

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY PUBLIC LIBRARY – FADROW ROOM  
9151 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*\*  
MONDAY, APRIL 4, 2016  
AT 6:30 P.M.**

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:  
March 15, 2016 Common Council Meeting.
- D. Hearings - Proposed Ordinance to Amend the City Of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map Use Designations for Properties Located at Approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (Lands South of Rawson Avenue), and to Reclassify Certain Existing Road Right-Of Ways from Transportation Use to Mixed-Use (Lands North of Rawson Avenue) with regard to the Proposed Ballpark Commons Sports Anchored Mixed-Use Development (Approximately 14.964 Acres (North of West Rawson Avenue) and Approximately 39.419 Acres (South of West Rawson Avenue)) (Greg Marso, Zim-Mar Properties, LLC, Applicant). The properties which are the subject of this application bear addresses/Tax Key Nos. / current zoning designations as follows: 8220 West Old Loomis Road / 755-9995-002 / R-3E Suburban/Estate Single-Family Residence District, 8240 West Old Loomis Road / 755-9995-001 / R-3E Suburban/Estate Single-Family Residence District, 8316 West Old Loomis Road / 755-9996-000 / R-3E Suburban/Estate Single-Family Residence District, [no address] West Rawson Avenue / 754-9988-001 / R-3E Suburban/Estate Single-Family Residence District, 8490 West Old Loomis Road / 754-9988-002 / R-3E Suburban/Estate Single-Family Residence District, and one parcel, located between West Crystal Ridge Drive on the north and West Loomis Road on the south, immediately south of the existing The Rock Sports Complex, currently zoned B-1 Neighborhood Shopping District, does not bear a tax key number or an address, consisting of approximately 14.964 total acres of land (north of West Rawson Avenue) and 39.419 total acres of land (south of West Rawson Avenue). This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d).
- E. Organizational Business.  
Boards and Commission Appointments:
  - 1. Arthur Skowron, 9046 S. Cordgrass Circle East, Ald. Dist. 6 - Architectural Review Board (3 year term expiring 4/30/19).
  - 2. Jim Arneson, 5188 W. Harvard Dr., Ald. Dist. 5 - Architectural Review Board (3 year term expiring 4/30/19).

3. Mark Dandrea, 8041 S. Meadowcreek Ct., Ald. Dist. 1 - Community Development Authority (3 year term expiring 4/16/19).
4. Matt Haas, 3845 W. Forest Hill Ave., Ald. Dist. 5 - Economic Development Commission (2 year term expiring 6/30/18).
5. Patricia Pomahac, 8111 S. Forest Hills Cir., Ald. Dist. 2 - Environmental Commission (3 year term expiring 4/30/2019).
6. David Lindner, 4007 W. Acre Ave., Ald. Dist. 5 - Fair Commission (3 year term expiring 4/30/19).
7. Kenneth Sweeney, 11221 W. St. Martins Rd., Ald. Dist. 6 - Fair Commission (3 year term expiring 4/30/19).
8. Dennis Ciche, 8128 S. 43<sup>rd</sup> St., Ald. Dist. 5 - Finance Committee (1 year term expiring 4/30/17).
9. Linda Witkowski, 7935 S. 67<sup>th</sup> St., Ald. Dist. 4 - Finance Committee (1 year term expiring 4/30/17).
10. Robert Campbell, Jr., 5416 W. Behrendt St., Ald. Dist. 5 - Finance Committee (1 year term expiring 4/30/17).
11. John Howard, 6658 W. Robinwood Ln., Ald. Dist. 5 - Finance Committee (1 year term expiring 4/30/17).
12. James Bartoszek, 6720 S. Harvard Dr., Ald. Dist. 5 - Parks Commission (3 year term expiring 4/30/19).
13. Mary Remington, 7600 S. Chapel Hill Dr., Ald. Dist. 2 - Parks Commission (3 year term expiring 4/30/19).
14. Nora Heidingsfeld, 8111 South Steepleview Drive, Ald. Dist. 2 - Personnel Committee (3 year term expiring 4/30/19).
15. Dave Fowler, 7549 S. Riverview Rd., Ald. Dist. 5 - Plan Commission (3 year term expiring 4/30/19).
16. Patricia Hogan, 8239 W. Drexel Ave., Ald. Dist. 1 - Plan Commission (3 year term expiring 4/30/19).

F. Letters and Petitions.

G. Reports and Recommendations:

1. An Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map Use Designations for Properties Located at Approximately 7900 West Crystal Ridge Drive, and Along West Rawson Avenue, and West Loomis Road and West Old Loomis Road Including But Not Limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, From Residential Use and Transportation Use to Mixed-Use (Lands South of Rawson Avenue) and to Reclassify Certain Existing Road Right-of-Ways From Transportation Use to Mixed-Use (Lands North of Rawson Avenue) with Regard to the Proposed Ballpark Commons Sports Anchored Mixed-Use Development (Approximately 14.964 Acres North of West Rawson Avenue and Approximately 39.419 Acres South of West Rawson Avenue) (Greg Marso, Zim-Mar Properties, LLC, Applicant).

2. An Ordinance to Amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex) to Revise the District and to Expand the District to Encompass Certain Adjacent Area Lands to Create the "Ballpark Commons" Sports Anchored Mixed Use Development (Mike Zimmerman and Greg Marso Zim-Mar Properties LLC, and John Dargle Jr. Director of the Milwaukee County Department of Parks, Applicants) (at Approximately 7900 West Crystal Ridge Drive, and Along West Rawson Avenue, West Loomis Road, and West Old Loomis Road).
3. A Resolution Authorizing the Issuance and Sale of \$5,935,000 General Obligation Refunding Bonds, Series 2016A.
4. A Resolution Conditionally Approving a 2 Lot Certified Survey Map No. 6543, Recorded on August 7, 1998, Reel 43667, Images 1756 to 1758 Inclusive, as Document No. 7578744, as Corrected by Affidavit of Correction Recorded as Document No. 7724864, Part of the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 1, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (WS Franklin LLC, Applicant) (6803, 6805 and 6807 South 27<sup>th</sup> Street).
5. A Resolution Conditionally Approving a Condominium Plat for 6803 Condominiums at 6803, 6805 and 6807 South 27<sup>th</sup> Street (Geneva ASHX I LLC, Geneva Exchange Fund XI LLC, WS Franklin LLC, Owners/WS Franklin LLC, Applicant).
6. A Resolution Authorizing Certain Officials to Accept a Conservation Easement for and as Part of the Review and Approval of a Special Use and Natural Resource Special Exception for Property Located at 9201 West Drexel Avenue (The LaSalle Group, Inc., Applicant).
7. Standards, Findings and Decision of the City of Franklin Common Council Upon the Application of David and Rhonda Drager, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance.
8. An Ordinance to Amend Section 15-3.0418 of the Unified Development Ordinance Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) to Allow for Zero Foot Interior Property Lines Setbacks for Building and Parking Lot Setbacks (6803, 6805 and 6807 South 27<sup>th</sup> Street) (WS Franklin LLC, Applicant).
9. A Resolution Conditionally Approving a 2 Lot Certified Survey Map, being that part of the Southeast 1/4 of Section 13, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, State of Wisconsin (David Drager and Rhonda L. Drager, Applicants) (2925 West Acre Avenue).
10. Request from the Franklin Historical Society for Reconsideration of the Role of the City's Budgeted Investment in the Historical Society Barn and to Authorize City Staff to Proceed with the Steps for Completion of the Historical Barn Foundation Work (Franklin Historical Society).
11. A Resolution to sign "Local / County Agreement for a Highway Improvement" with Milwaukee County for W. St. Martins Rd. (CTH MM) from S. North Cape Rd. to S. Lovers Lane Rd.
12. Status Update on Burying of Utilities on W. St. Martins Road from S. Spring Street to Approximately 2,000 feet East.
13. A Resolution Awarding Contract to the Low Bidder, Stark Pavement Corporation, in the Amount of \$786,068, for the 2016 Local Street Improvement Program.

14. A Resolution Awarding the 2016 Bituminous and Aggregate Material Contracts.
15. Review of the Professional Services Agreement Between the City of Franklin and Stantec Consulting Services, Inc. for Quarry Monitoring Services for 2016.
16. An Ordinance to Amend Ordinance 2015-2198, an Ordinance Adopting the 2016 Annual Budgets for the Capital Improvement Fund for the City of Franklin for Fiscal Year 2016, to Provide Appropriations for Pleasant View Trail.
17. Addendum to the Services Agreement with Tyler Technologies to Add On-Site Clerical Support Services.
18. An Ordinance to Amend Ordinance 2015-2198, An Ordinance Adopting the 2016 Annual Budgets for the General Fund for the City of Franklin for Fiscal Year 2016, Transferring Funds from Assessor-Personnel Services to Assessor-Other Services, Supplies, Etc. in Order for On-Site Clerical Support Services in the City Assessor's Office to be Provided by Tyler Technologies.
19. Amendment to the "Promotions" Provision of the Non-Represented Compensation Plan Creating an Exception for Certain Promotions of Light Equipment Operator to Heavy Equipment Operator and Sewer and Water Technician to Sewer and Water Operator I.
20. Authorization to Continue to Proceed with Completion of the City Hall ADA Signage and Franklin Senior Meal Program Site Kitchen Area Roof Venting Community Development Block Grant (CDBG) Projects, Including Authorization for the Mayor to Execute Contracts.
21. Parks Commission Recommendation to Purchase Site Furnishings for Kayla's Playground.
22. Revised Job Description and Promotional Status for the Position of Confidential Fire Administrative Assistant.
23. Approval of the Vacation/Compensatory Time Donation Policy as a Modification of the Vacation Donation Policy.
24. Avaya Two-Year Extension of Telephone and Voicemail Maintenance Services for the City of Franklin.
25. Donation from Franklin Lions Club Foundation in the Amount of \$250 to the Fire Department.
26. February 2016 Monthly Financial Report.

H. Licenses and Permits.  
Miscellaneous Licenses.

I. Bills.  
Vouchers and Payroll approval.

Common Council Meeting

April 4, 2016

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J. Adjournment.

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

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

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

REMINDERS:

April 5	Spring Primary and Presidential Preference	7:00 a.m.-8:00 p.m.
April 7	Plan Commission	7:00 p.m.
April 19	Common Council Meeting	6:30 p.m.
April 21	Plan Commission	7:00 p.m.

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Credit Union to the Fire Department in the amount of \$900. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- G.1.(b) Alderman Dandrea Rose P. Spang to the Police Department in the amount of \$100. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- ORD 2016-2209  
AMEND MUNICIPAL  
CODE LIMITING  
AUTHORITY TO  
REGULATE POSSESSION  
OF KNIVES
- G.2. Alderman Taylor moved to adopt Ordinance No. 2016-2209, AN ORDINANCE TO AMEND §183-77 OF THE MUNICIPAL CODE, "POSSESSION OF DANGEROUS WEAPONS", PURSUANT TO 2015 WISCONSIN ACT 149 LIMITING THE LOCAL GOVERNMENT UNIT AUTHORITY TO REGULATE POSSESSION OF KNIVES. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES 2016-7180  
PLACEMENT OF A NO  
LEFT TURN SIGN ON S.  
51<sup>ST</sup> ST. AND S.  
PRESERVE WAY
- G.4. Alderman Schmidt moved to adopt Resolution No. 2016-7180, A RESOLUTION ESTABLISHING THE PLACEMENT OF A NO LEFT TURN SIGN ON S. 51ST STREET SOUTHBOUND APPROXIMATELY 500' SOUTH OF S. PRESERVE WAY. Seconded by Alderman Taylor. All voted Aye; motion carried.
- CONSERVATION  
EASEMENT FOR 5550 W.  
AIRWAYS AVENUE
- G.5. Alderman Taylor moved to authorize signing the limited term Conservation Easement to Milwaukee Metropolitan Sewerage District (MMSD) at 5550 W. Airways Avenue. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2016-  
FINAL CHANGE ORDER  
FOR WATER &  
WASTEWATER FACILITY  
(5550 W. AIRWAYS AVE.)
- G.6. Alderman Taylor moved to authorize execution of the final change order with Miron Construction Co., Inc. in the amount of an increase of \$18,589.73 for the construction of the Franklin Water and Wastewater Operations and Maintenance Facility (5550 West Airways Avenue). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- STATUS ON BURYING  
UTILITIES ON W. ST.  
MARTINS RD.
- G.7. Alderman Taylor moved to table to April 4, 2016, the status update on burying of utilities on W. St. Martins Road from S. Spring Street to approximately 2,000 feet east. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- CONCLUSIONS  
REGARDING APPEALS  
EMPLOYEE POSITION  
CLASSIFICATION PLAN  
PLACEMENT
- G.8. Alderman Schmidt moved that the job analysis factor point total changes recommended by GovHR USA for Assessor Clerk, Administrative Clerk (Clerks), Deputy City Clerk, and Assistant Superintendent for DPW with Deputy City Clerk and Assistant Superintendent of DPW changing grades to 6 and 8 respectively are hereby approved; that staff be directed to re-evaluate positions, position descriptions, and job duties for outstanding appeals as requested by appellant employees during 2016; and

that the Director of Administration is hereby authorized to prepare and implement amendments to the current Employee Handbook and Civil Service System Personnel Administration Program, in a form, format, and manner as he shall determine is appropriate to clearly and accurately report and incorporate said changes. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2016-2210  
AMEND ORD 2014-2152  
PROVIDE  
APPROPRIATIONS FOR  
PERSONNEL COSTS

G.9. Alderman Taylor moved to adopt Ordinance No. 2016-2210, AN ORDINANCE TO AMEND ORDINANCE 2014-2152, AN ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS FOR THE GENERAL FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2015, TO PROVIDE PERSONNEL APPROPRIATIONS FOR PERSONNEL COSTS RELATED TO THE CLASSIFICATION AND COMPENSATION PLAN ADOPTION, FIRE DEPARTMENT OVERTIME, AND HIGHWAY/PARKS WORK ALLOCATION. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RENEWAL OF  
CONTRACT WITH  
INSPIRON LOGISTICS  
FOR EMERGENCY  
NOTIFICATION SYSTEM

G.10. Alderman Taylor moved to authorize the Mayor and City Clerk to execute a contract renewing the Wireless Emergency Notification System (WENS) Service Agreement with Inspiron Logistics for the Emergency Notification System in a form as generally set forth herein, subject to technical corrections by the City Attorney, for the same annual rate of \$9,600 and to authorize release of payment for the period 4/22/2016 through 4/21/2017. Seconded by Alderman Dandrea. All voted Aye; motion carried.

HEALTH INS. MARKET  
PLACE AND BIDDING  
HEALTH INSURANCE  
BROKER SERVICES

G.11. Alderman Taylor moved to receive and place on file a report on the status of the Health Insurance Market Place and the potential for bidding out Health Insurance Broker Services. Seconded by Alderman Schmidt. All voted Aye; motion carried.

LICENSES AND PERMITS H.1.

Alderman Taylor moved to approve the following:

No action was taken on Indian Buffet;

Grant Operator's license to Mandy Mayrand, 28911 Fir Lane, Waterford, with a warning letter from the City Clerk; Shannon Haley, 8945 S. 116th St., Franklin; Lauren Nerby, 3203 W. Minnesota Ave., Franklin; and Jonah Spaay, 4444 W. Central Ave.;

Hold the Operator's License application of Benjamin Turowski, 7144 S. 47th Place, Franklin, for appearance.

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

VOUCHERS AND  
PAYROLL

I.1. Alderman Dandrea moved to approve net general checking account City vouchers in the range of Nos. 159981 through 160126 in the amount of \$714,941.81 dated March 2, 2016 through March 1, 2016. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to approve net payroll dated March 4, 2016 in the amount of \$370,331.71 and payments of the various payroll deductions in the amount of \$205,202.68 plus any City matching payments where required. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve net payroll dated March 18, 2016 estimated at \$355,000.00 and payments of the various payroll deductions estimated at \$373,000.00 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve property tax refunds and settlements Nos. 16360 through Nos. 16364 in the amount of \$559.10 dated March 1, 2016 through March 10, 2016. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 7:26 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

D.

CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Monday, April 4, 2016, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue) with regard to the proposed Ballpark Commons sports anchored mixed-use development (Greg Marso, Zim-Mar Properties, LLC, applicant). The properties which are the subject of this application bear addresses / tax key numbers / current zoning designations as follows: 8220 West Old Loomis Road / 755-9995-002 / R-3E Suburban/Estate Single-Family Residence District, 8240 West Old Loomis Road / 755-9995-001 / R-3E Suburban/Estate Single-Family Residence District, 8316 West Old Loomis Road / 755-9996-000 / R-3E Suburban/Estate Single-Family Residence District, [no address] West Rawson Avenue / 754-9988-001 / R-3E Suburban/Estate Single-Family Residence District, 8490 West Old Loomis Road / 754-9988-002 / R-3E Suburban/Estate Single-Family Residence District, and one parcel, located between West Crystal Ridge Drive on the north and West Loomis Road on the south, immediately south of the existing The Rock Sports Complex, currently zoned B-1 Neighborhood Shopping District, does not bear a tax key number or an address, consisting of approximately 14.964 total acres of land (north of West Rawson Avenue) and 39.419 total acres of land (south of West Rawson Avenue). The properties are more particularly described as follows:

Commencing at the Southwest corner of the Southeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the South line of said 1/4 section, 454.48 feet; thence North 01°17'13" West 62.42 feet to the point of beginning;

Thence North 00°56'52" West, 3.29 feet to the start of a curve to the right; thence northeasterly 207.60 feet along the arc of said curve to the right, whose radius is 133.00 feet and whose chord bears North 44°01'06" East, 187.16 feet to a point of tangency; thence North 88°44'07" East, 77.42 feet; thence North 88°44'03" East 391.17 feet to the start of a curve to the left; thence northeasterly 220.37 feet along the arc of said curve to the left, whose radius is 260.00 feet and whose chord bears North 64°27'12" East, 213.83 feet to a point of tangency; thence North 40°10'21" East, 503.34 feet; thence North 40°10'59" East, 1220.68 feet to the start of a curve to the right; thence northeasterly 204.57 feet along the arc of said curve to the right, whose radius bears 240.00 feet and whose chord bears North 64°36'06" East, 198.43 feet to a point of tangency; thence North 89°01'13" East, 43.20 feet to the west right of way line of South 76<sup>th</sup> Street; thence South 00°23'35" East along said west line, 341.37 feet; thence North 89°08'21" West, 82.45 feet; thence South 39°53'09" West, 1670.03 feet; thence South 88°42'47" West parallel to and at a right angle distance of

62.42 feet Northerly of the South line of the said Southeast 1/4, 975.39 feet to the point of beginning.

Containing in all 651,826 square feet (14.964 acres) of land, more or less.

