

***REVISED

CITY OF FRANKLIN
COMMON COUNCIL MEETING**
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*

6:45 P.M. OR SUCH LATER TIME AS REQUIRED TO IMMEDIATELY FOLLOW THE
COMMITTEE OF THE WHOLE MEETING SCHEDULED TO BEGIN AT 6:30 P.M. ALL ON
TUESDAY, JULY 10, 2012

- A. Call to Order and Roll Call
- B.
 - 1. Citizen Comment Period
 - 2. Announcements from Mayor Taylor of upcoming community events & news items:
 - a. Recognition of Patrick Stiff as member of the Franklin Police Department's volunteer Auxiliary Police Services Unit.
 - b. Recognition of Sydney Kirkegaard Franklin's 2013 Distinguished Young Woman.
- C. Approval of Minutes
 - 1. Approval of regular meeting of June 19, 2012.
- D. Hearings
 - *** 1. Public Hearing regarding a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the ~~future~~ Future Land Use Map use designation for property located at the eastern corner of W. Loomis Road and W. St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such commercial use (approximately 29.48 acres) (David W. Behrens, principal of GreenbergFarrow Architecture Inc., applicant).
- E. Organizational Business
 - 1. Boards and Commissions Appointments
 - a. John Bergner-Civic Celebrations Commission-Dist. #4
 - b. Fred Knueppel-Quarry Monitoring Committee (Ald. Schmidt's appointment)
 - c. Mark Buchman-Quarry Monitoring Committee (Ald. Wilhelm's appointment)
- F. Letters and Petitions
- G. Reports and Recommendations
 - 1. Consent Agenda
 - a. Donation from Franklin Noon Lions Club in the amount of \$250; The Landmark in the amount of \$280 and James and Suzanne Sass in the amount of \$250 to the Fair Commission.
 - b. Donation from Franklin Lioness Club in the amount of \$175 and Franklin Noon Lion's Club in the amount of \$50 to the Health Department.
 - c. Donation-from Franklin Lioness Club in the amount of \$175 to the Police Department.
 - d. Donation from Franklin Lions Club in the amount of \$175 to the Fire Department.

- *** 2. Consideration of an Initial Resolution Regarding Midwestern Disaster Area Revenue Bond Financing for Scrub Plus RA, LLC, Project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.
3. Ordinance to amend Section 15-3.0439 of the Unified Development Ordinance Planned Development District No. 34 (Hampton Inn and Suites plus mixed use commercial) to authorize redevelopment of an existing commercial car care center (at 7700 W. Rawson Avenue) (Scrub Plus RA, LLC, applicant).
- *** 4. Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the future Future Land Use Map use designation for property located at the eastern corner of W. Loomis Road and W. St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such commercial use (approximately 29.48 acres) (David W. Behrens, principal of GreenbergFarrow Architecture Inc., applicant).
5. Resolution to amend Resolution No. 94-4131 imposing conditions and restrictions for the approval of a Special Use for the construction and operation of a nursery with outside sales, storage and display of nursery stock for property located at 9801 S. 27th Street to allow for hosting a weekly farmers' market (Grass Unlimited, Inc., d/b/a Nature's Nook, applicant).
6. Resolution awarding contract to the lowest bidder, Payne and Dolan, Inc. in the amount of \$274,852.60 for improvement of S. 51st Street north of W. Rawson Avenue including a bituminous path and concrete sidewalk.
7. Resolution awarding contract to the lowest bidder for the 2012 Pavement Marking Program in the City of Franklin.
8. Replacement of Global Positioning System (GPS) Data Collector.
9. Ordinance to repeal and recreate Sections 13-1 through 13-3 of the Municipal Code of the City of Franklin, Chapter 13, "Budget", in order to amend the budget process, including delegating to the Committee of the Whole the responsibility for the initial review of the Mayor's Proposed Annual Budget, and a motion to set the budget preparation timetable for the 2013 budget.
10. City of Franklin's Community Development Block Grant Program Projects for 2013.
11. Consideration of the need for retaining a consultant for a Classification and Compensation Study for Non-Represented Employees: Referral to the Personnel Committee.
12. Committee of the Whole Recommendations
- A. Concept review for a senior and market rate housing development and revised site plan for Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) (approximately 9200 W. Puetz Road) (United Financial Group, Inc., applicant).
13. Claim of Peter Sobic for reimbursement of costs associated with the replacement of a stop box at 7505 S. Cambridge Drive. The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a claim of Peter Sobic for costs associated with the water service repairs at 7505 S. Cambridge Drive due to alleged repeated use of claimant's driveway as a turnaround space for heavy vehicles, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

14. Notice of Injury & Claim for damages of Yvonne VanderVelden. The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a Notice of Injury and Claim for Damages served on behalf of Yvonne VanderVelden for which the claimant is asserting she sustained injuries as a result of an alleged trip and fall on a rolled-up rug left by an unknown custodian at the Country Dale Elementary School located at 7380 S. North Cape Road in Franklin, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

H. Licenses and Permits

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

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

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

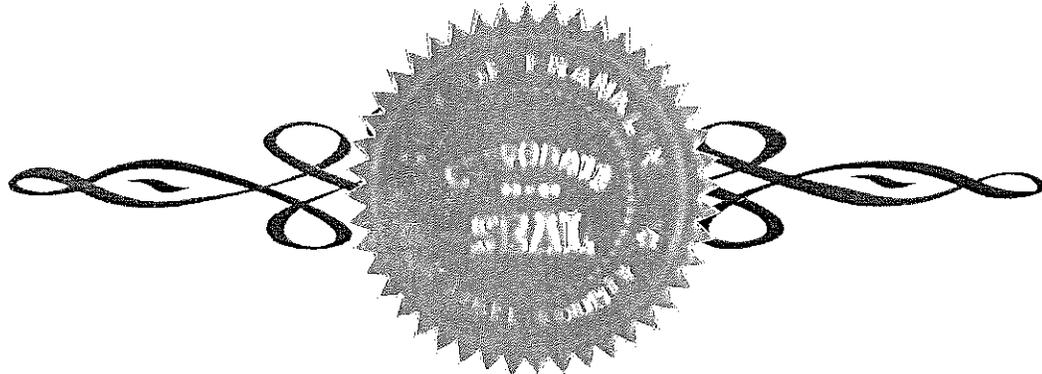
[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

July 19	Plan Commission	7:00 p.m.
July 24	Common Council	6:30 p.m.

B.2.a.

THE CITY OF FRANKLIN



WHEREAS, the purpose of the Franklin Auxiliary Police Services Unit is to augment the Franklin Police Department in cases of emergency and other occasions to preserve the peace and order, to protect life and property, and to prevent crime; and

WHEREAS, qualifications in becoming a member of the Franklin Auxiliary Police Services Unit include undertaking and participating in training as deemed necessary by the Chief of Police to be considered competent to carry out the duties that may be assigned; and

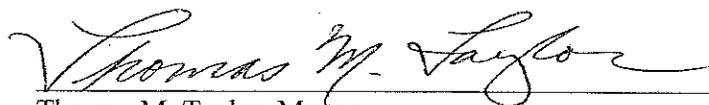
WHEREAS, Patrick Stiff has been an invaluable member of the Franklin Police Department's volunteer Auxiliary Police Services Unit for over 29 years, serving as Auxiliary Police Commander since July of 1998, where his contributions and efforts in that capacity were crucial in the reorganization, training, and management of the Unit; and

WHEREAS, Auxiliary Commander Patrick Stiff, since joining the Unit in 1983, has accumulated an unprecedented 7,500 hours of service with the Franklin Police Department which equates to 932 days or 2.5 years; and

WHEREAS, Auxiliary Commander Patrick Stiff's vast generosity in serving the Franklin community at its Fourth of July's, Labor Day Fair's, and squad ride-along's have provided valuable aid and support to the Franklin Police Department's enforcement efforts.

NOW, THEREFORE, I, Thomas M. Taylor, Mayor of the City of Franklin, on behalf of the Common Council, the Franklin Police Department, and the City of Franklin as a whole, do hereby thank Patrick Stiff for his immense dedication and commitment to the Franklin community. It is people like Pat that make the City of Franklin the great City it is.

Dated: July 10, 2012


Thomas M. Taylor, Mayor

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B.2.b.

THE CITY OF FRANKLIN



WHEREAS, the Distinguished Young Women Program is the largest and oldest national scholarship program for high school girls that promotes and rewards scholarship, leadership, and talent; and

WHEREAS, the Distinguished Young Women Program inspires high school girls to develop their full, individual potential by encouraging continued education, developing self-confidence, and showcasing excellence in academic achievement, physical fitness, performance skills, communication, and by creating opportunities to inspire the lives of others; and

WHEREAS, Sydney Kirkegaard, being an accomplished young woman who participated in the Distinguished Young Women Scholarship Program; and

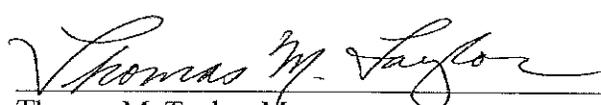
WHEREAS, being judged on interview, scholastics, talent, self-expression, and fitness, Sydney Kirkegaard was named the 2013 Distinguished Young Woman of Franklin who will represent the City of Franklin at the Distinguished Young Women of Wisconsin competition; and

WHEREAS, Sydney's parents, the former Distinguished Young Women, the Distinguished Young Women Scholarship Committee, and the community are proud of Sydney's achievement.

NOW, THEREFORE, I, Thomas M. Taylor, Mayor of the City of Franklin, do hereby wish to acknowledge and congratulate Sydney Kirkegaard on her achievement of becoming Franklin's 2013 Distinguished Young Woman and wish her continued success as she represents Franklin at the State Distinguished Young Women Program.

Dated: July 10, 2012

Signed:


Thomas M. Taylor, Mayor

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C. 1.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
JUNE 19, 2012
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on June 19, 2012 and called to order at 6:32 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Steve Olson, Tim Solomon, Kristen Wilhelm, Steve Taylor, Doug Schmidt and Ken Skowronski. Also present were Director of Administration Mark Luberd, Assistant City Engineer Ron Romeis, City Attorney Jesse Wesolowski and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:33 p.m. and closed at 6:42 p.m.
- PROCLAMATION-
CLARE MEADOWS
15TH ANNIVERSARY B.2.a. Mayor Tom Taylor noted a proclamation congratulating Clare Meadows Senior Apartment Homes on the 15th Anniversary Celebration.
- CRYSTAL RIDGE
SPORTS COMPLEX B.2.b. At 6:44 p.m. Mayor Tom Taylor vacated his seat and passed the gavel to Council President Steve Taylor, who then chaired the meeting.
Mayor Tom Taylor spoke regarding the Crystal Ridge Development. Mike Zimmerman, President and CEO of Zimmerman Ventures, and Greg Marso, CEO of Carstensen Construction, and Kevin Haley, Milwaukee County Parks, appeared before the Common Council for a presentation regarding Crystal Ridge Sports Complex Master Plan, 7900 W. Crystal Ridge Drive.

At 7:25 p.m. the gavel was returned to Mayor Tom Taylor, who then returned to chairing the meeting.

Alderman Solomon, seconded by Alderman Taylor, moved to express support for the Crystal Ridge Development: The Rock Sports Complex (working title), 7900 W. Crystal Ridge Drive.

At 7:35 p.m. Mayor Tom Taylor passed the gavel to Council President Steve Taylor, who then chaired the meeting. At 7:40 p.m. the gavel was returned to Mayor Tom Taylor, who then returned to chairing the meeting.

Alderman Taylor withdrew his second. No further action was taken.
- APPROVAL OF
MINUTES – 6/4/12 C.1. Alderman Taylor moved to approve the minutes of the meeting of June 4, 2012. Seconded by Alderman Olson. All voted Aye; motion carried.

APPOINTMENTS

- E.1.a. Alderman Skowronski moved to approve the Mayoral appointment of Thomas Loew to the Library Board, term expires 7/01/15. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.b. Alderman Olson moved to approve the Mayoral appointment of Jeanine Olson to the Civic Celebrations Commission, term expires 7/01/14. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E.1.c. Alderman Olson moved to approve the Mayoral appointment of Wendy Knackert to the Civic Celebrations Commission, term expires 7/01/15. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.d. Alderman Olson moved to approve the Mayoral appointment of Robert Knackert to the Civic Celebrations Commission, term expires 7/01/15. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.e. Alderman Schmidt moved to approve the Mayoral appointment of Howard Phillipson to the Environmental Commission, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.f. Alderman Schmidt moved to approve the Mayoral appointment of Marge Shore to the Quarry Monitoring Committee, term expires 5/31/13. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E.1.g. Alderman Olson moved to approve the Mayoral appointment of Alderman Kristen Wilhelm to the Quarry Monitoring Committee, term expires 4/2014. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.h. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Doug Schmidt to the Quarry Monitoring Committee, term expires 4/2013. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

COUNTY-WIDE
HOMELAND
SECURITY

- G.1. Alderman Taylor moved to authorize the Fire Chief to agree to participate in the County-Wide Homeland Security Accountability Grant and reauthorize capital outlay funds of \$2,644.07 to pay the Franklin portion of the matching funds. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

- RES. 2012-6812
SPECIAL USE
GPARK LLC,
6300-6346 SOUTH
35TH STREET
- G.2. Alderman Wilhelm moved to adopt Resolution No. 2012-6812, A RESOLUTION TO AMEND RESOLUTION NOS. 83-2091, 85-2581 AND 2009-6579 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 6300-6346 SOUTH 35TH STREET TO ALLOW FOR THE CONSTRUCTION OF AN ACCESSORY BUILDING (GPARK LLC, APPLICANT). Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2012-6813
FENCE
INSTALLATION
7644 S. CAMBRIDGE
DRIVE
- G.3. Alderman Solomon moved to adopt Resolution No. 2012-6813, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 30 FOOT LANDSCAPE BUFFER UPON LOT 42 IN WYNDHAM HILLS ADDITION NO. 1 SUBDIVISION (7644 SOUTH CAMBRIDGE DRIVE)(GREGORY S. BOLLIS AND TIFFANY A. BOLLIS, APPLICANTS). Seconded by Alderman Olson. All voted Aye; motion carried.
- ORD. 2012-2080
PARKING
S. 31ST STREET
- G.4. Alderman Wilhelm moved to adopt Ordinance No. 2012-2080, AN ORDINANCE PROHIBITING PARKING, ON THE WEST SIDE OF S. 31ST STREET, FROM W. RAWSON AVENUE TO 300 FEET SOUTH. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- PROFESSIONAL
SERVICES
CONSULTANT
- G.5. Alderman Schmidt moved to authorize the selection of a Professional Services Consultant based on the quality selection process to provide review of stormwater management in the City with the Mayor selecting the committee which will make a recommendation to the Common Council. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2012-6814
DREXEL AVENUE
ELEVATED TANK
8909 W. DREXEL
AVENUE
- G.6. Alderman Taylor moved to adopt Resolution No. 2012-6814, A RESOLUTION AWARDDING CONTRACT TO THE LOWEST BIDDER FOR THE RE-PAINTING OF THE 500,000 GALLON DREXEL AVENUE ELEVATED TANK LOCATED AT 8909 W. DREXEL AVENUE. Seconded by Alderman Solomon. Alderman Wilhelm moved to call the question. Seconded by Alderman Schmidt. All voted Aye; motion carried. On the main motion to adopt Resolution No. 2012-6814, all voted Aye; motion carried.

RES. 2012-6815
AGREEMENT-
ACE ELECTRIC
SEWER CLEANING

G.7. Alderman Wilhelm moved to adopt Resolution No. 2012-6815, A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH ACE ELECTRIC SEWER CLEANING FOR CLEANING, ROOTING, TELEVISIONING SANITARY SEWER LATERALS ON S. 37TH STREET FROM W. RAWSON AVENUE TO W. MADISON BOULEVARD as amended to include a statement that after the expiration of the Class I notice period and the City Engineer's then statement that no reasonably valid objections in need of redress were received by the City. Seconded by Alderman Schmidt. All voted Aye; motion carried.

CLAIM-
PETER SOBIC

G.8. Alderman Olson moved to enter closed session at 8:17 p.m. pursuant to Wis. Stat. §19.85(1)(e) and (g), Stats., to consider a claim of Peter Sobic for costs associated with the water service repairs at 7505 S. Cambridge Drive due to alleged repeated use of claimant's driveway as a turnaround space for heavy vehicles, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Wilhelm. On roll call, Aldermen Olson, Solomon, Wilhelm, Taylor, and Schmidt voted Aye; Alderman Skowronski voted No. Motion carried.

Upon reentering open session at 8:40 p.m.

Alderman Solomon moved to place this item on the agenda for the July 10, 2012 Common Council meeting following input from the City Attorney. Seconded by Alderman Schmidt. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

H.1. Alderman Solomon moved to grant the following licenses:

2012-13 New Operator License to Jonathan P. Allred, 1258 Hayes Ave., Racine; Kristen M. Duffy, 8039 S. 85th St.; Heather L. Hernandez, 1113 S. 35th St., Milwaukee; Adrianna M. Mercado, 2074 S. 82nd St. #4, Milwaukee; Kristie Lee O'Connor, 8804 W. Waterford Square S, Greenfield; Bryan K. Peterson, 10234 W. Scepter Cir.; Frank J. Prochaska, 3101 W. Drexel Ave. #207; Shahree D. Scarborough, 4144 N. 45th St., Milwaukee; Judy Schein, 2730 W. Abott Ave., Greenfield; Bhinder Pal Singh, 5170 W. Behrendt St.; Angelique J. Standish, 132 E. Montana St. #4, Milwaukee subject to satisfactory schooling; Ahmeduddin Syed, 12661 W. Sycamore Ct. #101, New Berlin; Maurice Brown Jr., 10819 N. Cedarburg Rd. subject to satisfactory schooling, Mequon; Stuart J. Girmscheid, 2911 15th Ave., South Milwaukee; Tawny M. Brenneman, 6373 Riverdale Ln., Greendale; Timothy J. Druetzler, 5615 W. Morgan Ave., #C, Greenfield; Kermit D. Gillis, 5512 W. Park Dr. #J203, Milwaukee; Kevin L. Hurst Jr., 4111 S. 104th St., Greenfield; Nicole L. Lopez, 3827 S. 18th St., Milwaukee; Sarah B.

