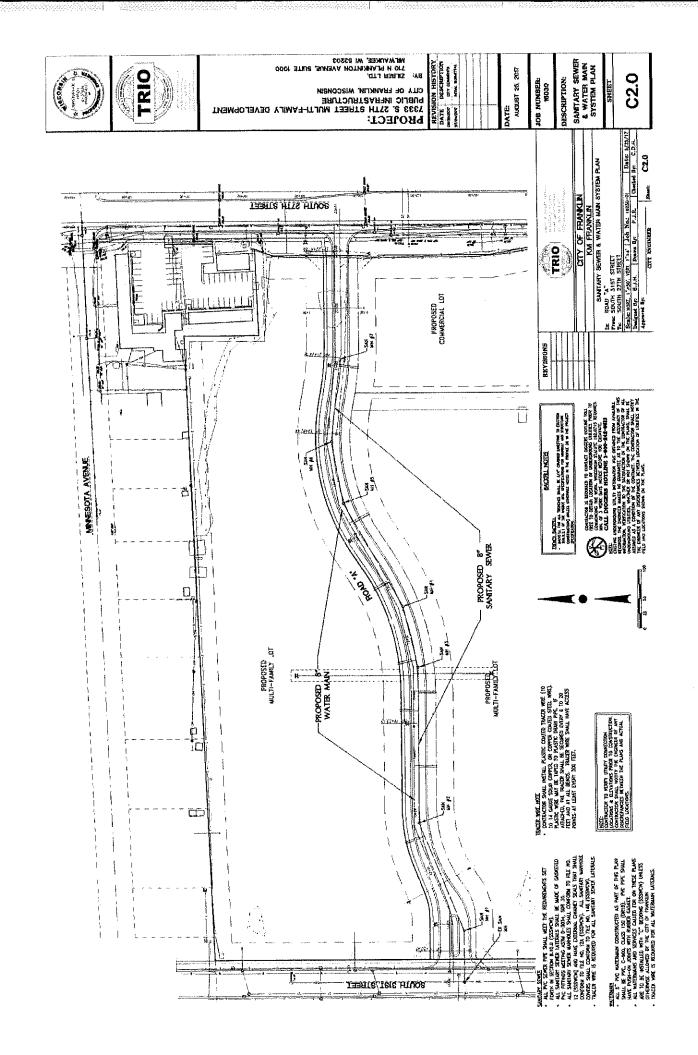
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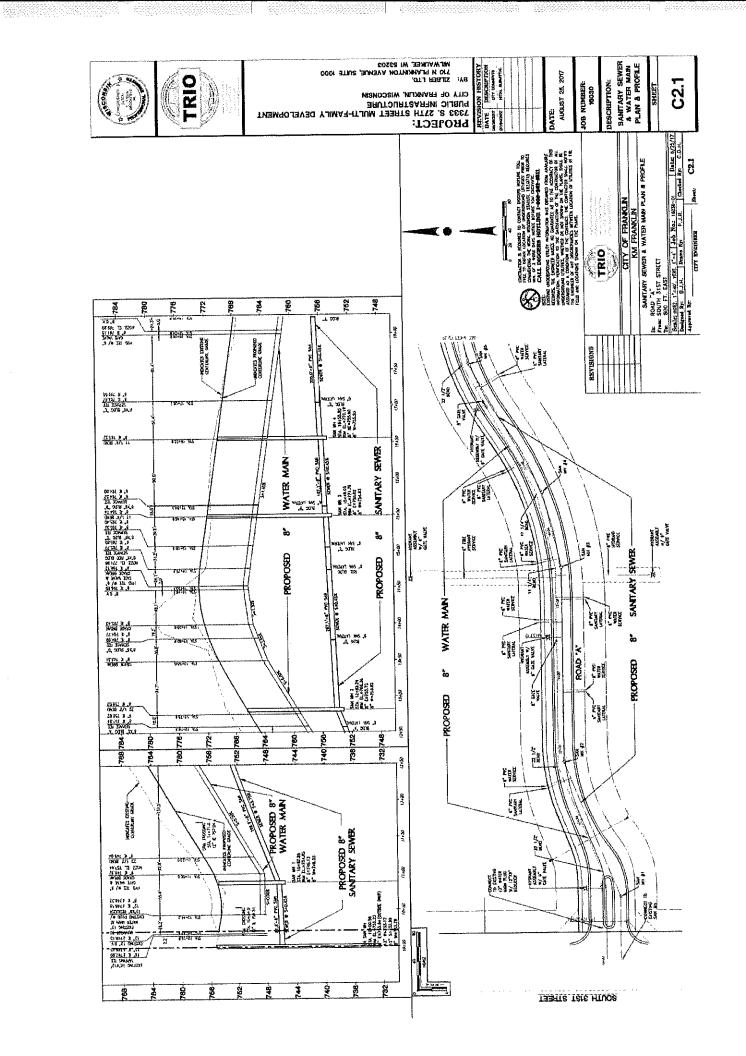
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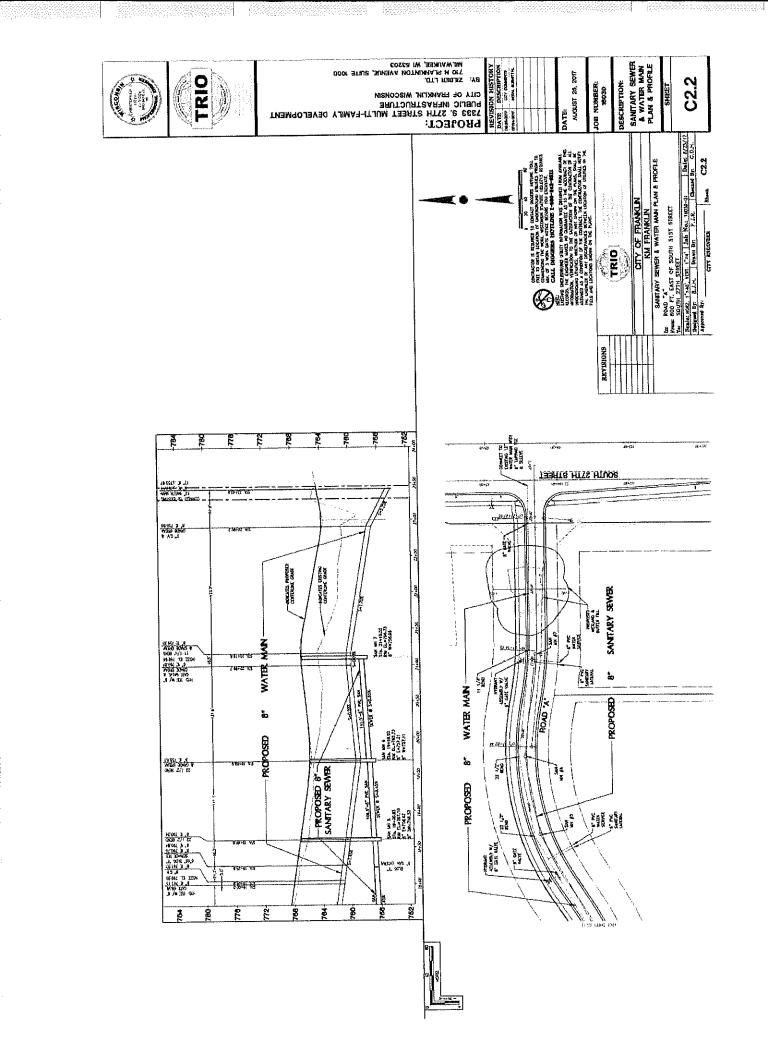