Commencing at the Northwest corner of the Northeast 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the North line of said 1/4 section, 699.09 feet; thence South 01°17'14" East 73.05 feet to the point of beginning;

Thence South 01°14'08" West, 19.34 feet to the start of a curve to the right; thence southwesterly 671.94 feet along the arc of said curve to the right, whose radius is 1098.00 feet and whose chord bears South 18°46'02" West, 661.51 feet to a point of tangency; thence South 36°17'56" West, 831.29 feet; thence South 32°41'55" West, 34.02 feet; thence South 36°22'12" West, 477.95 feet; thence South 30°51'06" West, 565.23 feet; thence North 59°43'06" West, 66.12 feet to the Southeast corner of Stone Hedge Subdivision Addition No. 1; thence North 00°11'17" West along the east line of said Subdivision Addition, 1800.99 to the northeast corner of said Subdivision Addition; thence North 00°12'52" West, 345.10 feet; thence North 88°31'09" East along the south right of way line of West Rawson Avenue, 661.30 feet to the West line of said 1/4 section; thence North 88°32'20" East along said south right of way line, 700.47 feet to the point of beginning.

Containing in all 1,717,090 square feet (39.419 acres) of land, more or less.

This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. A map of the properties subject to the application is available for public inspection in the office of the Department of City Development, and a copy of the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk, at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at [www.franklinwi.gov](http://www.franklinwi.gov). Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 25th day of February, 2016.

Sandra L. Wesolowski  
City Clerk

N.B. Class I

Publish: March 3<sup>rd</sup>

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Steve</i></p>	<p style="text-align: center;"><b>REQUEST FOR COMMON COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;"><b>4/4/2016</b></p>
<p style="text-align: center;"><b>ORGANIZATIONAL BUSINESS</b></p>	<p style="text-align: center;"><b>Board and Commission Appointments</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>E.</i></p>

The following appointments have been submitted by the Mayor for Council confirmation:

1. Arthur Skowron, 9046 S. Cordgrass Circle East, Ald. Dist. 6 - Architectural Review Board (3 year term expiring 4/30/19).
2. Jim Arneson, 5188 W. Harvard Dr., Ald. Dist. 5 - Architectural Review Board (3 year term expiring 4/30/19).
3. Mark Dandrea, 8041 S. Meadowcreek Ct., Ald. Dist. 1 - Community Development Authority (3 year term expiring 4/16/19).
4. Matt Haas, 3845 W. Forest Hill Ave., Ald. Dist. 5 - Economic Development Commission (2 year term expiring 6/30/18).
5. Patricia Pomahac, 8111 S. Forest Hills Cir., Ald. Dist. 2 - Environmental Commission (3 year term expiring 4/30/2019).
6. David Lindner, 4007 W. Acre Ave., Ald. Dist. 5 - Fair Commission (3 year term expiring 4/30/19).
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8. Dennis Ciche, 8128 S. 43<sup>rd</sup> St., Ald. Dist. 5 - Finance Committee (1 year term expiring 4/30/17).
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13. Mary Remington, 7600 S. Chapel Hill Dr., Ald. Dist. 2 - Parks Commission (3 year term expiring 4/30/19).
14. Nora Heidingsfeld, 8111 South Steepleview Drive, Ald. Dist. 2 - Personnel Committee (3 year term expiring 4/30/19).
15. Dave Fowler, 7549 S. Riverview Rd., Ald. Dist. 5 - Plan Commission (3 year term expiring 4/30/19).
16. Patricia Hogan, 8239 W. Drexel Ave., Ald. Dist. 1 - Plan Commission (3 year term expiring 4/30/19).

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<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> 04/04/16
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP USE DESIGNATIONS FOR PROPERTIES LOCATED AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE, AND WEST LOOMIS ROAD AND WEST OLD LOOMIS ROAD INCLUDING BUT NOT LIMITED TO 8220, 8240, 8316, AND 8490 WEST OLD LOOMIS ROAD, FROM RESIDENTIAL USE AND TRANSPORTATION USE TO MIXED-USE (LANDS SOUTH OF RAWSON AVENUE) AND TO RECLASSIFY CERTAIN EXISTING ROAD RIGHT-OF-WAYS FROM TRANSPORTATION USE TO MIXED-USE (LANDS NORTH OF RAWSON AVENUE) WITH REGARD TO THE PROPOSED BALLPARK COMMONS SPORTS ANCHORED MIXED-USE DEVELOPMENT (APPROXIMATELY 14.964 ACRES NORTH OF WEST RAWSON AVENUE AND APPROXIMATELY 39.419 ACRES SOUTH OF WEST RAWSON AVENUE) (GREG MARSO, ZIM-MAR PROPERTIES, LLC, APPLICANT)</b>	<b>ITEM NUMBER</b> <i>G.I.</i>

At its March 17, 2016 meeting, the Plan Commission recommended approval of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road from residential use and transportation use to mixed-use (lands south of Rawson Avenue) and to reclassify certain existing road right-of-ways from transportation use to mixed-use (lands north of Rawson Avenue) with regard to the proposed Ballpark Commons Sports Anchored Mixed-Use development.

**COUNCIL ACTION REQUESTED**

A motion to adopt Ordinance No. 2016-\_\_\_\_\_, an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map use designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road including but limited to 8220, 8240, 8316, and 8490 West Old Loomis Road, from residential use and transportation use to mixed-use (lands south of Rawson Avenue) and to reclassify certain existing road right-of-ways from transportation use to mixed-use (lands north of Rawson Avenue) with regard to the proposed Ballpark Commons Sports Anchored Mixed-Use development (approximately 14.964 acres north of West Rawson Avenue and approximately 39.419 acres south of West Rawson Avenue) (Greg Marso, Zim-Mar Properties, LLC, applicant).

## ORDINANCE NO. 2016-\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025  
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF  
FRANKLIN 2025 FUTURE LAND USE MAP USE DESIGNATIONS FOR  
PROPERTIES LOCATED AT APPROXIMATELY 7900 WEST CRYSTAL  
RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE AND WEST LOOMIS  
ROAD AND WEST OLD LOOMIS ROAD, INCLUDING, BUT NOT LIMITED  
TO 8220, 8240, 8316 AND 8490 WEST OLD LOOMIS ROAD, FROM RESIDENTIAL  
USE AND TRANSPORTATION USE TO MIXED-USE (LANDS SOUTH OF  
RAWSON AVENUE), AND TO RECLASSIFY CERTAIN EXISTING ROAD RIGHT-OF-  
WAYS FROM TRANSPORTATION USE TO MIXED-USE (LANDS NORTH OF  
RAWSON AVENUE) WITH REGARD TO THE PROPOSED BALLPARK COMMONS  
SPORTS ANCHORED MIXED-USE DEVELOPMENT  
(APPROXIMATELY 14.964 ACRES (NORTH OF WEST RAWSON AVENUE) AND  
APROXIMATELY 39.419 ACRES (SOUTH OF WEST RAWSON AVENUE))  
(GREG MARSO, ZIM-MAR PROPERTIES, LLC, APPLICANT)

---

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

WHEREAS, Greg Marso, Zim-Mar Properties, LLC having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue) with regard to the proposed Ballpark Commons sports anchored mixed-use development; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on March 17, 2016, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue), such properties bearing addresses/Tax

Key Nos. / current zoning designations as follows: 8220 West Old Loomis Road / 755-9995-002 / R-3E Suburban/Estate Single-Family Residence District, 8240 West Old Loomis Road / 755-9995-001 / R-3 E Suburban/Estate Single-Family Residence District, 8316 West Old Loomis Road / 755-9996-000 / R-3E Suburban/Estate Single-Family Residence District, [no address] West Rawson Avenue / 754-9988-001 / R-3E Suburban/Estate Single-Family Residence District, 8490 West Old Loomis Road / 754-9988-002 / R-3E Suburban/Estate Single-Family Residence District, and one parcel, located between West Crystal Ridge Drive on the north and West Loomis Road on the south, immediately south of the existing The Rock Sports Complex, currently zoned B-1 Neighborhood Shopping District, does not bear a tax key number or an address, consisting of approximately 14.964 total acres of land (north of West Rawson Avenue) and 39.419 total acres of land (south of West Rawson Avenue); and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on April 4, 2016; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue) with regard to the proposed Ballpark Commons sports anchored mixed-use development. Such property is more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the North line of said 1/4 section, 699.09 feet; thence South 01°17'14" East 73.05 feet to the point of beginning;

Thence South 01°14'08" West, 19.34 feet to the start of a curve to the right; thence southwesterly 671.94 feet along the arc of said curve to the right, whose radius is 1098.00 feet and whose chord bears South 18°46'02" West, 661.51 feet to a point of tangency; thence South

36°17'56" West, 831.29 feet; thence South 32°41'55" West, 34.02 feet; thence South 36°22'12" West, 477.95 feet; thence South 30°51'06" West, 565.23 feet; thence North 59°43'06" West, 66.12 feet to the Southeast corner of Stone Hedge Subdivision Addition No. 1; thence North 00°11'17" West along the east line of said Subdivision Addition, 1800.99 to the northeast corner of said Subdivision Addition; thence North 00°12'52" West, 345.10 feet; thence North 88°31'09" East along the south right of way line of West Rawson Avenue, 661.30 feet to the West line of said 1/4 section; thence North 88°32'20" East along said south right of way line, 700.47 feet to the point of beginning. Containing in all 1,717,090 square feet (39.419 acres) of land, more or less [south of West Rawson Avenue]; and

Commencing at the Southwest corner of the Southeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the South line of said 1/4 section, 454.48 feet; thence North 01°17'13" West 62.42 feet to the point of beginning;

Thence North 00°56'52" West, 3.29 feet to the start of a curve to the right; thence northeasterly 207.60 feet along the arc of said curve to the right, whose radius is 133.00 feet and whose chord bears North 44°01'06" East, 187.16 feet to a point of tangency; thence North 88°44'07" East, 77.42 feet; thence North 88°44'03" East 391.17 feet to the start of a curve to the left; thence northeasterly 220.37 feet along the arc of said curve to the left, whose radius is 260.00 feet and whose chord bears North 64°27'12" East, 213.83 feet to a point of tangency; thence North 40°10'21" East, 503.34 feet; thence North 40°10'59" East, 1220.68 feet to the start of a curve to the right; thence northeasterly 204.57 feet along the arc of said curve to the right, whose radius bears 240.00 feet and whose chord bears North 64°36'06" East, 198.43 feet to a point of tangency; thence North 89°01'13" East, 43.20 feet to the west right of way line of South 76<sup>th</sup> Street; thence South 00°23'35" East along said west line, 341.37 feet; thence North 89°08'21" West, 82.45 feet; thence South 39°53'09" West, 1670.03 feet; thence South 88°42'47" West parallel to and at a right angle distance of 62.42 feet Northerly of the South line of the said Southeast 1/4, 975.39 feet to the point of beginning.

Containing in all 651,826 square feet (14.964 acres) of land, more or less [north of West Rawson Avenue].

SECTION 2:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of

competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Alderman \_\_\_\_\_.

Passed and adopted by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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



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**Ballpark Commons**  
 PROJECT ADDRESS:  
 CITY OF FRANKLIN  
 MILWAUKEE COUNTY, WI

**Project No.:** 14-008  
**Scale:** AS SHOWN

**Project Name:** BALLPARK COMMONS

**Project Location:** CITY OF FRANKLIN, MILWAUKEE COUNTY, WI

**Project Description:** BALLPARK COMMONS

**Project Status:** PRELIMINARY

**Project Date:** 11/15/14

**Project Sheet:** 14-008

**Project Title:** COMPREHENSIVE MASTER PLAN AMENDMENT (SHEET 2)

**Project No.:** 14-008

**Project Date:** 11/15/14

**Project Sheet:** 14-008

**Project Title:** COMPREHENSIVE MASTER PLAN AMENDMENT (SHEET 2)

**Project No.:** 14-008

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**Project Title:** COMPREHENSIVE MASTER PLAN AMENDMENT (SHEET 2)

**Project No.:** 14-008

**Project Date:** 11/15/14

**Project Sheet:** 14-008

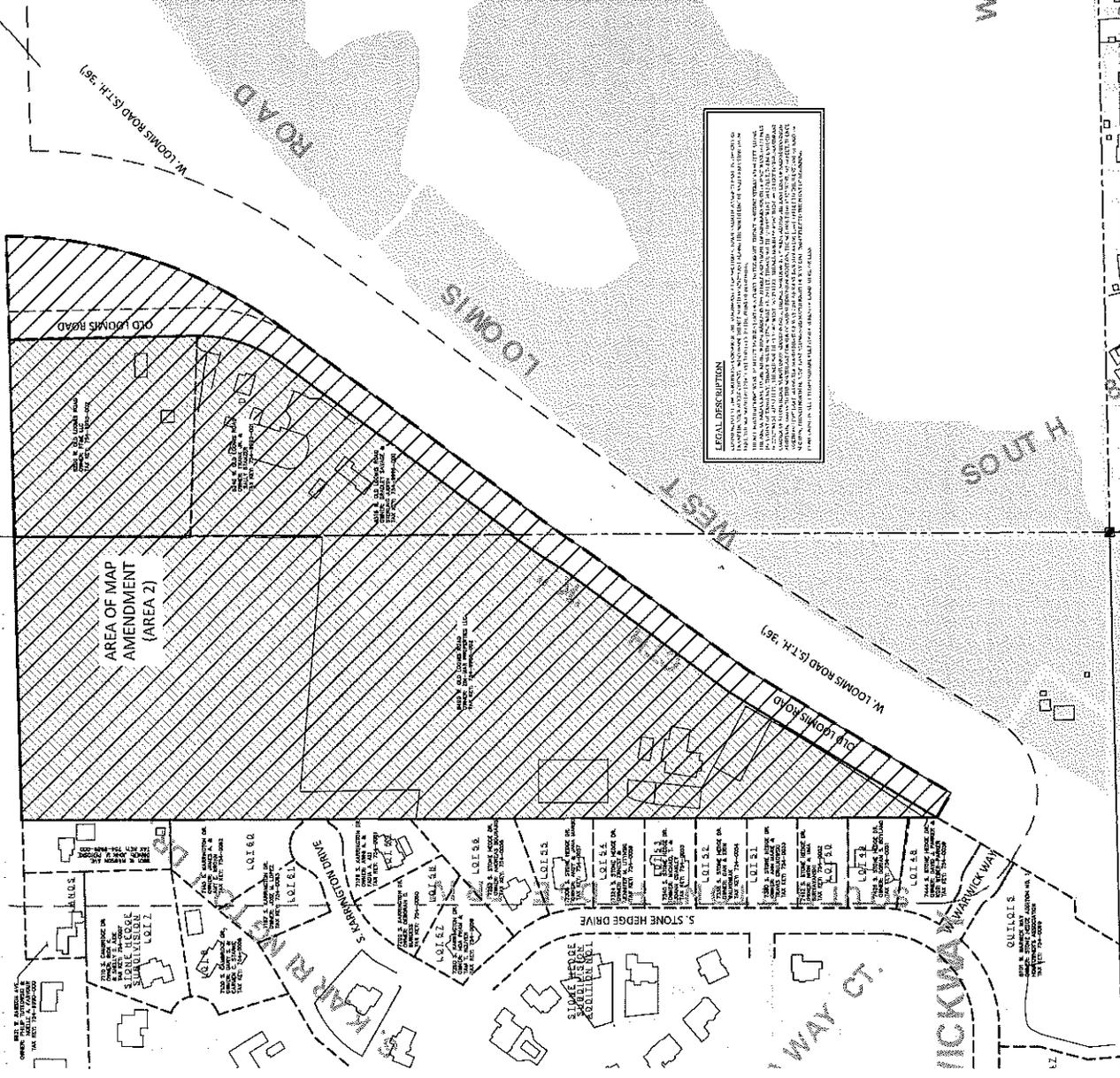
**Project Title:** COMPREHENSIVE MASTER PLAN AMENDMENT (SHEET 2)

**Project No.:** 14-008

**Project Date:** 11/15/14

**Project Sheet:** 14-008

**Project Title:** COMPREHENSIVE MASTER PLAN AMENDMENT (SHEET 2)



**LEGAL DESCRIPTION**  
 THE PART OF THE LOT 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**EXHIBIT**

STATE OF WISCONSIN

CITY OF FRANKLIN  
PLAN COMMISSION

MILWAUKEE COUNTY  
*[Draft 3-10-16]*

RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION RECOMMENDING THE ADOPTION OF AN  
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025  
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN  
2025 FUTURE LAND USE MAP USE DESIGNATIONS FOR PROPERTIES LOCATED  
AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST  
RAWSON AVENUE AND WEST LOOMIS ROAD AND WEST OLD LOOMIS ROAD,  
INCLUDING, BUT NOT LIMITED TO 8220, 8240, 8316 AND 8490 WEST OLD  
LOOMIS ROAD, FROM RESIDENTIAL USE AND TRANSPORTATION USE TO  
MIXED-USE (LANDS SOUTH OF RAWSON AVENUE), AND TO RECLASSIFY  
CERTAIN EXISTING ROAD RIGHT-OF-WAYS FROM TRANSPORTATION USE TO  
MIXED-USE (LANDS NORTH OF RAWSON AVENUE) WITH REGARD TO THE  
PROPOSED BALLPARK COMMONS SPORTS ANCHORED MIXED-USE  
DEVELOPMENT, PURSUANT TO WIS. STAT. § 66.1001(4)(b)

---

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

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

WHEREAS, Greg Marso, Zim-Mar Properties, LLC having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue) with regard to the proposed Ballpark Commons sports anchored mixed-use development, such properties bearing addresses/Tax Key Nos./current zoning designations as follows: 8220 West Old Loomis Road / 755-9995-002 / R-3E Suburban/Estate Single-Family Residence District, 8240 West Old Loomis Road / 755-9995-001 / R-3E Suburban/Estate Single-Family Residence District, 8316 West Old Loomis Road / 755-9996-000 / R-3E Suburban/Estate Single-Family Residence District, [no address] West Rawson Avenue / 754-9988-001 / R-3E Suburban/Estate Single-Family Residence District, 8490 West Old Loomis Road / 754-9988-002 / R-3E Suburban/Estate Single-Family Residence District, and one parcel, located between West Crystal Ridge Drive on the north

and West Loomis Road on the south, immediately south of the existing The Rock Sports Complex, currently zoned B-1 Neighborhood Shopping District, does not bear a tax key number or an address, consisting of approximately 14.964 total acres of land (north of West Rawson Avenue) and 39.419 total acres of land (south of West Rawson Avenue), more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the North line of said 1/4 section, 699.09 feet; thence South 01°17'14" East 73.05 feet to the point of beginning;

Thence South 01°14'08" West, 19.34 feet to the start of a curve to the right; thence southwesterly 671.94 feet along the arc of said curve to the right, whose radius is 1098.00 feet and whose chord bears South 18°46'02" West, 661.51 feet to a point of tangency; thence South 36°17'56" West, 831.29 feet; thence South 32°41'55" West, 34.02 feet; thence South 36°22'12" West, 477.95 feet; thence South 30°51'06" West, 565.23 feet; thence North 59°43'06" West, 66.12 feet to the Southeast corner of Stone Hedge Subdivision Addition No. 1; thence North 00°11'17" West along the east line of said Subdivision Addition, 1800.99 to the northeast corner of said Subdivision Addition; thence North 00°12'52" West, 345.10 feet; thence North 88°31'09" East along the south right of way line of West Rawson Avenue, 661.30 feet to the West line of said 1/4 section; thence North 88°32'20" East along said south right of way line, 700.47 feet to the point of beginning.