MISCELLANEOUS
LICENSES-
CONTINUED

Reidenbach, 952 Hastings Ct., Racine; Lynette M. Rullmann, 219 Franklin St. #A, Delavan subject to completing application, Andrew A. Stark, 7308 Four Mile Rd., Franksville; Lucille A. Zaffiro, 4870 S. Langlade Dr., New Berlin;

2012-13 Renewal Operator License to Michael S. Bednarek, 4905 Steeple Dr., Greendale; Alicia E. Bellanger, 4115 W. Highland Blvd., Milwaukee; Diane Blunt, 3111 E. James Dr., Oak Creek; James A. Braun, 904 Michigan Ave., South Milwaukee; Pamela J. Brys, 1833 W. Meyer Ln. #12301, Oak Creek; Alan R. Clark, 5370 S. Tuckaway Dr., Greenfield; Lauren M. Cole, S75 W21903 Field Dr., Muskego; Jennifer M. Connors, 1825 W. Timber Ridge Ln. #9210, Oak Creek; Amanda J. Courtright, 5063 N. 37th St., Milwaukee; Barbara J. Davison, 6931 S. Phyllis Ln.; Carol S. Decker, 1624 S. 61st St., West Allis; David M. Drakulic, 7525 W. Clarke St., Wauwatosa; Kristi L. Drapes, 7679 S. Logan Ave., Oak Creek; Caroline N. Drought, 10506 W. Euclid Ave., West Allis; Mark A. Eskowski, 8908 W. Verona Ct., Milwaukee; Lori A. Falkowski, 10227 Parklane Ct., Hales Corners; Alyssa A. Falvey, 1106 Fleetfoot Dr. #D, Waukesha; Jason M. Fish, 1425 S. Ridgeway Rd., New Berlin; Jacqueline M. Floyd-Hyke, 1626 S. 58th St., West Allis; Eric M. Gagliano, 3723 Meadow Rose Ct., Franksville; Stephanie M. Gillum, 4445 S. 117th St., Greenfield; Elizabeth A. Gridley, 8540 W. Blackbird Ct.; Nichole F. Grube, 7452 S. 37th Pl.; Rachel R. Hackl, S63 W12820 Emerson Dr. #3, Muskego; Jeremy J. Haese, 11811 W. Rawson Ave.; Erin K. Hanley, 105 Riverview Dr., Waterford; Andrea M. Harmon, 1022 W. River Place Blvd. #14, Waukesha; Bambi D. Hatfield, 4411 S. 48th St., Greenfield; Michelle L. Hermanson, 4928 S. 35th St., Milwaukee; Rebecca A. Hiracheta, 4609 S. Packard Ave., Cudahy; Rick A. Huffer, 11430 W. Swiss St.; Lisa M. Hutts, 5612 Euston St., Greendale; Ossie L. Jackson Jr., 408 Hickory Dr., Fredonia; Franklin W. Jazdzewski, 2810 S. 15th Pl., Milwaukee; Sharon Jazdzewski, 9231 S. 27th St.; Ellen L. Jensen, 2415 W. Hilltop Ln., Oak Creek; Adam J. Jubeck, 2430 W. Briar Lake Way #2B, Oak Creek; Tammy S. Kaishian, 2323 S. 92nd St., West Allis; Donna J. Kalebic, 6200 N. Bay Ridge Ave., Whitefish Bay; Wyatt C. Klein, 1421 17th Ave., South Milwaukee; Sarah J. Kosalos, 8840 W. Travis Ln.; Jill H. Lake, W135 S7013 Hale Park Dr., Muskego; Barbara E. Lebeck, 8825 S. 77th St.; Sue M. Leung, 2975 E. Diane Dr., Oak Creek; June A. Loh, 7930 W. Coldspring Rd., Greenfield; Michelle A. Lucchesi, 2050 W. Van Beck Ave., Milwaukee; Candi L. Lucksted, 14619 Two Mile Rd., Franksville; Mollyann Mariani, 1130 S. 75th St., West Allis; Jan E. Matuszak, 7520 S. Manitowoc, Oak Creek; Samantha A. Michalski, 2373 S. 63rd St., West Allis; Janet Miller, 2737 S. 58th St., Milwaukee; Tracy L. Mischuk, W227 N2691 Aspenwood Ln., Waukesha; Susan M. Mlynczak, 6921 Spring St., Racine; Elizabeth A. Nicolai, 9243 S. 51st St.; James W. Nelson, 211 W. Oak Leaf Dr. #5, Oak Creek;

MISCELLANEOUS
LICENSES-
CONTINUED

Norma J. Nelson, 211 W. Oak Leaf Dr. #5, Oak Creek; Andrew M. Page, 2616 N. Frederick Ave. #213, Milwaukee; Jessica R. Palma, 3455 S. 56th St., Milwaukee; Shannon L. Piotrowski, 6401 W. Burdick Ave., Milwaukee; Tanina M. Poteracki, 2933 W. Drexel Ave. #502; Frank J. Prochaska, 3101 W. Drexel Ave. #207; Richard G. Rabiega, 3733 W. Jerelin Dr.; Devin T. Ramey, 8400 Callie Ave. #612, Morton Grove, IL; Terese A. Riesner, 10630 S. Peggy Dr., Oak Creek; Christine A. Rozewicz, 8123 S. Legend Dr. #A; Megan L. Rusch, 3815 S. Town Rd., New Berlin; Nathan J. Ruskiewicz, 222 S. Third St. #305, Milwaukee; Shahree D. Scarborough, 4144 N. 45th St., Milwaukee; Lisa K. Schaefer, 2233 N. Summit Ave. #306, Milwaukee; Angela Schleicher, 9242 S. 96th St.; Judy Schein, 2730 W. Abott Ave., Greenfield; Sloan T. Schmitt, 10224 W. Forest Home Ave. #3A, Hales Corners; Sanjeev K. Sharma, 9195 W. Meyer Ln. #10108, Oak Creek; Ericka A. Shulta, 5170 W. Behrendt St.; Patrice M. Smith, 11800 W. Forest Home Ave.; Kristilynn Smukowski, 3733 S. 33rd St., Greenfield; Deborah Sporleder, S108 W16327 Loomis Dr., Muskego; Mary E. Tairi, 3644 E. Layton Ave., Cudahy; Holly A. Templin, 12168 W. Virginia Cir. #6; Timothy R. Toetz, 7461 Hill Valley Ct., Greendale; Tamara G. Turner, 2561 E. Adams Ct. #6, Cudahy; Joseph A. Wagner III, 8447 W. Maple St., West Allis; Sally A. Wainio, 306 Montana Ave., South Milwaukee; Laurie C. Walvisch, 234 Montana Ave. #2, South Milwaukee; Kathleen R. Wegner, 26545 Nordic Ridge Dr., Wind Lake; Sharon A. Weiss, 550 W. Riverwood Dr., Oak Creek; Jeffry S. West, 8660 S. Ventana Dr. #3611, Oak Creek; Justin A. Westphal, 1227 E. Oklahoma Ave., Milwaukee; Amanda M. Wichgers, 9565 W. Forest Home Ave. #9, Hales Corners; Natasha Zarka, 8405 S. 27th St.; Jennifer M. Zolinski, 209 E. Bradley Ave., Milwaukee; Stuart J. Girmscheid, 2911 15th Ave., South Milwaukee; Janine M. Adamczyk, 3217 W. Verona Ct., Milwaukee; Wendy S. Balistreri, 7271 S. Delaine Dr., Oak Creek; Gail M. Baum, 3411 S. Chicago Ave. #8, South Milwaukee; Mary A. Bellanti, 608A Cornerstone Crossing, Waterford; Mark L. Brys, 1833 W. Meyer Ln. #12301, Oak Creek; Stephen M. Carreno, 4091 Heatheridge Dr.; Matthew B. Clazmer, 3164 W. Mangold Ave., Greenfield; Joshua R. Cook, S70 W17778 Muskego Dr., Muskego; Timothy J. Druetzler, 5615 W. Morgan Ave. #C, Greenfield; Jody L. Haase, 2431 W. Carroll Ave., Oak Creek; Jennifer N. Haussy, 4410 S. Placid Dr., Greenfield; Kevin L. Hurst Jr., 4111 S. 104th St., Greenfield; Scot A. Johnson, 7401 Dartmoor Ave., Greendale; Samantha K. Kassel, 2493A Bartlett Ave., Milwaukee; Eric J. Kleczka, 6860 S. Highfield Dr., Oak Creek; Julie A. Kleczka, 6860 S. Highfield Dr., Oak Creek; Breana Kloppenburg, 7801 W. Imperial Dr.; Marcia G. Lonzaga, 6028 W. Wells St., Wauwatosa; Victor W. Majchrzak, 1649 S. 30th St., Milwaukee; Stacy L. Mallak, 3119 W. Colony Dr., Greenfield; Mark S. Medrek, 1423 N. 53rd St., Milwaukee; Jonathan J. Oster, 5825 Lakeview Dr., Greendale;

MISCELLANEOUS
LICENSES-
CONTINUED

Daniel A. Rabięga, 3733 W. Jerelin Dr.; Debra A. Reichart, 25304 Windsong Ct., Wind Lake; Sarah B. Reidenbach, 952 Hastings Ct., Racine; Scott A. Schilling, 3521 S. Chase Ave., Milwaukee; Arron J. Schramm, 1228 Drexel Blvd., South Milwaukee; Heather M. Streeter, 4155 S. First St., Milwaukee;

Class A Beer License to Roettgers Co. Inc. dba Franklin Mobil Mart, 7103 S. 27th St. subject to satisfactory inspections;

Class A Combination License to 27th Street Mobil, LLC dba Franklin Mobil, 6611 S. 27th St.; Hodach Petroleum, Inc., 9830 W. St. Martins Rd. subject to satisfactory inspections & payment; JAI Beru, LLC, 8305 S. 27th St. subject to payment; Mega Marts, LLC, dba Pick N Save, 7780 S. Lovers Lane Rd. subject to satisfactory inspections; Open Pantry Food Mart of WI, Inc., 7610 W. Rawson Ave. subject to satisfactory inspections & payment; Priya Corp., 5040 W. Rawson Ave. subject to payment; Priya Corp, 5120 W. Ryan Rd. subject to payment; Sendik's Franklin, LLC, 5200 W. Rawson Ave. subject to satisfactory inspections & payment; Shaq Enterprises, LLC, 11123 W. Forest Home Ave. subject to payment; Spirit Dreams LLC, 6507A S. 27th St. subject to satisfactory inspections & payment;

Class A Combination & Pharmacy License to Sam's East, Inc., 6705 S. 27th St. subject to satisfactory inspections; Target Corporation, 7800 S. Lovers Lane Rd. subject to satisfactory inspections & payment; Wal-Mart Stores East, LP, 6701 S. 27th St. subject to satisfactory inspections; Walgreen Co., 9527 S. 27th St. subject to satisfactory inspections; Walgreen Co., 7144 S. 76th St.; Walgreen Co., 9909 W. Loomis Rd.; Wisconsin CVS Pharmacy, LLC, 5220 W. Rawson Ave. subject to satisfactory inspections;

Class A Combination Day Care & Pharmacy License to Ultra Mart Foods, Inc., 7201 S. 76th St. subject to satisfactory inspections;

Class B Combination License to ERJ Dining III, LLC dba Chili's Grill & Bar, 6439 S. 27th St. subject to payment; La Toscana Restaurant, LLC, 8405 S. 27th St.; M & W Leung, LLC dba Green Tea Garden, 7336 S. 76th St. subject to payment; Pantheon, Inc., 7621 W. Rawson Ave. subject to satisfactory inspections; RLGIDI, Inc. dba Casa Di Giorgio, 3137 W. Rawson Ave. subject to payment; Robley Tech, Inc. dba Michaelangelo's Pizza, 8330 W. Puetz Rd. subject to payment; St. Martins Inn, LLC, 11318 W. St. Martins Rd. subject to payment; Three Cellars, 7133 S. 76th St. subject to payment; Q T Pizza, LLC dba Rounding Third Pizzeria, 7119 S. 76th St.; TJAL Holdings, Inc. dba Irish Cottage, 11433 W. Ryan Rd.; B.S.T., LLC dba Mulligan's Irish Pub & Grille, 8933 S. 27th St;

MISCELLANEOUS
LICENSES-
CONTINUED

Class B Combination Entertainment & Amusement Bowling Alley License to Country Lanes, LLC, 11231 W. Forest Home Ave. subject to water test; St. Nikola Religious & Cultural Enterprises, Inc., 7220 W. Rawson Ave. subject to satisfactory inspections and payment;

Class B Beer License to AL Food Serving, LLC dba Moondance Coffee, 7001 S. 27th St. subject to satisfactory inspections & payment; Chai Garden, 6509 S. 27th St.; M Squared, Inc., 11357 W. St. Martins Rd. subject to payment; Federation of Croation Societies, Inc. dba Croation Park, 9100 S. 76th St.;

Class B Combination Entertainment & Amusement License to The Bowery, LLC, 3023 W. Ryan Rd. subject to payment; Buckhorn Inn, 9461 S. 27th St. subject to payment; Crystal Ridge, Inc. 7900 W. Crystal Ridge Dr. subject to satisfactory inspections and payment; Eric's Setback, 6357 S. 27th St. subject to payment; Franklin Hotel Company, LLC, 9575 S. 27th St. subject to satisfactory inspections & payment; Gus' Mexican Cantina, LLC, 6514 S. Lovers Lane Rd. subject to payment; H, B & H, LLC dba On the Border, 10741 S. 27th St. subject to satisfactory inspections & payment; Little Cancun Restaurant, 7273 S. 27th St. subject to satisfactory inspections & payment; Polonia Sport club, Inc., 10200 W. Loomis Rd. subject to satisfactory inspections & payment; Polish Heritage Alliance, Inc. dba Polish Center of Wisconsin, 6941 S. 68th St. subject to payment; Rawson Pub, Inc., 5621 W. Rawson Ave. subject to payment; Seventy-Six Street Pub & Grill, Inc. dba The Hideaway Pub & Eatery, 9643 S. 76th St.; Two Brothers Property Holdings, LLC dba Two Brothers, 9405 S. 27th St. subject to satisfactory inspections, water test & payment; Wild Breed, Inc. dba Aunties, 11430 W. Swiss St. subject to satisfactory inspections & payment;

Class B Combination Entertainment and Amusement & Coin Machine Tag License for Hanley's Grille & Bar, LLC, 7101 S. 76th St. subject to payment;

Class B Combination Temporary Entertainment & Amusement Tag License for Romey's Place, 7508 S. North Cape Rd. subject to payment;

Class B Combination Entertainment & Amusement Country Club License for Tuckaway Country Club, Inc., 6901 W. Drexel Ave. subject to satisfactory inspections & payment;

Day Care License to Academy of Preschool Learning, 3900 W. Ryan Rd. subject to satisfactory inspections; Faith Academy, 7700 W. Faith Dr. subject to satisfactory inspections; Amy's Academy, 9758 S. Airways Ct.; Jubilee Christian School, 3639

MISCELLANEOUS
LICENSES-
CONTINUED

W. Ryan Rd. subject to satisfactory inspections; Kinder Care, 7260 S. 76th St.; Kinder Care, 6350 S. 108th St.; Ms Rikki's Structured Day Care, 11227 W. Forest Home Ave.; Risen Savior Nursery School, 9501 W. Drexel Ave. subject to satisfactory inspections; St. James Preschool, 7219 S. 27th St. subject to satisfactory inspections;

Mobile Home Court License to D&K Management VIII, LLC, 6405 S. 27th St.; Franklin Mobile Estates, 6361 S. 27th St.;

Auto Salvage Yard License to Al's Auto Salvage, 10942 S. 124th St.; Durham Auto Salvage & Sales, 10565 S. 124th St. subject to satisfactory inspections;

Entertainment & Amusement License to Innovative Health & Fitness, 8800 S. 102nd St.; Jump Zone, 6544 S. Lovers Lane Rd.; Marcus Cinema of Wisconsin, LLC dba Showtime, 8910 S. 102nd St.; Milwaukee County Sports Complex, 6000 W. Ryan Rd. subject to satisfactory inspections; Oakwood Golf Course, 3600 W. Oakwood Rd. subject to satisfactory inspections; Whitnall Park Golf Club House, 6701 S. Park Rd. subject to satisfactory inspections;

Coin Machine Operator License to American Entertainment, W337 S5059 Hwy GG, Dousman; Games Are Us, W144 S6315 College Ct., Muskego; Mitchell Novelty Co., 3506 W. National Ave., Milwaukee; National Coin, 2740 S. 9th Place, Milwaukee; Red's Novelty Ltd., 1921 S. 74th St., West Allis; Reggie's Amusement, LLC, 4918 S. Packard Ave., Cudahy; S & P Equipment, 5025 S. Packard Ave., Cudahy; Winners Amusements & Video Game Service, 2310 S. Green Bay Rd. C-344, Racine; Wisconsin P & P Amusement, 12565 Lisbon Rd., Brookfield; Clear Choice ATM Ltd., 4930 Bayside Cove, Waterford;

Taxi Driver License to Shahzad Ahmad, 6418 S. 35th St. #4;

Further moved to approve People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant License to Forest Park Middle School – Additional Event Dates June 24, July 22, and July 28, 2012.

Further moved to hold New Operator License for Amanda J. Schaefer, 3272 S. Quincy Ave., Milwaukee; Jaimie L. Budzinski, 7505 Old Spring St., Racine; Jonathan Ceron-Rodriguez, 1633 S. 37th St., Milwaukee; Nicole A. Hall, 1983 S. 83rd St., West Allis; subject to appearing before the License Committee;

MISCELLANEOUS
LICENSES-
CONTINUED

Further moved to hold Renewal Operator License for Halina Grochowski, 1111 W. Rosewood Trail, Oak Creek; Michael J. Magolan, W125 S8583 Countryview Ct., Muskego; Anita Lynn Boliaris, 3719 S. 53rd St., Greenfield; Vito M. Siciliano, 1064 Main St. #2, Antioch, IL; Joel B. Clifford, 2155A S. KK Ave., Milwaukee; subject to appearing before the License Committee;

Further moved to hold Class B Beer Entertainment & Amusement License for Federation of Croation Societies, Inc., 9100 S 76th St.;

Further moved to hold Class B Combination Entertainment & Amusement License for B.S.T., LLC dba Mulligan's Irish Pub & Grille, 8933 S. 27th St.; TJAL Holdings, Inc. dba Irish Cottage, 11433 W. Ryan Rd.;

Further moved to hold Class B Combination License for Q T Pizza, LLC dba Rounding Third Pizzeria, 7119B S. 76th St.;

Further moved to refer Class B Combination Entertainment & Amusement for The Landmark of Franklin LLC, 11401 W. Swiss Street, Laurie Beth Knaack-Helm, Agent and Second Hand Article Dealer for UsAgain, LLC, Contact: Matthew J. Chase, 1201 Dolphin Court Ste A, Waukesha for donation bins throughout the City to the City Attorney;

Further moved to approve Class A Combination License for 7-Eleven, Inc., 7610 W. Rawson Avenue, Eleri Baecker, Agent pending surrender of the license held by Open Pantry. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1.

Alderman Schmidt moved to approve net City vouchers in the range of Nos. 143147 through 143323 in the amount of \$4,759,661.66. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to approve the net payroll of June 15, 2012 in the amount of \$365,931.96. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 8:55 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.

D-1.

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, July 10, 2012, 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 City of Franklin 2025 Future Land Use Map for property located at approximately West Loomis Road and West St. Martins Road, from Mixed Use to Commercial and to allow deviations from the City of Franklin Crossroads Trade Area Regulating Plan (David W. Behrens, Principal of GreenbergFarrow Architecture Inc., applicant). The properties which are the subject of this application bear tax key nos. 840-9969-000, 840-9997-003, 840-9997-002, 840-9994-000, 840-9998-000, 840-9997-001, 840-9993-000 and 840-9999-001, consisting of approximately 29.48 total acres of land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at www.franklinwi.gov. Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 30th day of May, 2012.

Sandra L. Wesolowski
City Clerk

N.B. Class I

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 7/10/12
ORGANIZATIONAL BUSINESS	Boards and Commissions Appointments	ITEM NUMBER <i>E. 1.</i>

Several terms of offices on various Boards and Commissions have or will be expiring. The Mayor may have appointments for Council confirmation:

Civic Celebrations Commission

John Bergner, 3 yr. term, term expires 07/01/15

Quarry Monitoring Committee

Fred Knueppel (Ald. Schmidt's appointment), 3 yr. term
Mark Buchman (Ald. Wilhelm's appointment), 2 yr. term

City of Franklin
 9229 W. Loomis Road
 Franklin, WI 53132
 414-425-7500
 414-425-6428 (Fax)

RECEIVED
 CITY OF FRANKLIN
 2012 JUN 29 AM 9:41

Thank you for your interest in serving on a City Board, Commission, or Committee. In order that consistent information be provided to the Common Council, you are asked to complete the following:

Personal Information:

Name	Mark Buchman
Address	4959 W. Evergreen St., Franklin, WI 53132
Phone Number	414-282-1607
Email Address	mbuchma@execpc.com
Years as a Franklin resident	6
Alderman or District No. (if known)	Kristen Wilhelm, district 3

Area of Interest:

Please check the box next to the Board, Commission, or Committee of greatest interest. If checking more than one, please prioritize your top three choices in the space given below, listing the first as top priority and so on.

- | | |
|---|--|
| <input type="checkbox"/> Architectural Review Board | <input type="checkbox"/> Civic Celebrations Commission |
| <input type="checkbox"/> Community Development Authority | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Forward Franklin Economic Development Comm. |
| <input type="checkbox"/> Fair Commission | <input type="checkbox"/> Board of Health |
| <input type="checkbox"/> Fire and Police Commission | <input type="checkbox"/> Parks Commission |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Plan Commission |
| <input type="checkbox"/> Personnel Committee | <input type="checkbox"/> Board of Review |
| <input type="checkbox"/> Board of Public Works | <input type="checkbox"/> Board of Water Commissioners |
| <input type="checkbox"/> Technology Commission | <input type="checkbox"/> Waste Facility Siting Committee |
| <input type="checkbox"/> Board of Zoning & Building Appeals | <input type="checkbox"/> Waste Facilities Monitoring Committee |

If more than 1 box is checked above, please prioritize your choices listing the first as top priority and so on:

Quarry Monitoring Committee	<input type="checkbox"/>
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Why are you interested in joining this (these) particular Board and/or Committee/Commission?

I live adjacent to the quarry and am concerned about emissions & noise from the quarry.

Volunteer or Work Experience:

Begin with your most recent employment and continue with all past 10 years of employment.

Job 1

Company Name	Utopia Digital Technologies, Inc.
Address	5466 S. Westridge Dr., New Berlin, WI 53151
Telephone	262-784-5910
Start Date / Position	April 1999. V.P.
End Date / Position Upon Leaving	n/a
Description of Duties	ownership stake, operations, management

Job 2

Company Name	
Address	
Telephone	
Start Date / Position	
End Date / Position Upon Leaving	

Description of Duties

Job 3

Company Name

Address

Telephone

Start Date / Position

End Date / Position Upon Leaving

Description of Duties

Additional Experience of Qualifications:

List any other experience, skills, or other qualifications (including hobbies) which you believe should be considered in evaluating your qualifications for volunteering.

I am aware that all of the information provided and this document itself is a public record which will be released to a requestor; that I authorize such release and that I waive any right to any notice of such release and/or any right of notice to augment the information provided upon this document upon such request or release.