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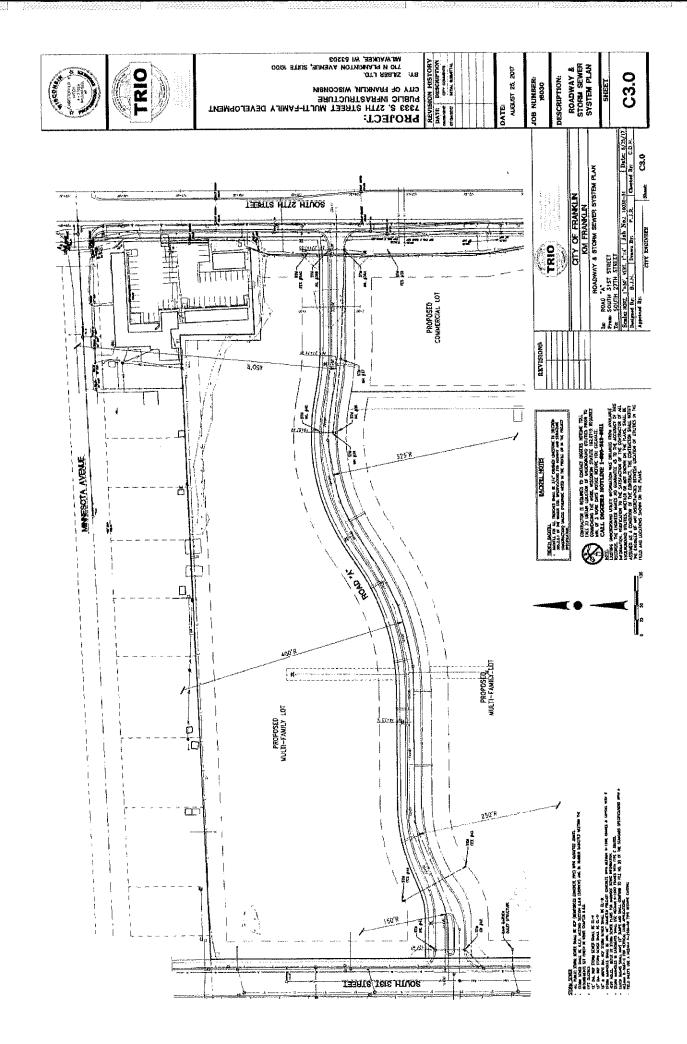
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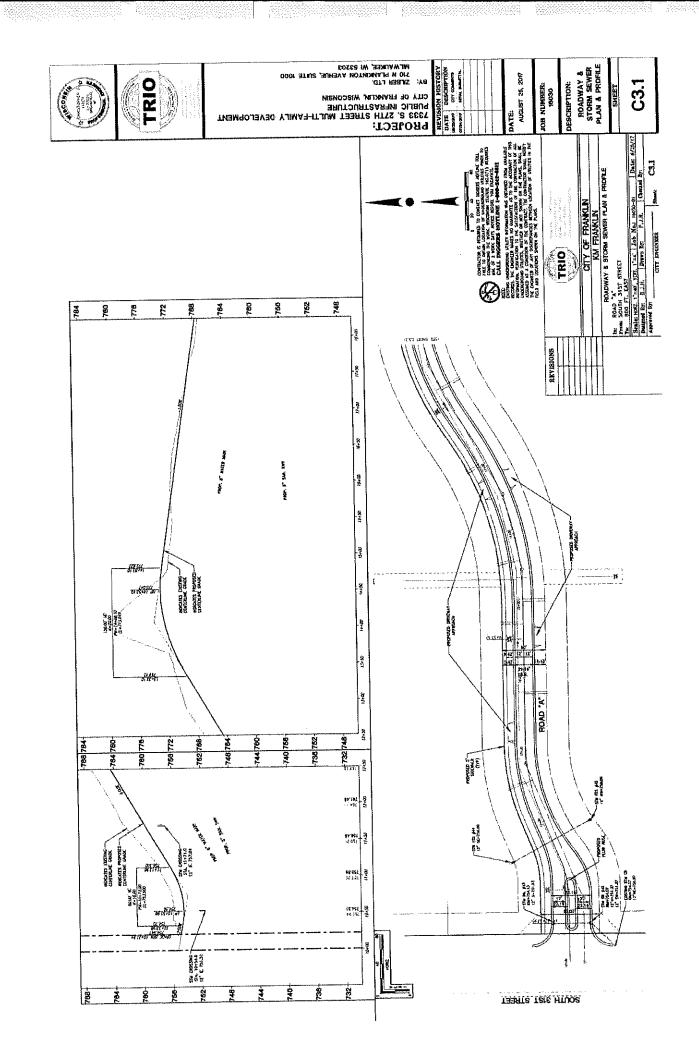