Containing in all 1,717,090 square feet (39.419 acres) of land, more or less [south of West Rawson Avenue]; and

Commencing at the Southwest corner of the Southeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the South line of said 1/4 section, 454.48 feet; thence North 01°17'13" West 62.42 feet to the point of beginning;

Thence North 00°56'52" West, 3.29 feet to the start of a curve to the right; thence northeasterly 207.60 feet along the arc of said curve to the right, whose radius is 133.00 feet and whose chord bears North 44°01'06" East, 187.16 feet to a point of tangency; thence North 88°44'07" East, 77.42 feet; thence North 88°44'03" East 391.17 feet to the start of a curve to the left; thence northeasterly 220.37 feet along the arc of said curve to the left, whose radius is 260.00 feet and whose chord bears North 64°27'12" East, 213.83 feet to a point of tangency; thence North 40°10'21" East, 503.34 feet; thence North 40°10'59" East, 1220.68 feet to the start of a curve to the right; thence northeasterly 204.57 feet along the arc of said curve to the right, whose radius bears 240.00 feet and whose chord bears North 64°36'06" East, 198.43 feet to a point of tangency; thence North 89°01'13" East, 43.20 feet to the west right of way line of South 76<sup>th</sup> Street; thence South 00°23'35" East along said west line, 341.37 feet; thence North 89°08'21" West, 82.45 feet; thence South 39°53'09" West,

1670.03 feet; thence South 88°42'47" West parallel to and at a right angle distance of 62.42 feet Northerly of the South line of the said Southeast 1/4, 975.39 feet to the point of beginning.

Containing in all 651,826 square feet (14.964 acres) of land, more or less [north of West Rawson Avenue]; and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on March 17, 2016, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue), as more particularly described within the preamble to this Resolution, with regard to the proposed Ballpark Commons sports anchored mixed-use development, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Stephen R. Olson, Chairman

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of March 17, 2016****Planned Development District No. 37 Amendment  
and Comprehensive Master Plan Amendment**


---

**RECOMMENDATION:** City Development staff recommends approval of the Planned Development District No. 37 (The Rock Sports Complex) amendment and the Comprehensive Master Plan amendment subject to the conditions of approval in attached draft ordinances.

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<b>Project Name:</b>	The Rock Sports Complex/Ballpark Commons PDD No. 37 Amendment and CMP Amendment
<b>Project Address:</b>	7900 W. Crystal Ridge Drive and vicinity
<b>Applicants:</b>	Michael Zimmerman, Greg Marso, Zim-Mar Properties LLC, and John Dargle, Jr., Director, Milwaukee County, Department of Parks
<b>Property Owners:</b>	Milwaukee County, Wisconsin Department of Transportation, Zim-Mar Properties LLC, FF & E LLC, Frank & Sally Stanzer, Bradley Savage
<b>Current Zoning:</b>	PDD No. 37, FW Floodway District, and R-3E Suburban/Estate Single-Family Residence District
<b>2025 Comprehensive Plan:</b>	Mixed Use, Areas of Natural Resource Features, Residential Use, and Transportation Use
<b>Use of Surrounding Properties:</b>	Root River Parkway (Village of Greendale) to the north, S. 76 <sup>th</sup> Street and single-family residential to the east, Loomis Road (State Highway 36) to the south, and single-family residential to the west.
<b>Applicant's Action Requested:</b>	Recommendation to the Common Council for approval of the proposed Planned Development District and Comprehensive Master Plan amendments.

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Please note:

- Staff recommendations are underlined, in italics, and are included in the draft PDD amendment ordinance.
- Staff suggestions are only underlined and are not included in the draft PDD amendment ordinance.
- Applicant requested changes submitted after preparation of the draft PDD amendment ordinance which staff does not recommend approval of are grey shaded and are not included in the draft ordinance.
- The applicants have only provided preliminary plans and information, and as such have requested City approval of the proposed PDD amendment under Section 15-9.0208E.7.b.(1) General Approval.

## **INTRODUCTION:**

On January 11, 2016, the Common Council held a Concept Review for a proposed sports anchored mixed-use development to be located at and near The Rock Sports Complex and southwest of the intersection of W. Rawson Avenue and Old Loomis Road upon application by Zim-Mar Properties LLC and The Rock Sports Complex LLC.

On February 1, 2016, Mr. Zimmerman, Mr. Marso, Zim-Mar Properties LLC, and Mr. John Dargle, Jr., Director of the Milwaukee County Department of Parks submitted a Planned Development District (PDD) amendment application to amend PDD No. 37 (The Rock Sports Complex), and a Comprehensive Master Plan (CMP) amendment application, in support of the proposed Ballpark Commons project.

On related matters, it can also be noted that the Common Council:

- approved a Memorandum of Understanding regarding the Ballpark Commons development on February 2, 2016;
- authorized staff to engage Ehlers & Associates, Inc. for Tax Incremental District services related to the Ballpark Commons development on February 16, 2016; and
- authorized staff to execute an agreement with Melaniphy & Associates, Inc. for independent market analysis services related to the Ballpark Commons development on March 1, 2016.

On March 12, 2016, and March 14, 2016, the applicants provided updated plans and additional information to staff for inclusion in the packet for the March 17, 2016 Plan Commission meeting.

## **BACKGROUND/HISTORY:**

On August 30, 2012, the Common Council adopted Ordinance No. 2012-2089 establishing Planned Development District No. 37 (The Rock Sports Complex) and to rezone property from A-1 Agricultural District, R-2 Estate Single-Family Residence District and FW Floodway District to Planned Development District No. 37 and FW Floodway District.

On March 19, 2013, the Common Council adopted the Standards, Findings and Decision of the City of Franklin Common Council for a Special Exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance. Specifically, for the filling of four wetlands with 0.76 total affected acres, four wetland buffers with 1.8 total affected acres, four wetland setbacks with 1.46 total affected acres, and exemption from the City's mitigation requirements to allow re-grading of the Milwaukee County Landfill cap to prevent ponding and improve drainage.

On March 5, 2013, the Common Council adopted Ordinance No. 2013-2101, to amend Planned Development District No. 37 (The Rock Sports Complex) to provide for the "Umbrella Bar/restaurant" in lieu of the "Restaurant" and "restaurant/bar" previously approved.

On March 31, 2014, the Common Council adopted Resolution No. 2014-6976 approving a Special Use for an outdoor minor league professional baseball stadium at The Rock Sports Complex. However, the Common Council did not approve a separate request by Mr. Zimmerman for financial assistance from the City of Franklin for the proposed stadium, and the stadium was not built. Pursuant to Resolution No. 2014-6976, the Special Use approval has since expired, as the subject development was not constructed within one year.

### **PROJECT DESCRIPTION:**

As indicated in the attached materials, the applicants have requested that the existing PDD No. 37 (encompassing 10 separate parcels and 128 acres of land) be expanded (to include five additional parcels and excess DOT right-of-way along Loomis Road, encompassing about 77 additional acres). The applicants are also requesting that the amended PDD be revised to facilitate development of a sports anchored mixed-use development referred to as Ballpark Commons.

**General Project Description.** As proposed by the applicants, the amended PDD No. 37 is to consist of four different areas, each focusing on a different mix of uses, as noted below.

- The Rock Sports Complex area.
  - This area consists of the existing Rock Sports Complex and its existing multi-use sports and entertainment facilities bounded by the Root River Parkway on the north, S. 76<sup>th</sup> Street on the east, Crystal Ridge Drive on the southeast, W. Rawson Avenue on the south, and the Whitnall View subdivision on the west.
  - A proposed outdoor baseball stadium, with a total capacity for approximately 4,000 spectators with approximately 2,500 seats, is proposed to be located in the central portion of The Rock Sports Complex. The stadium is intended to serve as the home for a minor league professional baseball team affiliated with the American Association of Professional Baseball and as the home field for the University of Wisconsin – Milwaukee Panthers baseball team. The stadium would also be used to host various baseball tournaments and other events, and may include some associated retail uses including a restaurant.
  - A proposed year-round multi-purpose indoor sports venue is proposed to be located in the western portion of The Rock Sports Complex. It is intended to feature a regional family fun center, a premier entertainment, recreation and event venue.
  - The existing Rock Sports Complex is also envisioned to be revised to allow a golf driving range, concerts/live music, sand volleyball, an extension of the Oak Leaf Trail, etc. Please note that the existing BMX track is proposed to be removed.
- Ballpark Commons Sports Village Commercial/Mixed Use area.
  - A mixed-use/commercial area is proposed to be located along a relocated Crystal Ridge Drive between The Rock Sports Complex and Loomis Road on excess DOT right-of-way lands associated with Loomis Road but recently acquired by Zim-Mar Properties LLC.

- The area is envisioned to include an unknown number of mixed-use (possibly with residential apartments on the upper floors), restaurant, and commercial buildings, such buildings are not envisioned to exceed four stories.
- A five-story hotel building is proposed within this area or within the Ballpark Commons Commercial area.
- The area is also envisioned to include sidewalks, a future extension of the Oak Leaf Trail, an entrance feature at the intersection of S. 76<sup>th</sup> Street and Crystal Ridge Drive, and a plaza near the intersection of Crystal Ridge Drive and Rawson Avenue.
- Ballpark Commons Commercial area.
  - A mixed-use/commercial area to be located along the south side of W. Rawson Avenue extending from Loomis Road to about halfway between Loomis Road and the Stone Hedge subdivision.
  - The area is envisioned to include two mixed-use buildings with office, retail, and/or commercial uses on the ground floors and possibly up to 70 luxury residential apartments per building on the upper floors (not to exceed four stories).
  - A five-story hotel is proposed within this area or within the Ballpark Commons Sports Village Commercial/Mixed Use area.
  - The area is also envisioned to include sidewalks, and a future extension of the Oak Leaf Trail.
- Ballpark Commons Multi-Family Residential area.
  - A multi-family residential luxury apartment development located immediately south and west of the mixed-use/commercial area between Loomis Road and the Stone Hedge subdivision.
  - The area is envisioned to include approximately 300 dwelling units within 13 apartment buildings consisting of up to six five-unit two-story buildings adjacent to the Stone Hedge subdivision and Rawson Avenue, and up to seven 39-unit three-story buildings elsewhere. A mix of unit types is envisioned of primarily one- and two-bedrooms with some den units. The three story buildings will have underground parking, while the two-story buildings will have attached garages.
  - The area is also envisioned to include a clubhouse, pool, passive recreational uses such as a skating pond, shelter, greenspace/openspace, sidewalks, a future extension of the Oak Leaf Trail.
  - A 100' wide buffer space (comprised of a 60' wide and 8' high vegetated berm and a 100' building setback from the Stone Hedge subdivision).

**General Transportation Elements.** The applicants envision numerous changes to the existing transportation system within the proposed PDD No. 37 (The Rock Sports Complex/Ballpark Commons) area including:

- Crystal Ridge Drive. The existing road would be relocated. The relocated road (proposed to be owned and maintained by the City of Franklin) would extend from its current intersection with 76<sup>th</sup> Street southwestward through the Ballpark Commons Commercial area, around the northern side of the proposed baseball stadium, and would extend southward to Rawson Avenue approximately 200 feet east of its current location.
- Old Loomis Road. The existing road would be relocated. The relocated road (proposed to be owned and maintained by the City of Franklin) would extend southward and westward from its intersection with Rawson Avenue (about 200' east of its current location) back to Rawson Avenue at a location about 400 feet east of Hawthorne Lane, and would also extend further southward from a possible round-about to Loomis Road at a location about 700 feet north of Warwick Way. The existing portion of Old Loomis Road from this point to the existing Warwick Way would remain.
- Rawson Avenue Intersection with Relocated Crystal Ridge Drive/Old Loomis Road. A stop light is envisioned at this new intersection.
- Loomis Road Intersection with Relocated Old Loomis Road. A stop light is envisioned at this new intersection.
- New public roads. The new public roads are envisioned to be 40' wide from curb to curb, with a 5' terrace and 5' sidewalk on both sides. The applicants further suggest that bike lanes and parking be allowed on one or both sides of these roads.
- Loomis Road Ramps. The applicants envision that their current Development Concept could be revised to accommodate any changes to the Loomis Road ramps that the City and the Wisconsin Department of Transportation agree upon. But in the meantime, that: the southwestward bound ramp from 76<sup>th</sup> Street to Loomis Road would merge with Loomis Road at some point north of Rawson Avenue and would not connect to Rawson Avenue; and that the southward bound ramp from Rawson Avenue to Loomis Road would merge with Loomis Road at some distance north of its current location so that the relocated Old Loomis Road could intersect with Loomis Road near the south end of the Ballpark Commons Multi-Family Residential area.
- Loomis Road Intersection with Warwick Way. The applicants envision that Warwick Way will be extended to Loomis Road and a stop light placed at this intersection.

**General Public Sewer and Water Systems.** The applicants further indicate that public sanitary sewer and water service would be extended throughout the entire PDD and provided to all new development. The applicants also indicate that such systems could be extended further west along Rawson Avenue to serve the adjacent Whitnall View subdivision if necessary.

## **PROJECT ANALYSIS:**

### **Comprehensive Master Plan Amendment:**

#### **Comprehensive Master Plan 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.”*

The City of Franklin 2025 Comprehensive Master Plan (CMP) Future Land Use Map identifies the subject area as Mixed Use, Areas of Natural Resource Features, Transportation, and Residential. However, only the current Transportation and Residential portions of this area are envisioned to change, to Mixed Use, to reflect their proposed addition to PDD No. 37. The existing Mixed Use area (reflecting the existing PDD No. 37) is envisioned to remain unchanged. To establish consistency between the Comprehensive Master Plan and the proposed uses and proposed zoning, an amendment of the Comprehensive Master Plan is necessary.

Staff would note that the proposed PDD No. 37 amendment/proposed CMP amendment is consistent with the following principles and goals set forth within the Comprehensive Master Plan, including but not limited to:

- High Quality Development Principle, “The priority will be to allow for various types of development, as long as the proposed development does not increase the local tax burden.”
- Economic Development Principle, “...to promote a high quality community for residents and businesses alike; create jobs for a growing population; and stabilize and expand a diverse tax base.”
- Land Use Principle, “...to enhance the quality of life for present and future generations by providing economic growth through the highest quality of residential, recreational, and business development in Southeastern Wisconsin; encourage quality development that includes smaller and mixed-use commercial centers and corridors...; allow for various types of development, while giving appropriate consideration to the impact of new development on the local property tax burden...”.
- Housing Principle, “...to provide a wide range of housing opportunities to support the needs of working professionals, seniors, and families...”.
- Utility and Community Facilities Principle, “Provide City residents access to parks, open space, and a wide range of recreational programs and facilities that help to promote an active and healthy lifestyle.”
- Land Use Goal, “Accommodate (where appropriate) mixed use development within identified districts and commercial areas.” And it’s associated objective, “Include public open space within, and adjacent to, mixed use developments.”
- Land Use Goal, “Build community identity by revitalizing ... important areas of the City, enforcing appropriate design standards, and by creating and preserving varied and unique development and land uses.”

Based upon the information provided by the applicants, and the information noted in this report, it is staff’s professional opinion that the proposed PDD No. 37 amendment would be consistent

with a preponderance of the principles, goals, objectives, and policies set forth in the Comprehensive Master Plan. Therefore, staff recommends approval of the Comprehensive Master Plan amendment, to change the Future Land Use for this area from Residential and Transportation to Mixed Use.

**Planned Development District No. 37 Amendment:**

*It is important to note that the information and plans provided by the applicants are very preliminary in nature. As such, the applicants have requested City approval of the proposed PDD amendment under Section 15-9.0208E.7.b.(1) which states:*

General Approval. Plans submitted with the application for a rezoning to the PDD Planned Development District need not necessarily be completely detailed at the time of rezoning provided they are of sufficient detail as to satisfy the Plan Commission and the Common Council as to the general character, scope, and appearance of the proposed development. Such preliminary plans designate the pattern of the proposed streets, and the size and arrangement of individual building sites. The approval of such preliminary plans shall be conditioned upon the subsequent submittal and approval of more specific and detailed plans as each stage of development progresses.

It is also important to note that with the applicant's concurrence, staff had prepared a draft ordinance setting forth standards for the proposed PDD No. 37 amendment *prior* to receipt of the information for the March 17<sup>th</sup> Plan Commission meeting. *Due to the short time-frame available for the applicant's review of the draft ordinance and for staff's consideration of the applicants comments, and staff's concerns with certain changes proposed by the applicants, those changes to the draft ordinance that staff does not concur with are highlighted in grey shading, and are not included within the draft ordinance. Should the Plan Commission or the Common Council concur with the applicants requests in these instances, a separate motion for such changes would be needed.*

It can also be noted that Section 15-9.0208E.7.b. states that after a General Approval, plans submitted for detailed approval shall be sufficiently precise as identified by the Plan Commission and that any approvals given are all that would be necessary prior to occupancy. In addition, the applicants also request that major alterations be subject solely to approval by the Plan Commission. However, due to the lack of details provided in the attached plans, the potential for significant changes to the Development Concept Plan, changes in response to potential financial assistance considerations between the applicants and the City which have yet to be determined, and the number and importance of potential impacts upon adjacent properties, staff recommends that the submittal of plans for detailed approval of the various components of Planned Development District No. 37 shall be forwarded to the Common Council for approval, after review and recommendation by the Plan Commission, unless otherwise specifically set forth in PDD No. 37, such as for those uses/structures identified as permitted uses. Staff would note that generally, those plans and approvals which would not require Common Council approval would be those associated with permitted uses, as set forth in the amended PDD No. 37 ordinance, such

as zoning compliances, Minor Site Plan Amendments, and Site Plans, as such processes are currently set forth in the UDO.

General PDD Standards:

Although the applicants have requested General Approval of the PDD amendment, which is an option allowed by the Unified Development Ordinance, the UDO also requires certain information and certain details at the time of all PDD submittals, as set forth most particularly in Sections 15-3.0401 Intent of the Planned Development Districts, 15-3.0402 Conformance of the Planned Development District with the Adopted Comprehensive Master Plan and Adopted Detailed Neighborhood and Planning District Plans, and 15-3.0403 Minimum Area and Use Requirements and Other Standards.

As proposed, the Planned Development District No. 37 amendment, as a mixed compatible uses PDD, complies with the general intent, land use intensity, and the minimum land area requirements of planned development districts as set forth in Division 15-3.0400 of the Unified Development Ordinance.

While the applicants have provided an estimated value for the overall project of between \$110 to \$130 million dollars, such estimate has not been broken down into estimated values for structures, site improvement, landscaping, special features, etc. as required by Section 15-9.0208B.1.b. of the UDO. Therefore, staff recommends that the applicants provide a general summary of the value of the overall project broken down into the four general use areas of the proposed PDD as set forth herein, and as further specified by Section 15-9.0208 of the UDO, for Planning Department review, prior to submittal of the proposed PDD amendment to the Common Council.

While the applicants have provided artist renderings of some of the proposed buildings within the subject PDD, they have not provided architectural drawings or sketches of all proposed structures as required by Section 15-9.0208B. of the UDO. Therefore, staff recommends that the applicants provide architectural drawings or sketches of, at a minimum, all building types proposed within the PDD illustrating a design and character that derives benefit from coordinated and compatible planning and design, for Planning Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.