<p>APPROVAL</p> <p><i>Slew</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/10/12</p>
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<p>Reports and Recommendations</p>	<p>Donation from Franklin Noon Lions Club in the amount of \$250; The Landmark in the amount of \$280 and James and Suzanne Sass in the amount of \$250 to the Fair Commission</p>	<p>ITEM NUMBER</p> <p><i>G. l. a.</i></p>
--	---	---

The City of Franklin Fair Commission has received donations from the following to be used for the promotion of the St. Martins Fair:

Franklin Noon Lions Club in the amount of \$250.

The Landmark in the amount of \$280.

James and Suzanne Sass in the amount of \$250

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$250 from Franklin Noon Lions Club; \$280 from The Landmark and \$250 from James and Suzanne Sass to the Fair Commission to be used for the promotion of the St. Martin's Fair.

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<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/10/12</p>
<p>Reports and Recommendations</p>	<p>Donation from Franklin Lioness Club in the amount of \$175 and Franklin Noon Lion's Club in the amount of \$50 to the Health Department</p>	<p>ITEM NUMBER</p> <p><i>G.1.b.</i></p>

The City of Franklin Health Department has received a donation from Franklin Lioness Club in the amount of \$175 and Franklin Noon Lion's Club in the amount of \$50 to be used towards continued service to the community.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$175 from Franklin Lioness Club and \$50 from the Franklin Noon Lion's Club to the Health Department.

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<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/10/12</p>
<p>Reports and Recommendations</p>	<p>Donation from Franklin Lioness Club in the amount of \$175 to the Police Department</p>	<p>ITEM NUMBER</p> <p><i>G.I.C.</i></p>

The City of Franklin Police Department has received a donation from the Franklin Lioness Club in the amount of \$175.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$175 from the Franklin Lioness Club to the Police Department.

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<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/10/12</p>
<p>Reports and Recommendations</p>	<p>Donation from Franklin Lioness Club in the amount of \$175 to the Fire Department</p>	<p>ITEM NUMBER</p> <p><i>G.I.d.</i></p>

The City of Franklin Fire Department has received a donation from the Franklin Lioness Club in the amount of \$175.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$175 from the Franklin Lioness Club to the Fire Department.

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APPROVAL <i>Stw</i> <i>CPP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 7/10/12
REPORTS & RECOMMENDATIONS	Consideration of an Initial Resolution Regarding Midwestern Disaster Area Revenue Bond Financing for Scrub Plus RA, LLC Project	ITEM NUMBER <i>6.2.</i>

Lynda Templen of Whyte Hirschboeck Dudek S.C. has requested on behalf of her client Scrub Plus RA, LLC Project consideration of IDRB funding of \$4.5 Million from the City of Franklin. A summary of the financing and the estimate of Jobs created is attached.

Their plan is to finance the acquisition of land and the purchase and rehabilitation of an existing approximately 10,500 square foot facility located at 7700 West Rawson Avenue in the City of Franklin, Wisconsin to be used as a car wash and lube facility (the "Franklin Project"), acquisition of land and construction of an approximately 8,000 square foot car wash and lube facility to be located at the southeast corner of Miller Parkway and West Mitchell Avenue in the Village of West Milwaukee, Wisconsin (the "West Milwaukee Project" and together with the Franklin Project, the "Project"), and payment of certain costs of issuance.

The Project is a multi-jurisdictional Project, a portion of which is located in the City of Franklin and the Village of West Milwaukee. Pursuant to Section 66.1103(3)(f) of the Wisconsin Statutes, a municipality may finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement for the project also relates to another project of the same eligible participant, part of which is located within the geographic limits of the municipality. Because the proposed Project is currently located in the City of Franklin and the Village of West Milwaukee, the Borrower is requesting each municipality to consider an Initial Resolution. It will be decided at a later date whether the City of Franklin or the Village of West Milwaukee will be the issuer of the bonds. Please note that only the issuing municipality will be required to consider the Final Resolution described in this procedure letter.

Information with respect to the job impact of the project is included in the packet of information.

The City of Franklin's IDRB policy requires our Bond Council to review potential IDRB documents to insure that the City is protected. Quarles and Brady will prior to the meeting have reviewed the initial resolution and it insure it is in the customary form and has the necessary language to keep the City from having any liability from this transaction.

COUNCIL ACTION REQUESTED

Motion to approve Resolution 2012 _____ approving an Initial Resolution regarding Midwestern Disaster Area Revenue Bond Financing for Scrub Plus RA, LLC Project.

Summary Conduit Tax-Exempt Bond Financing

Industrial Revenue Bonds (IRBs)

The City of Franklin, Wisconsin (the "City") is being asked to consider an Initial Resolution to benefit Scrub Plus RA, LLC, a Wisconsin limited liability company (the "Company"), through the conduit issuance of industrial revenue bonds ("IRBs"). The Company desires to complete a multi-jurisdictional project consisting of financing the (i) acquisition of land and the purchase and rehabilitation of an existing approximately 10,500 square foot facility located at 7700 West Rawson Avenue in the City of Franklin, Wisconsin to be used as a car wash and lube facility (the "Franklin Project"), (ii) acquisition of land and construction of an approximately 8,000 square foot car wash and lube facility to be located at the southeast corner of Miller Parkway and West Mitchell Avenue in the Village of West Milwaukee, Wisconsin (the "West Milwaukee Project" and together with the Franklin Project, the "Project"), and (iii) payment of certain costs of issuance.

Pursuant to Section 66.1103(3)(f) of the Wisconsin Statutes, a municipality may finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement for the project also relates to another project of the same eligible participant, part of which is located within the geographic limits of the municipality. It will be decided at a later date whether the City or the Village of West Milwaukee will be the issuer of the bonds.

In an IRB transaction, a state or local governmental entity issues bonds (the "Bonds") and loans the proceeds from the sale of the bonds to a private entity for an authorized project. In Wisconsin, cities, villages and towns, as well as duly constituted redevelopment authorities and community development authorities may issue IRBs.

Federal Law: MDA Bonds.

Previously under Federal law, IRBs could only be issued for small manufacturers, 501(c)(3) organizations or for certain exempt facilities. In October of 2008, Congress passed the Heartland Disaster Tax Relief Act following the severe storms, tornadoes and flooding experienced throughout the Midwest. This act allows tax-exempt bonds (Midwestern Disaster Area Bonds or MDA Bonds) to be issued for a business for a wider range of purposes including projects like the one proposed by the Company. MDA Bonds (which are IRBs) must finance a project located in one of the 30 southern affected counties of Wisconsin which were declared federal disaster areas.

City as Conduit Issuer

These IRBs are municipal bonds; however, they are not general obligations of the City. If the City agrees to issue Bonds to benefit the proposed Project:

1. The City will not be liable for payment of the principal and interest on the Bonds.
2. The City will not have ongoing responsibilities of monitoring or reporting with regard to the Bonds or the Project.

3. **The Bonds do not count against the City's borrowing capacity. The City will not levy a tax for payment of the Bonds.**

The City acts strictly as a conduit, which enables the Company to borrow at a lower rate of interest.

Because the Bonds are issued by a governmental entity, the holder of the Bonds may exclude the interest on the Bonds from gross income for federal tax purposes.

Inducement/Reimbursement

Companies considering IRB financing must obtain an Initial Resolution, also sometimes referred to as an "inducement resolution" or "qualified reimbursement resolution" from the municipality in which the Project being financed is located in order to preserve the option to use IRBs. The Initial Resolution is preliminary approval only and is non-binding as to the City or the Company but is required by Federal tax law and State law. If the Initial Resolution is adopted by the City, this will assure that when and if Bonds are issued, all eligible project costs incurred no more than 60 days prior to the date of the Initial Resolution (including reimbursement of equity contributions or refunding of conventional financing), may be included in the ultimate IRB financing. Failure to have a qualified resolution may result in disqualifying certain costs.

The Company will benefit from the tax-exempt financing by owning and/or using the Bond financed-facilities and will enjoy a lower interest rate as a result of using a bond structure. A lending institution will secure payment of the Bonds pursuant to a direct pay Letter of Credit and the Bonds will be sold to the public market, or a lending institution will directly purchase the Bonds. The Trustee for the Bonds will look solely to the Company for repayment. Bondholders will not look to the City for payment. The City will assign all of its rights, liability and responsibilities under the Bonds to a third party fiduciary Trustee for administration for the benefit of the bondholders. The Company will be fully responsible for repaying the loan and must make the arrangements with the Trustee for the payment on the Bonds. If the Company is not able to meet its payment obligations, the Bank will realize on its collateral and enforce its rights against the Company. The City is not liable for payment.

The foregoing is just a brief discussion of tax-exempt financing. The key point to remember is that the City will be considering from a policy standpoint whether to encourage the location of the Company in the City. By issuing the Bonds, the City will give the Company an interest rate benefit, because the tax-exempt Bonds will be tax-exempt in the hands of the bondholders. **It must be emphasized that the City will not be liable in any way on the Bonds; the Bonds are special, limited obligations of the City.**

Notice of Intent to Obtain a Municipal Industrial Revenue Bond

Section 66.1103 (4m) (a) 1 of the Wisconsin Statutes requires the person or business who intends to obtain an industrial revenue bond issue from a Wisconsin municipality to notify this intention to the Wisconsin Economic Development Corporation and to any collective bargaining agent in the state with whom the person or business has a collective bargaining agreement. This notification must occur at least 30 days prior to entering into the revenue agreement or signing the loan contract. The person or business must provide information on the number of full-time jobs that are expected to be eliminated, created, or maintained at the project site and elsewhere in Wisconsin as a result of the project which is the subject of this notice. The person or business named below hereby gives notice of intent to obtain an Industrial Revenue Bond pursuant to s. 66.1103 of the Wisconsin Statutes.

I. Project

A. Person: David Ausloos
 Business: Scrub Plus RA, LLC
 Address: PO Box 57
 Post Office/ZIP: Elm Grove, WI 53122

B. Project site: Village of West Milwaukee, Wisconsin -AND- City of Franklin, Wisconsin
 (Name of city, village or Village in which the project is located)

C. Project type: Expansion at Present Location Relocation Within Same Municipality
 Relocation From Within State Relocation from Out-of-State New Business
 Branch-Wisconsin Operation Branch-Out-of-State Operation Other: _____

D. Maximum amount of IRB financing: \$4,500,000

II. Employment Estimates (to result within the next 3 years)

Number of Full-Time Jobs	Before Project	To Be Maintained	To Be Created	To Be Eliminated	Net Total Number of Jobs
A. <u>At the Project Site (West Milwaukee)</u>	0	0	18	0	18
<u>At the Project Site (Franklin)</u>	0	0	16	0	16
B. <u>Other Wisconsin Operations</u>	0	0	0	0	0
C. <u>Net Totals</u>	0	0	34	0	34

D. Will any jobs transfer from one or more locations to the project site? Yes No

Number of jobs to transfer: _____

Location(s) the jobs will transfer from: (municipality) _____

 Signed/Person completing this form

 414-477-7429
 Telephone Number

David Ausloos

 Title

_____, 2012
 Date

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

COMMON COUNCIL OF
CITY OF FRANKLIN, WISCONSIN

RESOLUTION NO. 2012 - _____

**INITIAL RESOLUTION REGARDING
MIDWESTERN DISASTER AREA REVENUE BOND
FINANCING FOR SCRUB PLUS RA, LLC PROJECT**

WHEREAS, Section 66.1103 of the Wisconsin Statutes (the "Act") authorizes the City of Franklin, Wisconsin (the "City of Franklin"), to authorize the issuance and sale of bonds by the City of Franklin to construct, equip, re-equip, acquire by gift, lease or purchase, install, reconstruct, rebuild, rehabilitate, improve, supplement, replace, maintain, repair, enlarge, extend or remodel industrial projects in the City of Franklin; and

WHEREAS, Section 66.1103(3)(f) provides that a municipality also may finance an industrial project which is located entirely outside the geographic limits of the municipality, but only if the revenue agreement for the project also relates to another project of the same eligible participant, part of which is located within the geographic limits of the municipality; and

WHEREAS, Scrub Plus RA, LLC a Wisconsin limited liability company, and/or a related limited liability entity (collectively, the "Borrower"), desires to complete a project to be owned by the Borrower consisting of financing the (i) acquisition of land and the purchase and rehabilitation of an existing approximately 10,500 square foot facility located at 7700 West Rawson Avenue in the City of Franklin, Wisconsin to be used as a car wash and lube facility (the "Franklin Project"), (ii) acquisition of land and construction of an approximately 8,000 square foot car wash and lube facility to be located at the southeast corner of Miller Parkway and West Mitchell Avenue in the Village of West Milwaukee, Wisconsin (the "West Milwaukee Project" and together with the Franklin Project, the "Project"), and (iii) payment of certain costs of issuance; and

WHEREAS, the cost of the Project is presently estimated to be \$4,500,000, and the amount proposed to be financed with one or more series of tax-exempt and/or taxable Midwestern disaster area revenue bonds does not exceed \$4,500,000; and

WHEREAS, the proposed Project is a multi-jurisdictional project which is located in the City of Franklin and the Village of West Milwaukee, and the Borrower has requested that the City of Franklin and the Village of West Milwaukee each approve an initial resolution providing for the financing of the Project in an amount not to exceed \$4,500,000; and

WHEREAS, the Village of West Milwaukee proposes to consider an initial resolution on or about July 16, 2012 providing for the financing of the multi-jurisdictional Project; and

WHEREAS, it shall be determined at a future date whether the City of Franklin or the Village of West Milwaukee shall be the issuer of said Midwestern disaster area revenue bonds; and

WHEREAS, the City of Franklin is a municipality organized and existing under and pursuant to the laws of the State of Wisconsin, and is authorized to enter into revenue agreements with eligible participants with respect to the Project whereby eligible participants agree to cause said Project to be constructed and to pay the City of Franklin an amount of funds sufficient to provide for the prompt payment when due of the principal and interest on said Midwestern disaster area revenue bonds; and

WHEREAS, the Borrower has requested that the City of Franklin now approve an initial resolution providing for the financing of the multi-jurisdictional Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Wisconsin, as follows:

1. Based upon representations of the Borrower, it is the finding and determination of the Common Council that the Project is a qualified "project" within the meaning of the Act and that the Borrower is an "eligible participant" within the meaning of the Act. If requested to do so by the Borrower, the City of Franklin shall, subject to the conditions set forth in Section 2 below:

(a) Finance the Project in an amount not to exceed \$4,500,000; and

(b) Issue Midwestern disaster area revenue bonds in one or more series of tax-exempt and/or taxable bonds in an amount not to exceed \$4,500,000 (the "Bonds"), in order to finance costs of the Project, located in the City of Franklin and the Village of West Milwaukee, pursuant to Section 66.1103(3)(f) of the Wisconsin Statutes.

2. The aforesaid plan of financing contemplates, and is conditioned upon, the following:

(a) The Bonds shall never constitute an indebtedness of the City of Franklin or the Village of West Milwaukee within the meaning of any state constitutional provision or statutory limitation;

(b) The Bonds shall not constitute or give rise to a pecuniary liability of the City of Franklin or the Village of West Milwaukee or a charge against their general credit or taxing powers;

(c) The Project shall be subject to property taxation in the same amount and to the same extent as though the Project were not financed with Midwestern disaster area revenue bonds;

(d) The Borrower shall find a purchaser for all of the Bonds;

(e) The City of Franklin's out-of-pocket costs, including but not limited to legal fees and Trustee's fees, in connection with the authorization, issuance and sale of the Bonds shall be paid by the Borrower;

(f) A notice of public hearing (the "TEFRA Hearing") required by federal law for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, shall be published in a newspaper of general circulation in the City of Franklin and the Village of West Milwaukee. Public hearings shall be held by the City of Franklin and the Village of West Milwaukee to provide interested individuals or parties the opportunity to testify with respect to the nature and location of the Project and the issuance of the Bonds to finance the Project; and

(g) The Borrower receives an appropriate designation of the Bonds as "Midwestern disaster area bonds" from the Governor.

3. The aforesaid plan of financing shall not be legally binding upon the City of Franklin nor be finally implemented unless and until:

(a) The details and mechanics of the same are authorized and approved by a further resolution of the Common Council which shall be solely within the discretion of the Common Council;

(b) The City Clerk shall cause notice of adoption of this Initial Resolution, in the form attached hereto as Exhibit A, to be published once in a newspaper of general circulation in the City of Franklin, and the electors of the City of Franklin shall have been given the opportunity to petition for a referendum on the matter of the aforesaid Bond issue, all as required by law;

(c) Either no such petition shall be timely filed or such petition shall have been filed and said referendum shall have approved the Bond issue;

(d) The City Clerk of the City of Franklin and the Village Clerk of the Village of West Milwaukee shall have received an employment impact estimate issued under Section 560.034 of the Wisconsin Statutes;

(e) All documents required to consummate the financing have been duly authorized and delivered;

(f) The City of Franklin, the Village of West Milwaukee and the Borrower have resolved all land use and special use issues with respect to the affected property and the Project; and

(g) The City of Franklin and the Village of West Milwaukee have approved the issuance of the Bonds following the TEFRA Hearing required by Section 2(f) above.

4. Pursuant to the Act, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Borrower having represented that it is able to negotiate satisfactory arrangements for completing the Project and that the City of Franklin's interests are not prejudiced thereby.

5. The City Clerk is directed, following adoption of this Initial Resolution (i) to publish notice of such adoption not less than one time in the official newspaper of the City of Franklin, such notice to be in substantially the form attached hereto as Exhibit A and (ii) to file a copy of this Initial Resolution, together with a statement indicating the date the Notice to Electors was published, with the Wisconsin Economic Development Corporation within twenty (20) days following the date of publication of such notice.

6. This Initial Resolution is an "initial resolution" within the meaning of the Act and official action toward issuance of the Bonds for purposes of Sections 103 and 144 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder. Furthermore, it is the reasonable expectation of the City of Franklin that proceeds of the Bonds may be used to reimburse expenditures made on the Project prior to the issuance of the Bonds. The maximum principal amount of debt expected to be issued for the Project on the date hereof is \$4,500,000. This statement of official intent is made pursuant to Internal Revenue Code §1.150-2.

7. If the Bonds are issued by the Village of West Milwaukee and the City of Franklin is not the ultimate issuer of the Bonds, after the TEFRA Hearing has been properly noticed and held by the City, the Mayor is authorized to execute an Approval of Highest Elected Official for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, with respect to the issuance of the Bonds for the Franklin Project.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 10th day of July, 2012.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

EXHIBIT A

NOTICE TO ELECTORS OF THE CITY OF FRANKLIN, WISCONSIN

TAKE NOTICE that the Common Council of the City of Franklin, Wisconsin (the "City"), at a regular meeting held at City Hall, 9229 West Loomis Road, Franklin, Wisconsin, on July 10, 2012, adopted an Initial Resolution pursuant to Section 66.1103 of the Wisconsin Statutes, as amended, expressing the intention to issue not to exceed \$4,500,000 of Midwestern disaster area revenue bonds of the City (the "Bonds") on behalf of Scrub Plus RA, LLC, a Wisconsin limited liability company, and/or a related limited liability entity (collectively, the "Borrower"), to complete a multi-jurisdictional project consisting of financing the (i) acquisition of land and the purchase and rehabilitation of an existing approximately 10,500 square foot facility located at 7700 West Rawson Avenue in the City of Franklin, Wisconsin to be used as a car wash and lube facility (the "Franklin Project"), (ii) acquisition of land and construction of an approximately 8,000 square foot car wash and lube facility to be located at the southeast corner of Miller Parkway and West Mitchell Avenue in the Village of West Milwaukee, Wisconsin (the "West Milwaukee Project" and together with the Franklin Project, the "Project"), and (iii) payment of certain costs of issuance. The Borrower has represented (i) that the net number of full-time equivalent jobs which will be created at Franklin Project site is 16 and (ii) that the net number of full-time equivalent jobs which will be created at the West Milwaukee Project site is 18.

Pursuant to the terms of Section 66.1103 of the Wisconsin Statutes, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Borrower having represented that it is able to negotiate satisfactory arrangements for completing the Project and that the City's interests are not prejudiced thereby.

THE BONDS SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF THE CITY, NOR SHALL THE BONDS GIVE RISE TO ANY PECUNIARY LIABILITY OF THE CITY, NOR SHALL THE BONDS BE A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF THE CITY. RATHER, THE BONDS SHALL BE PAYABLE SOLELY FROM THE REVENUES AND OTHER AMOUNTS TO BE DERIVED PURSUANT TO THE REVENUE AGREEMENT RELATING TO SAID PROJECT TO BE ENTERED INTO BETWEEN THE CITY AND THE BORROWER.

The Initial Resolution may be inspected in the office of the City Clerk at 9229 West Loomis Road, Franklin, Wisconsin, during business hours.