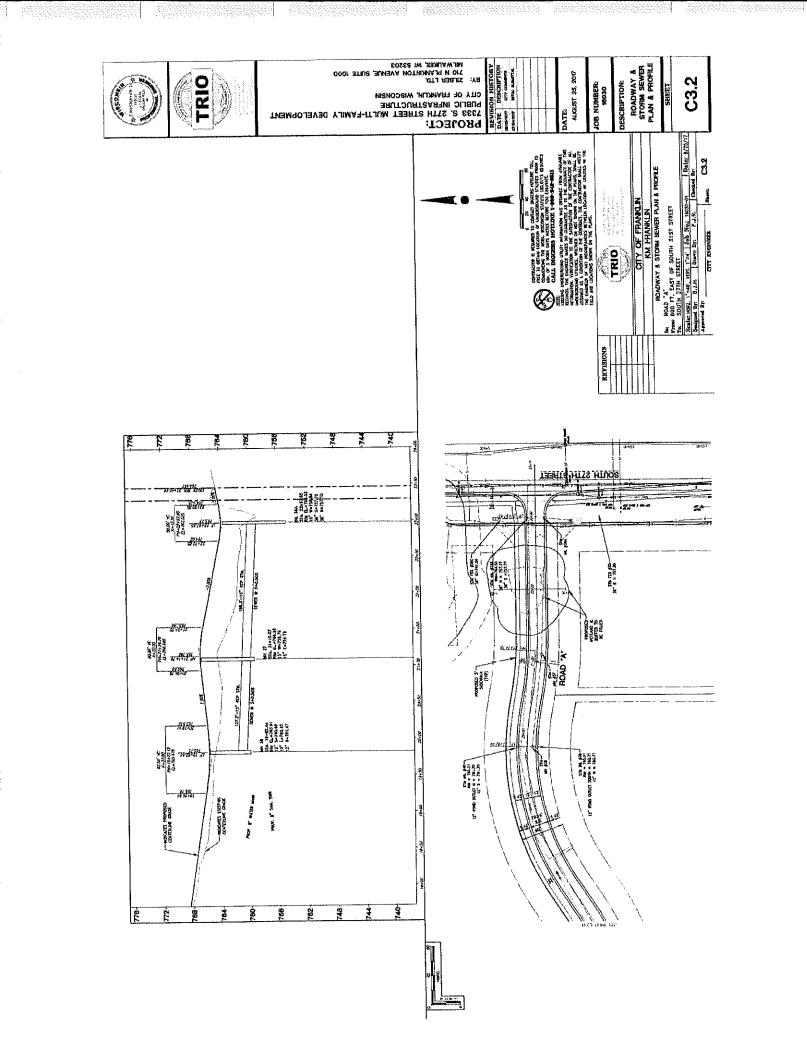




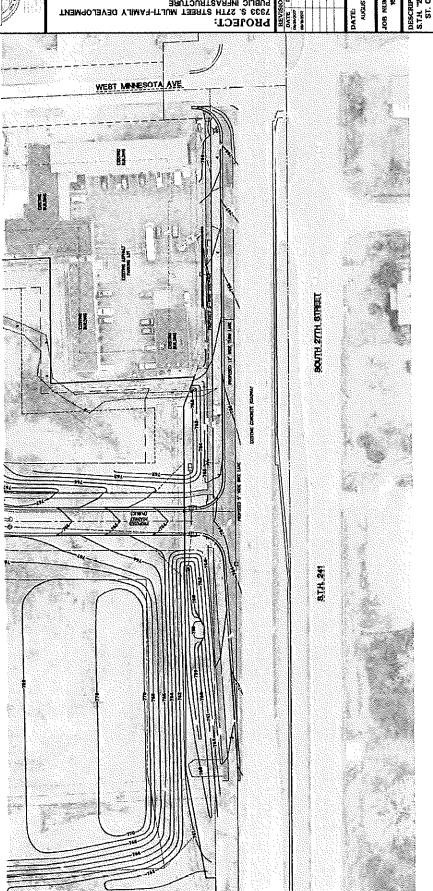








S.T.H. "241" SOUTH 27TH STREET INTERSECTION IMPROVEMENT PLANS





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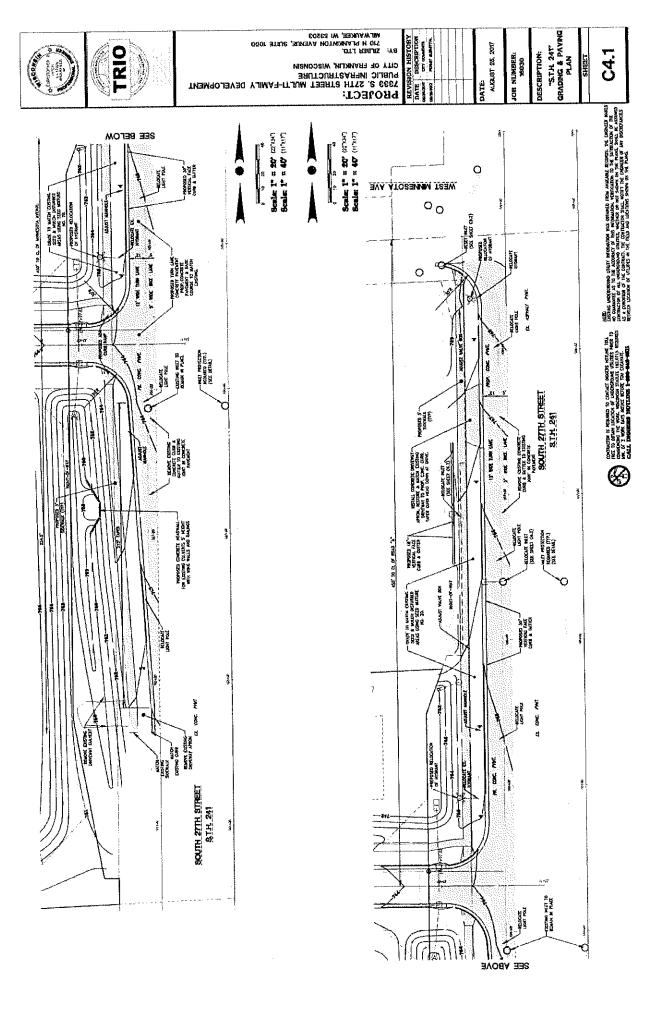