While public sanitary sewer and water service is required for all Planned Development Districts, and the applicants have indicated that they will provide such services to all new development within the PDD, sewer and water plans have not been prepared, and as such, it is not yet known in any detail how such services will be provided. Therefore, pursuant to Section 15-9.0208B. of the UDO, staff recommends that the applicants revise the Project Narrative to indicate whether any unusual situations will be encountered in the provision of public sanitary and water services and how such situations will be addressed, for Planning and Engineering Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.

The information provided by the applicants does not identify if/how the proposed project is compatible with existing adjacent land uses and consistent with the City's plans and ordinances. Therefore, pursuant to Sections 15-9.0208B. and 15-9.0208E. of the UDO, staff recommends that

the applicants revise the Project Narrative to identify how the proposed project is compatible with existing adjacent land uses, is not contrary to the general welfare and economic prosperity of the immediate neighborhoods, and its proposed mixture of uses produces a unified composite which is compatible with the surrounding neighborhoods, for Planning Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.

The Rock Sports Complex portion of PDD No. 37:

The existing Rock Sports Complex standards are those as set forth in the P-1 Park District, the design standards found in Part 5 of the City of Franklin Unified Development Ordinance, and as may otherwise be set forth within the current PDD No. 37 ordinance. It is envisioned that these standards will continue to apply to The Rock Sports Complex.

The applicants do request that this area be revised to allow a golf driving range and sand volleyball as permitted uses, which staff has no objection to, and which have been reflected in the draft ordinance.

However, the applicants have also requested that concerts and live music also be allowed as permitted uses. Staff recommends that these uses remain special uses as currently set forth in the draft ordinance, due to their potential impacts upon adjacent properties, and as the City has previously and continues to receive numerous complaints from neighbors about excessive noise from various events and activities at The Rock Sports Complex.

Staff recommends that prior to any new or revised concerts, live music venues, or outdoor events utilizing speakers, including but not limited to the proposed baseball stadium, that a comprehensive outdoor sound study of The Rock Sports Complex (incorporating both existing and proposed events and facilities) be undertaken by the applicants, that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City noise regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex. It should be noted that this requirement is not intended to apply to any existing live music venues or events with outdoor speakers which are fully compliant with its permit and approval conditions, and which do not materially change. However, staff suggests that any recommendations from the Comprehensive Outdoor Sound Study that apply to existing facilities or events be implemented within one year from the date of acceptance of the Study by the Common Council.

Similarly, the City has previously and continues to receive numerous complaints from neighbors about excessive light pollution from the existing ballfields at The Rock Sports Complex. While some measures have been undertaken by the applicants to reduce light pollution, such complaints have continued. It can be further noted that the proposed baseball stadium could potentially add to such concerns. Therefore, staff recommends that prior to any new or revised ballfields, parking lots, or outdoor events utilizing lighting systems, including but not limited to the proposed baseball stadium, that a comprehensive outdoor lighting study of The Rock Sports Complex (incorporating both existing and proposed events and facilities) be undertaken by the

applicants, that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City lighting regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex. It should be noted that this requirement is not intended to apply to any existing ballfields or parking lots with outdoor lights which are fully compliant with its permit and approval conditions, and which do not materially change. However, staff suggests that any recommendations from the Comprehensive Outdoor Lighting Study that apply to existing facilities or events be implemented within one year from the date of acceptance of the Study by the Common Council.

As significant development and land disturbing activities are envisioned on and immediately adjacent to the existing landfill, staff recommends that the applicants obtain all required approvals and permits from the Wisconsin Department of Natural Resources and Milwaukee County prior to any disturbance or development of the landfill area. Staff further recommends that the applicants obtain preliminary or conditional approvals from the Wisconsin Department of Natural Resources and Milwaukee County, and that the applicants submit a detailed map of the extent of the landfill area, such map to be approved by the Wisconsin Department of Natural Resources and Milwaukee County, to City staff, prior to the submittal of any detailed plans for the landfill area.

In order to provide a vegetated buffer between the multi-purpose fields and the adjacent subdivision, and adequate space for maintenance and use of the fields, staff recommends that the applicants revise the Development Concept Plan to remove one of the two multi-purpose fields located immediately northeast of the Whitnall View subdivision, for staff review and approval, prior to the submittal of any detailed plans for The Rock Sports Complex area.

In order to provide more land for the Ballpark Commons Commercial area, and parking for that area as well as for the entire Sports Village, staff suggests that the applicants revise the Development Concept Plan to remove the two existing softball/baseball fields immediately adjacent to Crystal Ridge Drive Please note that should the results of a Comprehensive Parking Study of the Planned Development District indicate that there is a significant parking shortage in this area, that this suggestion may become a recommendation.

Staff suggests Milwaukee County combine all ten (10) parcels located within The Rock Sports Complex through the City's Certified Survey Map process.

It can be noted that the applicants have not requested changes to the current hours of operation of The Rock Sports Complex and its associated activities at this time. Any such changes would require separate City approvals.

#### Ballpark Commons Sports Village Commercial/Mixed Use Area:

The Ballpark Commons Sports Village Commercial/Mixed Use Area is to be located in that area bounded by Crystal Ridge Drive, S. 76<sup>th</sup> Street, Loomis Road, and W. Rawson Avenue and includes the excess right-of-way along Loomis Road that was recently acquired by Zim-Mar

Properties LLC. The standards for this area are those as generally set forth in the OL-2 General Business Overlay District, the design standards found in Part 5 of the City of Franklin Unified Development Ordinance, and as may otherwise be set forth within the proposed PDD No. 37 ordinance.

The applicants have requested that the standards for this area be revised to allow residential apartments in the upper floors of multi-story buildings. Staff recommends that the commercial apartment standards proposed in the Ballpark Commons Mixed Use Area in Table 15-3.0442C.1. of the draft ordinance also be incorporated into Table 15-3.0442B.1. Ballpark Commons Commercial Area Development Standards.

The applicants have requested that the multi-purpose indoor sports venue be designated as a permitted use. However, due to the proposed buildings prominent size and location, its relationship to the landfill and the adjacent Whitnall View subdivision, and the lack of details about the potential tenants, site design and architecture, staff recommends that this facility remain as a special use as identified in the draft PDD amendment ordinance.

The applicants have requested that this area allow up to four story buildings as a permitted use. Staff recommends that the permitted building height remain at 3 stories and 45 feet, with taller buildings to be considered as part of a Special Use, as currently set forth in the draft ordinance, due to staff's concerns about a potential significant shortage of parking within the PDD and potential impacts upon adjacent properties.

The applicants have requested that this area allow 0' side yard setbacks. Staff recommends that the side yard setback remain at 10', with smaller setbacks to be considered by the Plan Commission as part of a Site Plan, etc., as currently set forth in the draft ordinance, due to staff's concerns about density and compatibility with the adjacent neighborhoods.

As significant development and land disturbing activities are envisioned on and/or immediately adjacent to the existing Emerald Park Landfill gas pipeline, staff recommends that the applicants obtain all required approvals and permits from the Milwaukee Metropolitan Sewerage District prior to any disturbance or development of the gas pipeline area. Staff further recommends that the applicants obtain preliminary or conditional approval from the Milwaukee Metropolitan Sewerage District, and that the applicants submit a detailed map of the location of the gas pipeline and associated easement, to City staff, prior to the submittal of any detailed plans for the landfill area.

To ensure that adequate parking, appropriate resident and visitor amenities, and compatibility with adjacent uses is provided, and that a high quality development can and will be maintained, staff recommends that the applicants provide additional details about the multi-family residential component of the Ballpark Commons Sports Village Commercial/Mixed Use area, (including but not limited to: location, number and size of units and bedrooms; types, locations and amounts of on-site and off-site parking; envisioned rental rates; amenities to be provided; etc.) for staff review, prior to the submittal of any detailed plans for this area. Staff further recommends that the applicants prepare preliminary information about the multi-family residential component of

the Ballpark Commons Sports Village Commercial/Mixed Use area, for staff review, prior to submittal of the proposed PDD amendment to the Common Council.

#### Ballpark Commons Commercial Area:

The Ballpark Commons Mixed Use Area is to be located in that area bounded by W. Rawson Avenue, Loomis Road, and the Stone Hedge subdivision and includes potential excess right-of-way along Loomis Road. The standards for this area are those as generally set forth in the B-4 South 27<sup>th</sup> Street Mixed Use Commercial District, the design standards found in Part 5 of the City of Franklin Unified Development Ordinance, and as may otherwise be set forth within the proposed PDD No. 37 ordinance.

The applicants have requested that the standards for this area be revised to allow residential apartments in the upper floors of multi-story buildings. Staff recommends that the commercial apartment standards proposed in the Ballpark Commons Mixed Use Area in Table 15-3.0442C.1. of the draft ordinance also be incorporated into Table 15-3.0442B.1. Ballpark Commons Commercial Area Development Standards.

The applicants have requested that this area allow up to a five-story hotel building and up to four story mixed-use buildings as a permitted use. Staff recommends that the permitted building height remain at 3 stories and 45 feet, with taller buildings to be considered as part of a Special Use, as currently set forth in the draft ordinance, due to staff's concerns about a potential significant shortage of parking within the PDD and potential impacts upon adjacent properties.

The applicants have requested that this area allow 0' side yard setbacks. Staff recommends that the side yard setback remain at 10', with smaller setbacks to be considered by the Plan Commission as part of a Site Plan, etc., as currently set forth in the draft ordinance, due to staff's concerns about density and compatibility with the adjacent neighborhoods.

To ensure that adequate parking, appropriate resident and visitor amenities, and compatibility with adjacent uses is provided, and that a high quality development can and will be maintained, staff recommends that the applicants provide additional details about the multi-family residential component of the Ballpark Commons Mixed Use area, (including but not limited to: location, number and size of units and bedrooms; types, locations and amounts of on-site and off-site parking; envisioned rental rates; amenities to be provided; etc.) for staff review, prior to submittal of the PDD amendment to the Common Council.

#### Ballpark Commons Multi-Family Residential Area:

The Ballpark Commons Multi-Family Residential Area is to be located in that area bounded by the Ballpark Commons Mixed Use area, Loomis Road, and the Stone Hedge subdivision and includes potential excess right-of-way along Loomis Road. The standards for this area are those as generally set forth in the R-8 General Residence District, the design standards found in Part 5 of the City of Franklin Unified Development Ordinance, and as may otherwise be set forth within the proposed PDD No. 37 ordinance.

The applicants have requested that this area allow smaller minimum open space standard of 0.2, and higher maximum density standard of 9.5. Staff recommends that the open space standard remain at 0.25 and the maximum density standard remain at 8.0, with greater densities to be considered as part of a Special Use, as currently set forth in the draft ordinance, due to staff's concerns about density and compatibility with the adjacent neighborhood.

The applicants have requested that this area allow lot dimensional requirements and setbacks to be determined on a case-by-case basis during the review of detailed plans. Staff recommends that the lot dimensional requirements and setbacks remain unchanged, with smaller setbacks to be considered by the Plan Commission as part of a Site Plan, etc., as currently set forth in the draft ordinance, due to staff's concerns about density and compatibility with the adjacent neighborhood.

The applicants have requested that this area allow balconies to count as Open Space. Staff recommends that the open space continue to be calculated as set forth within the Unified Development Ordinance, due to staff's concerns about density and compatibility with the adjacent neighborhood.

The applicants have requested that this area allow parking to be provided at a ratio of 1.4 spaces per dwelling unit. Staff recommends that the parking ratio continue to be calculated as set forth within the Unified Development Ordinance as 1 space per bedroom for one and two bedroom apartments and 2.5 spaces per three or more bedroom apartments, due to staff's concerns about a potential significant shortage of parking within the PDD and potential impacts upon adjacent properties.

The applicants have requested that this area allow off-street loading with no minimum standards. Staff recommends that the off-street loading standards as set forth within the Unified Development Ordinance continue to be utilized, due to staff's concerns about density, compatibility with the adjacent neighborhood, and a potential significant shortage of parking within the PDD and potential impacts upon adjacent properties.

To ensure that appropriate resident and visitor amenities, compatibility with adjacent uses is provided, and that a high quality development can and will be maintained, *staff recommends that the applicants provide additional details about the multi-family residential component of the Ballpark Commons Multi-Family Residential area, (including but not limited to envisioned rental rates, amenities to be provided, etc.) for staff review, prior to submittal of the proposed PDD amendment to the Common Council.*

Staff suggests that for those apartment buildings adjacent to the Stone Hedge subdivision, that the parking lots be moved to the front of the buildings and the buildings moved closer to the subdivision.

#### Transportation:

The applicants have indicated in their project narrative, but have not identified on the General Development Concept Map, that certain changes are envisioned to the Loomis Road ramps, as

well as the addition of new signalized intersections to Loomis Road and Rawson Avenue. Staff recommends that a note be added to the Development Concept Map indicating that alterations to existing state, county, and local roads are envisioned, including but not limited to removal of certain ramps and the addition of certain signalized intersections, and that such changes will be subject to Wisconsin Department of Transportation, Milwaukee County, and City of Franklin review and approval, prior to submittal of the proposed PDD amendment to the Common Council.

The applicants also provide little information about coordination of these and other transportation system changes with the applicable regulatory agencies, including the Traffic Impact Analysis recently prepared by the City and submitted to the DOT. Therefore, staff recommends that the applicants prepare a Traffic Impact Analysis for the entire subject PDD, incorporating travel impacts from the Ballpark Commons project into future alternatives giving priority to collector roads to future intersections with Loomis Road, such being compatible with that TIA prepared by the City and recently submitted to the DOT pertaining to the Loomis Road ramps, for review and approval by the Wisconsin Department of Transportation, Milwaukee County, and the City of Franklin as applicable, prior to the submittal of any detailed plans for PDD No. 37. Staff further recommends that the applicants complete a preliminary TIA, and obtain preliminary approval of the TIA from the affected agencies, for staff review, prior to the submittal of the proposed PDD amendment to the Common Council.

Staff recommends that any portion of a public road to be owned by the City of Franklin that is located on any portion of the historic landfill be the subject of a 20-year bond by the applicants in an amount and terms to be approved by the City to insure adequate funds for any repair and reconstruction of such roads due to landfill conditions, for Engineering Department staff review, prior to any development within such applicable portion(s) of PDD No. 37. Staff suggests that the portion of Crystal Ridge Drive north of the proposed baseball stadium envisioned to be publicly owned instead be privately owned, and that the portion of Crystal Ridge Drive south of the stadium be publicly owned.

Staff recommends that the applicants revise the Development Concept Map to redesign the relocated Crystal Ridge Road such that all intersections with other roads, public or private, occur at right angles, except for those intersections designed as a roundabout, for Engineering Department staff review and approval, prior to the submittal of any detailed plans within The Rock Sports Complex and the Ballpark Commons Sports Village Commercial/Mixed Use areas of PDD No. 37.

Staff recommends that the applicants prepare a Street Design Plan for all new and reconstructed streets within PDD No. 37, to be designed with appropriate Complete Streets and traffic calming practices, including consideration of such elements as bike lanes, sidewalks, on-street parking, roundabouts, etc., for Engineering and Planning Department staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Street Design Plan as may be determined by the City). Staff further recommends that the Street Design Plan incorporate consideration of extension of four lanes for Rawson Avenue further westward to at least Hawthorne Lane.

Staff recommends that the applicants prepare a Bike and Pedestrian Plan for the entire PDD, identifying design and location details for such facilities as sidewalks, trails, crosswalks, signage, pedestrian scale lighting, bike rest/rental/repair stations, etc., for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Bike and Pedestrian Plan as may be determined by the City). Staff further recommends that the applicants prepare a Preliminary Bike and Pedestrian Plan for staff review prior to the submittal of the proposed PDD No. 37 amendment to the Common Council. Staff also recommends that the Bike and Pedestrian Plan include a public space located between the proposed baseball stadium and the proposed multi-purpose indoor sports venue that includes outdoor seating areas, a bike rest/rental/repair facility, public art/exhibit areas, etc.

Staff recommends that the applicants prepare a Streetscaping Plan for all new and reconstructed streets within PDD No. 37, incorporating such features as decorative lighting, special signage, pedestrian rest areas, etc., for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Streetscaping Plan as may be determined by the City). Staff further recommends that the applicants prepare a preliminary Streetscaping Plan for staff review prior to submittal of the proposed PDD No. 37 amendment to the Common Council.

Staff suggests that a sidewalk be added to the west side of 76<sup>th</sup> Street from Crystal Ridge Drive to Rawson Avenue.

Staff suggests that the Rawson Avenue sidewalks be widened, and that new sidewalks be added to Rawson Avenue from Crystal Ridge Drive/Old Loomis Road west to at least Hawthorne Lane.

Staff suggests that a pedestrian pathway/emergency access drive be extended from the end of Karrington Drive into the Ballpark Commons Multi-Family Residential area.

#### Parking:

As parking information for the southern portion of the Ballpark Commons proposal was not provided until March 12<sup>th</sup>, and similar information for the northern portions on March 14<sup>th</sup>, staff has not had an opportunity to review that information. Staff may have serious concerns about the amount of parking needed for PDD No. 37 and the amount of parking envisioned to be provided by the applicants. For instance, just the baseball stadium and the multi-purpose indoor sports venue alone would require approximately 2,700 parking spaces according to UDO parking standards. Furthermore, the applicants proposed parking standards of 4 parking spaces per 1,000 sq. ft. of commercial space, 1.5 parking spaces per residential apartment, etc. are less than the standards set forth in the UDO.

Therefore, and as noted in its Staff Comments to the applicants dated February 16<sup>th</sup>, staff recommends that the applicants submit a detailed and comprehensive Parking Study for the entire proposed PDD, which includes consideration of a parking structure, underground parking for all multi-story buildings, formal shared parking arrangements, and on-street parking, for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such

plans to incorporate the findings and recommendations of the Parking Study as may be determined by the City).

It should be noted that detailed parking plans, consistent with the Comprehensive Parking Plan, would be required at the time of a Site Plan, Special Use, etc. as is typically required by the UDO.

Landscaping:

The applicants have provided limited information about the landscaping envisioned within PDD No. 37, but do indicate that landscaping is envisioned to be appropriate to each area within PDD No. 37, generally reflective of an urban setting, and shall be as provided on recorded plans. Therefore, staff recommends that the applicants provide a General Landscape Plan for each of the four areas comprising PDD No. 37, for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the General Landscape Plan as may be determined by the City).

The vegetative buffer proposed by the applicants indicates a 60' wide landscaped area with a 8' high berm, and an additional 40' building setback. As such, staff recommends that the requested General Landscape Plan, and the pertinent zoning district standards, be revised to reflect a minimum 60' wide landscape buffer, including a minimum 8' high berm, to be located along the entire western boundary of PDD No. 37, for staff review, prior to the submittal of any detailed plans within PDD No. 37. Staff further recommends that the applicable zoning district standards be revised to reflect a 40' building setback from the western boundary of PDD No. 37.

It should be noted that detailed landscape plans, consistent with the overall General Landscape Plan, would be required at the time of a Site Plan, Special Use, etc. as is typically required by the UDO.