TAKE FURTHER NOTICE THAT THE ELECTORS OF THE CITY OF FRANKLIN MAY PETITION FOR A REFERENDUM ON THE QUESTION OF THE BOND ISSUE. Unless within thirty (30) days from the date of the publication of this Notice a petition signed by not less than five percent (5%) of the registered electors of the City of Franklin is filed with the City Clerk requesting a referendum on the question of the issuance of the Bonds, the City will issue the Bonds without submitting the proposition for the electors' approval. If such petition is filed as aforesaid, then the Bonds shall not be issued until approved by a majority of the electors of the City of Franklin voting thereon at a general or special election.

Sandra L. Wesolowski, City Clerk
City of Franklin, Wisconsin

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 07/10/12
REPORTS & RECOMMENDATIONS	ORDINANCE TO AMEND SECTION 15-3.0439 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 34 (HAMPTON INN AND SUITES PLUS MIXED USE COMMERCIAL) TO AUTHORIZE REDEVELOPMENT OF AN EXISTING COMMERCIAL CAR CARE CENTER (AT 7700 WEST RAWSON AVENUE) (SCRUB PLUS RA, LLC, APPLICANT)	ITEM NUMBER G. B.

At its July 05, 2012, meeting the Plan Commission recommended approval of an ordinance to amend Section 15-3.0439 of the Unified Development Ordinance Planned Development District No. 34 (Hampton Inn and Suites plus mixed use commercial) to authorize redevelopment of an existing commercial car care center (at approximately 7700 West Rawson Avenue) (Scrub Plus RA, LLC, Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2012-_____ approving an ordinance to amend Section 15-3.0439 of the Unified Development Ordinance Planned Development District No. 34 (Hampton Inn and Suites plus mixed use commercial) to authorize redevelopment of an existing commercial car care center (at approximately 7700 West Rawson Avenue) (Scrub Plus RA, LLC, Applicant).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2012-____

AN ORDINANCE TO AMEND SECTION 15-3.0439 OF THE UNIFIED
DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT
DISTRICT NO. 34 (HAMPTON INN AND SUITES PLUS MIXED USE
COMMERCIAL) TO AUTHORIZE REDEVELOPMENT
OF AN EXISTING COMMERCIAL CAR CARE CENTER
(AT 7700 WEST RAWSON AVENUE)
(SCRUB PLUS RA, LLC, APPLICANT)

WHEREAS, §15-3.0439 of the Unified Development Ordinance provides for and regulates Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial), same having been created by Ordinance No. 2008-1951, with such District being located at 7700 West Rawson Avenue; and

WHEREAS, Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial) includes those lands legally described as follows:

Parcel 3 of Certified Survey Map No. 6017, being a redivision of Certified Survey Map No. 2875 and lands in the SE 1/4 of the SE 1/4 of Section 4, T 5 N, R 21 E, in the City of Franklin, Milwaukee County, Wisconsin; Tax Key No. 744-8998-005; and

WHEREAS, Scrub Plus RA, LLC having petitioned for amendments to Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial), to redevelop an existing commercial car care center building and premises; and

WHEREAS, the City of Franklin Plan Commission having determined that the proposed amendments to Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial) were not a substantial change to the Plan, thus not requiring a public hearing upon the aforesaid petition, and the Plan Commission thereafter having determined that the proposed amendments would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed amendment would promote the health, safety and welfare of the Community.

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

SECTION 1: §15-3.0439 Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial), of the Unified Development Ordinance of the City of Franklin, Wisconsin, as previously amended, is hereby amended to authorize redevelopment of the existing car wash facility building and property as follows: re-equip the building with state-of-the-art car wash equipment; change the exterior elevations of the existing building; replace the existing outdoor vacuum area with a 14 stall canopy covered free vacuum area; install a monument sign with an electronic message board; revise the landscape plan; and replace the existing lighting with LED lighting fixtures, pursuant to those plans City file-stamped June 25, 2012.

SECTION 2: §15-3.0439B. of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to add the following to the existing text:

“8. **Exhibit H:** Building Elevations (Car Wash and Car Care Center), approved under this ordinance, which shall be subject to reasonable modifications by applicant and property owner to be reviewed and approved by City Development Department Staff, approval of which shall not be unreasonably withheld)”

SECTION 3: §15-3.0439D.1.a. of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to read as follows:

“a. The Hampton Inn and Suites on Lot 1, and the car wash and car care center on Lot 2.”

SECTION 4: §15-3.0439D.3.b. of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to read as follows:

“b. Any use involving outdoor storage of goods or materials, except as depicted upon Exhibit H.”

SECTION 5: §15-3.0439F.1. of the Unified Development Ordinance of the City of Franklin, Wisconsin, the first sentence only, is hereby amended to read as follows:

“1. Approved uses. The Hampton Inn and Suites on Lot 1, and the car wash and car care center on Lot 2, are “approved uses” under this ordinance.”

SECTION 6: §15-3.0439F.2.d. of the Unified Development Ordinance of the City of Franklin, Wisconsin, pertaining to ancillary structures, is hereby amended as follows: immediately after “Plan Commission”, insert: “, except as depicted upon Exhibit H”.

SECTION 7: §15-3.0439F.6.a. of the Unified Development Ordinance of the City of Franklin, Wisconsin, pertaining to architecture, and only as it pertains to “Lot 2”, is hereby amended to read as follows:

“Lot 2: Architecture shall be completed and maintained pursuant to that depicted upon Exhibit H.”

SECTION 8: §15-3.0439G. of the Unified Development Ordinance of the City of Franklin, Wisconsin, the first paragraph only, is hereby amended to read as follows:

“G. Lot 2 Redevelopment Requirement. The existing car care center site improvements on Lot 2 shall be redeveloped as depicted upon Exhibit H.”

SECTION 9: The approval of the amendments to §15-3.0439 Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial), of the Unified Development Ordinance of the City of Franklin, Wisconsin, as amended hereunder, shall be subject to and includes the following specific conditions for the approval of the Scrub Plus Wash and Lube redevelopment project:

- A. Scrub Plus RA, LLC, successors and assigns and any developer of the Scrub Plus Wash and Lube redevelopment and re-imaging project shall pay to the City of Franklin all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Scrub Plus Wash and Lube redevelopment and re-imaging project. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions.
- B. The approval granted hereunder is conditional upon Scrub Plus RA, LLC and the Scrub Plus Wash and Lube redevelopment and re-imaging project for the property located at 7700 West Rawson Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining

all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

- C. The applicant shall submit a revised Landscape Plan, which indicates the correct total number of planting units proposed and existing on the site to the Department of City Development for review and approval prior to issuance of an occupancy permit.
- D. The applicant shall submit written approval from Milwaukee County for any plantings located within the West Rawson Avenue Right-of-Way, prior to issuance of a building permit.
- E. The applicant shall submit a detailed Lighting Plan which meets all of the requirements set forth in Division 15-5.0400 of the Unified Development Ordinance to the Department of City Development for review and approval prior to issuance of a building permit.
- F. The applicant shall submit a two-lot Certified Survey Map for Planned Development District No. 34 for review and approval by City staff and the City of Franklin Common Council and recorded with the Milwaukee County Register of Deeds Office, prior to issuance of a building permit.
- G. The applicant shall submit separate written cross-access easement and shared driveway documents to be reviewed by Department of City Development and Engineering Staff and the City Attorney and approved by the City of Franklin Common Council prior to issuance of a building permit.
- H. The applicant shall submit separate written sanitary sewer and water main easement documents to be reviewed by Engineering Staff and the City Attorney and approved by the City of Franklin Common Council prior to issuance of a building permit.

SECTION 10: The proposed Scrub Plus Wash and Lube redevelopment project shall have obtained a building permit for the principal use within one year from the date of adoption of this Ordinance, or this Ordinance and all rights and approvals resulting therefrom shall be null and void without any further action by the City of Franklin.

SECTION 11: All other applicable terms and provisions of §15-3.0439 shall apply to the Scrub Plus Wash and Lube lot area of Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial), and all terms and provisions of §15-3.0439 as existing immediately prior to the adoption of this Ordinance, except as amended hereunder, shall remain in full force and effect.

SECTION 12: 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 13: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 14: 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 _____, 2012, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2012.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**Project Narrative for:
Scrub Plus Rawson Avenue, Franklin, WI**

David Ausloos' background in the car wash industry started in 1971. As a young adult, he managed his mother's car wash in Cudahy, WI. He turned around a struggling business by changing their operating and pricing strategies. It was the foundation for all the Scrub-a-Dub locations in the Milwaukee area.

In 1980, frustrated by the difficulty of getting repair parts, David started Badgerland Car Wash Equipment Co. Under David's direction and leadership, the business grew to an annual sales volume of \$15 million and employed 44 people. Badgerland became the largest supplier to the car wash industry in Wisconsin. Badgerland installed equipment in over 500 car wash sites in Wisconsin, Michigan and Illinois. In 2005, David sold Badgerland to a private equity group and remained involved as a board member for a number of years.

In 2009, David became involved in the operations of the Scrub-a-Dub facilities located in Cudahy and Menomonee Falls. David made many improvements to both car washes, resulting in increased customer volume and satisfaction. The most significant change he implemented was free and improved vacuums for their customers. This concept has been very successful.

David also made improvements to their oil change centers such as television monitors so the customer could view all aspects of the services performed on their vehicles. He changed the layout of the oil change facility, resulting in a more streamlined operation. Over the years the technology of achieving a clean, dry car wash has changed dramatically. Most of the conveyerized tunnel car wash facilities in the Milwaukee area have remained stagnant. David's strategy is to completely reimagine and update the car wash process, resulting in an improved customer experience.

David also owns and operates Victory Car Wash in Oshkosh, WI. He purchased the closed facility in December 2009, converting it to a successful operation, resulting in the creation of new jobs.

This facility was originally constructed in 1990. Badgerland Car Wash Equipment provided the original equipment. Over the years the business had been successful but has recently failed and the facility is now vacant. The plan is to re-equip the facility with state-of-the-art car wash equipment and update the facility with the Scrub Plus image. The new Scrub Plus image features soaring copper colored metal roofs, cupolas and red canopies over the vacuum area. The goal is to have perfectly clean vehicles. The

oil change facility will provide oil changing services, filters, batteries, lubrication and tire rotations. In other words, there will be no major repairs where the owner of the vehicle is not on site.

The impact of the project will be to transform a vacant facility to an updated vibrant car wash – a service that is needed in the community. The current owner is 3-1/2-years in arrears on his property taxes. Once the new owner closes on the property all of the property taxes will be paid in full. The new owner has never been late on a property tax payment and property taxes going forward will always be paid promptly.

The new owner is purchasing the car wash site for \$1.5million and in addition to purchasing new equipment will be making improvements to the site and building in the amount of \$525,000.

The facility will incorporate a new water recycling system that will save on water usage. The facility will also utilize waste oil furnaces for heating the building, saving on gas usage. The owner of the facility believes in recycling and will recycle all waste oil filters, bottles, cans, newspapers, etc.

The proposed schedule, should the project be approved by the Common Council in July, is to begin construction in August and have the facility up and running before Thanksgiving.

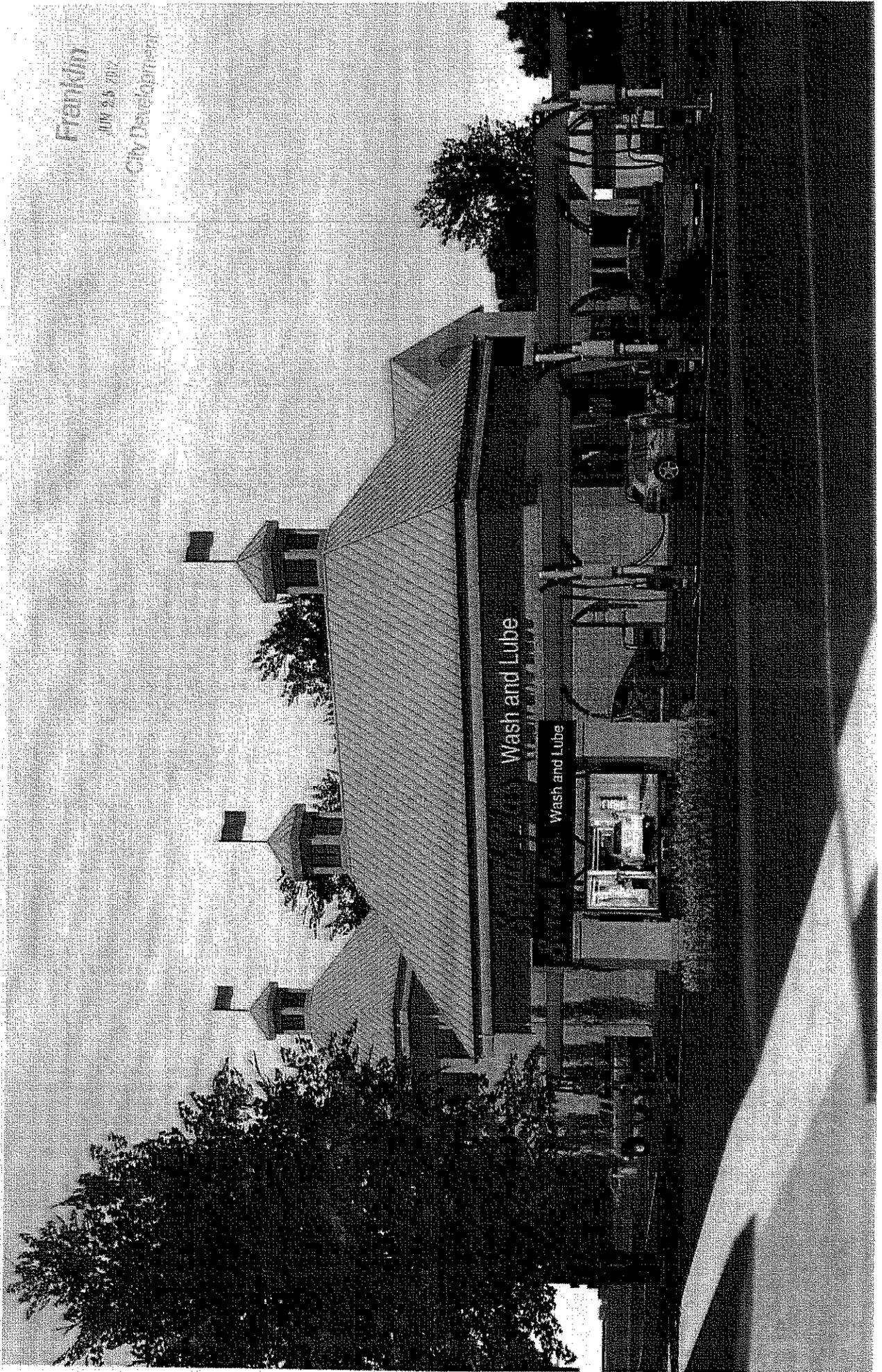
The facility will have seven employees on site at any one time and 24 total employees. Public service announcements will appear regularly on the reader board. The hours of operation will be from 7AM to 9PM Monday through Saturday and from 7AM to 7PM on Sunday.

The project is consistent with the comprehensive master plan which calls for a commercial use on the site.

Franklin

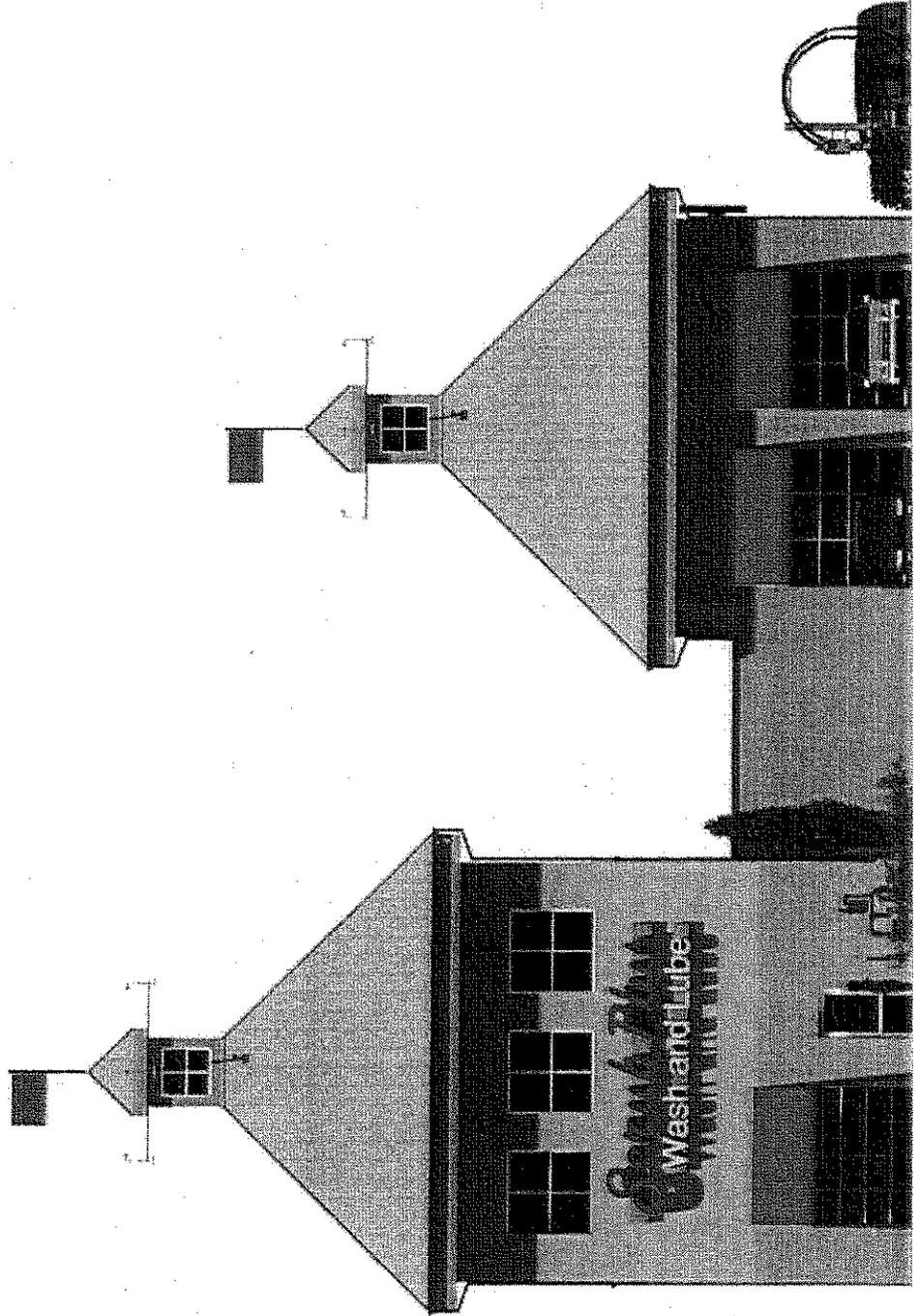
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City Development



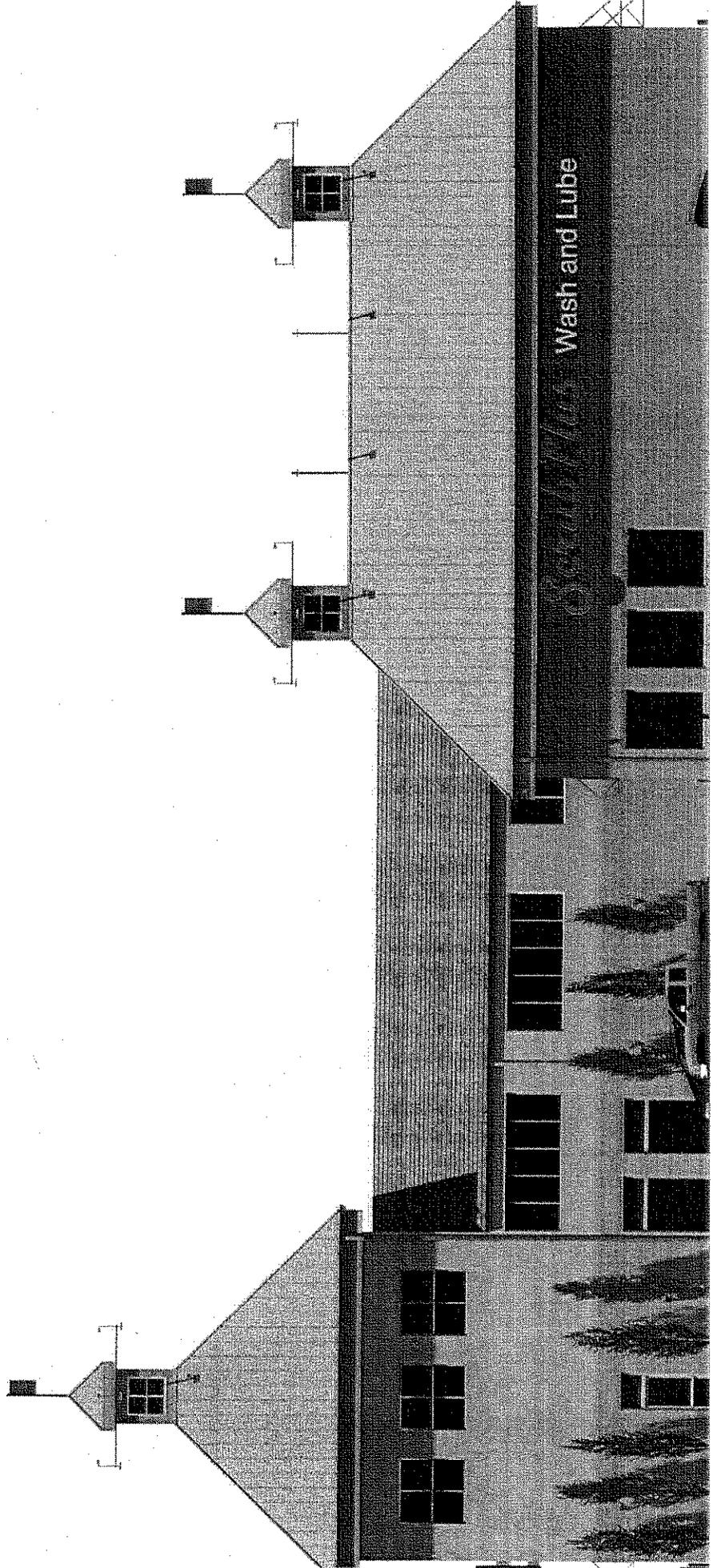
RENNER
Architects
643 E. ERIE STREET MILWAUKEE, WI 53202
(414) 273-6637