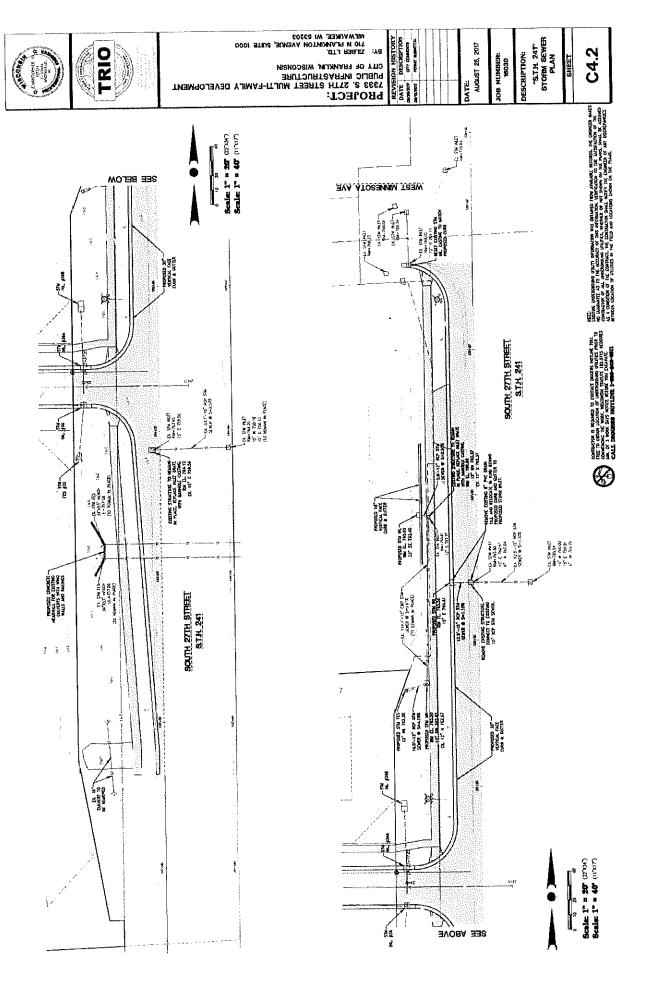
DATE: AUGUST 25, 2017

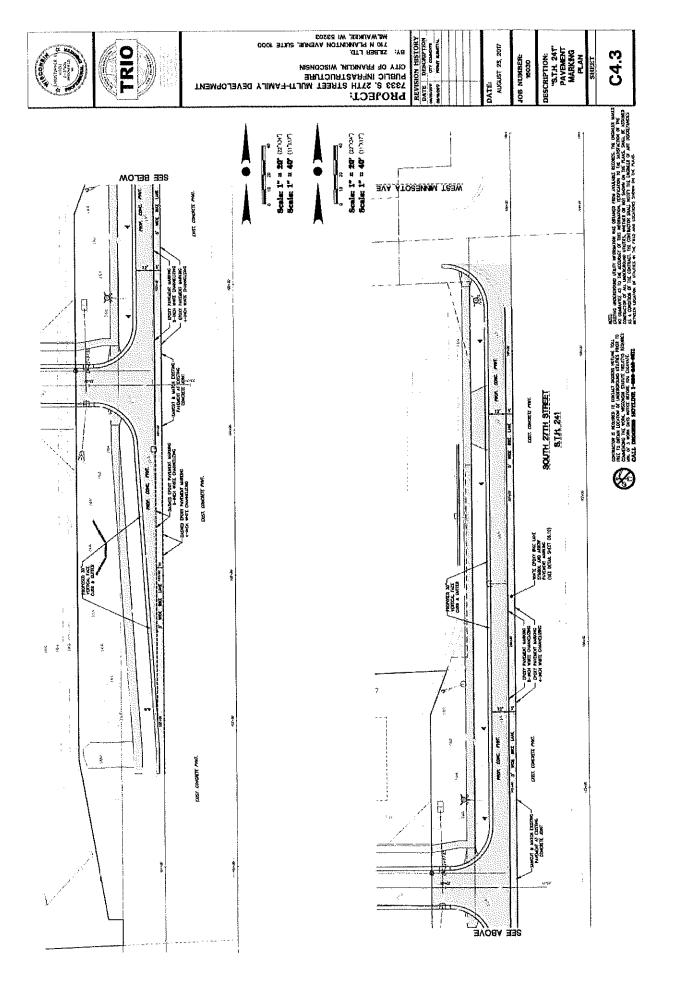
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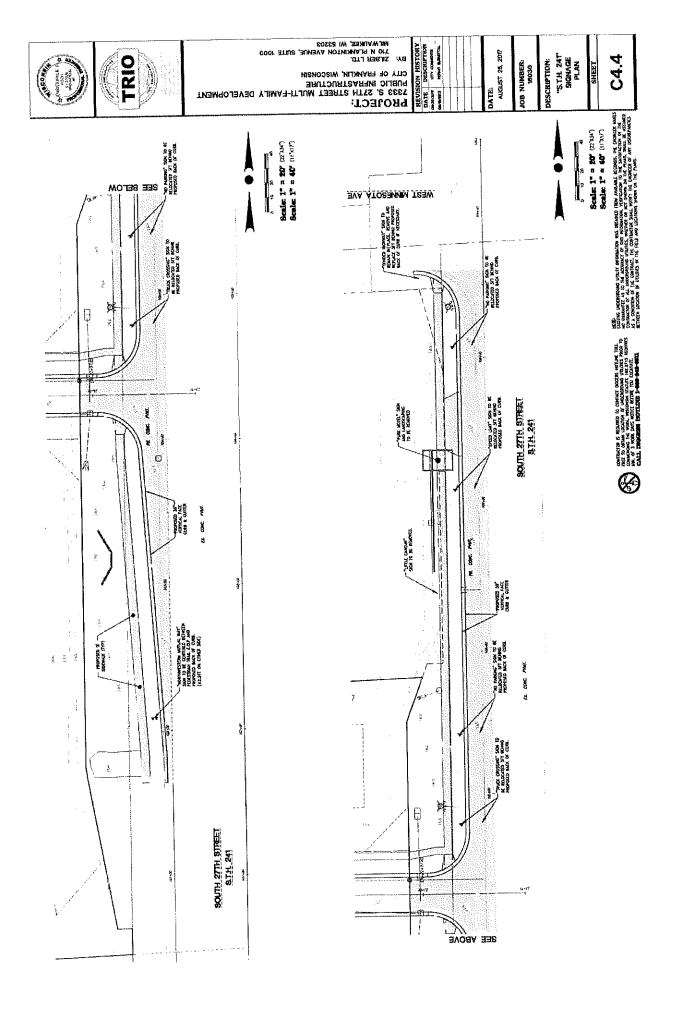
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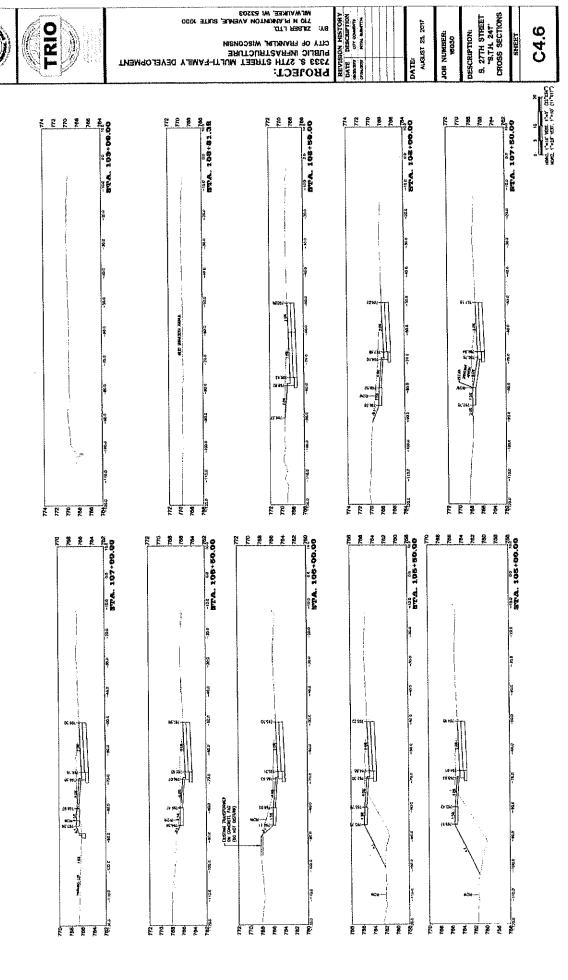


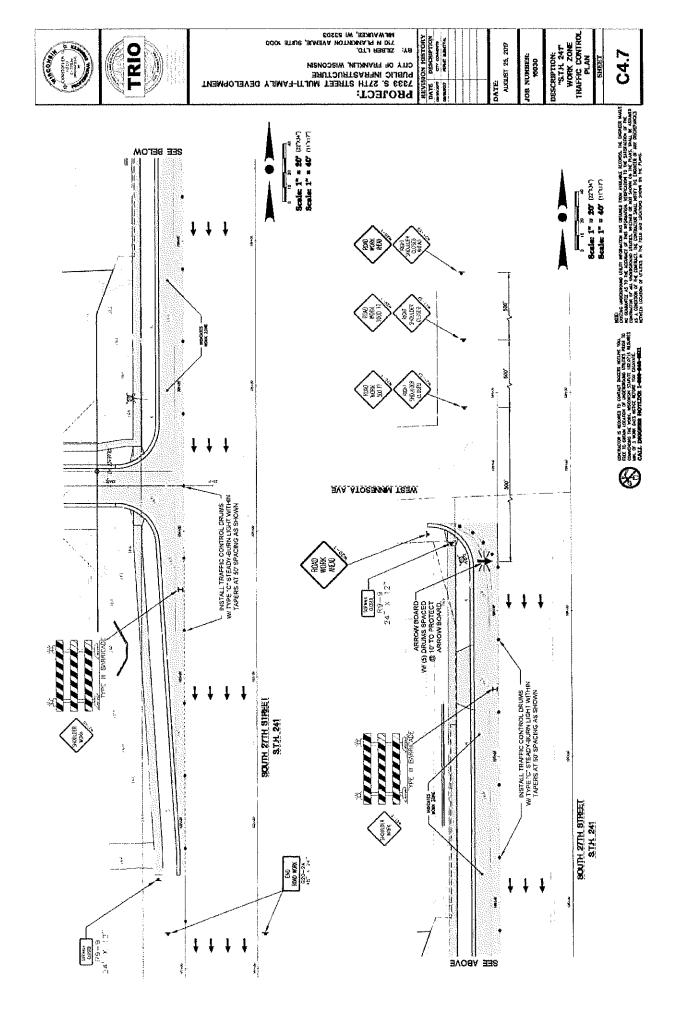




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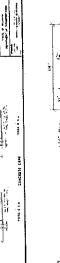
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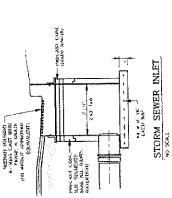