Snow Storage:

The applicant has not submitted a Snow Storage Plan for any portions of the proposed development. Therefore, staff recommends that the applicants submit a Snow Storage Plan along with each applicable Site Plan, Special Use, etc. in accordance with Section 15-5.0210 of the Unified Development Ordinance, to the Planning Department staff, for review and approval as part of such site plans, special uses, etc.

Natural Resource Protection:

While the applicants have provided a Natural Resource Protection Plan (NRPP) pursuant to Sections 15-3.0401C. and 15-3.0403B. of the UDO) and indicate that a Natural Resource Special Exception will be necessary, the NRPP is incomplete, contradicts information that was provided for the creation of PDD No. 37, and does not provide any information about how the City's natural resource protection standards will otherwise be met. Therefore, staff recommends that the applicants revise the Project Narrative to indicate what if any mitigation measures are

envisioned, and through that process, how the City's Natural Resource Protection standards will otherwise be met, for Planning Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.

It should be noted that detailed Natural Resource Protection Plan(s), along with applicable Site Intensity and Capacity Calculations, would be required at the time of a Site Plan, Special Use, etc. as is typically required by the UDO.

#### Lighting:

The applicant has not submitted a Lighting Plan for any portions of the proposed development, and recommends that lighting be as provided on recorded plans. Therefore, staff recommends that the applicants submit a Lighting Plan along with each applicable Site Plan, Special Use, etc. (other than for The Rock Sports Complex, which lighting standards are set forth elsewhere in this PDD ordinance) which meets the lighting regulations set forth in Division 15-5.0400 of the Unified Development Ordinance, to the Planning Department staff, for review and approval as part of such site plans, special uses, etc.

It should be noted that detailed Lighting Plan(s) will be required at the time of a Site Plan, Special Use, etc. as is typically required by the UDO, except as otherwise described for The Rock Sports Complex area earlier in this staff report.

#### Architecture:

It is important to note that the applicants have not prepared any architectural plans for any of the proposed buildings within PDD No. 37, nor have the applicants indicated what if any common or complementary design themes will be employed within this area. Rather, the applicants have provided artist renderings and examples from other projects within southeastern Wisconsin, for some of the building types envisioned within PDD No. 37. Therefore, staff recommends that the applicants prepare an Architectural and Site Design Plan for PDD No. 37 which identifies the use of common or complementary design themes, elements, or features throughout the development and/or for the four separate areas of PDD No. 37, for staff review and approval prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Architectural and Site Design Plan as may be determined by the City). Staff further recommends that the applicants prepare a preliminary Architectural and Site Design Plan for staff review prior to submittal of the proposed PDD amendment to the Common Council.

#### Stormwater Management:

The applicants have not submitted a Stormwater Management Plan nor have they submitted much information about stormwater management in general. Therefore, staff recommends that the applicants submit a Comprehensive Stormwater Management Plan for PDD No. 37, for Engineering Department staff review and approval, prior to any development within PDD No. 37.

It should be noted that detailed Stormwater Management Plan(s) would be required at the time of a Site Plan, Special Use, etc. as is typically required by the UDO.

#### Signage:

The applicants have requested that a separate Master Sign Program govern all signage. Therefore, staff recommends that the applicants prepare a Master Sign Program for PDD No. 37, for staff review and approval, prior to any development within PDD No. 37.

#### Market Analysis:

Due to the scale and many unique characteristics of the proposed Ballpark Commons project, and the potentially significant impact upon City services and facilities, staff recommends that the applicants prepare a Market Analysis of the entire Ballpark Commons project, including an analysis of its fiscal impact upon the City and its provision of services to this area, for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Market Analysis as may be determined by the City). Staff further recommends that a preliminary Market Analysis be prepared for staff review prior to submittal of the proposed PDD amendment to the Common Council.

#### Design Standards:

Due the size and scale of the proposed Ballpark Commons project, including its greater intensity of envisioned land uses and proximity to adjacent residential subdivisions, ensuring proper design for all aspects of the project, not least of all site layout, architecture, landscaping, etc. will be extremely important. Therefore, staff has included certain design standards within the draft PDD amendment ordinance. These standards are patterned after similar standards found in the South 27<sup>th</sup> Street Plan that had also been incorporated into the City's 27<sup>th</sup> Street zoning ordinances.

#### **CONCLUSION:**

As previously noted, due to the lack of detail in much of the applicants' submittal materials, and the applicant's desired review time frame, the applicants have requested General Approval of the PDD amendment. If the Common Council grants such approval, additional detailed plans will be required from the applicants before any development can occur. As recommended herein by staff, such detailed plans would generally be reviewed by staff and the Plan Commission, and recommendations provided, for final consideration and approval by the Common Council.

In addition, staff is recommending that the applicants prepare certain District-wide plans prior to the submittal of any detailed plans. Such plans include: a Market Analysis; a Comprehensive Stormwater Management Plan; an Architectural and Site Design Plan; a General Landscape Plan; a Parking Study; a Traffic Impact Analysis; a Street Design Plan; and a Bike and Pedestrian Plan.

However, it is very important to note that certain items such as a final Traffic Impact Analysis or final Stormwater Management Plan could result in significant changes to the layout of this project. Staff would also note that the large number of buildings identified in the Development Concept Plan may be overly optimistic as not enough space may be available to meet landscape surface ratio requirements, parking requirements, and the stormwater management requirements.

As a portion of the subject property extends into the Village of Greendale (although it appears no active facilities are proposed within that area), staff would suggest that the applicant obtain the Village's support of this project as well.

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<b>APPROVAL</b>  <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  04/04/16
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>ORDINANCE TO AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX) TO REVISE THE DISTRICT AND TO EXPAND THE DISTRICT TO ENCOMPASS CERTAIN ADJACENT AREA LANDS TO CREATE THE "BALLPARK COMMONS" SPORTS ANCHORED MIXED-USE DEVELOPMENT (MIKE ZIMMERMAN AND GREG MARSO ZIM-MAR PROPERTIES LLC, AND JOHN DARGLE JR. DIRECTOR OF THE MILWAUKEE COUNTY DEPARTMENT OF PARKS, APPLICANTS) (AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE, WEST LOOMIS ROAD, AND WEST OLD LOOMIS ROAD)</b>	<b>ITEM NUMBER</b>  <i>G. 2.</i>

Introduction

At their meeting on March 17, 2016, the Plan Commission recommended approval of an ordinance to amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District (PDD) No. 37 (The Rock Sports Complex) to revise and expand the district to encompass certain adjacent lands and to create the proposed "Ballpark Commons" sports anchored mixed-use development.

Public Hearing Summary

A public hearing was held on March 17, 2016, before the City of Franklin Plan Commission to receive public comment on a request by Mr. Michael Zimmerman, Mr. Greg Marso, and Mr. John Dargle Jr. to revise and expand Planned Development District No. 37 (The Rock Sports Complex) to accommodate the proposed Ballpark Commons sports anchored mixed use development. After an introduction by City staff, and a summary of the project by Mr. Blair Williams, Mr. Greg Marso, and associates of Mr. Zimmerman, 39 persons spoke on this matter. Of these, 36 persons spoke in opposition to, or with concerns about, the proposed project, and three persons spoke in support of the proposed project. Noted concerns included: the possible noise, lights, and traffic associated with the proposed project; the inclusion of apartments within the proposed project; potential impacts from such a development being located on a former landfill; possible negative impacts upon adjacent property values; that more time should be provided for City review and consideration of this project; that the plans for the proposed project keep changing; and that the City might be held responsible if the project fails to develop as proposed.

Additional Public Comment/Information

Staff also received 12 emails or letters (see attached) in regard to the proposed Ballpark Commons project, nine of which expressed opposition to or concerns about the proposed project, and three of which expressed support of the proposed project (copies are attached).

Planning Department staff has also talked to four individuals who have indicated that, while they are opposed to or have concerns about the proposed project, if it should be approved by the City, they would recommend that the project be revised in some particular way. Those proposed revisions include: extend public sanitary sewer and water into the Whitnall View subdivision at no cost to those residents; obtain an engineering report in regard to the location and proximity of private wells to the landfill; extend Rawson Avenue as four lanes further westward to Woefel Road; and that the City hire consultants to assist staff with the implementation and site inspection associated with all conditions of approval for this project.

#### Protest Petition

Please note that the City has recently received petitions from neighbors of the proposed Ballpark Commons project protesting the rezoning/amendment of Planned Development District No. 37 (The Rock Sports Complex). These petitions are currently under review by the City Attorney and the Planning Manager, pursuant to Wisconsin Statutes Section 62.23(7)(d)2m and the Unified Development Ordinance Section 15-9.0209, and staff will report its findings to the Common Council at its April 4, 2016 meeting. A copy of a letter from Mr. Matthew J. Fleming (an attorney representing some of the neighboring property owners) on this matter, and a letter in response from City Attorney Jesse Wesolowski, are attached.

#### Additional Information from the Applicants

On March 30, 2016, the applicants provided a copy of all of the information they had previously provided to the Plan Commission for its meeting of March 17, 2016, including: the Ballpark Commons Franklin, WI Amended PDD/GDP Submittal; the Market Study and Executive Summary of the Proposed Mixed Use Development prepared by Moegenburg Research Inc.; and additional maps of the subject area.

The applicants have also provided new information in response to some of the Plan Commission's recommended conditions of approval for the proposed PDD amendment including: a breakdown of anticipated total project taxable value; architectural design intents and examples; public sewer and water information; compatibility of land uses information; and approval for use of the City's Transportation Impact Analysis (TIA) of this area for removal of some of the Loomis Road/Rawson Avenue ramps as the preliminary TIA for the proposed Ballpark Commons project.

#### Additional Changes Recommended by Staff

Staff would note that with receipt of this additional information, of the Plan Commission's 39 recommended conditions of approval (as set forth in the draft PDD Amendment Ordinance):

- Four conditions (#2, 5, 16b, and 31) have now been addressed by the applicants and can be removed from the draft ordinance.
- Four conditions (#3, 4, 6, and 7) have been partially addressed by the applicants, should still remain in the draft ordinance, but the deadline revised as noted in Attachment A.
- 21 conditions are agreed to by the applicants and will be addressed within the timeframe/deadline as proposed by the Plan Commission.
- 10 conditions (#1, 12b, 14, 15, 17, 19b, 20b, 21b, 26, and 28b) are not agreed to by the applicants either due to disagreement with the condition itself or with its recommended timeframe/deadline. Staff recommends that these conditions remain, but that the deadline of conditions #12b, 14, 15, 20b, 21b, 26, and 28b be revised as noted in Attachment A.

See the attached spreadsheet/table entitled 'Attachment A: Staff's Summary and Tracking of the Recommended Conditions for the PDD No. 37 Amendment/Ballpark Commons Project' for a brief summary of all of these proposed conditions, including a brief summary of the applicants recommendations for each (more information from the applicants is provided in their version of a similar spreadsheet/table).

Lastly, staff recommends that a new condition be added "The Planned Development District No. 37 (The Rock Sports Complex) Ordinance shall be subject to minor technical corrections, such as inclusion of 'commercial apartments in the upper stories of mixed use residential buildings' in the Area Intent of Section 15-3.0442B of the Ordinance, and revision of the "S" in Table 15-3.0443D.3. for Multiple-family dwellings and apartments to "P/S", pursuant to review and approval by Planning Department staff and the City Attorney."

#### **COUNCIL ACTION REQUESTED**

A motion to approve Ordinance No. 2016-\_\_\_\_\_, an ordinance to amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex) to revise the district and expand the district to encompass certain adjacent area lands to create the "Ballpark Commons" sports anchored mixed-use development (Mike Zimmerman and Greg Marso, Zim-Mar Properties LLC, and John Dargle Jr. Director of the Milwaukee County Department of Parks, Applicants) (at approximately 7900 West Rawson Avenue, West Loomis Road, and West Old Loomis Road).

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ORDINANCE NO. 2016-\_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX) TO REVISE THE DISTRICT AND TO EXPAND THE DISTRICT TO ENCOMPASS CERTAIN ADJACENT AREA LANDS TO CREATE THE "BALLPARK COMMONS" SPORTS ANCHORED MIXED-USE DEVELOPMENT (MIKE ZIMMERMAN AND GREG MARSO, ZIM-MAR PROPERTIES LLC, AND JOHN DARGLE JR. DIRECTOR OF THE MILWAUKEE COUNTY DEPARTMENT OF PARKS, APPLICANTS) (AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE, WEST LOOMIS ROAD, AND WEST OLD LOOMIS ROAD)

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WHEREAS, Section 15-3.0442 of the Unified Development Ordinance provides for and regulates Planned Development District No. 37 (The Rock Sports Complex), same having been created by Ordinance No. 2012-2089 and later amended by Ordinance No. 2013-2101, with such District primarily being located at 7900 West Crystal Ridge Drive, bearing tax key nos. 708-8996-000, 708-8999-000, 744-8980-001, 744-8985-001, 744-8985-002, 744-8988-000, 744-8989-000, 745-0029-000, 745-8998-000 and 745-8999-004, and is more particularly described below; and

WHEREAS, Planned Development District No. 37 (The Rock Sports Complex) currently includes those lands legally described as follows:

TKN 708-8996-000: COM ON S LI 948.50 FT W OF SE COR OF NE 4 5 21 TH N 60D 4M E 261.64 FT N 3D 51M 30S E 378 FT N 87D 16M W 1253.97 FT TH S 4D 3M 8S W 519.29 FT TH E TO BEG 14.63 ACS;

TKN 708-8999-000: COM SE COR OF NE 4 5 21 TH N 519.25 FT W 204 FT SWLY TO A PT IN S LI OF SD QUAR SEC WH PT IS 948.50 FT W OF SE COR TH E ALG SD S LI TO BEG EXC E 60 FT FOR ST CONT 6.709 ACS;

TKN 744-8980-001: SE 4 5 21 N OF NWLY LI OF LOOMIS RD EXC W HALF OF W HALF OF SD QUAR & EXC COM CL OLD LOOMIS RD 406.47 FT NE OF S LI OF SD QUAR TH NLY 244.20 FT NLY 174.78 FT N 52.21 FT SE 311.87 FT TH SWLY ALG CL OF SD RD TO BEG & EXC E 60 FT FOR RD CONT 81.478 ACS;

TKN 744-8985-001: CERTIFIED SURVEY MAP NO 3931 SE 4 5 21  
PARCEL 1 EXC PART CONVEYED FOR HIGHWAY 7.14 ACS;

TKN 744-8985-002: CERTIFIED SURVEY MAP NO 3931 SE 4 5 21  
OUTLOT 1 EXC PART CONVEYED FOR HIGHWAY 10.76 ACS;

TKN 744-8988-000: COM CEN LI OLD LOOMIS RD 406.47 FT NE OF S  
LI OF SE 4 5 21 TH NLY 244.20 FT NLY 174.78 FT SE 109.36 FT SE  
43.87 FT SE 21.11 FT SE 28.09 FT SE 62.90 FT TH SW ALG CEN  
LOOMIS RD TO BEG CONT 1.126 ACS;

TKN 744-8989-000: COM 1915.13 FT S OF NE COR OF W HALF SE 4 5  
21 TH SELY TO CEN LI OF OLD LOOMIS RD NE ALG CEN LI OF SD  
RD 104 FT NW 311.87 FT TH S 52.21 FT TO BEG CONT 0.482 ACS;

TKN 745-0029-000: WHITNALL VIEW ADDN NO 1 BLK 1 OUTLOT 1  
0.9 ACS;

TKN 745-8998-000: N 400 FT OF E 544.50 FT OF S HALF OF SW 4 5 21  
CONT 5 ACS;

TKN 745-8999-004: CERTIFIED SURVEY MAP NO 3107 SW 4 5 21  
OUTLOT 1 EXC PART CONVEYED FOR HIGHWAY 0.28 ACS.

WHEREAS, the property which is the subject of the application for the revision and expansion of Planned Development District No. 37 (The Rock Sports Complex) is more particularly described as follows:

Part of the Southeast 1/4 of the Southwest 1/4; the Northeast 1/4, Northwest 1/4, Southeast 1/4, and Southwest 1/4 of the Southeast 1/4; and the Southeast 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 4, Township 5 North, Range 21 East, and the Northeast 1/4 and Southeast 1/4 of the Northwest 1/4; and the Northwest 1/4 of the Northeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; Commencing at the Southwest corner of said Southeast 1/4 of Section 4; thence North  $88^{\circ}42'47''$  East along the South line of said Southeast 1/4 section, 1452.10 feet to Loomis Road (State Trunk Highway "36") reference line as shown in Wisconsin Department of Transportation Plat of Right of Way Project Number F064-I(5)/2240-02-22, dated July 3, 1956 and the point of beginning;

Thence South  $49^{\circ}44'47''$  West along said reference line, 907.00 feet to a point of curve; thence southwesterly 1280.00 feet along said reference line and along the arc of said curve to the left, whose radius is 3819.72 feet and whose chord bears South  $40^{\circ}08'47''$  West, 1274.02 feet to a point of tangency; thence

South 30°32'47" West along said reference line, 913.06 feet; thence North 59°36'20" West, 148.15 feet to the southeast corner of Stone Hedge Subdivision Addition No. 1; thence North 00°10'59" West along the east line of said Stone Hedge Subdivision Addition, 1801.35 feet to the northeast corner of said Stone Hedge Subdivision Addition; thence North 00°03'31" East, 485.75 feet to the north right of way line of West Rawson Avenue; thence North 88°25'44" East along said north right of way line 598.14 feet to the southeast corner of Parcel 1 of Certified Survey Map No. 3107; thence North 00°17'04" West along the east line of said Parcel 1 and then along the east line of Lot 14, Lot 13, and Lot 12 of Block 1 of Whitnall View Subdivision Addition No. 1, 852.41 feet to the northeast corner of said Lot 12; thence South 88°37'08" West along the north line of said Lot 12 and then the north line of Lot 11 of said Whitnall View Subdivision Addition, 485.05 feet to the northwest corner of said Lot 11; thence North 00°24'53" West along the east line of Lot 10 and then along the east line of Lot 9 of said Whitnall View Subdivision, 399.30 feet to the northeast corner of said Lot 9; thence North 88°36'34" East, 545.17 feet to the East line of said Southwest 1/4 of Section 4; thence South 00°20'48" East along said east line of said Southwest 1/4 of Section 4, 38.94 feet; thence North 88°41'22" East, 661.95 feet; thence North 00°14'26" West, 1877.15 feet; thence North 88°31'03" East 1252.42, feet; thence South 00°19'01" East, 369.30 feet; thence North 54°01'00" East, 650.18 feet; thence North 88°32'16" East, 202.64 feet to the east line of said Northeast 1/4 of Section 4; thence South 00°19'12" East along said east line, 520.62 feet to the southeast corner of said Northeast 1/4 of Section 4; thence South 00°25'03" East along the east line of said Southeast 1/4 of Section 4, 1659.17 feet to said reference line; thence South 49°44'7" West along said reference line, 1561.91 feet to the point of beginning.

Containing in all 8,946,167 square feet (205.376 acres) of land, more or less.