West Elevation



South Elevation

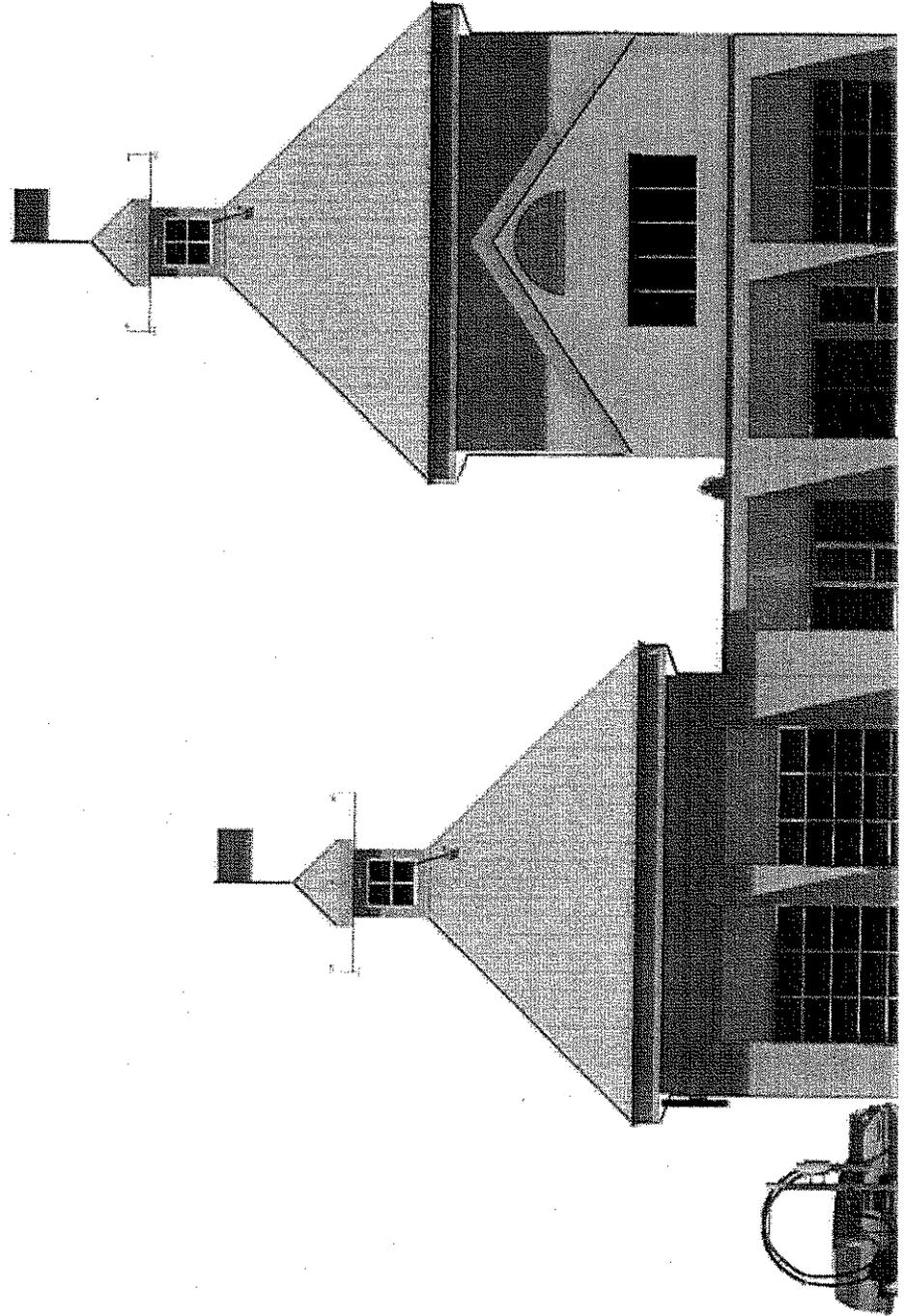
RENNER
U R C / I C S
643 E. ERIE STREET MILWAUKEE, WI 53202
(414) 273-6637



East Elevation

RENNER

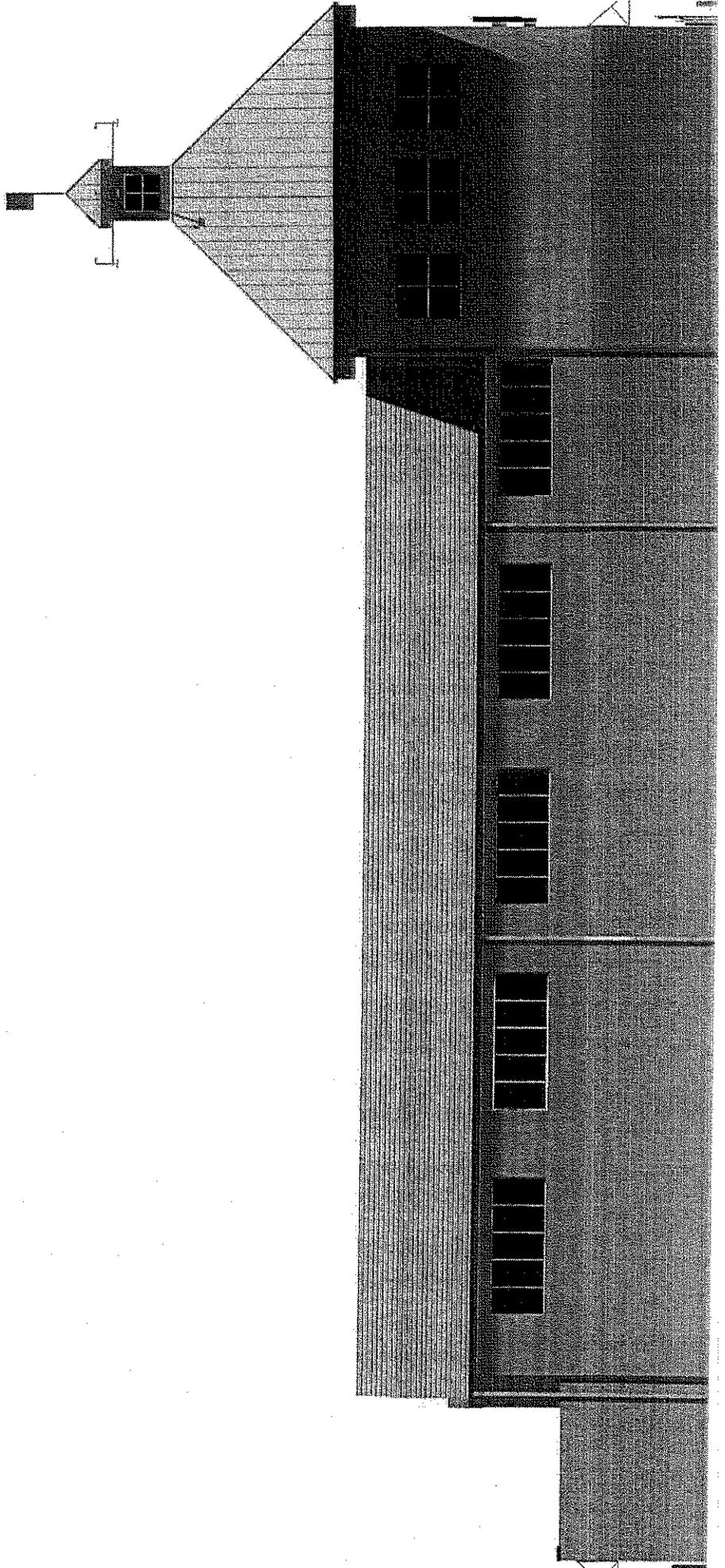
INCORPORATED
643 E. ERIE STREET MILWAUKEE, WI 53202
(414) 273-6637

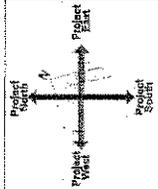


North Elevation

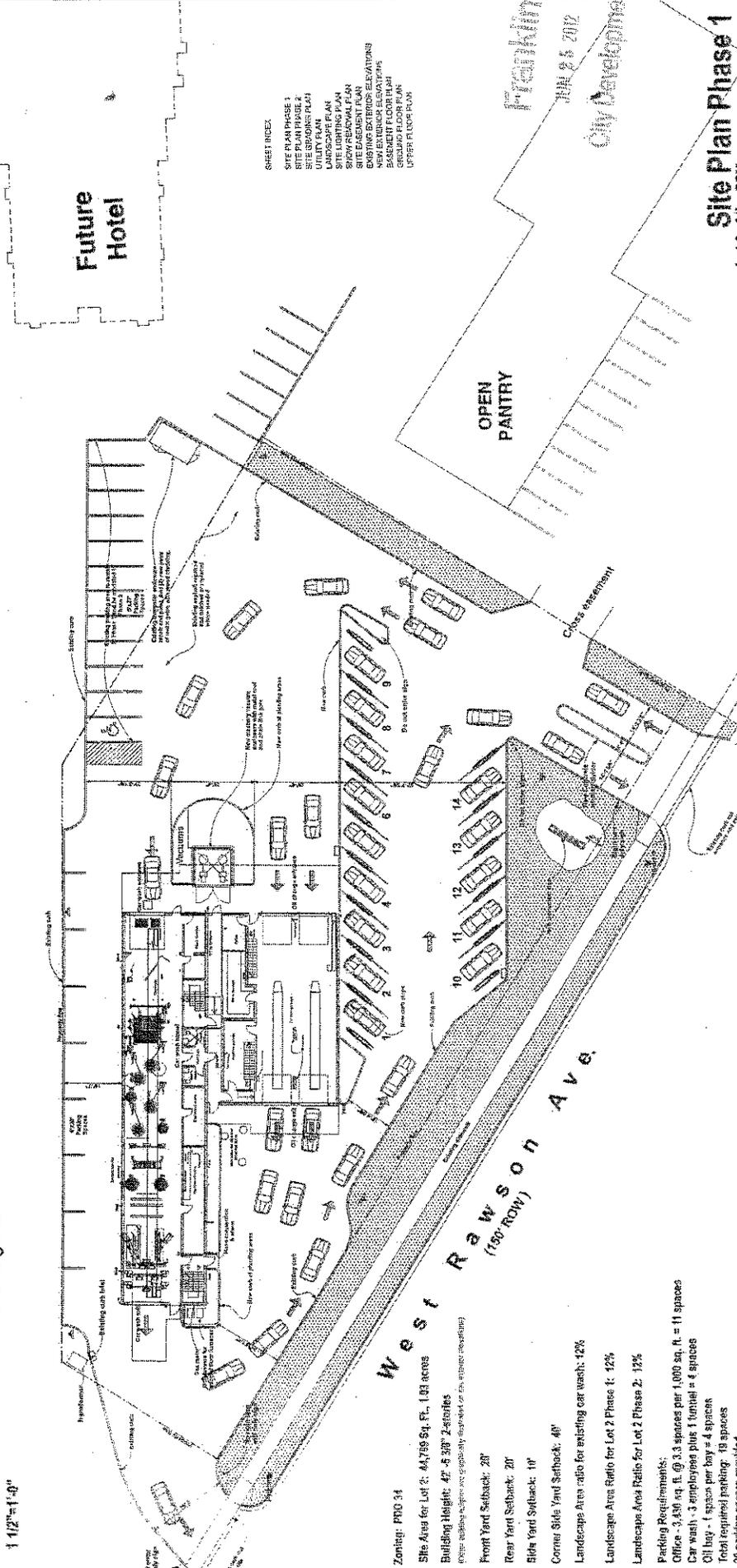
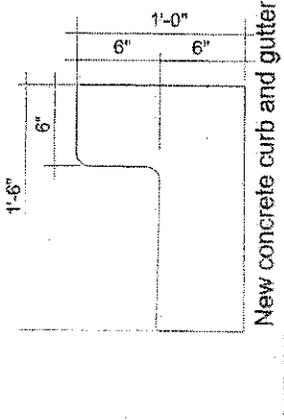
RENNER

a r c h i t e c t s
643 E. ERIE STREET MILWAUKEE, WI 53202
(414) 273-6637





West Loomis Road (HWY. 36)
(ROW varies)



- SHEET INDEX:
- SITE PLAN PHASE 1
 - SITE PLAN PHASE 2
 - UTILITY PLAN
 - LANDSCAPE PLAN
 - SITE LIGHTING PLAN
 - EXISTING EXTERIOR ELEVATIONS
 - NEW EXTERIOR ELEVATIONS
 - BASEMENT FLOOR PLAN
 - FIRST FLOOR PLAN
 - UPPER FLOOR PLAN

Site Plan Phase 1
Lot 2 of the CSM 1/16"-1'-0"

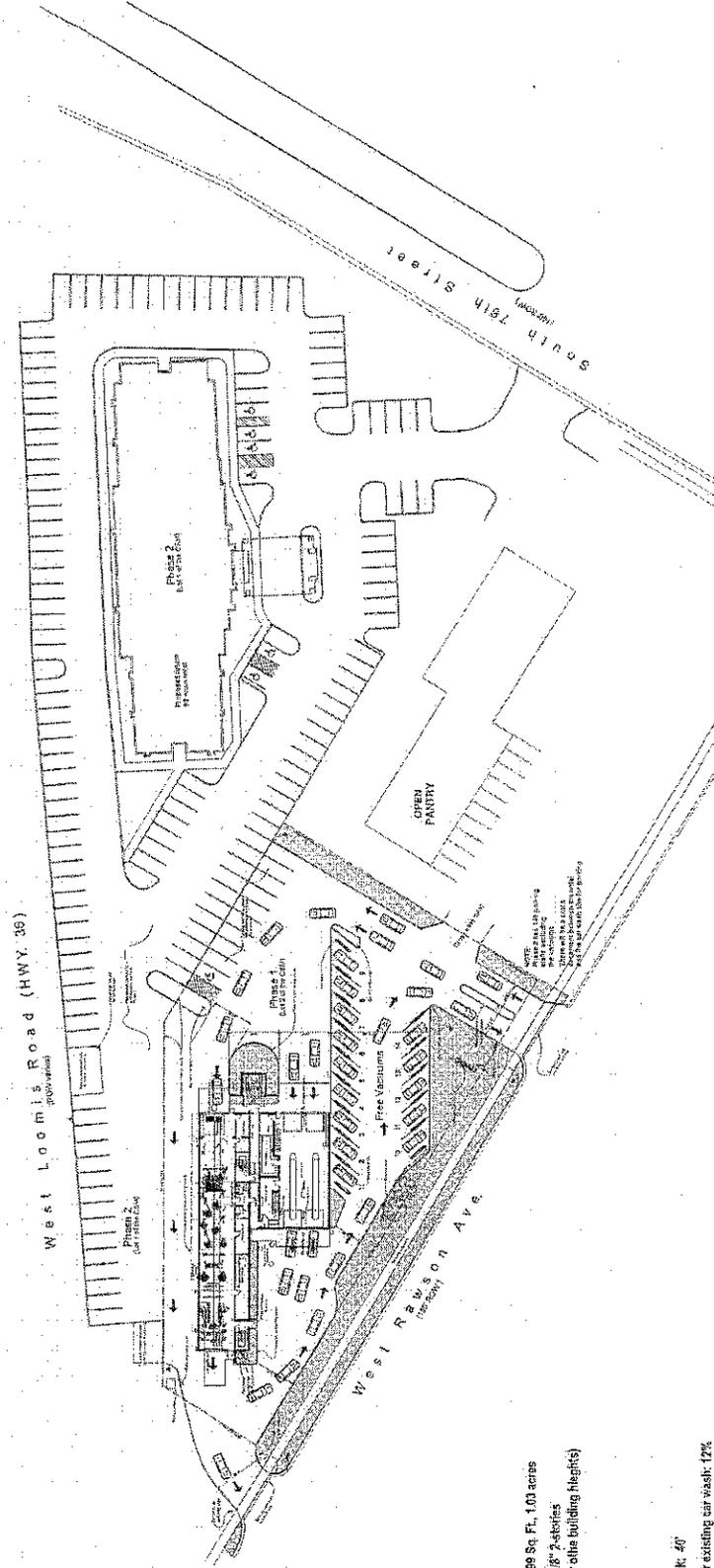
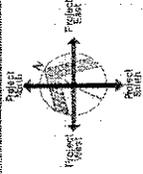
Date:	5-31-12
Drawn by:	9704.09
Checked:	

Owner/Developer: David Ausloos
Scrib Plus LLC
P.O. Box 57

- Zoning: PRD 34
- Site Area for Lot 2: 44,750 Sq. Ft. (1.03 acres)
- Building Height: 47'-5 3/8" Zonelines
- (Note: Building height and depth are subject to final engineer calculations)
- Front Yard Setback: 28'
- Rear Yard Setback: 20'
- Side Yard Setback: 10'
- Corner Side Yard Setback: 40'
- Landscape Area ratio for existing car wash: 12%
- Landscape Area Ratio for Lot 2 Phase 1: 12%
- Landscape Area Ratio for Lot 2 Phase 2: 12%
- Parking Requirements:
 - Office - 3,530 sq. ft. @ 3.3 spaces per 1,000 sq. ft. = 11 spaces
 - Car wash - 3 employees plus 1 tunnel = 4 spaces
 - Oil bay - 1 space per bay = 4 spaces
 - Total required parking: 19 spaces
 - 20 parking spaces provided

RENNER
a r c h i t e c t s

12	
11	
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Site Plan Phase 2

1"=30'-0"

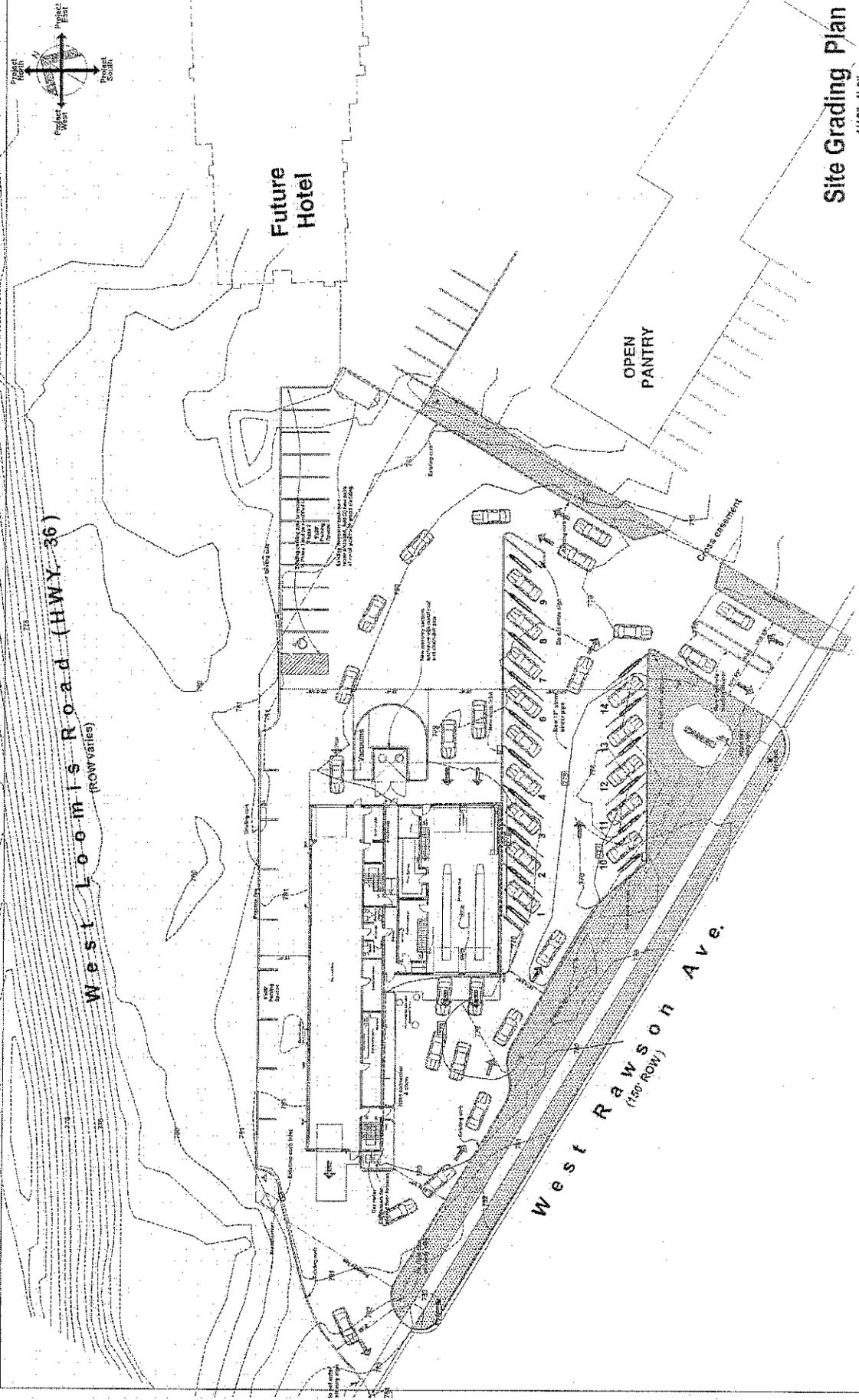
Date:	8.31.12
Job #:	8706.00
Scale:	
Author:	
Checked By:	
Drawn By:	