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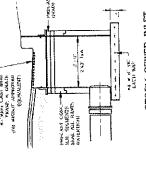
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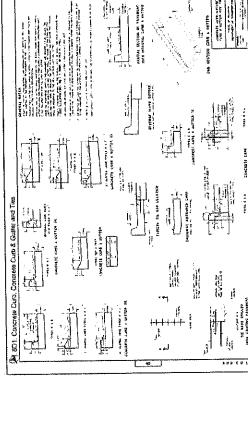
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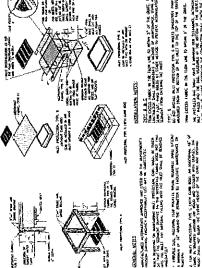
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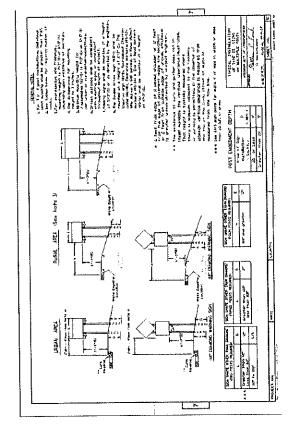
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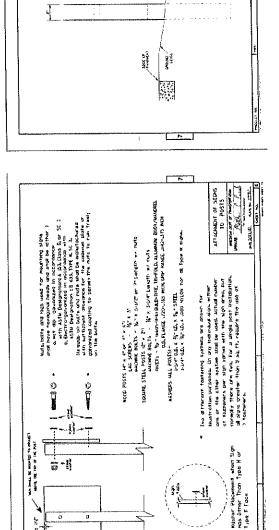
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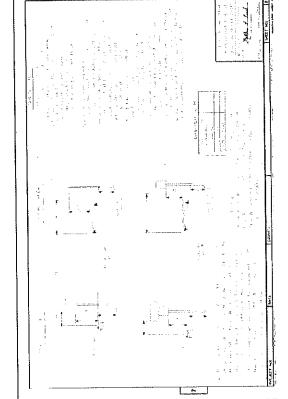
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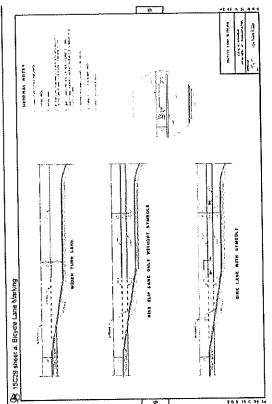
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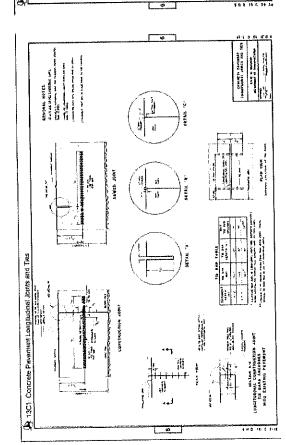
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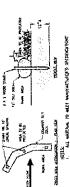
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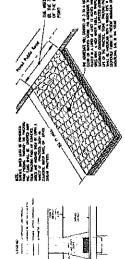
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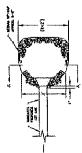
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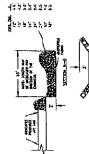
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AUGUST 26, 2017 DATE