WHEREAS, Mike Zimmerman and Greg Marso, Zim-Mar Properties LLC, and John Dargle, Director of the Milwaukee County Department of Parks, having petitioned for a further amendment to Planned Development District No. 37 (The Rock Sports Complex) to allow for expansion of the District and development of the "Ballpark Commons" Sports Anchored Mixed-Use Development encompassing said District and certain adjacent lands along West Crystal Ridge Drive, West Rawson Avenue, West Loomis Road, and West Old Loomis Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 17th day of March, 2016, and the Plan Commission having reviewed the proposed amendment to Planned Development District No. 37 and thereafter having recommended to the Common Council that the proposed amendment be approved; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission, and having determined that the proposed amendment to Planned Development District No. 37 (The Rock Sports Complex) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and that it will promote the health, safety and welfare of the Community.

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

SECTION 1: Section 15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from B-1 Neighborhood Shopping District and R-3E Suburban/Estate Single-Family Residence District to Planned Development District No. 37 (The Rock Sports Complex);

Tax Key Numbers: 755-9995-002; 755-9995-001; 755-9996-000; 754-9988-001; and 754-9988-002.

And one parcel, located between West Crystal Ridge Drive on the north and West Loomis Road on the south, immediately south of the existing The Rock Sports Complex, does not bear a tax key number or an address, the property more particularly described as that part of the Southeast 1/4 of Section 4, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commence at the Southeast corner of said Section 4, run thence North 00°00'00" West, on an assumed bearing, along the east line of said Section, 1,594.42 feet; thence North 90°00'00" West 60.00 feet to the west right-of-way of Seventy Sixth Street and the point of beginning of this description; run thence South 00°00'00" East 205.00 feet along said right-of-way; thence South 58°00'00" West 300.00 feet; thence South 20°30'00" West 385.00 feet; thence South 37°33'55" West 201.65 feet; thence South 48°16'12" West 330.78 feet; thence South 61°02'50" West 578.18 feet to a point located 230 feet north of, as measured normal to, the south line of said Section; thence South 89°08'18" West 39.61 feet parallel with the south line of said Section; thence North 40°22'33" East 1,740.48 feet; thence North 65°11'16" East 141.03 feet; thence North 90°00'00" East 49.07

feet to the point of beginning. This parcel contains 8.188 acres more or less.

SECTION 2: Section 15-3.0442 of the Unified Development Ordinance of the City of Franklin is hereby repealed and recreated as follows:

**Section 15-3.0442 PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS)**

A. **Exhibits.** This Planned Development District shall be constructed, operated and maintained in conformance with the following listed Exhibits, all containing matters approved hereunder or by the separate approval of the Common Council as set forth below, and all applicable terms and provisions of the Municipal Code and the Unified Development Ordinance not enumerated herein and not contrary to the terms or provisions of this ordinance, including, but not limited to such permits as are required under Division 15-8.0200 Construction, Division 15-8.0300 Construction Site Erosion Control, Division 15-8.0600 Stormwater Management, as well as the Development Agreement required as a condition of approval of Exhibit B, below.

The plans contained in the following Exhibits are only of sufficient detail as to satisfy the Plan Commission and the Common Council as to the general character, scope, and appearance of the proposed development. Such preliminary plans designate the pattern of the proposed streets, and the size and arrangement of individual building sites. The approval of such preliminary plans shall be conditioned upon the subsequent submittal and approval of more specific and detailed plans as each stage of development progresses as set forth in the Unified Development Ordinance Section 15-9.0208E.7. and this ordinance.

1. **Exhibit A:** Preliminary Development Concept.
2. **Exhibit B:** Utility Plan.
3. **Exhibit C:** Natural Resource Protection Plan.

B. **District Intent.** It is the intent of Planned Development District No. 37 to provide a unique and high quality sports anchored mixed-use development which includes a multi-use sports and entertainment complex and certain compatible mixed-uses including commercial, retail, office, and residential development. And to provide an attractive center of recreational and economic activity which serves to enhance not only the subject District but the City of Franklin, surrounding communities, and Milwaukee County as well, in

furtherance of the goals and objectives of the City of Franklin Comprehensive Master Plan and:

1. All development within this District shall comply with the zoning and land division standards and requirements of the Unified Development Ordinance, including but not limited to Division 15-3.0700 Special Uses, Division 15-3.0800 Accessory and Temporary Uses and Structures, Division 15-5.0100 Design Standards for Land Divisions, Division 15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access, except as otherwise specifically set forth within this Planned Development District No. 37.
2. Accommodate the clustering of buildings on parcels of land under individual or multiple ownership.
3. Provide for an arrangement of recreation, entertainment, commercial, retail, office, and multi-family residential uses that are compatible in function, form, and operation.
4. Apply superior architectural and site design considerations whenever new principal and/or accessory structures are constructed. Encourage multi-story buildings.
5. Provide a safe, interconnected, and pedestrian-friendly network of public streets, private roads, sidewalks, and trails which encourages a multi-modal system of transportation throughout the District, and through this network, with the surrounding community. A Complete Streets design, incorporating such considerations as narrower travel lanes, on-street parking, curb extensions, frequent and safe crossing opportunities, dedicated sidewalks and/or trails, etc., is encouraged.
6. Provide both on-site and off-site parking for tenants and customers combined with a pedestrian-oriented environment.
7. Provide shared parking arrangements between adjacent uses and properties through the use of easements and other similar agreements. Encourage shared parking arrangements throughout the entire District, including consideration of formal shuttle services, a parking structure, etc.
8. Require that cross-access for both pedestrian and vehicular circulation be provided between adjacent parcels at the time of any new development or redevelopment. In cases where existing development on adjacent parcels, not under common ownership, does not allow for the actual construction of connecting driveways, sidewalks, etc. it shall

be sufficient in most cases to provide the appropriate cross-access easements to be utilized at the point in time when the adjacent parcel undergoes development or redevelopment that would facilitate the completion of the connection. The city may require a letter of credit sufficient to ensure the construction of the future pedestrian and vehicular connection when actual construction is not taking place at the time of site plan approval.

9. Require special use approval for all new buildings greater than 40,000 square feet in area and/or taller than three stories, whether single-tenant or multi-tenant spaces.
10. Be served by public sanitary sewer and water supply facilities.
11. A Permitted Use lawfully existing and established with an existing principal building within the area of this District prior to and upon the recreation of this District shall remain as such Permitted Use and a conforming use, with any future addition, expansion and/or enlargement to the use and/or amendment to any site plan for the use, to be permitted and/or granted only upon the consideration of all applicable standards for the review and approval of such permits and site plans, and the District Intent and District Standards in this Section.

**SECTION 15-3.0442A The Rock Sports Complex Area [the following information is the same as currently set forth in PDD No. 37 unless otherwise noted in yellow highlight]**

- A. **District Intent.** It is the intent of The Rock Sports Complex Area (which is located in that area north of West Rawson Avenue, West Crystal Ridge Drive, west of South 76th Street, and east of the Whitnall View subdivision), to provide a multi-use sports and entertainment complex where the recreational needs of area residents can be met without undue disturbance of natural resources and adjacent uses, and in that regard, the entire Sports Complex Area in general, and the existing ballfields and proposed stadium in particular, shall employ superior lighting and sound systems so as to minimize potential adverse impacts upon adjacent properties. All development within this area shall comply with the standards and requirements of the P-I Park District and all other applicable zoning requirements of the Unified Development Ordinance, except as otherwise specifically set forth in this Planned Development District No. 37. All decisions upon approvals to be made hereunder shall be made upon the application of such intent and standards and requirements.
- B. **Permitted, Special and Prohibited Uses.**

1. **District Permitted Uses.** The following are permitted uses in The Rock Sports Complex Area:
  - a. The Rock Sports Complex (Scenario 2, Phase 1) as depicted in Exhibits A through J of Ordinance No. 2012-2089 and later amended by Ordinance No. 2013-2101
  - b. Skiing
  - c. Snowboarding
  - d. Sledding & tubing
  - e. Cross country skiing
  - f. Baseball
  - g. Softball
  - h. Commercial batting cages
  - i. Volleyball
  - j. Football
  - k. Lacrosse
  - l. Soccer
  - m. Mountain biking
  - n. Bicycle motocross
  - o. Running
  - p. Temporary Uses/Extraordinary Entertainment & Special Events as permitted by the Unified Development Ordinance and Municipal Code
  - q. Restaurant/Umbrella Bar (without drive through facilities)
  - r. Concession stands
  - s. Equipment rental
  - t. Retail equipment and accessory sales
  - u. Those uses permitted within the P-1 Park District
  - v. Monitoring and other activities associated with the landfill as required by the Wisconsin Department of Natural Resources

- w. Except as set forth under subs. a. above, those uses found to be similar to the above permitted uses under the terms of §15-2.0210 of this ordinance.

Review and approval required. Except for the permitted uses set forth in subs. a. above, which are conditionally approved under this ordinance, permitted uses are subject to site plan review and approval under the terms of §15-7.0100 of this Ordinance.

2. **District Special Uses.** The following are special uses in The Rock Sports Complex:

- a. Those special uses allowed within the P-1 Park District
- b. Baseball Stadium
- c. Indoor Sports Complex
- d. Drinking Places (without drive through facilities)
- e. Those uses found to be similar to the above special uses under the terms of §15-2.0210 of this Ordinance.

Review and Approval required. Special uses are subject to special use review and approval under the terms of §§15-3.0701 and 15-3.0703 and site plan review and approval under the terms of §15-7.0100 of this Ordinance.

3. **Accessory Uses.** All ancillary and accessory uses which are not specifically enumerated in the aforementioned plans shall first be submitted to the Department of City Development in a written form providing all of the information regarding such use as would otherwise be required for a zoning compliance application, for the review and written approval of the Department upon its consideration of the standards set forth in Section 15-3.0701 of the Unified Development Ordinance as they pertain to such use, location, physical layout, and operation, and as to whether such proposed use(s) is reasonably determined to be ancillary and accessory to the overall intent of this District and any subsequent amendment, special use, and site plan approvals.

4. **District Prohibited Uses.** The following uses shall be prohibited in The Rock Sports Complex Area, including when proposed as accessory to a Permitted or a Special Use:

- a. Motorized recreational vehicles including but not limited to snowmobiles, dune buggies, motorcycles, dirt bikes and all-terrain

vehicles, except for snow grooming and grounds keeping operations, and /or emergency rescue operations

- b. Riding/equestrian trails
- c. Hunting, trapping, game propagation
- d. Automobile racing, including track operation
- e. Cabins or cottages (rental)
- f. Campgrounds (rental, for tents and/or recreational vehicles)
- g. Firearm Ranges (indoor and outdoor)
- h. Archery Ranges (indoor and outdoor)
- i. All uses not listed as a permitted use, special use or accessory use thereto within the P-1 Park District.

C. **District Standards.** The Rock Sports Complex Area is further intended to have the following development standards:

1. **Landscape Surface Ratio and Floor Area.** The Rock Sports Complex Area shall maintain a minimum Landscape Surface Ratio (LSR) of .50 and Floor Area Standards in compliance with P-1 Park District standards pursuant to Table 15-3.0313.

2. **Lot Dimensional Requirements.**

- |                                              |        |
|----------------------------------------------|--------|
| a. Minimum Lot Area (s.f.):                  | 40,000 |
| b. Minimum Lot Width at Setback Line (feet): | 100    |
| c. Minimum Front Yard (feet):                | 50     |
| d. Minimum Side Yard (feet)(a):              | 20     |
| e. Minimum Side Yard on Corner Lot (feet):   | 50     |
| f. Minimum Rear Yard (feet)(a):              | 50     |
| g. Minimum Shore Buffer (feet):              | 75     |
| h. Minimum Wetland Buffer (feet):            | 30     |
| i. Minimum Wetland Setback (feet):           | 50     |

(a) Upon approval of site plans, the Plan Commission may waive the minimum building setbacks from the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37. The Plan Commission shall consider the applicable standards for Site

Plan, Special Use and Land Division applications in making such determination.

3. **Maximum Building Height:** 2.0 stories/35 feet

D. **Approved Uses.**

The Rock Sports Complex Area development for the time period as set forth in this ordinance is an "approved use" under this ordinance. The following terms and provisions of this subs. E. shall only apply to such approved uses where the subject matter of the following terms and provisions is not otherwise addressed or depicted in the Exhibits to this ordinance. The following terms and provisions of this subs. E. shall apply to all future uses of the property within the District.

1. **Site Restrictions:**

a. *Accessory Structures:*

Accessory structures or uses not depicted upon any Exhibit to this ordinance shall require approval under §15-9.0102 of this Ordinance and the Zoning Administrator shall apply the standards of this ordinance upon the review of an application therefore.

b. *Fencing:*

No fences shall be constructed on any Site without the approval of the Plan Commission. Fencing, where permitted, shall be solely for purposes of screening, security and landscape enhancement. Fencing shall be constructed only of permanent, high quality materials such as pressure-treated wood, masonry, or metal, and shall be approved by the Plan Commission in every instance.

c. *Temporary Structures:*

No temporary structures or trailers are permitted without prior written approval of the Plan Commission, except those belonging to construction companies during periods of construction.

d. *Ancillary Structures:*

No water tower, storage tank, processing equipment, solar collector, telecommunications equipment, cooling tower, satellite disks or other ancillary structure or outside equipment shall be constructed, erected or placed in the District without the prior written approval of the Plan Commission.

e. *Signs:*

All signs must be in accordance with the Municipal Code, as amended, approved by the Architectural Review Board and subject to issuance of a Sign Permit through the Inspection Department. On-site directional signage may be allowed in any area needed to control traffic or parking provided such signage has received approval from the Architectural Review Board.

2. **Parking:**

a. *Parking Generally:*

The Rock Sports Complex shall be provided with adequate paved on-street and off-street automobile parking as approved by the Plan Commission. Overnight parking of campers, mobile homes, boats, trailers and similar vehicles is prohibited unless prior written approval is obtained from the Plan Commission. Overnight parking of trucks and service vehicles shall be behind landscape screening so as to minimize visibility from the roadway unless prior written approval is secured from the Plan Commission.

b. *Parking Location:*

No parking shall be allowed within the parking setbacks set forth in Division 15-5.0200 of the Unified Development Ordinance unless otherwise approved in writing by the Plan Commission, except parking setbacks from interior lot lines of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37.

Utilization of parking on any adjacent site is prohibited and shall not be counted towards parking requirements unless prior approval of the Plan Commission is obtained and subject to recorded shared parking agreements/easements/etc.

c. *Parking Ratio:*

Unless otherwise approved by the Plan Commission, areas for current and future parking needs shall be provided as follows:

- i. Off-street parking space and on-site queuing requirements shall comply with Section 15-5.0203 and Table 15-5.0203 of the Unified Development Ordinance. On-street parking, as may be approved by the Plan Commission, may also be utilized to address these required parking needs.
- ii. Each use shall have parking capacity adequate to serve the reasonable expected parking needs for the Site, which may include shared parking arrangements as approved by the Plan Commission and as set forth in recorded shared parking agreements/easements/etc.; and

- iii. No continuing or extended use shall be made of a Site or any building constructed thereon which requires, or is reasonably expected to require, parking in excess of the capacity of the parking facilities available on said Site.

3. **Screening:**

a. *Storage:*

Waste and recycling containers shall be screened from view from the streets and adjacent sites by completely opaque screens unless otherwise approved by the Plan Commission. No other articles, goods, materials, finished or semi-finished products, incinerators, storage tanks, or other items shall be kept outdoors or exposed to public view, or to view from adjacent sites.

4. **Landscaping:**

a. *Landscape Requirements:*

The Rock Sports Complex shall provide landscape plantings as depicted upon the Landscape Plan City file-stamped August 1, 2012 and annexed hereto as Exhibit B.

Plantings shall be provided with a minimum three (3) year planting guaranty.

The 30' Buffer Yard Setback as depicted on the Landscape Plan City file-stamped August 1, 2012 shall be reserved for the planting of trees and shrubs; the building of structures hereon is prohibited, except for existing driveway access and trails as may be permitted by the Plan Commission.

The quantity of plantings within Bufferyard Easements shall be held in perpetuity and maintained throughout the life of the development.

Future Phases and Uses shall provide Landscaping in compliance with all requirements set forth per Division 15-5.0300 of the Unified Development Ordinance.

5. **Architecture:**

a. *Architecture:*

The dugouts, concession stands, announcer's booth and restaurant/bar architecture shall be completed, and in substantial compliance, per Exhibit H.

Future uses and structures shall provide architectural elements consistent with the structures approved in Phase I to provide a single cohesive development.

**6. Hours of Operation:**

a. *Athletic Fields and Concession Stands:*

Hours of operation for the athletic fields and concession stands shall be limited to 7:00 a.m. to 10:30 p.m.

b. *Athletic field lighting curfew:*

All athletic field lights shall be shut off by 10:30 p.m.

c. *Umbrella Bar/restaurant:*

Hours of operation for the restaurant shall be limited to 7:00 a.m. to 2:00 a.m.

d. *Bicycle Motocross and Mountain Biking:*

Hours of operation for bicycle motocross and mountain biking on site shall be limited to sunrise to sunset.

e. *Ski Hill:*

Hours of operation for the ski hill shall be limited to 10:00 a.m. to 10:00 p.m.

f. *Truck Deliveries and Refuse Collection:*

Truck deliveries and refuse collection shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

Trucks shall be prohibited from idling while loading and unloading.

**7. Lighting:**

a. Unless otherwise approved by the Plan Commission, all site lighting shall be in compliance with the regulations set forth in Division 15-5.0400 of the Unified Development Ordinance.

**8. Noise:**

a. All noise levels must be in compliance with Sections 15-3.0908 and 15-3.1107 of this Ordinance and §183-38 through §183-46 of the City of Franklin Municipal Code.

**SECTION 15-3.0442B      Ballpark Commons Sports Village  
Commercial/Mixed Use Area**

A. **Area Intent.** The Ballpark Commons Sports Village Commercial/Mixed Use Area is intended to provide for the development of certain mixed commercial uses that is compatible with and serves to create a synergy with, the adjacent multi-use sports and entertainment complex, in furtherance of the goals and objectives of the City of Franklin Comprehensive Master Plan and:

1. To be located in that area bounded by Crystal Ridge Drive, 76th Street, Loomis Road, and Rawson Avenue.
2. Provide multi-story mixed-use commercial buildings, with ground floor retail, roof-top and/or outdoor seating areas, fountains, gardens, plazas, and/or other similar shared amenities that are compatible in function, form, and operation.
3. Provide both on-street and off-street parking for tenants and customers including formal shared parking arrangements with the adjacent multi-use sports and entertainment complex.
4. Provide a pedestrian-oriented environment.
5. Provide superior four-sided architecture.

B. **Area Standards.** The Ballpark Commons Sports Village Commercial/Mixed Use Area is further intended to have the development standards as set forth in Table 15-3.0442B.1.