David Ausloos
 Scrub Plus LLC
 P.O. Box 57
 Elm Grove, WI 53122

Owner/Developer:



- Zoning: PDD 34
- Site Area for Lot 2: 41,799 Sq. Ft., 1.03 acres
- Building Height: 42'-5 3/8" 2-stories (refer elevation sheet for other building heights)
- Front Yard Setback: 29'
- Rear Yard Setback: 20'
- Side Yard Setback: 10'
- Corner Side Yard Setback: 40'
- Landscape Area ratio for existing car wash: 12%
- Landscape Area Ratio for Lot 2 Phase 1: 12%
- Landscape Area Ratio for Lot 2 Phase 2: 12%
- Parking Requirements:
 - Office - 1,430 sq. ft. @ 3.3 spaces per 1,000 sq. ft. = 11 spaces
 - Car wash - 3 employees plus 1 tunnel = 4 spaces
 - Oil bay - 1 space per bay = 4 spaces
 - Total required parking: 19 spaces
 - 20 parking spaces provided



Site Grading Plan

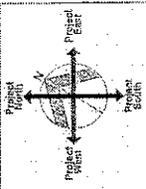
1/16"=1'-0"

Date:	5.31.12
Scale:	AS SHOWN
Project:	ELM GROVE, WI
Sheet No.:	1

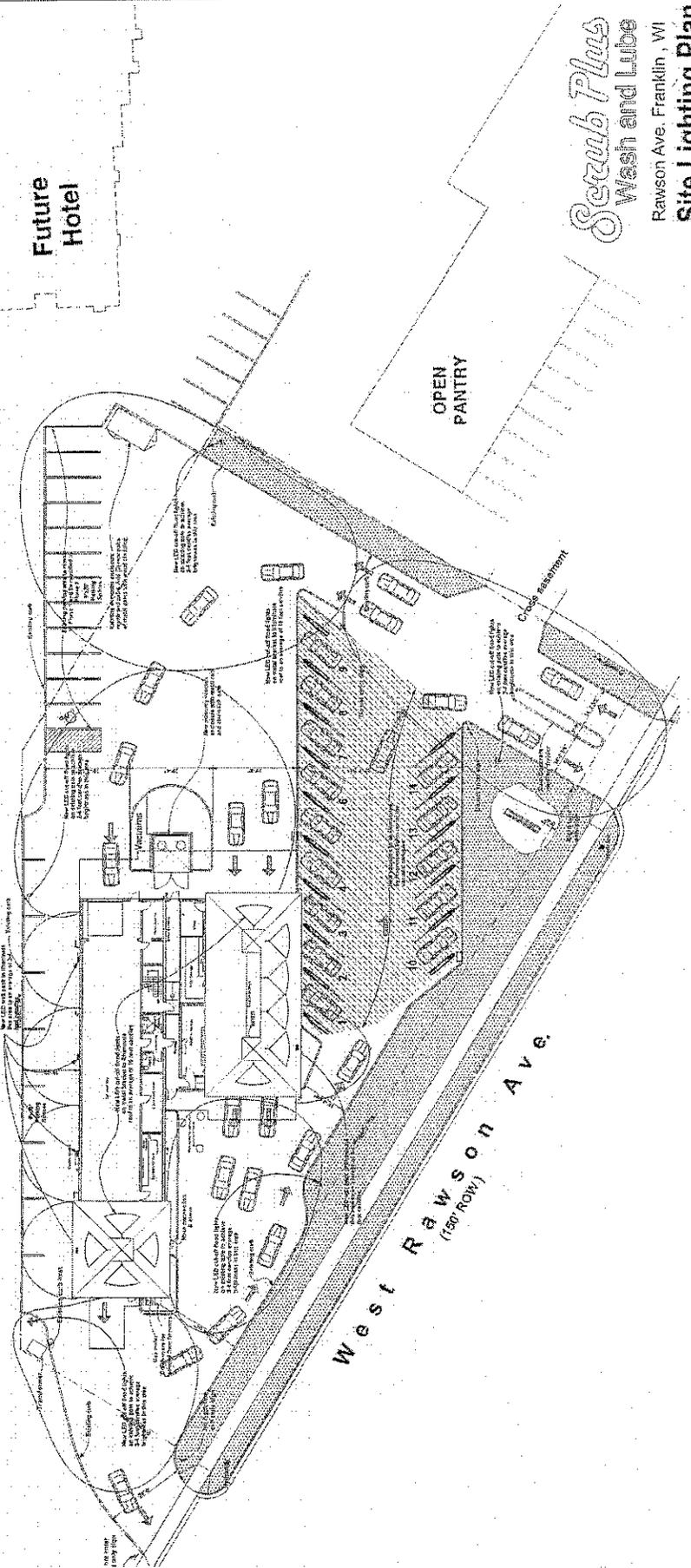
David Ausloos
 Owner/Developer:
 Scrub Plus LLC
 P.O. Box 57
 Elm Grove, WI 53122

RENNER
 CONSULTANTS
 1111 S. KENOSHA AVE.
 MILWAUKEE, WI 53204
 TEL: 414.224.1111
 FAX: 414.224.1112
 WWW.RENNERCONSULTANTS.COM

BY REVISIONS				



West Loomis Road (HWY. 36)
(ROW varies)



Scrub Plus
Wash and Lube
Rawson Ave. Franklin, WI
Site Lighting Plan
1/16"=1'-0"

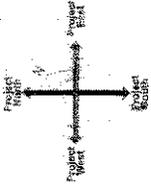
DATE	5-31-12
REV.	970400
BY	DKM
CHECKED	DKM
DATE	

David Ausubos
Scrub Plus LLC
P.O. Box 57
Elm Grove, WI 53122

Owner/Developer:

RENNER
Architects
11223 23rd St.
Elm Grove, WI 53122

NO.	DATE	BY	REVISIONS



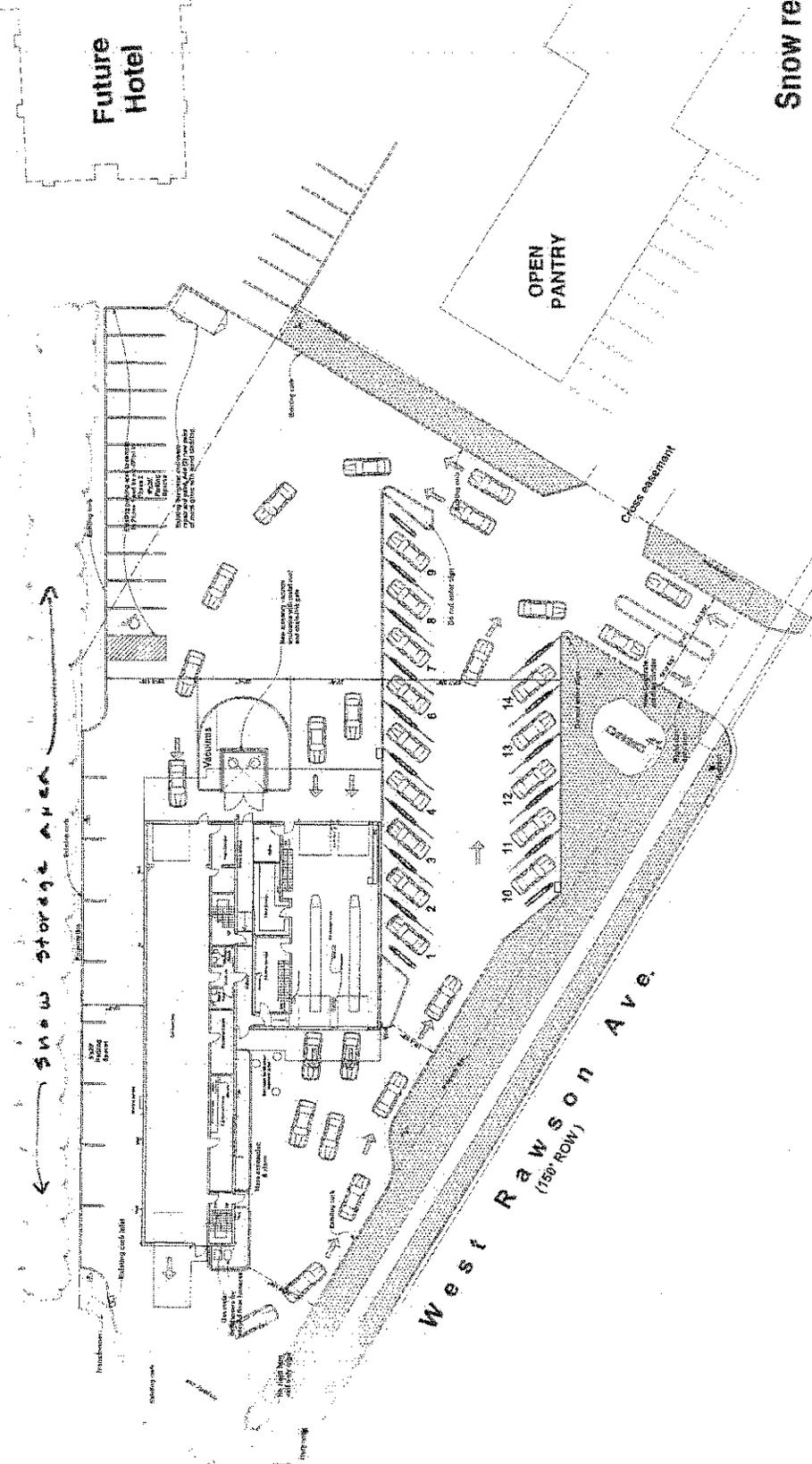
West Loomis Road (HWY. 36)
(ROW varies)

Snow Storage Area

Future Hotel

OPEN PANTRY

West Rawson Ave.
(150' ROW)



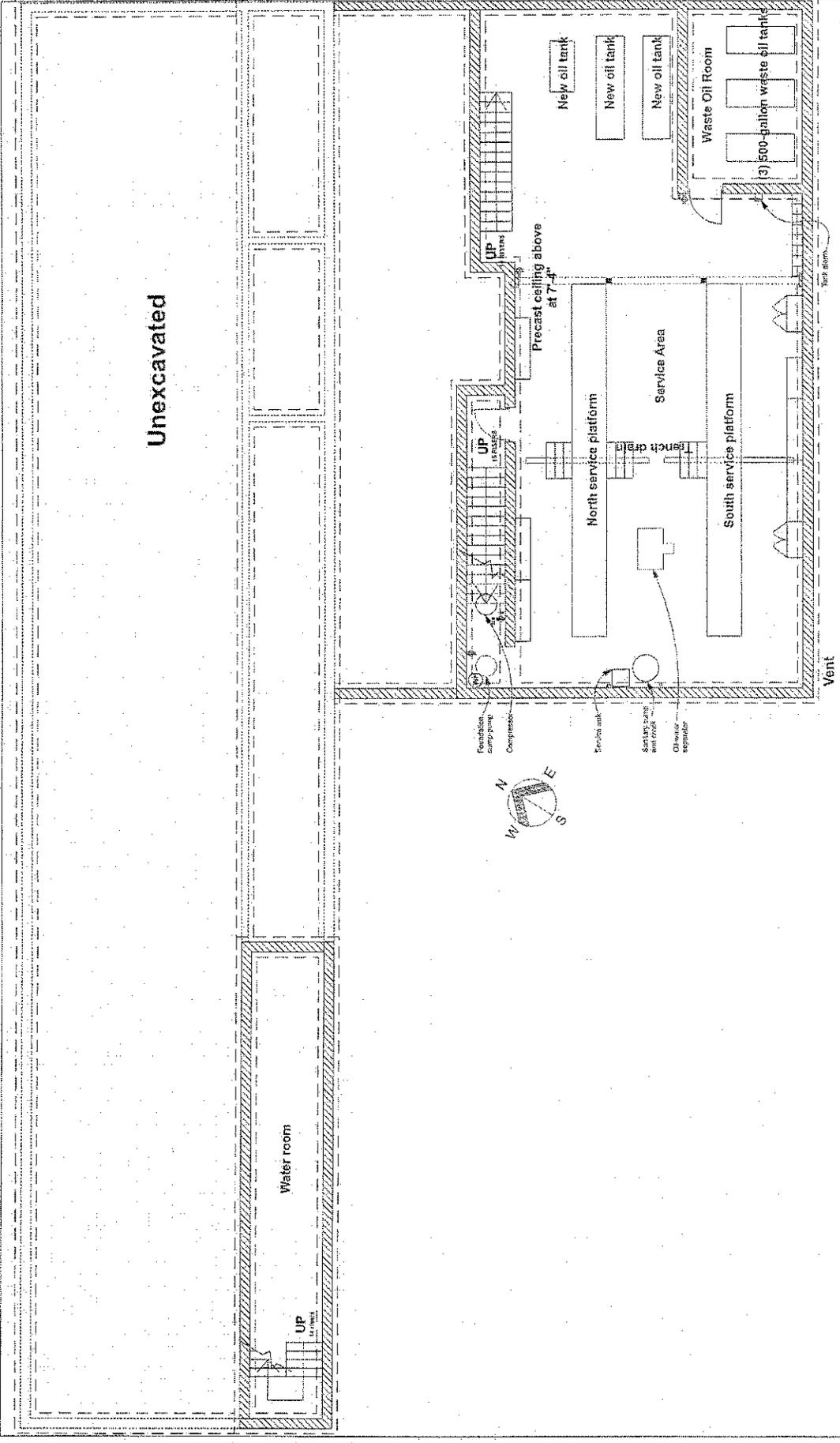
Snow removal Plan

1/16"=1'-0"

David Ausboos
Scrubb Plus LLC



DAVID AUSBOOS
12345
STATE OF CALIFORNIA
LICENSED PROFESSIONAL ARCHITECT



Unexcavated

Water room

UP



North service platform

Service Area

South service platform

Evolution compressor

Compressor

Electric tank

Service tank and rack

Oil/water separator

UP

Precast ceiling above at 7'-4"

New oil tank

New oil tank

New oil tank

Waste Oil Room

(3) 500-gallon waste oil tanks

Vent

Basement Floor Plan

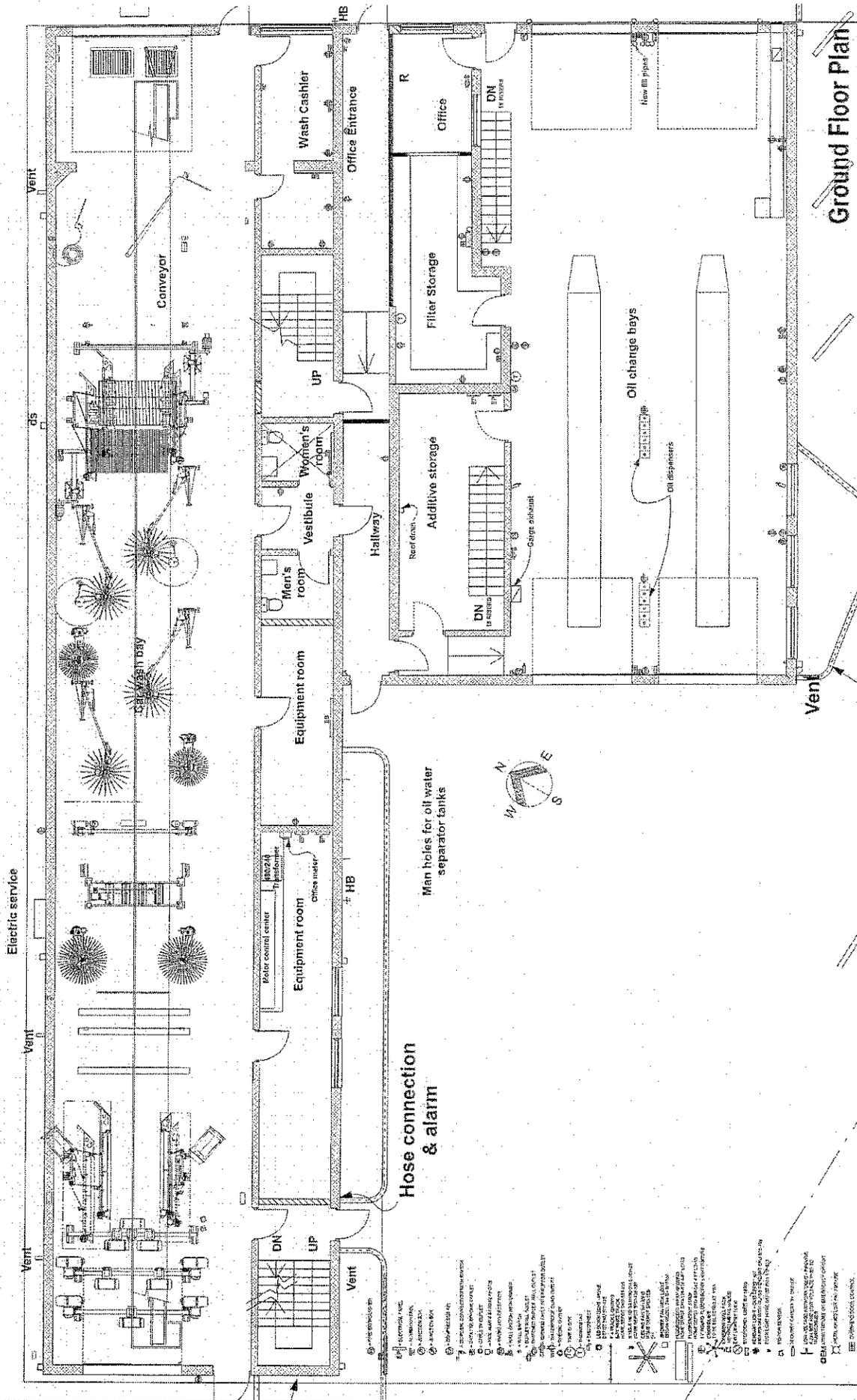
1/4" = 1'-0"

David Ausloos
 Scrub Plus LLC
 Owner/Developer:
 P.O. Box 57
 Elm Grove, WI 53122

REINER
 Architects
 1100 North Lincoln
 Milwaukee, WI 53233
 414.233.8800
 www.reiner.com

Date:	5-18-12
Drawn:	JAK 9704.00
Checked:	
Approved:	