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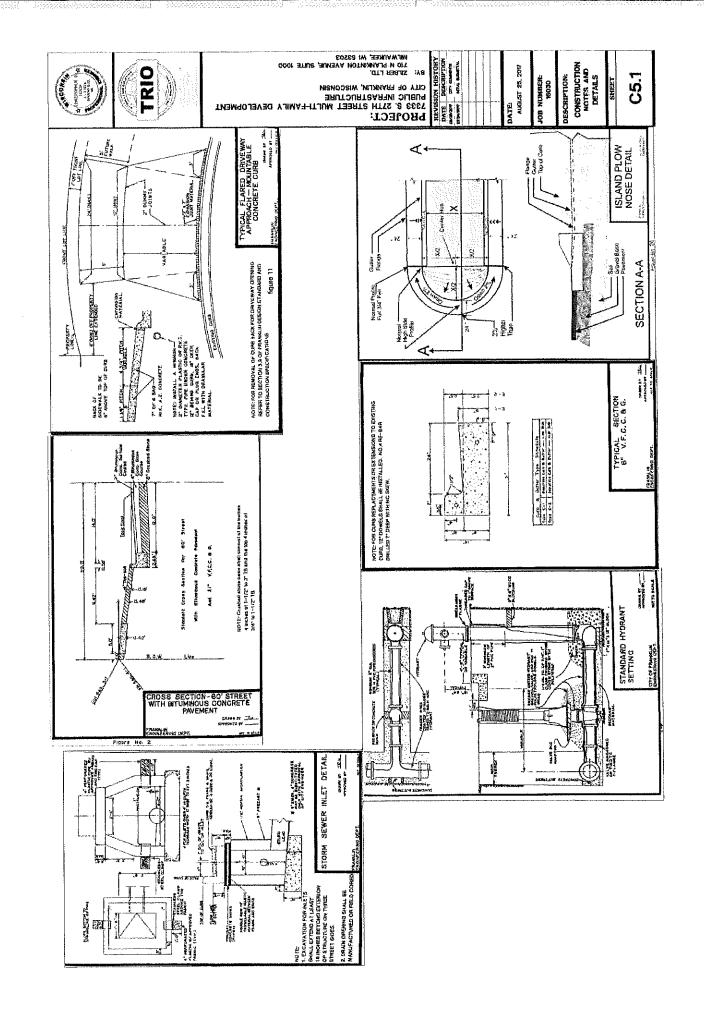
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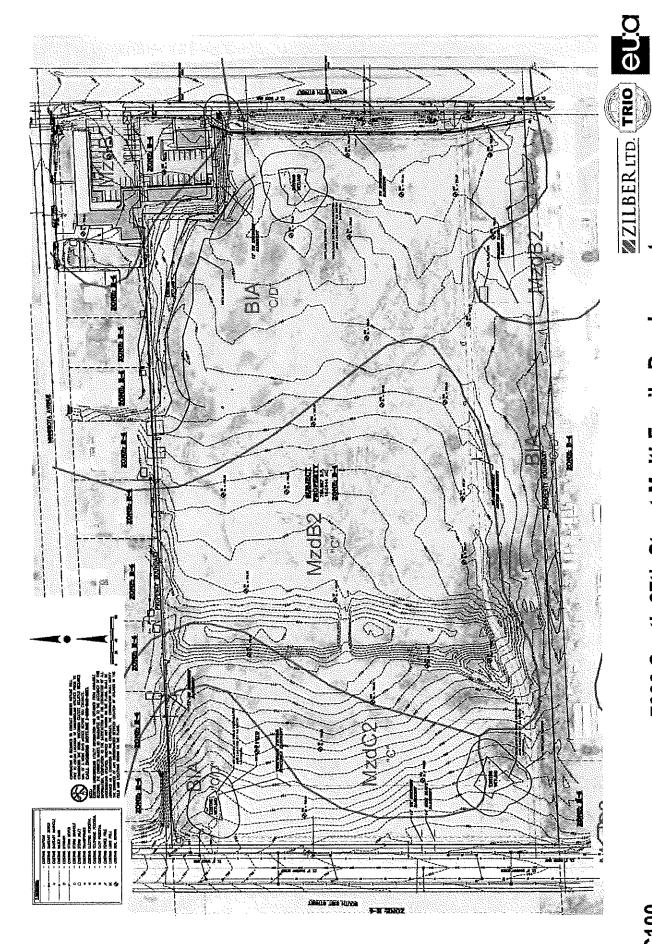
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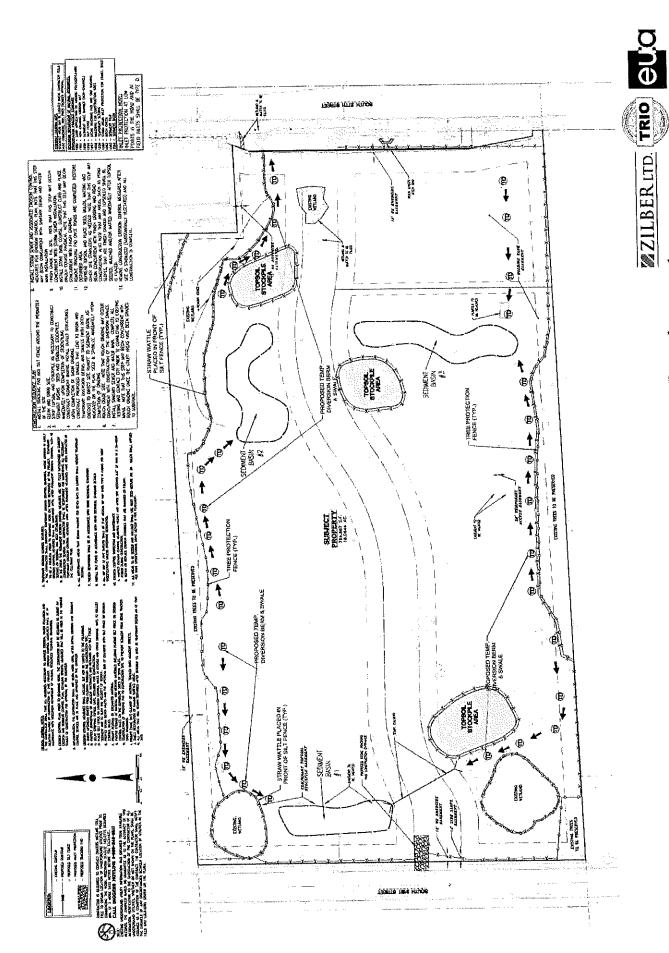
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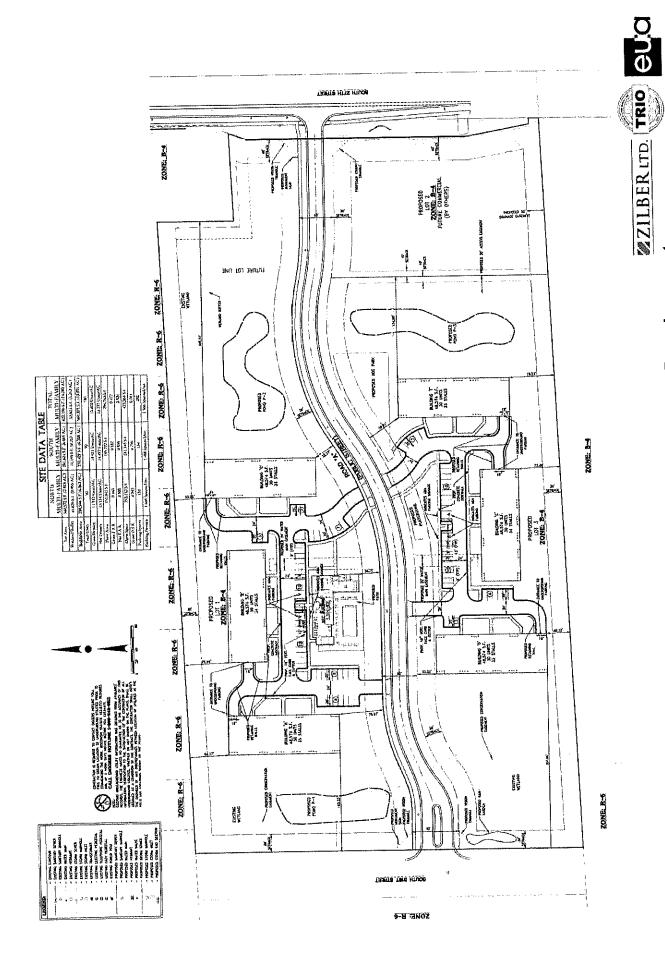


7333 South 27th Street Multi-Family Development Existing Site Conditions



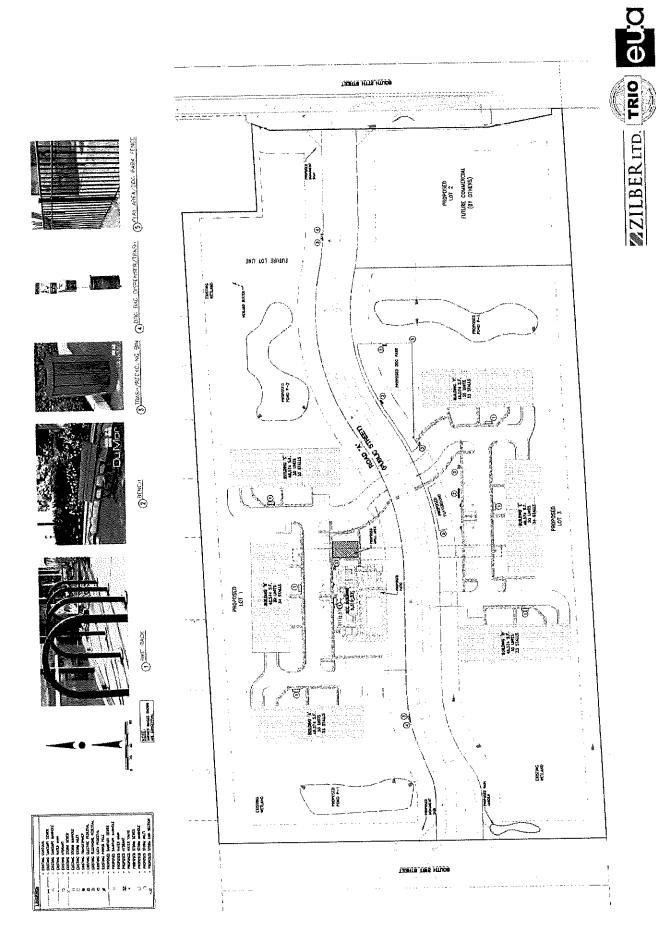
7333 South 27th Street Multi-Family Development

Proposed Erosion Control & Demolition Plan



7333 South 27th Street Multi-Family Development

Proposed Site Development Plan

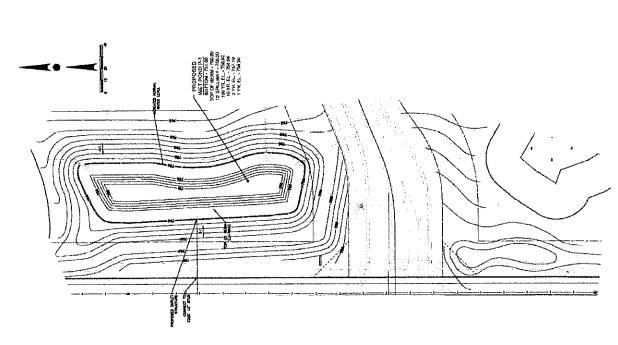


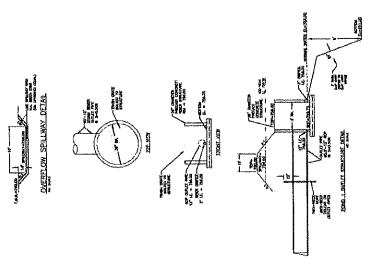
7333 South 27th Street Multi-Family Development
Proposed Site Amenities Plan