**Table 15-3.0442B.1.**

**BALLPARK COMMONS SPORTS VILLAGE COMMERCIAL/MIXED USE  
AREA DEVELOPMENT STANDARDS**

Type of Standard	Standard
<b>Landscape Surface Ratio and Floor Area</b>	
Minimum Landscape Surface Ratio (LSR)	0.25
<b>Lot Dimensional Requirements</b>	
Minimum Lot Area (square feet)	20,000

Minimum Lot Width at Setback Line (feet)	100
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	25
Minimum Rear Yard (feet)	20
Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications in making such determinations.	
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
<b>Maximum Building Height</b>	
Principal Structure (stories/ft.)	3.0/45
Accessory Structure (stories/ft.)	1.0/35
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

**C. Permitted, Accessory, and Special Uses.**

1. **District Permitted Uses.** The following are permitted uses in the Ballpark Commons Sports Village Commercial/Mixed Use Area:
  - a. Those uses permitted within the OL-2 General Business Overlay District.
  - b. Monitoring and other activities associated with: the landfill as required by the Wisconsin Department of Natural Resources; and with the Emerald Park Landfill gas pipeline as required by the Milwaukee Metropolitan Sewerage District.

Review and approval required. Permitted uses are subject to site plan review and approval under the terms of Section 15-7.0100 of this Ordinance.

2. **District Special Uses.** The following are special uses in the Ballpark Commons Sports Village Commercial/Mixed Use Area:

- a. Those special uses allowed within the OL-2 General Business Overlay District.

Review and Approval required. Special uses are subject to special use review and approval under the terms of §§15-3.0701 and 15-3.0703 and site plan review and approval under the terms of §15-7.0100 of this Ordinance.

3. **District Prohibited Uses.** The following uses shall be prohibited in the Ballpark Commons Sports Village Commercial/Mixed Use Area, including when proposed as accessory to a Permitted or a Special Use:
  - a. All uses not listed as a permitted use, special use, or accessory use thereto within the OL-2 General Business Overlay District.

#### **SECTION 15-3.0442C      Ballpark Commons Commercial Area**

- A. **Area Intent.** The Ballpark Commons Commercial Area is intended to provide for the development of certain mixed-uses, primarily including office, commercial, retail, and multi-family residential development, that is compatible with and serves to create a synergy with, the adjacent multi-use sports and entertainment complex, the adjacent Commercial area, and the adjacent multi-family residential area, in furtherance of the goals and objectives of the City of Franklin Comprehensive Master Plan and:
  1. To be located along the south side of Rawson Avenue extending from Loomis Road to the Stone Hedge subdivision.
  2. Provide multi-story office and commercial buildings with ground floor office/commercial/retail and upper story residential apartments, roof-top and/or outdoor seating, fountains, gardens, plazas, and/or and other similar shared amenities that are compatible in function, form, and operation.
  3. Provide both on-street and off-street parking for tenants and customers, including underground parking for all multi-story buildings and formal shared parking arrangements with the adjacent multi-family residential area.
  4. Provide a pedestrian-oriented environment.
  5. Provide superior four-sided architecture.

6. Require that new residential development meet the R-8 Multiple-Family Residence District Development Standards in Table 15-3.0209.

B. **Area Standards.** The Ballpark Commons Mixed-Use Area is further intended to have the development standards as set forth in Table 15-3.0442C.1.

**Table 15-3.0442C.1.**

**BALLPARK COMMONS MIXED-USE AREA  
DEVELOPMENT STANDARDS**

Type of Standard	Standard
<b>Landscape Surface Ratio and Floor Area</b>	
Minimum Landscape Surface Ratio (LSR)	0.25 <sup>a</sup>
<b>Lot Dimensional Requirements</b>	
Minimum Lot Area (square feet)	20,000
Minimum Lot Width at Setback Line (feet)	100
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	25
Minimum Rear Yard (feet)	20
<p>Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications in making such determinations.</p>	
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
<b>Minimum Total Living Area per Commercial Apartment Dwelling Unit (D.U.)</b>	

For less than 3 D.U.'s per structure for one bedroom D.U.	900 sq. ft. (plus 200 sq. ft. for each bedroom over 1 bedroom)
For 3 or more D.U.'s per structure	(see Table 15-3.0442D.1.)
<sup>a</sup> Commercial apartments may be permitted on the upper levels of a multi-story building only. The minimum landscape surface ratio (LSR) for the entire site shall be 0.35.	
<b>Maximum Building Height</b>	
Principal Structure (stories/ft.)	3.0/45
Accessory Structure (stories/ft.)	1.0/35
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

**C. Permitted, Accessory, and Special Uses.**

1. **District Permitted Uses.** The following are permitted uses in the Ballpark Commons Mixed Use Area:

- a. Those uses permitted within the B-4 South 27<sup>th</sup> Street Mixed Use Commercial District.

Review and approval required. Permitted uses are subject to site plan review and approval under the terms of Section 15-7.0100 of this Ordinance.

2. **District Special Uses.** The following are special uses in the Ballpark Commons Commercial Area:

- b. Those special uses allowed within the B-4 South 27<sup>th</sup> Street Mixed-Use Commercial District.

Review and Approval required. Special uses are subject to special use review and approval under the terms of §§15-3.0701 and 15-3.0703 and site plan review and approval under the terms of §15-7.0100 of this Ordinance.

3. **District Prohibited Uses.** The following uses shall be prohibited in the Ballpark Commons Commercial Area, including when proposed as accessory to a Permitted or a Special Use:

- b. All uses not listed as a permitted use, special use, or accessory use thereto within the B-4 South 27th Street Mixed-Use Commercial District.

**SECTION 15-3.0442D      Ballpark Commons Multi-Family Residence Area**

A. **Area Intent.** The Ballpark Commons Multi-Family Residence Area is intended to provide multiple family residential uses, housing choices and building densities compatible with the mixed-use area to the north, while providing an enhanced buffer between it and the single-family residential development to the west, in furtherance of the goals and objectives of the Comprehensive Master Plan, and:

1. To be located south of Rawson Avenue (south of the Mixed-Use Area) extending from Loomis Road to the Stone Hedge subdivision.
2. Provide two-story apartment buildings adjacent to the Stone Hedge subdivision, and multi-story apartment buildings throughout the remainder of the area, with a community center, pool, trails, gardens, and/or other similar shared amenities that are compatible in function, form, and operation.
3. Provide both on-street and off-street parking for tenants and visitors, including underground parking for all multi-story buildings, including formal shared parking arrangements with the adjacent mixed use area.
4. Provide a pedestrian-oriented environment.
5. Provide superior four-sided architecture.
6. Provide an enhanced buffer consisting of a highly attractive and effective berm and landscaping along the entire western boundary of the subject area. The entirety of which shall be constructed prior to or along with the first phase of any development within the subject area. And which shall be maintained in perpetuity and which shall be the subject of an easement to be approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office.
7. Provide buffering between residential development and non-residential uses.

- B. **Area Standards.** The Ballpark Commons Multi-Family Residence Area is further intended to have the development standards as set forth in Tables 15-3.0442D.1. and 15-3.0442D.2.

**Table 15-3.0442D.1.**

**BALLPARK COMMONS MULTI-FAMILY RESIDENCE AREA  
DEVELOPMENT STANDARDS**

Type of Standard	Standard
<b>Minimum Open Space Ratio and Maximum Density</b>	
Open Space Ratio (OSR)	0.25
Gross Density (GD)	8.00
Net Density (ND)	8.00
The stated maximum density regulations may be increased pursuant to the granting of a Special Use permit.	
<b>Lot Dimensional Requirements</b>	
Minimum Lot Area (square feet)	6,000
Minimum Lot Width at Setback Line (feet)	60
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	5
Minimum Side Yard on Corner Lot (feet)	15
Minimum Rear Yard (feet)	25
Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications in making such determinations.	
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
<b>Minimum Total Living Area per Dwelling Unit (D.U.) In Single-Family and Two-Family Structures</b>	
1-story D.U. 3 bedrooms	1,250 sq. ft.

1-story D.U. greater than 3 bedrooms	150 sq. ft. <sup>a</sup>
1-story D.U. if basement is less than 600 sq. ft.	250 sq. ft. <sup>b</sup>
Multi-story D.U. 3 bedrooms	1,550 sq. ft. total, and 950 sq. ft. 1 <sup>st</sup> floor
Multi-story D.U. greater than 3 bedrooms	100 sq. ft. <sup>a</sup>
Multi-story D.U. if basement is less than 600 sq. ft.	250 sq. ft. <sup>b</sup>
<sup>a</sup> Add to minimum required building floor area for each bedroom in excess of three.	
<sup>b</sup> Add to minimum required first floor area for each D.U. which has a basement less than 600 sq. ft.	
<b>Maximum Building Height</b>	
Principal Structure (stories/ft.)	3.0/45
Accessory Structure (stories/ft.)	1.0/15
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	
Attached garages are required for single and two family uses.	

**Table 15-3.0442D.2.**

**BALLPARK COMMONS MULTI-FAMILY RESIDENCE DISTRICT  
MINIMUM DWELLING UNIT SIZE STANDARDS FOR MULTI-FAMILY  
DWELLING STRUCTURES WITH MORE THAN TWO (2) DWELLING  
UNITS PER STRUCTURE**

Type of Dwelling Structure & Number of Dwelling Units	Minimum Dwelling Unit Size (Square Feet) for One (1) Bedroom Dwelling Units (a)	Minimum Area (Square Feet) to be Added to Minimum Dwelling Unit Size for Each Bedroom Over One (1) Bedroom (a)
Three (3) to Four (4) Dwelling per Structure	900	200
Five (5) to Eight (8) Dwelling Units per Structure	850	200
Nine (9) to Twelve (12) Dwelling Units per Structure	800	200

Thirteen (13) or More Dwelling Units per Structure	750	200
Dens, libraries, studies, etc. or other room within a dwelling unit which can potentially be used as a bedroom shall be considered and counted as a bedroom.		

- C. **Permitted, Accessory, and Special Uses.** The Ballpark Commons Multi-Family Residence Area is further intended to have the permitted, accessory, and special uses as set forth in Table 15-3.0442D.3.

**Table 15-3.0442D.3.**

**BALLPARK COMMONS MULTI-FAMILY RESIDENCE AREA  
PERMITTED, ACCESSORY, AND SPECIAL USES**

	One-family detached dwellings	P
	Two-family attached dwellings	P
	Multiple-family dwellings and apartments	S
	Row dwellings not greater than six dwelling units	S
	Home occupations	P
	Foster family home	P
	Community living arrangement (serving 8 or fewer persons)	P
	Community living arrangement (serving 9 or more persons)	S
	Accessory uses (see Section 15-2.0208 & Division 15-3.0800)	P
	Required off-street parking (see Division 15-5.0200)	P
	Required on-street parking	P
	Essential Services	P
	Multiple-family Residential Housing for Older Persons	S

**SECTION 15-3.0442E Design Standards**

- A. **Design Standards Intent.** The Ballpark Commons Design Standards are intended to create a high quality, attractive, unifying theme throughout Planned Development District No. 37 and is intended to:

1. Further the integration and compatibility of Planned Development No. 37 with the surrounding area and to:

- a. Be a local and regional destination for people to work, live, shop, recreate, and interact with one another.
  - b. Be an attractive center of recreational and economic activity in Milwaukee County with clearly and conveniently linked developments, beautiful open spaces, and engaging civic places.
  - c. Serve as a unifying place for the City of Franklin, the Village of Greendale, and Milwaukee County.
2. Apply whenever new principal and/or accessory buildings are constructed in the district following the effective date of this ordinance.
  3. Authorize the Plan Commission to waive any of the Design Standards by 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.
  4. Allow existing structures to remain conforming with regard to this Section.

**B. Design Standards.** These standards are intended to apply fully to the Commercial and Mixed-Use areas of Planned Development District No. 37, and only when applicable and reasonable to The Rock Sports Complex and the Multi-Family Residence areas of Planned Development District No. 37, as may be determined by the Plan Commission and the Common Council.

1. **PARKING REQUIREMENTS**

On-site parking shall be provided as set forth in Section 15-5.0203. In addition, the following standards apply:

a. **Parking required and location regulated**

Not more than fifty (50) percent of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot.

**b. Number of parking spaces limited**

Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required under Section 15-5.0203 are not permitted.

**c. On-street parking**

Upon approval of Site Plans, the Plan Commission may allow on-street parking. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Division 15-5.0100 Design Standards for Land Divisions, and Division 15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access in making such determinations.

**d. Parking reductions/Land banking**

When a parking reduction has been authorized, the Plan Commission may require that sufficient area on the property be held in reserve for the potential future development of paved off-street parking to meet the full requirements. When required, this reserve off-street parking area shall be shown and noted on the site plan, maintained as open space, and developed with paved off-street parking spaces when the City determines that such off-street parking is necessary due to parking demand on the property which exceeds original expectations. The reserve parking area may not be counted as part of any required green space area, nor may it be used as the location of landscaping that is required under Section 15-5.0302. The City may require that a letter of credit or other approved financial surety be provided at the time of permit issuance in an amount not to exceed one hundred twenty five (125) percent of the estimated cost of parking lot completion, to be exercised at City discretion, should the need for parking lot completion be determined.

2. GENERAL SITE DESIGN STANDARDS

**a. Vision Clearance Necessary**

Landscaping and site amenities shall be provided to satisfy the requirements of this Section. All site improvements shall be designed and undertaken in such a way that clear site lines are maintained for the safety and convenience of all pedestrian and vehicular users.

**b. Coordination of site furnishings**

Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) shall complement the character of the building, and

provide an attractive and strong relationship with adjoining properties and the public sidewalk throughout the entire District.

**c. Pedestrian considerations**

- i. New streets proposed as part of new developments shall provide “pedestrian friendly” streetscapes.
- ii. Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties. Pedestrian walkways shall be designed with amenities such as special paving treatments (colored paver blocks or textured concrete), lighting (see lighting discussion below) and furnishings to create a pedestrian-friendly character.
- iii. The entire area shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties.
- iv. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds.
- v. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities.
- vi. Internal pedestrian walkways shall be distinguished from driving surfaces.
- vii. The building shall provide awnings or other weather protection features within thirty (30) feet of all customer entrances along a building.

**d. Reducing the impact of vehicular use areas**

For properties such as gas stations – where vehicular circulation is dominant on the site – walkways, landscaping, architectural features and lighting shall be provided to make these areas more attractive and inviting. Decorative fences, walls and/or landscaped edges shall screen front parking areas from the public sidewalk. Screening shall not exceed 3' 6" in height.

**e. Bicycle and pedestrian amenities required**

The area shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.

3. LANDSCAPE STANDARDS

a. **Landscaping**

On-site landscaping shall be provided per the landscaping requirements found in Section 15-5.0302. In addition, the project shall provide:

- i. Extensive building foundation landscaping for all building frontages facing public streets, parking lots, or residential districts to provide visual breaks in the mass of the building. Building foundation landscaping shall be placed so that, at maturity, the plant's drip line is within ten (10) feet of the foundation. Canopy/shade trees shall not be used to meet this requirement.
- ii. Screen fences and/or landscaped buffers at property edges, particularly where commercial and light industrial properties adjoin residential properties.
- iii. Off-street parking area landscaping as set forth in Section 15-5.0302.

b. **Central Areas/Features**

Each development which contains a building over forty-thousand (40,000) square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

c. **Cart Returns**

A minimum of one (1) two hundred (200) square foot cart return area shall be provided for every one hundred (100) parking spaces for any establishment utilizing carts. Cart corrals shall be of durable, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards. Exterior cart return or cart storage areas shall be situated for the safety and convenience of users, however no such facilities shall be located within twenty-five (25) feet of the building.

4. LANDSCAPING REQUIREMENTS FOR OFF-STREET PARKING AREAS

**a. Parking Lot Landscaping Required**

Interior and perimeter buffer landscaping is required for all off-street parking lots and their associated vehicular use areas, with the exception of those infill and redevelopment projects that have been granted an exception by the Plan Commission. These regulations stipulate the design and placement of such plantings. The actual number of plant units utilized in such plantings may be counted toward the total number of plant units required on-site as determined under Section 15-5.0302.

**b. Required Trees for Parking Lot Perimeter and Interior Applications**

- i. Shade or decorative trees are required within the vehicular use area at a ratio of one tree for every fifteen (15) parking spaces or fraction thereof, unless the Plan Commission grants an exception. The trees must be evenly distributed throughout the vehicular use area.
- ii. Existing trees of desirable species and quality that can be preserved, where grading does not cut them off from a reasonable supply of water and where the area under the canopy remains undisturbed, shall count toward the tree requirements for off-street parking areas on a tree-for-tree basis.
- iii. Where a landscape border or other landscape area abuts the vehicular use area, shade or decorative trees within those landscaped areas may count toward the vehicular use area requirement, provided:
  - (a) The trees are located within ten (10) feet of the vehicular use area.
  - (b) The number of trees that are provided within the vehicular use area is not reduced by more than fifty (50) percent of the amount required; and
  - (c) There is a minimum of one tree provided within the vehicular use area.
- iv. Trees shall be planted in such a way that they are protected from vehicle damage.

**c. Interior Landscaping for Off-street Parking Areas**

The interior parking lot landscaping standards of this section shall apply to all off-street parking lots and their vehicular use areas containing twenty (20) or more parking spaces. The intent of this section is to require landscaping within vehicular use

areas; therefore, landscaping screens, planting strips and landscaping surrounding buildings shall not be considered as interior landscaping. Interior parking lot landscaping is required as follows:

- i. A minimum of twenty (20) square feet of interior landscaped island shall be provided per parking stall.
- ii. The interior landscaping shall be provided within landscaped islands a minimum of 250 square feet in area. Landscaped islands shall be three (3) feet shorter than the depth of any adjacent space. A landscaped island 9 feet in width and 30 feet in length with rounded ends, placed alongside two parking stalls each 18 feet in depth placed end to end, would meet all dimensional requirements for landscaped islands, provided the dimensions are measured from the inside of any curbs.
- iii. The interior parking lot landscaping shall be placed so as to delineate driving lanes, define rows and generally mitigate the visual impact of the parking lot while maintaining clear site lines for safety purposes.
- iv. Plants in landscaped islands shall be underlain by soil (not base course material), and shall be protected by curbing or other protective treatment.
- v. The interior parking lot landscaping shall be composed of a combination of hardy trees, shrubs, perennials, and groundcover that are able to tolerate winter salt and snow. Where islands are used as retention/infiltration areas for storm water management, they should be landscaped appropriately for that purpose. Decorative mulch and weed barriers may be utilized when shown on an approved landscape plan.
- vi. Landscaped islands that function as storm water retention/infiltration areas shall be subject to the following:
  - (a) Landscaped islands shall be a minimum of fifteen (15) feet in width if used for this purpose.
  - (b) Parking areas will sheet drain into the landscaped islands through curb cuts or other apertures.
  - (c) Proposed plantings shall be tolerant of flood conditions.

**d. Screening for Off-street Parking Areas**

The perimeter parking lot screening standards of this section shall apply to all off-street parking areas for six (6) or more vehicles or larger than 2,000 square feet in area. Off-street parking areas, including aisles and driveways, shall be effectively screened year round as follows:

- i. Perimeter planting areas shall be designed to maintain and protect visibility at driveways and access points.
- ii. On-site perimeter greenbelts at least ten (10) feet in width shall be installed along any street side and along all interior lot lines when parking is located on that side of any building on the site.
  - (a) Street side greenbelts shall contain dense landscape screening which provides plantings at least eighteen (18) inches high at planting and thirty (30) inches high at maturity. Such greenbelts shall provide a semi-opaque screen at a minimum during the winter season.
  - (b) Interior side lot line greenbelts for non-residential uses when adjacent to residential uses shall contain dense landscape screening which provides plantings at least thirty-six (36) inches high at planting and forty-eight (48) inches high at maturity. Such greenbelts shall provide a semi-opaque screen at a minimum during the winter season.
  - (c) Other greenbelts not specifically described above shall contain a minimum of one tree or shrub for each fifteen (15) feet of perimeter to be planted in effective groupings within said strip. The remainder of the strip shall be planted in grass, ground cover or other effective landscape treatment.
- iii. Berms may be utilized as part of the perimeter landscaping.