37 REVISIONS



Ground Floor Plan
 1/4" = 1'-0"
 Date: 5-18-12
 Scale: 9/14/10
 Sheet: _____

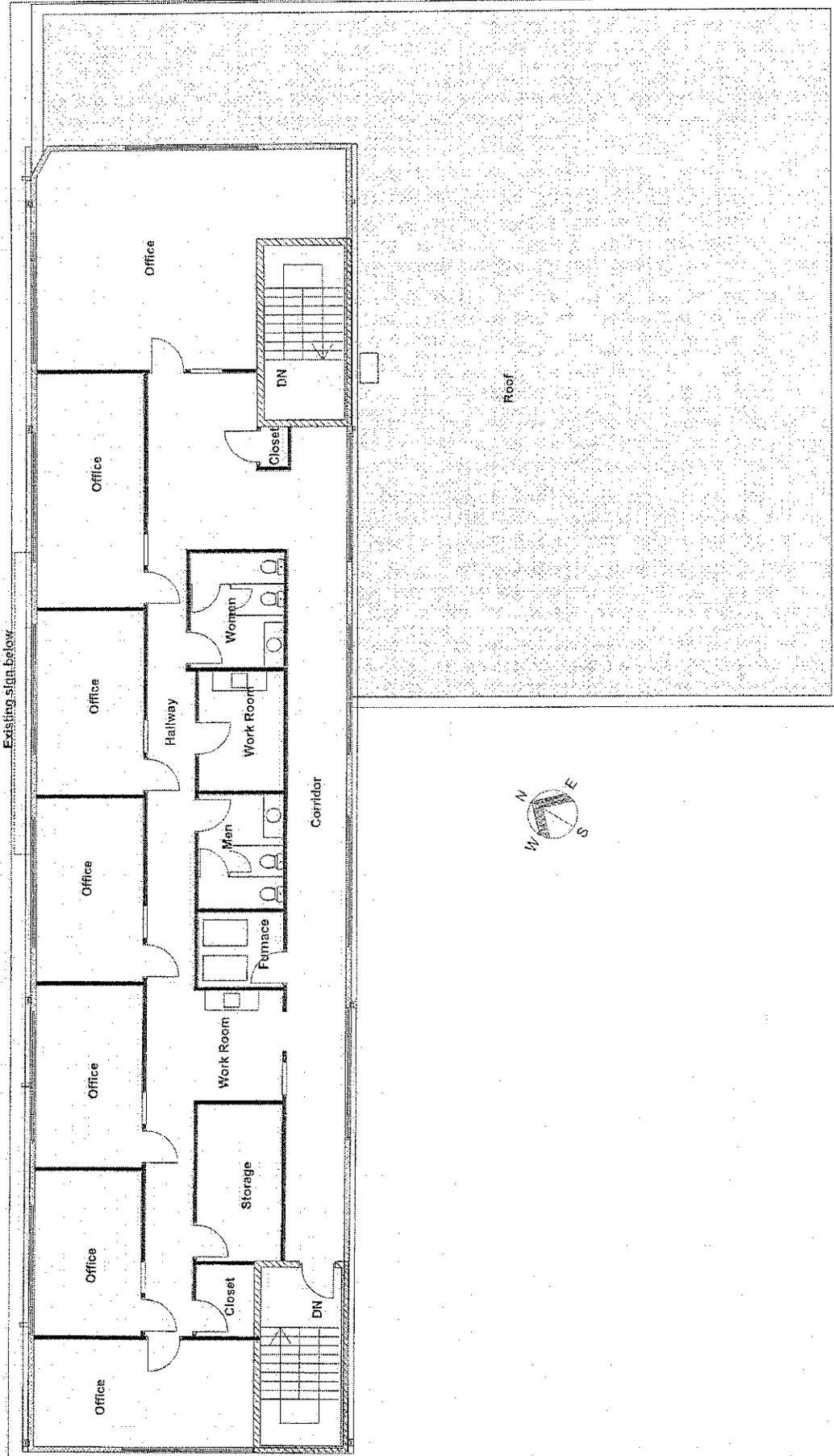
Owner/Developer: David Ausloos
 Scrub Plus LLC
 P.O. Box 57
 Elm Grove, WI 53122

BY REVISIONS

RENNER
 ARCHITECTS

3 Maple Avenue
 Elm Grove, WI 53122
 TEL: 262.237.2337
 FAX: 262.237.0507
 WWW.RENNERARCHITECTS.COM

- 1. SECTION WALL
- 2. CEILING
- 3. FLOOR
- 4. DOOR
- 5. WINDOW
- 6. STAIR
- 7. ELEVATOR
- 8. MECHANICAL EQUIPMENT
- 9. ELECTRICAL EQUIPMENT
- 10. PLUMBING EQUIPMENT
- 11. GAS EQUIPMENT
- 12. OIL EQUIPMENT
- 13. VENT
- 14. MAN HOLE
- 15. HOSE CONNECTION
- 16. ALARM
- 17. OIL CHANGE BAY
- 18. OFFICE
- 19. FILTER STORAGE
- 20. ADDITIVE STORAGE
- 21. MEN'S ROOM
- 22. WOMEN'S ROOM
- 23. VESTIBULE
- 24. WASH CASHER
- 25. CONVEYOR
- 26. EQUIPMENT ROOM
- 27. ELECTRIC SERVICE



Upper Floor Plan

Scale: 1/4" = 1'-0"
 Date: 5-18-12
 Job #: 0704.00
 Sheet: 001

David Avisboos
 Scrub Plus LLC
 P.O. Box 57
 Elm Grove, WI 53122

Owner/Developer:

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R E N N E R
Architects

BY	REVISIONS

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

Meeting of July 5, 2012

Planned Development District Amendment

RECOMMENDATION: City Development Staff recommends approval of the proposed Planned Development District Amendment as a Minor Amendment for proposed building and site modifications for Scrub Plus RA, LLC, subject to the conditions of approval in attached draft ordinance.

Project Name:	Scrub Plus Wash & Lube PDD Amendment
Project Address:	7700 West Rawson Avenue
Applicant:	David Ausloos, Scrub Plus RA, LLC
Property Owner:	People's Choice Corporation
Current Zoning:	Planned Development District (PDD) No. 34
2025 Comprehensive Plan:	Commercial
Use of Surrounding Properties:	Loomis Road (Milwaukee County) to the north and west, gas station to the east and a bank to the south
Applicant's Action Requested:	Recommendation to the Common Council for approval of the proposed Planned Development District Amendment.

Please note:

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

BACKGROUND & INTRODUCTION:

On August 5, 2008, the Common Council adopted Ordinance No. 2008-1951 establishing Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial) and Resolution No. 2008-6467 approving a two lot Certified Survey Map (CSM) for the development of a 99 room, five-story Hampton Inn and Suites Hotel. The Common Council approved a time extension of the CSM on July 7, 2009, by Resolution No. 2009-6572. However, the 180-day time limit for recording the CSM expired on January 7, 2010. The Hampton Inn & Suites Hotel has not yet been developed, the CSM has not yet been recorded with Milwaukee County, and the car wash and quick lube building (referred to as car care center in Ordinance No. 2208-1951) is currently vacant.

A Concept Review for the Scrub Plus Wash and Lube took place at the June 4, 2012, Committee of the Whole meeting.

On June 1, 2012, Mr. David Ausloos of Scrub Plus RA, LLC, submitted an application for a Planned Development District (PDD) Amendment. The amendment proposes building and site

modifications to the former People's Choice car care center upon property located at 7700 West Rawson Avenue.

The applicant is requesting, with agreement from the Department of City Development staff, that the Plan Commission and Common Council determine the proposed amendment to be a Minor Amendment. To expedite the process, the applicant has paid the Minor Amendment Application fee of \$500. (Major PDD Amendments require a public hearing and a \$3,500 fee as opposed to a \$500 fee). Major PDD Amendments are typically reserved for changes to the exterior boundaries of a PDD, changes to uses and changes to street layouts.

PROJECT DESCRIPTION & ANALYSIS:

Site Plan and Architecture:

The applicant has submitted Site Plans for two (2) phases. Phase 1 contemplates the applicant's proposed redevelopment of the existing car care center into the proposed Scrub Plus Wash and Lube. Phase 2 contemplates the future development of the hotel on the adjacent property.

As part of Phase 1, the applicant is proposing changes to the existing carwash building including the addition of a tower feature (with an E.I.F.S. finish) on the west end of the carwash bay; new glass and aluminum overhead doors; new copper color metal roofs over the tower feature and over the quick lube portion of the building; new asphalt shingles over the car wash portion of the building; new cupolas; painting the existing concrete block and E.I.F.S. a medium taupe and light taupe color respectively; a new concrete block vacuum enclosure; and new red awnings. Staff suggests the use of a third, high quality building material such as stone, slate or tile, to accent the proposed tower feature. Such accent materials would not be necessary on all four sides of the tower.

Proposed site changes for Phase 1 include a new free vacuum area, new internal directional signage including painted directional arrows on the parking lot surface, a new concrete median divider for the east driveway, and a relocated handicap accessible parking stall. The east driveway has been changed from ingress only to ingress and egress. The applicant is proposing this change to accommodate a change to the internal traffic pattern of the site. Specifically, patrons exiting the carwash may now make a left turn, proceed to the free vacuum area, and subsequently exit the site via the east driveway. The west driveway will remain an exit only and will be signed accordingly.

Parking:

The UDO requires the carwash, quick lube and office uses associated with the existing car care center building to provide nineteen (19) off-street parking spaces. The applicant is currently proposing twenty (20) off-street parking spaces for Phase I, which includes one (1) off-street handicap accessible parking space.

The proposed Site Plan for Phase 2 indicates 148 off-street parking stalls for both the hotel and car care center, which excludes the fourteen (14) proposed vacuum stalls for the car care center. This represents thirteen (13) fewer parking spaces, or an approximately 8% decrease in the total

number of off-street parking stalls from the previous hotel approval. In 2008, Planned Development District (PDD) No. 34 uses (hotel and car care center) received approval for a total of 161 off-street parking spaces. At the time this was an approximately 23% decrease from the 209 UDO required off-street parking spaces.

The Hampton Inn & Suites was approved as a limited service, mid-priced, 99 room, and five-story hotel. The approved hotel building included a business center, exercise area, swimming pool, hot tub and a 2,500 square foot meeting area, which could be divided up into smaller rooms if necessary. People's Choice Corporation indicated a minimum of 30% of users of the meeting room must be registered guests of the hotel, and indicated that the hotel is expected to be typically about 70% full. Both of the applicant's assumptions were factored into parking considerations at the time.

In 2011, Ordinance No. 2001-2043 amended Section 15-5.0203 and Table 15-5.0203 of the UDO by reducing minimum off-street parking requirements and addressing on-site queuing requirements. Hotels are now required to provide 1 space per guest room (In suite, each bedroom shall constitute a separate guest room) plus 1 space per 30 sq. ft. of assembly room, plus 1 space per 500 sq. ft. of accessory commercial space. Based on the new parking standards the hotel would be required to provide 99 spaces for the hotel rooms and 83 spaces for the meeting area for a total of 182 parking spaces. Once the required spaces for the car care center are added the total required parking for the PDD would be 201 spaces.

It is important to note that the amount of parking provided for this Planned Development District (PDD) remains a concern of staff. As such, staff suggests further study of the parking needs of the entire PDD as soon as possible, preferably prior to commencement of the proposed hotel development.

Landscaping and Landscape Surface Ratio (LSR):

The UDO required nineteen (19) off-street parking spaces are subject to the minimum required five (5) plant units of each planting type (Canopy/Shade, Decorative, Evergreens, and Shrubs). The applicant is proposing 6 canopy trees, 23 evergreens, 4 decorative trees, and 12 shrubs. Please note the applicant has substituted one (1) decorative tree with a canopy tree, which is allowed per the UDO. In addition to the above-mentioned plantings, the applicant is also proposing 94 perennials, 24 grass plantings, and 29 groundcover/vine plantings. Overall, the applicant is proposing 192 plantings for Phase I compared to 59 Plantings which was previously approved as part of the hotel's Landscape Plan. Staff recommends a revised Landscape Plan to show the correct total number of planting units proposed and existing on the site be submitted to the Department of City Development for review and approval prior to issuance of an occupancy permit.

The applicant is proposing six (6) canopy trees (Armstrong Maple, Acer frermanii), and a portion of the planting bed associated with the proposed monument sign (containing an evergreen shrub and perennials) within the West Rawson Avenue Right-of-Way. Staff recommends approval of the Landscape Plan be subject to written approval from Milwaukee County for any plantings located within the West Rawson Avenue Right-of-Way.

Planned Development District No. 34 was originally approved with a Landscape Surface Ratio (LSR) of 0.43. The applicant has indicated the Scrub Plus Wash and Lube will provide an LSR of 0.12, which is consistent with the current LSR of the car wash property. Staff suggests any approval be conditioned on the applicant submitting a revised Site Plan for Phase 2 which includes a Landscape Surface Ratio calculation for both properties within Planned Development District No. 34.

Snow Storage Plan:

The applicant has submitted a snow storage plan, which indicates a snow storage area along the north property boundary on existing turf lawn green space. Staff suggests a revised snow storage plan for Phase 2 be submitted to the Department of City Development for review and approval prior to construction of the hotel.

Natural Resource Protection Plan:

When Planned Development District No. 34 was first proposed, People's Choice Corporation submitted a letter dated August 6, 2007 from Natural Resources Consulting, Inc. stating that there were no natural resources located within the subject property boundary.

Lighting:

The applicant has submitted a preliminary lighting plan, which proposes L.E.D., cut-off, wall pack lights and pole mounted, and roof mounted floodlights, which according to the applicant will be different from the decorative lighting approved by Ordinance No. 2008-1951. The applicant has not yet provided cut sheets, or a photometric data test report, which indicates illumination levels in footcandles at the property boundaries. Staff recommends the applicant submit a detailed Lighting Plan which meets all of the requirements set forth in Division 15-5.0400 of the Unified Development Ordinance to the Department of City Development for review and approval prior to issuance of a building permit.

Stormwater Management:

The hotel development originally proposed two underground storage tanks for stormwater management, which received preliminary approval from the City's stormwater review consultants. At the time, final approval was contingent on submission of a maintenance plan and demonstrating that the storm sewer system, including the manhole at the rear of the building, was correctly sized for the 100-year storm event. The applicant is not proposing any changes to the original Stormwater Management Plan submitted by People's Choice Corporation. However, the applicant is proposing two new curb inlets to promote site drainage towards an existing curb inlet located along West Rawson Avenue. Please see the Site Grading Plan for details.

Signage:

The applicant has included two signs on the building elevations submitted. One located on the front of the car wash adjacent to West Rawson Avenue and a second sign on the south elevation of the quick lube visible from West Rawson Avenue. The applicant is also proposing a monument sign adjacent to West Rawson Avenue near the east driveway. The proposed

monument sign contains an electronic message board that appears capable of presenting images as well as scrolling text.

Please note that all signage is subject to review and approval by the Architectural Review Board and issuance of a Sign Permit from the Building Inspection Department. All signage shown on the plans including the monument sign shown on the site plan and landscape plan and wall signs shown on the architectural elevations and renderings are shown for reference only. Approval of this Site Plan does not provide approval of any signage as depicted in the plans submitted by the applicant.

PDD Ordinance:

PDD No. 34 originally contemplated the development of a hotel, followed by either the redevelopment or removal of the existing car care center. In reality, a proposed redevelopment of the car care center has preceded the development of the hotel. Therefore, the applicant has proposed changes Ordinance No. 2008-1951, which reflect the building and site modifications necessary for the proposed Scrub Plus Wash and Lube. The most significant change proposed by the applicant is to strike Section 15-3.0439G. of the ordinance, which would have required the car care center to be remodeled to be complimentary to the hotel design and architecture or razed and removed two years after the date of issuance of an occupancy permit for the hotel. The applicant does not want their improvements to be potentially scrutinized if the hotel is developed and they absolutely do not want to be forced to raze the car care center after making a significant investment redeveloping it.

Certified Survey Map:

On August 5, 2008, the Common Council adopted Resolution No. 2008-6467 approving a two lot Certified Survey Map (CSM) for the development of a 99 room, five-story Hampton Inn and Suites Hotel. The Common Council reapproved the CSM on July 7, 2009, by Resolution No. 2009-6572. The 180 day (6 month) time extension granted by Resolution No. 2009-6572 expired on January 7, 2010. The original Certified Survey Map (CSM) increased the size of the parcel where the hotel was to be located. The car care center was to remain a separate lot (Parcel 3 of CSM #6017). The hotel will be located on Lot 1, which is 92,692 square feet or 2.13 acres. Mr. Ausloos cannot purchase the property located at 7700 West Rawson Avenue from People's Choice Corporation until a CSM is approved by the City of Franklin Common Council and recorded with the Milwaukee County Register of Deeds Office. The applicant has submitted a draft Certified Survey Map to the City of Franklin Department of City Development for review and approval. Staff recommends the applicant submit a two-lot Certified Survey Map for Planned Development District No. 34 for review and approval by City staff and the City of Franklin Common Council and recorded with the Milwaukee County Register of Deeds Office, prior to issuance of a building permit.

Cross-Access Easement Agreement:

Cross-access easements will be utilized between the retail spaces and 7-Eleven gas station to the east of the proposed Scrub Plus Wash and Lube and between the Hampton Inn and Suites Hotel and the proposed Scrub Plus Wash and Lube. The original hotel approval also included a shared access drive between the gas station and hotel off South 76th Street. Staff recommends the applicant submit separate written cross-access easement documents to be reviewed by

Department of City Development and Engineering Staff and the City Attorney and approved by the City of Franklin Common Council prior to issuance of a building permit.

Sanitary Sewer and Water Main Easement:

Sanitary Sewer and Water Main easements will be utilized to grant the hotel the right to install a water main and sanitary sewer line through the Scrub Plus Wash and Lube property. Staff recommends the applicant submit separate written sanitary sewer and Water Main easement documents to be reviewed by Engineering Staff and the City Attorney and approved by the City of Franklin Common Council prior to issuance of a building permit.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the Planned Development District Amendment subject to the following conditions not being met.

1. Staff recommends a revised Landscape Plan to show the correct total number of planting units proposed and existing on the site be submitted to the Department of City Development for review and approval prior to issuance of an occupancy permit.
2. Staff recommends approval of the Landscape Plan be subject to written approval from Milwaukee County for any plantings located within the West Rawson Avenue Right-of-Way.
3. Staff recommends the applicant submit a detailed Lighting Plan which meets all of the requirements set forth in Division 15-5.0400 of the Unified Development Ordinance to the Department of City Development for review and approval prior to issuance of a building permit.
4. Staff recommends the applicant submit a two-lot Certified Survey Map for Planned Development District No. 34 for review and approval by City staff and the City of Franklin Common Council and recorded with the Milwaukee County Register of Deeds Office, prior to issuance of a building permit.
5. Staff recommends the applicant submit separate written cross-access easement documents to be reviewed by Department of City Development and Engineering Staff and the City Attorney and approved by the City of Franklin Common Council prior to issuance of a building permit.
6. Staff recommends the applicant submit separate written sanitary sewer and Water Main easement documents to be reviewed by Engineering Staff and the City Attorney and approved by the City of Franklin Common Council prior to issuance of a building permit.

In addition, below is a summary of Staff suggestions.

1. Staff suggests the use of a third, high quality building material such as stone, slate or tile, to accent the proposed tower feature. Such accent materials would not be necessary on all four sides of the tower.

2. Staff suggests further study of the parking needs of the entire PDD as soon as possible, preferably prior to commencement of the proposed hotel development.
3. Staff suggests any approval be conditioned on the applicant submitting a revised Site Plan for Phase 2 which includes a Landscape Surface Ratio calculation for both properties within Planned Development District No. 34.
4. Staff suggests a revised snow storage plan for Phase 2 be submitted to the Department of City Development for review and approval prior to construction of the hotel.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">07/10/12</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR PROPERTY LOCATED AT THE EASTERN CORNER OF WEST LOOMIS ROAD AND WEST ST. MARTINS ROAD (STH 100), FROM MIXED USE TO COMMERCIAL USE AND TO CHANGE THE CITY OF FRANKLIN CROSSROADS TRADE AREA REGULATING PLAN TO ALLOW FOR SUCH COMMERCIAL USE (APPROXIMATELY 29.48 ACRES) (DAVID W. BEHRENS, PRINCIPAL OF GREENBERGFARROW ARCHITECTURE INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.4.</i></p>

At their meeting on July 5, 2012, the Plan Commission recommended that no action be taken on this matter, as the Plan Commission acted to continue the public hearings held on related matters to their next regularly scheduled meeting of July 19, 2012, in order to allow the public more time to review and comment on these matters.

As such, Planning Department staff recommends that upon conclusion of the public hearing on the amendment of the Comprehensive Master Plan, that the Common Council undertake the action noted below.

COUNCIL ACTION REQUESTED

A motion to postpone to the next regularly scheduled meeting of the Common Council of July 24, 2012, adoption of an Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at the eastern corner of West Loomis Road and West St. Martins Road (STJ 100), from mixed use to commercial use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such commercial use pursuant to Wisconsin State Statute 66.1001(4)(B).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2012-_____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR PROPERTY LOCATED AT THE EASTERN CORNER OF WEST LOOMIS ROAD AND WEST ST. MARTINS ROAD (STH 100), FROM MIXED USE TO COMMERCIAL USE AND TO CHANGE THE CITY OF FRANKLIN CROSSROADS TRADE AREA REGULATING PLAN TO ALLOW FOR SUCH COMMERCIAL USE
(APPROXIMATELY 29.48 ACRES)
(DAVID W. BEHRENS, PRINCIPAL OF GREENBERGFARROW ARCHITECTURE INC., APPLICANT)

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

WHEREAS, David W. Behrens, Principal of GreenbergFarrow Architecture Inc. has applied for an amendment to the Comprehensive Master Plan to change the proposed use of certain property from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such Commercial Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on July 5, 2012, 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 Future Land Use Map use designation for property located at the eastern corner of West Loomis Road and West St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such Commercial Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on July 10, 2012; 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 Future Land Use Map use designation for the property located at approximately the eastern corner of West Loomis Road and West St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such Commercial Use. Such

property is more particularly described within Ordinance No. 2012-____ of even-date herewith.