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7333 South 27th Street Multi-Family Development

Proposed Site Grading Plan



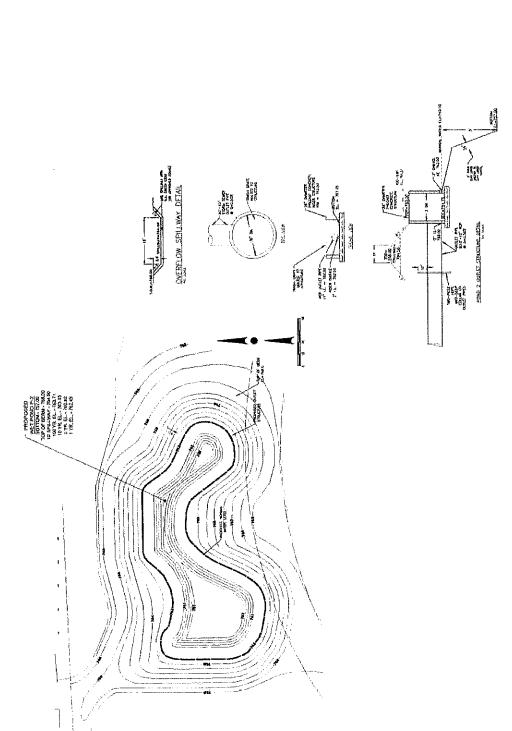




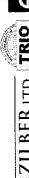




7333 South 27th Street Multi-Family Development Proposed Pond Details









ZZILBER LTD.

7333 South 27th Street Multi-Family Development
Proposed Pond Details

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7333 South 27th Street Multi-Family Development

Proposed Pond Details

7333 South 27th Street Multi-Family Development Proposed Site Utility Plan

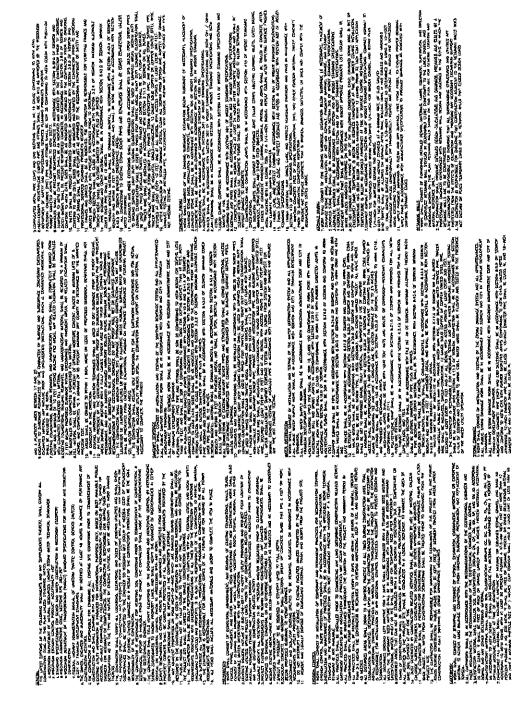






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7333 South 27th Street Multi-Family Development Site Construction Details