## 5. ARCHITECTURAL REQUIREMENTS

### a. **Building Character and Design**

- i. Buildings located on prominent sites -- such as key intersections, corners, terminations of street vistas, and on high points -- shall be multi-story and exhibit quality architectural design to serve as landmarks.

- ii. All exterior materials shall be durable, of high-quality, utilized true to form (such as stone below wood rather than the opposite), and appropriate for external use.
  - iii. Brick, stone and terra-cotta are preferred primary materials for new buildings or additions.
  - iv. The use of false brick or other “faux” sidings is discouraged.
  - v. Color choice shall complement the style and materials of the building’s facade and provide a pleasing relationship with adjoining buildings.
  - vi. Painting of brick and stone is discouraged.
  - vii. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.
  - viii. All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the public street shall receive equal design attention.
  - ix. Building massing that creates modulation and articulation is encouraged.
  - x. Multi-story buildings that allow for a mix of retail, office or residential uses are preferred.
- b. **Design Standards for Non-Residential Buildings [20,000 Square Feet or Less in Area]**

i. Purpose and Intent

The purpose of these design standards is to guide the design of smaller non-residential buildings constructed in Planned Development District No. 37 to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings in the vicinity. These standards are intended to support good quality design in new building construction, enhance street safety, and provide a comfortable street environment by providing features of interest to pedestrians and motorists. Good design results in buildings that are in visual harmony with nearby buildings, leading to a city that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a sustainable community which facilitates easy pedestrian movement and establishment of a rich mixture of uses.

The standards of this section apply whether the use is

allowed as a Permitted Use, Special Use or Accessory Use. The Plan Commission shall evaluate site plans and architectural plans for compliance with these provisions.

ii. **Compatibility with Existing Buildings**

(a) Buildings shall maintain a similar size, shape, height, bulk, scale and mass of surrounding architecture, unless required to vary due to zoning district dimensional standards.

(b) Where building sizes will not be equivalent or comparable to those existing in the same general vicinity, larger building facades shall be broken down into units that resemble the size of existing facades.

c. **Building Materials and Colors**

i. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.

ii. Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, though it may be used for accents including awnings.

iii. Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.

iv. Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern.

v. Building façade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on façades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard

corporate and trademark colors shall be permitted only on sign face and copy areas.

**d. Roof Materials, Parapets, and Roof Pitch**

- i. Pitched roof structures shall have a minimum roof pitch of 6:12.
- ii. Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.
- iii. Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.
- iv. Visible sloped roofs must be neutral in color, such as gray, black, or dark brown.
- v. Visible roof materials must be wood or architectural grade composition shingle or sheet metal with standing or batten seam.
- vi. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.

**e. Building Facades**

- i. Decorative devices -- such as molding, entablature, and friezes -- are expected at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight inches wide.
- ii. Alcoves, Porches, Arcades, etc.

Buildings must incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two structures.

**f. Change in Relief of Building**

Buildings must include changes in relief on at least ten (10) percent of their primary facade for pedestrian interest and scale. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments.

**g. Windows**

- i. Windows which allow views to the interior activity or display areas are expected. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.
- ii. Ground Floor Window Standards
  - (a) All new buildings must provide ground floor windows.
  - (b) Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
  - (c) Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade.
  - (d) Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
  - (e) The primary façade of each building, or for corner buildings each of the two facades, must contain at least twenty (20) percent of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.
  - (f) Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is sixteen (16) square feet per story or six (6) percent of the facade, whichever is greater.
- iii. Upper Floor Window Standards
  - (a) Glass area dimensions shall not exceed 5' x 7'. (The longest dimension may be taken either horizontally or vertically.)
  - (b) Windows must have trim or molding at least two inches wide around their perimeters.
- h. Pedestrian Accessibility**
  - i. Buildings shall maintain and/or enhance the pedestrian scale.
  - ii. Building entries must comply with the accessibility requirements of the applicable state and federal codes.

- iii. Special attention shall be given to designing a primary building entrance that is both attractive and functional.
- iv. Buildings located at the intersection of two streets shall utilize a corner entrance to the building unless this requirement is waived by the Plan Commission.
- v. The pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers.

**i. Landscaping/Streetscape**

- i. Benches, outdoor seating, and trash receptacles must complement any existing decorative street lighting and be in keeping with the overall architectural character of the area.
- ii. Upon prior approval of the Plan Commission and Common Council, benches and other streetscape items may be placed within the public right-of-way, provided they do not block free movement of pedestrians. A minimum pedestrian walkway width of six (6) feet shall be maintained at all times.

**j. External Storage**

- i. The external storage of merchandise and/or materials directly or indirectly related to a business is prohibited unless identified on an approved site plan and fully screened.
- ii. Outdoor seasonal displays of merchandise are permitted during business hours only. A minimum pedestrian walkway width of six feet must be maintained at all times.
- iii. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel. All trash collection areas must be located within the structure, or behind the building in an enclosure, in accordance with the provisions of Sections 15-3.0802 and 15-3.0803.

**6. DESIGN STANDARDS FOR NON-RESIDENTIAL BUILDINGS**  
[Greater than 40,000 square feet in area]

**a. Purpose and Intent**

The design standards for buildings greater than 40,000 square feet are intended to ensure that large buildings, and the sites

they occupy, are properly located and compatible with the surrounding area and community character of the Planned Development District No. 37. Such projects shall also be subject to the more general standards for the approval of Special Use Permits when applicable.

The following requirements are applicable to all new buildings in excess of forty thousand (40,000) gross square feet. These requirements are also applicable when additions to non-residential and mixed-use buildings built either before or after the effective date of this Division, bring the total building size to over forty thousand (40,000) gross square feet.

**b. Waiver of Standards**

The Plan Commission may waive any of the following standards by a 3/4 vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.

**c. Compatibility with City Plans**

The applicant shall provide, through a written report submitted with the petition for a Site Plan adequate evidence that the proposed building and overall development project shall be compatible with the City's community character, urban design, natural area preservation, commercial development, redevelopment, or community facility objectives as expressed in adopted elements of the City's Comprehensive Master Plan.

**d. Building Materials**

Building materials shall be unified throughout the building, and shall complement other buildings in the vicinity. Exterior building materials shall be of high and comparable aesthetic quality on all sides. Building materials such as glass, brick, decorative concrete block, or stucco shall be used. Decorative architectural metal with concealed fasteners may be approved if sensitively incorporated into the overall design of the building.

**e. Building Design**

The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height,

roof treatments, door and window openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of twenty (20) percent of all of the combined façades of the structure shall employ actual façade protrusions or recesses. A minimum of twenty (20) percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six (6) feet or more as measured eave to eave or parapet to parapet for buildings over sixty thousand (60,000) square feet. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are on properties that are in any part within one hundred (100) feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than fifty (50) percent of their horizontal length. The integration of windows into building design is strongly encouraged.

**f. Building Entrances**

Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns. Two (2) or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details. Unless exempted by the Plan Commission, all sides of the building that directly face or abut a public street or public parking area shall have at least one public entrance, except that the City shall not require building entrances on more than two (2) sides of any building.

**g. Building Color**

Building façade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on façades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on sign face and copy areas.

**h. Building Location**

Modest building setbacks are encouraged. Where buildings are proposed to be distant from a public street, the overall

development design shall include smaller buildings on pads or outlots closer to the street.

**i. Screening**

Mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground level views, with materials identical to those used on the building exterior. Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above. Gates and fencing may be used for security and access, but not for screening, and shall be of high aesthetic quality.

**j. Traffic Impact**

All projects that include buildings over forty thousand (40,000) square feet shall have direct access to an arterial or collector street, or shall dedicate public roads which have direct access to a public street. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; and traffic control devices; and sidewalks. The site design shall provide direct connections to adjacent land uses if required by the City. Prior to development approval, the applicant's traffic engineer shall complete and present a traffic impact analysis following Wisconsin Department of Transportation guidelines. Where the project will cause off-site public roads, intersections, or interchanges to function below level of service C, as defined by the Institute of Transportation Engineers, the City may deny the application, require a size reduction in the proposed development, or require that the developer construct and/or pay for required off-site improvements.

**k. Natural Resources Protection**

Existing natural features shall be integrated into the site design as a site and community amenity.

**l. Signage**

The plan for exterior signage shall provide for modest, coordinated, and complimentary exterior sign locations,

configurations, and colors throughout the development. All freestanding signage within the development shall compliment on-building signage. Monument style ground signs are strongly preferred over pole signs, and consolidated signs for multiple users are strongly preferred over multiple individual signs. The City may require the use of muted corporate colors on signage if proposed colors are not compatible with the City's design objectives for the area.

SECTION 3: Conditions of Approval.

The development of Planned Development District No. 37 upon the adoption of Section 15-3.0442 as herein amended shall occur and be in compliance with Exhibit A, Site Plan (including the conditions of approval below).

1. The submittal of plans for detailed approval of the various components of Planned Development District No. 37 shall be forwarded to the Common Council for approval, after review and recommendation by the Plan Commission, unless otherwise specifically set forth in PDD No. 37, such as for those uses/structures identified as permitted uses.
2. The applicants shall provide a general summary of the value of the overall project broken down into the four general use areas of the proposed PDD as set forth herein, and as further specified by Section 15-9.0208 of the UDO, for Planning Department review, prior to submittal of the proposed PDD amendment to the Common Council.
3. The applicants shall provide architectural drawings or sketches of, at a minimum, all building types proposed within the PDD illustrating a design and character that derives benefit from coordinated and compatible planning and design, for Planning Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.
4. The applicants shall revise the Project Narrative to indicate whether any unusual situations will be encountered in the provision of public sanitary and water services and how such situations will be addressed, for Planning and Engineering Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.
5. The applicants shall revise the Project Narrative to identify how the proposed project is compatible with existing adjacent land uses, is not contrary to the general welfare and economic prosperity of the immediate neighborhoods, and its proposed mixture of uses produces a unified composite which is compatible with the surrounding neighborhoods, for Planning Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.

6. Prior to any new or revised concerts, live music venues, or outdoor events utilizing speakers, including but not limited to the proposed baseball stadium, the applicants shall prepare a comprehensive outdoor sound study of The Rock Sports Complex (incorporating both existing and proposed events and facilities), that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City noise regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex.
7. Prior to any new or revised ballfields, parking lots, or outdoor events utilizing lighting systems, including but not limited to the proposed baseball stadium, the applicants shall prepare a comprehensive outdoor lighting study of The Rock Sports Complex (incorporating both existing and proposed events and facilities), that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City lighting regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex.
8. The applicants shall obtain all required approvals and permits from the Wisconsin Department of Natural Resources and Milwaukee County prior to any disturbance or development of the landfill area. The applicants shall also obtain preliminary or conditional approvals from the Wisconsin Department of Natural Resources and Milwaukee County, and that the applicants shall submit a detailed map of the extent of the landfill area, such map to be approved by the Wisconsin Department of Natural Resources and Milwaukee County, to City staff, prior to the submittal of any detailed plans for the landfill area.
9. The applicants shall revise the Development Concept Plan to remove one of the two multi-purpose fields located immediately northeast of the Whitnall View subdivision, for staff review and approval, prior to the submittal of any detailed plans for The Rock Sports Complex area.
10. The commercial apartment standards proposed in the Ballpark Commons Mixed Use Area in Table 15-3.0442C.1. of the draft ordinance shall also be incorporated into Table 15-3.0442B.1. Ballpark Commons Commercial Area Development Standards.
11. The applicants shall obtain all required approvals and permits from the Milwaukee Metropolitan Sewerage District prior to any disturbance or development of the gas pipeline area. The applicants shall also obtain preliminary or conditional approval from the Milwaukee Metropolitan

Sewerage District, and that the applicants submit a detailed map of the location of the gas pipeline and associated easement, to City staff, prior to the submittal of any detailed plans for the landfill area.

12. The applicants shall provide additional details about the multi-family residential component of the Ballpark Commons Sports Village Commercial/Mixed Use area, (including but not limited to: location, number and size of units and bedrooms; types, locations and amounts of on-site and off-site parking; envisioned rental rates; amenities to be provided; etc.) for staff review, prior to the submittal of any detailed plans for this area. The applicants shall also prepare preliminary information about the multi-family residential component of the Ballpark Commons Sports Village Commercial/Mixed Use area, for staff review, prior to submittal of the proposed PDD amendment to the Common Council.
13. The commercial apartment standards proposed in the Ballpark Commons Mixed Use Area in Table 15-3.0442C.1. of the draft ordinance shall also be incorporated into Table 15-3.0442B.1. Ballpark Commons Commercial Area Development Standards.
14. The applicants shall provide additional details about the multi-family residential component of the Ballpark Commons Mixed Use area, (including but not limited to: location, number and size of units and bedrooms; types, locations and amounts of on-site and off-site parking; envisioned rental rates; amenities to be provided; etc.) for staff review, prior to submittal of the PDD amendment to the Common Council.
15. The applicants shall add a note to the Development Concept Map indicating that alterations to existing state, county, and local roads are envisioned, including but not limited to removal of certain ramps and the addition of certain signalized intersections, and that such changes will be subject to Wisconsin Department of Transportation, Milwaukee County, and City of Franklin review and approval, prior to submittal of the proposed PDD amendment to the Common Council.
16. The applicants shall prepare a Traffic Impact Analysis for the entire subject PDD, incorporating travel impacts from the Ballpark Commons project into future alternatives giving priority to collector roads to future intersections with Loomis Road, such being compatible with that TIA prepared by the City and recently submitted to the DOT pertaining to the Loomis Road ramps, for review and approval by the Wisconsin Department of Transportation, Milwaukee County, and the City of Franklin as applicable, prior to the submittal of any detailed plans for PDD No. 37. The applicants shall also complete a preliminary TIA, and obtain preliminary approval of the TIA from the affected agencies, for staff review, prior to the submittal of the proposed PDD amendment to the Common Council.
17. Any portion of a public road to be owned by the City of Franklin that is located on any portion of the historic landfill shall be the subject of a

20-year bond by the applicants in an amount and terms to be approved by the City to insure adequate funds for any repair and reconstruction of such roads due to landfill conditions, for Engineering Department staff review, prior to any development within such applicable portion(s) of PDD No. 37.

18. The applicants shall revise the Development Concept Map to redesign the relocated Crystal Ridge Road such that all intersections with other roads, public or private, occur at right angles, except for those intersections designed as a roundabout, for Engineering Department staff review and approval, prior to the submittal of any detailed plans within The Rock Sports Complex and the Ballpark Commons Sports Village Commercial/Mixed Use areas of PDD No. 37.
19. The applicants shall prepare a Street Design Plan for all new and reconstructed streets within PDD No. 37, to be designed with appropriate Complete Streets and traffic calming practices, including consideration of such elements as bike lanes, sidewalks, on-street parking, roundabouts, etc., for Engineering and Planning Department staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Street Design Plan as may be determined by the City). The Street Design Plan shall incorporate consideration of extension of four lanes for Rawson Avenue further westward to at least Hawthorne Lane.
20. The applicants shall prepare a Bike and Pedestrian Plan for the entire PDD, identifying design and location details for such facilities as sidewalks, trails, crosswalks, signage, pedestrian scale lighting, bike rest/rental/repair stations, etc., for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Bike and Pedestrian Plan as may be determined by the City). The applicants shall also prepare a Preliminary Bike and Pedestrian Plan for staff review prior to the submittal of the proposed PDD No. 37 amendment to the Common Council. The Bike and Pedestrian Plan shall include a public space located between the proposed baseball stadium and the proposed multi-purpose indoor sports venue that includes outdoor seating areas, a bike rest/rental/repair facility, public art/exhibit areas, etc.
21. The applicants shall prepare a Streetscaping Plan for all new and reconstructed streets within PDD No. 37, incorporating such features as decorative lighting, special signage, pedestrian rest areas, etc., for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Streetscaping Plan as may be determined by the City). The applicants shall also prepare a preliminary Streetscaping

- Plan for staff review prior to submittal of the proposed PDD No. 37 amendment to the Common Council.
22. The applicants shall submit a detailed and comprehensive Parking Study for the entire proposed PDD, which includes consideration of a parking structure, underground parking for all multi-story buildings, formal shared parking arrangements, and on-street parking, for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Parking Study as may be determined by the City).
  23. The applicants shall provide a General Landscape Plan for each of the four areas comprising PDD No. 37, for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the General Landscape Plan as may be determined by the City).
  24. The requested General Landscape Plan, and the pertinent zoning district standards, shall be revised to reflect a minimum 60' wide landscape buffer, including a minimum 8' high berm, to be located along the entire western boundary of PDD No. 37, for staff review, prior to the submittal of any detailed plans within PDD No. 37. The applicable zoning district standards shall be revised to reflect a 40' building setback from the western boundary of PDD No. 37.
  25. The applicants shall submit a Snow Storage Plan along with each applicable Site Plan, Special Use, etc. in accordance with Section 15-5.0210 of the Unified Development Ordinance, to the Planning Department staff, for review and approval as part of such site plans, special uses, etc.
  26. The applicants shall revise the Project Narrative to indicate what if any mitigation measures are envisioned, and through that process, how the City's Natural Resource Protection standards will otherwise be met, for Planning Department staff review, prior to submittal of the proposed PDD amendment to the Common Council.
  27. The applicants shall submit a Lighting Plan along with each applicable Site Plan, Special Use, etc. (other than for The Rock Sports Complex, which lighting standards are set forth elsewhere in this PDD ordinance) which meets the lighting regulations set forth in Division 15-5.0400 of the Unified Development Ordinance, to the Planning Department staff, for review and approval as part of such site plans, special uses, etc.
  28. The applicants shall prepare an Architectural and Site Design Plan for PDD No. 37 which identifies the use of common or complementary design themes, elements, or features throughout the development and/or for the four separate areas of PDD No. 37, for staff review and approval prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Architectural and Site Design Plan as may be determined by the City).

The applicants shall also prepare a preliminary Architectural and Site Design Plan for staff review prior to submittal of the proposed PDD amendment to the Common Council.

29. The applicants shall submit a Comprehensive Stormwater Management Plan for PDD No. 37, for Engineering Department staff review and approval, prior to any development within PDD No. 37.
30. The applicants shall prepare a Master Sign Program for PDD No. 37, for staff review and approval, prior to any development within PDD No. 37.
31. The applicants shall prepare a Market Analysis of the entire Ballpark Commons project, including an analysis of its fiscal impact upon the City and its provision of services to this area, for staff review and approval, prior to the submittal of any detailed plans within PDD No. 37 (such plans to incorporate the findings and recommendations of the Market Analysis as may be determined by the City). The applicants shall also prepare a preliminary Market Analysis for staff review prior to submittal of the proposed PDD amendment to the Common Council.
32. (other conditions)

SECTION 4: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 5: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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