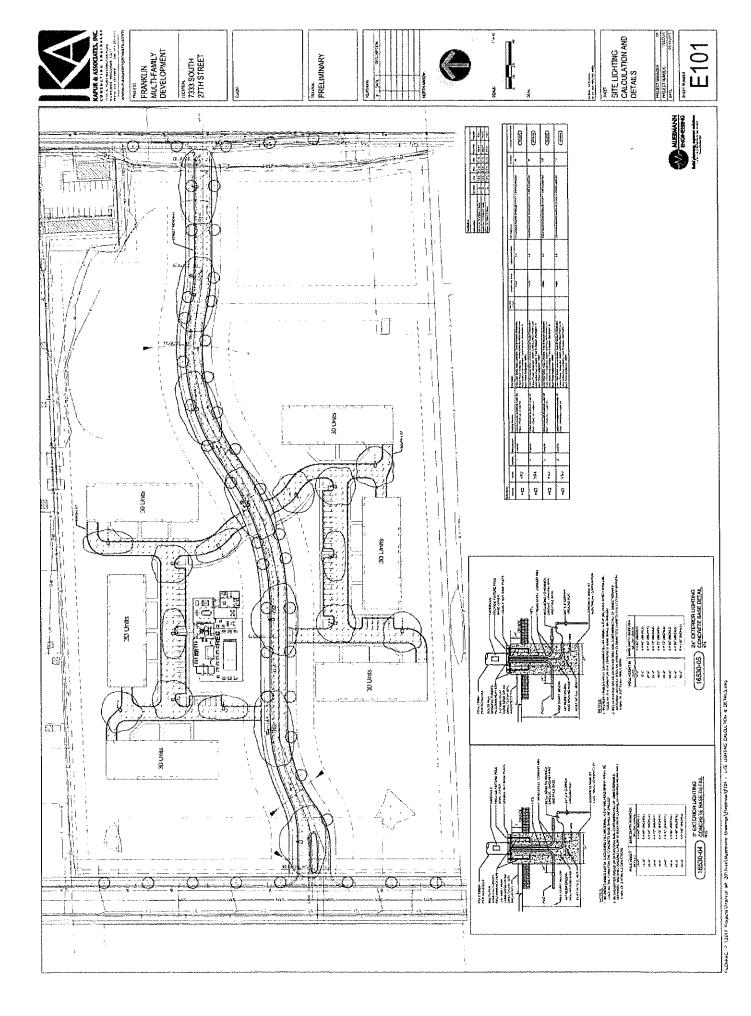


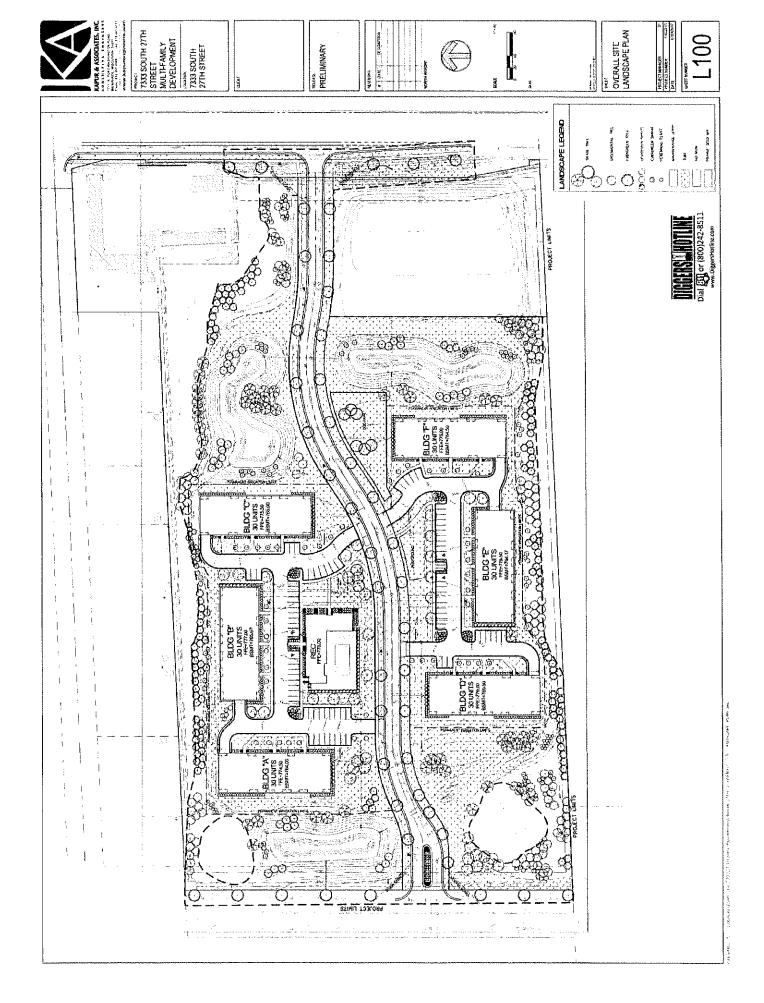
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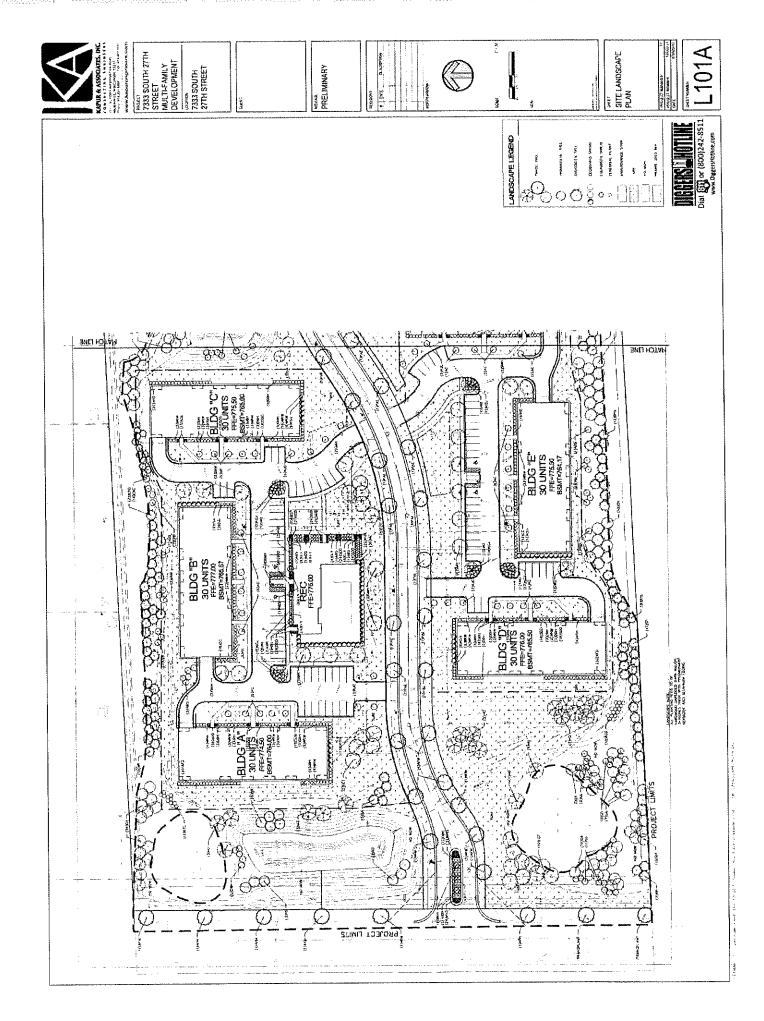
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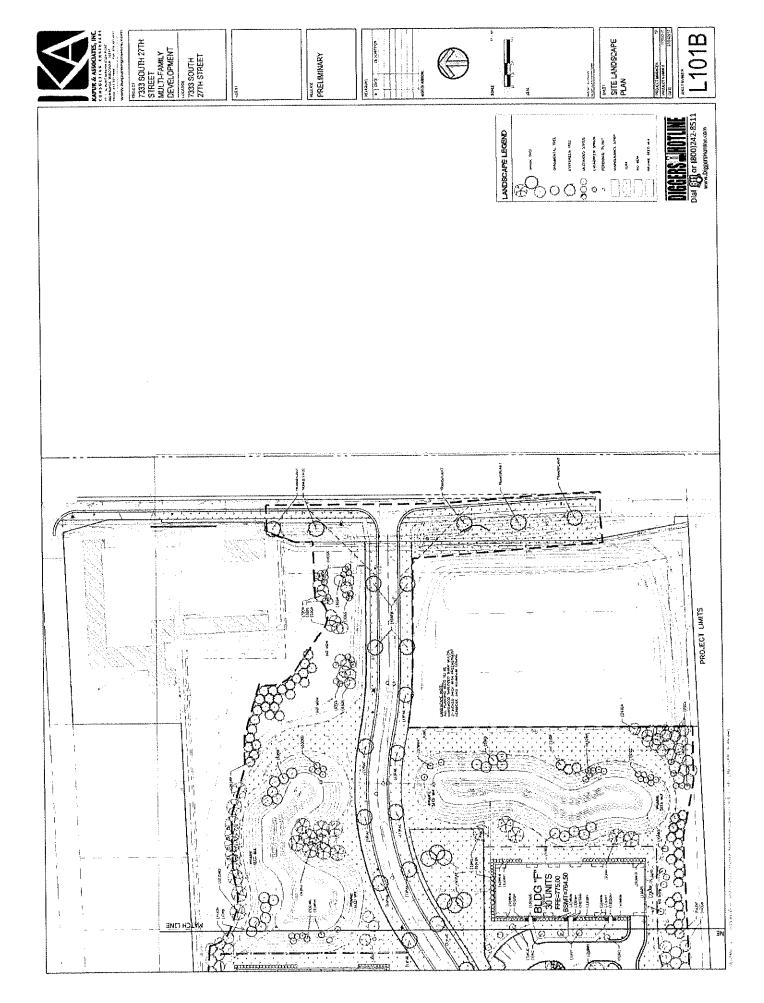


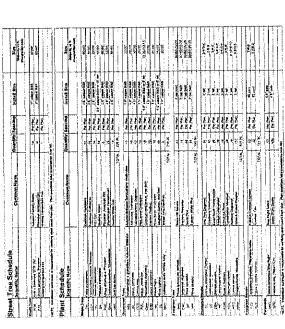
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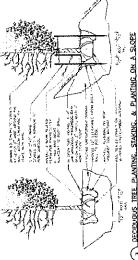
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(1) LANDSCAPE SCHEDULE MOMENTON

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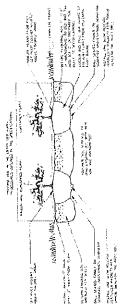
(3) DECIDUQUE TREE PLANTING, STAKING, & PLANTING ON A SLOPE



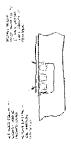
(4) EVERGREEN TREE PLANTING & STAKING

* I THE DESCRIPTION

PRELIMINARY



5) OFCIDUOUS & ENERGREEN SHRUFF PLANING



SITE LANDSCAPE DETAILS

(B) PERFINIAL PLANTING

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