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2012, 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 _____, 2012.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

21 South Evergreen Avenue
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Arlington Heights, IL 60005
t: 847 788 9200
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GreenbergFarrow

ATLANTA
NEW YORK
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LOS ANGELES
NEW JERSEY
BOSTON
DALLAS
PHOENIX
FRESNO
COLUMBUS

Franklin

JUN 25 2012

City Development

Memorandum

June 25, 2012

To Nick Fuchs
Planner II
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132
(414) 425-4024

Project Meijer Franklin, WI
Project # 20110526.0
From David Behrens, GreenbergFarrow
Re Project Narrative
Copies



Meijer, Inc.

2929 Walker Ave. NW
Grand Rapids, MI 49544

**Project Narrative for the Northeast Corner of St. Martins Road (STH 100), Loomis Road (STH 36)
and Puetz Road**

May 25, 2012

This document is being submitted on behalf of Meijer, Inc. (the "Applicant") in connection with the redevelopment of approximately 29.48 acres of land consisting of eight (8) parcels at the northeast corner of West St. Martins Road (STH 100), West Loomis Road (STH 36) and West Puetz Road (the "Site") in the City of Franklin (the "City").

Meijer proposes to construct and operate a 191,352 square foot grocery and retail facility with an associated parking field (the "Project") at the Site. The Project will include site lighting, landscaping and stormwater facilities.

The following materials are being filed together with the associated application documents:

1. Comprehensive Master Plan Amendment Application;

2. Planned Development District Application, including a Major Planned Development District Amendment (PDD No. 31 Boundary Modification);
3. Unified Development Ordinance Text Amendment Application;
4. Natural Resource Special Exception Application; and
5. Certified Survey Map Application.

Each of the foregoing applications requires a Project Narrative setting forth a detailed description of the Project, as well as other information relevant to the particular application. Meijer is submitting this master Project Narrative to address all of the requirements of the various applications.

I. **Applicant Information**

In 1934, a modest local barber in Greenville, Michigan, had a need and saw an opportunity. In an effort to take care of the customers who visited his barbershop, Hendrik Meijer purchased \$328.76 worth of merchandise on credit. Together with his 14-year-old son, Fred, they opened the North Side Grocery. As the customer base grew, Meijer sought ways to cater to his growing popularity by being one of the first to use mass marketing techniques (newspaper ads), automatic conveyor belts and metal shopping carts. These innovations led Meijer to develop the concept of a one stop store where customers were able to purchase groceries and general merchandise in a convenient and easy "one" shopping trip experience. This notion paved the way for the familiar "One Stop" supercenter shopping concept that is prevalent today.

A. ***Meijer as a Company***

Meijer, now based in Grand Rapids, Michigan, remains a family owned and operated business. Meijer currently operates nearly 200 supercenters and grocery stores throughout Michigan, Ohio, Indiana, Illinois and Kentucky. Meijer stores have evolved through the years and include fresh produce and meat departments, as well as pharmacies, electronics departments, garden centers, general merchandise and apparel. Unlike its competitors, Meijer has strong history in the grocery business and is well known for its perishables, commitment to quality and everyday low prices.

During this tough economy, people not only need to save time, they need to save money. At Meijer consumers will find the largest selection, at higher standards and for incredible values. The high standards carry through from the customer service in its stores to the quality of the merchandise itself. As a result, Meijer has been recognized in an article published in *Forbes Magazine* as one of the Top 30 most reputable companies in the world.

B. ***Commitment to Community***

Meijer is committed to serve the communities where its customers and team members work and live. In fact, each year Meijer donates more than 6% of its net profits to charity. While Meijer donates to thousands of charitable organizations throughout the year, helping fight hunger has been a primary focus. Meijer has addressed hunger relief through a variety of philanthropic efforts including its "Simply Give" food pantry donation program, which has helped raise more than \$3 million for local food pantries during the last few years.

C. Supporting Local Farms

Meijer is the largest purchaser of local produce in the markets we serve. Buying local allows Meijer to support local economies while providing fresher and more affordable products.

D. Conservation/Preservation

In 1994, Fred Meijer made a landmark donation of \$265,000 to help purchase an abandoned rail line in Greenville, Michigan. This would become the Fred Meijer Heartland Trail that stretched more than 41 miles. Meijer continues to donate funds to preserve existing trails, and create new sanctuaries.

E. Sustainability

Meijer is a retail leader in the industry by promoting strong sustainable business practices and green choices:

- Meijer has been recognized by the USEPA as a SmartWay award winner for advancements in transportation efficiency.
- Meijer is currently testing wind turbines at several locations. Understanding and recognizing the use of wind as a renewable power source can lead to the reduction of our carbon footprint.
- As of 2008, Meijer is constructing all new stores consistent with LEED (Leadership in Energy and Environmental Design).
- Meijer strives and seeks out new ways to reduce energy use through innovative store designs. Whether it is changing the lighting in all stores to highly efficient fluorescent fixtures or the installation of high efficiency motors and improved ventilation equipment, Meijer is continually working towards reducing its carbon footprint.
- In 2010, Meijer unveiled a pilot program and installed electric vehicle charging stations at three of its Michigan stores.
- In 2012, Meijer unveiled a broad seafood sustainability program, working with its suppliers and several Non-Governmental Organizations to ensure the seafood we sell is caught and farmed in the most environmentally responsible manner.
- Meijer has partnered with the Nature Conservancy to teach and help consumers choose non-invasive plant products that are best suited for backyards in the Midwest.

II. Project Details

In the City, Meijer proposes to construct and operate a 191,352 square foot retail store with over 40 departments including grocery, health and beauty care, fashion, automotive, home decor, pharmacy (in-store and drive-thru facilities), electronics, pets, a garden center and more.

Meijer's Project and operational details are as follows:

A. *Hours of Operation*

The store will be open 24/7 with the exception of Christmas Day. Meijer's hours recognize that no two people operate on the same schedule and our founding family's dedication to customer service means that we want to be there (and open) for our customers whenever they need us.

Despite being open 24 hours, Meijer closes certain departments for periods of time including:

1. Garden Center
2. Drive-Thru Pharmacy
3. Alcohol Sales (prohibited between 9:00 p.m. and 8:00 a.m. pursuant to § 158-8.C., Code of the City of Franklin)

B. *Employees (full and part-time).*

Staffing is estimated to include both full and part-time employees and will require a variety of skills and management experience. Meijer promotes hiring from within the community and it will offer opportunities in a variety of departments, during several different shifts and on a full or part time basis.

The store will employ between 200-250 total employees.

Construction employment related to the Project will involve several hundred individuals from various segments of the construction industry over 10 to 12 months.

C. *Security.*

Meijer takes a proactive approach to its store and site security. By being open 24/7, Meijer employees always have a presence in the area. The Site will have interior and exterior security cameras. Meijer also utilizes a loss prevention team. All store security personnel are trained to protect the customers and employees first followed by the store and its merchandise. Additionally, the staff is trained to cooperate with the Franklin Police Department at all times.

D. *Deliveries to Site.*

Deliveries will occur on a daily basis to maintain the store's inventory as needed. Meijer's distribution needs typically require one to three (1-3) Meijer semi-truck deliveries per day and with increased frequency during the holiday season. Other prearranged and authorized third-party vendor deliveries – generally related to the grocery store – will occur daily.

All deliveries will occur at the 6-bay loading dock at the northeast corner of the building. See Site Plan. The loading dock is designed to enable all delivery vehicles – including semi-trucks – to turn around and enter and exit from the same location. The location of the loading dock is situated away from the existing residential uses near the Site and more than 160 feet from the east property line. See Site Plan. The loading dock will be screened.

Delivery vehicles will utilize the fully-signalized Loomis Road intersection and proceed to the loading dock without entering the customer vehicle parking field. "No Trucks" signage will be posted at the drive behind the store and at the Puetz Road intersection.

E. Building and Building Materials.

The proposed retail store will be in the format of a single 191,352 square foot building on approximately 29.48 acres of land. See Site Plan. However, the building will be anything but a single-purpose entity. Inside, the store will have over 40 departments offering a wide variety of goods and services.

Outside, the building will be constructed with a steel frame and precast concrete walls. A buff colored brick will be cast into the panels for the main wall field with a darker brown brick cast in for wall accents, at the building base at the rear and for pilaster elements on all sides.

In addition, a stone veneer will be used at the building base along the front and portions of the sides as well as on some accent pilaster elements and the canopy/trellis columns. The entry canopy and trellis elements are proposed to be structural steel – highlighted in Meijer's corporate blue color for the entries and almond for the trellis features. The building walls, towers and pilaster elements will be capped with stepped decorative metal cornices also highlighted in blue at the entry towers and almond elsewhere.

These canopy, trellis and tower elements serve to give the building a varied look which thereby avoids presenting a single, big box presence.

F. Exterior Signage.

The proposed signs include monument signs, wall signs and directional signage. See Site Plan and Building Elevations.

G. Lighting Plan.

The proposed lighting plan will involve up-lights on the building to reveal the architectural features. The parking lot will include cutoff fixtures designed to prevent light escape from the Site. See Building Elevations and Outdoor Lighting Plan. Inside the store, the lighting will be state-of-the-art, highly efficient fluorescent fixtures.

H. Site and Landscaping Plan

The Site will be completely relandscaped with approximately a 61% landscaping ratio which exceeds the zoning code requirement of 40%. See Site Plan and Landscape Plan. Meijer will install finish landscaping at the front and sides of the store. Berms and buffers will be installed to absorb sound and vehicle headlights. See Site Plan.

The stormwater detention pond beside the Loomis Road intersection will be designed to enhance the water quality at discharge and will be surrounded by landscaped amenities. Similarly, a signature landscaped amenity will be established at the northeast corner of Loomis Road and St. Martins Road. See Site Plan.

I. Traffic and Parking Lot Plan

At the north end of the Site on Loomis Road (STH 36), Meijer proposes to construct a full access, signal-controlled intersection with one inbound lane and two outbound lanes

On St. Martins Road (STH 100), Meijer proposes a right-in, right-out driveway.

On Puetz Road, Meijer proposes a full access intersection with one inbound lane and two (2) outbound lanes. This access point is located in alignment with the Garden Center. The Puetz Road and St. Martins intersection will be reconfigured and realigned in order to form a more square intersection.

The Meijer parking lot will be designed for a total of 703, vehicles which includes 28 handicapped stalls.

J. *Estimated Project Costs and Fiscal Impact.*

Meijer estimates that the total project costs to construct and open the store will be a minimum of \$15,000,000.

III. Comprehensive Master Plan Amendment Request

Meijer requests a Comprehensive Master Plan ("CMP") Amendment to enable it to construct the grocery and retail facility proposed herein. The current CMP is the City of Franklin Crossroads Trade Area Regulating Plan (the "Crossroads Plan"). The City hired Planning & Design Institute, Inc., a local planning consultant, to draft the Crossroads Plan. The Crossroads Plan was approved in November, 2004.

As can be seen from the Crossroads area today, only limited development has occurred, particularly in Quadrant C, which has included some deviations from the Crossroads Plan. Importantly, no redevelopment has occurred in the past 8 years at the Loomis/St. Martins intersection corners in Quadrants A, B and D. Of course, during the past 8 years, the world economy and local real estate market have gone from robust and expanding to contracting and stagnant. Despite these changes, the Crossroads Plan has not been amended to accommodate today's development opportunities which are significantly different than the types of projects proposed prior to the 2008 market implosion and subsequent recession.

While the Crossroads Plan has not been amended, the City reviewed this very issue several months ago. At its January 19, 2012 meeting, the Plan Commission formed consensus that:

"the Crossroads Trade Area Plan was a guideline and flexibility was needed for development potential within this area, and indicated that staff pursue informal discussion with Aldermen and Common Council for direction regarding building caps within this area.

Commissioner Bennett moved to direct staff to incorporate into the minutes the Plan Commissioner's comments following the Planning Manager's statement to that effect and as a guide which will include Mr. Ritter's recommendation that the plan is definitely a guide and that staff keep an open mind and work with potential new development because there are issues with the plan as discussed at the Plan Commission and that there are different and better forms of development which may not be addressed in this plan."

See January 19, 2012 Minutes, p. 2, ¶ C. The motion unanimously carried.

Thereafter, the City's Planning Manager prepared a memorandum dated February 2, 2012. The memorandum noted that "a number of issues have arisen since adoption of the Crossroads Trade Area Plan that will likely affect its implementation." It further reported that because of those changed circumstances, the Plan Commission unanimously recommended that the Crossroads Plan be considered a guide, that staff keep an open mind and work with potential new development, and that the best form of development today for the area may not be addressed in the Plan. See February 2, 2012 Memorandum from Joel Dietl.

The Common Council subsequently reviewed the Memorandum at its meeting on February 7, 2012. While a motion to amend the Memorandum with some additional information failed on a voice vote, no further action was taken and the Memorandum was effectively placed on file. See February 7, 2012 Minutes, p. 1, ¶ F.1.

Notwithstanding the review by the City earlier this year, the following 2004 Crossroads Plan guidelines are relevant to Meijer's proposal today and, where indicated, Meijer requests a CMP amendment:

A. The Plan illustrates the areas to be preserved and the buildable areas.

In the first paragraph on p. 2, the Crossroads Plan illustrates the preservation and buildable areas. However, as it relates to the Site, the Crossroads Plan depicts on pp. 2-5 that the significant wetlands were to be theoretically relocated to the property to the east. However, the City has previously approved PDD No. 31 (Forest Hill Highlands-United Financial Group, Inc.) for a 600+ unit senior housing development to the east of the Site, meaning the wetlands and waterways cannot be relocated. Because the Quadrant D preservation and buildable areas have already been revised, a formal amendment is required to accommodate this or any other development of the Site.

Further, as indicated by the Plan Commission action earlier this year, the Plan in general should be considered a guide and that there are different and better forms of development (such as the Project) which may not be addressed in the Plan.

B. The Plan illustrates the suggested site layout, building sizes, and densities. ... The buildings should be implemented approximately per their location on the approved plan.

In the second paragraph on p. 2, the Crossroads Plan suggests approximate site plans, building sizes and densities. These notions of suggestions and approximate locations are consistent with Chapter 66, Wisconsin Statutes, which provides that comprehensive plans serve as a guide to rezoning actions. The Plan Commission's action earlier this year and the subsequent staff Memorandum concur that the Plan in general should be considered "a guide."

Here, the City has already approved a large-scale development to the east of the Site precluding Meijer or any other owner of the Site from implementing the Quadrant D suggested plan because of the significant natural resources on the Site that can no longer be accommodated on property owned by United Financial Group. Further, the realities of today's real estate market and development opportunities present a chance for the City to amend the approximate building layout, sizes and densities from the Crossroads Plan in order to facilitate a project that is ready today. In other words, the City will not have to wait another 8 years (or more) to fulfill a 2004 vision that may never be realistic in light of the market changes of the past 5 years.

Finally, it must be noted that the Crossroads Plan acknowledges that it provides suggested and approximate locations and standards. With an overlay of the Project on Quadrant D, the core concepts suggested for approximate site plans, building sizes and densities are met inasmuch as Quadrant D contains a larger retail facility, a sizeable parking field and full-service access at Loomis Road and Puetz Road (including the realignment of the Puetz intersection as included by Meijer's plans).

In short, where the Crossroads Plan cannot under Chapter 66, and does not by its own text, require strict adherence to the layout, sizes and densities, Meijer's proposal satisfies these core concepts and a CMP amendment by the City is justified to enable this Project.

C. A mix of uses is recommended to create a "Village Center" character.

In the first paragraph on p. 3, the Crossroads Plan recommends a mix of uses to create a "Village Center" character. The Village Center is really centered at the greater Loomis/St. Martins intersection and the mixed use requirement does not apply to each quadrant as an independent node. Indeed, to do so would contradict the visionaries' goals because it would result in 4 separate Village Centers.

Because the Village Center concept applies to the entire Crossroads Area, the proposal for a single retail use in Quadrant D will not preclude the future mix of uses within the Village Center as envisioned by the Crossroads Plan. In short, Meijer actually establishes one of the uses for the future mix and we do not propose an amendment of the mixed use goals of the Crossroads Plan. Meijer's store is also one such "different and better form[] of development which may not be addressed in the plan."

However, to the extent an amendment is required, the transportation improvements facilitated by the

Project, the mitigation of the environmental impacts at the Site and the quality of the development (including the building design, landscape amenities and pedestrian connections) all provide the basis for justifying any necessary amendment from the mixed use guidance principle.

D. Shared parking at a ratio of 4 per 1,000 square feet is recommended.

In the first paragraph on p. 3, the Crossroads Plan recommends a shared parking concept for each quadrant at a standard of 4 spaces per 1,000 square feet. Meijer does not object to shared parking but as a single retail use, the shared parking concept is not applicable except as it relates to a store with over 40 departments all being served by one parking facility.

Further, Meijer's parking ratio of 3.7 spaces per 1,000 square feet is actually less than what is recommended by the Crossroads Plan and is intended to minimize a large front field of parking and to provide the store only with what is needed. As a result, Meijer generally satisfies these parking principles and we do not propose an amendment in this instance.

E. No 24 hour uses are permitted.

On p. 3, the Crossroads Plan states that 24 hour uses are not permitted. As described above, Meijer operates its stores 24/7 and we request an amendment of the Crossroads Plan on this score in order to allow a 24 hour use in Quadrant D.

The City knows well the realities of today's real estate market. The development opportunities which have been presented to the City in recent years are at a significantly different pace and format than what developers were proposing prior to 2008. Here, Meijer is proposing a multi-million dollar development in the form of a first-in-state retail store that operates 24 hours. Based upon the market changes since the 24 hour prohibition was created in 2004, the transportation improvements facilitated by the Project, the mitigation of the environmental impacts at the Site and the quality of the development (including the building design, landscape amenities and pedestrian connections), the City is justified in amending the Crossroads Plan to allow for 24 hour uses in Quadrant D.¹

Finally, the 24 hour restriction of the Plan must be considered a guide at this point and the City should review the Project with an open mind because the specifics of the Meijer proposal may not be addressed in the 2004 Plan.

F. Maximum tenant space allowed is 100,000 square feet.

On p. 3, the Crossroads Plan states that single tenant spaces larger than 100,000 square feet are not permitted. As described above, Meijer's prototype store is 191,352 square feet and we request an amendment of the Crossroads Plan on this score in order to allow such a store size in Quadrant D.²

The Plan Commission discussion on January 19th specifically addressed this point: staff should "pursue informal discussion with Aldermen and Common Council for direction regarding building caps within this area." Meijer has itself engaged in those informal discussions and taken the next steps to formalize them by virtue of our April 30th presentation to the Committee of the Whole, hosting the May 17th Neighborhood Meeting and Open House, and submitting the applications discussed herein.

For many of the same reasons already discussed, the time is right for the City to resolve the "issues with the plan" and consider what is a "different and better" form of development not envisioned by the Plan 8 years

¹ Importantly, the store features that might have an adverse impact on surrounding properties on a 24 hour basis actually have limited hours. Neither the Garden Center nor pharmacy drive-thru are open 24 hours.

² An amendment to the Unified Development Ordinance, Ordinance No. 2004-1803, limiting the size of retail and commercial buildings, is also required as discussed below.

ago. Where flexibility is needed and the Plan should be considered a guide, the specific proposal for a Meijer store on the Site in Quadrant D can be approved with a narrowly-construed amendment to the CMP to allow for stores up to 192,000 square feet in Quadrant D.

G. Loading areas should be screened with landscaping and/or fencing.

On p. 3, the Crossroads Plan recommends that loading areas be screened with landscaping and/or fencing. The Project includes screening of its loading docks such that Meijer generally satisfies this principle and we do not propose an amendment in this instance.

H. Drive-thru uses should be considered but circulation be integrated with the parking area or screened by landscaping.

On p. 3, the Crossroads Plan recommends that drive-thru uses should be considered but that the routing of vehicle circulation should be integrated within the parking area and not on the build-to line or that it be screened by landscaping. The Project includes a drive-thru for the pharmacy so the identified use is met and the circulation is not only within the Site and away from the build-to line, but landscaped berms will be created along Puetz and St. Martins Roads to form a buffer. Accordingly, Meijer generally satisfies this principle and we do not propose an amendment in this instance.

I. Four-sided architecture strongly preferred.

On p. 3, the Crossroads Plan identifies that it is "preferred" that four-sided architecture be implemented. As described above and depicted on the Building Elevations, the store will include buff colored brick for the main wall field with a darker brown brick cast in for wall accents as well as at the building base at the rear and for pilaster elements on all sides. This includes the rear of the building which faces to the east but is more than 160 feet from the property line with a natural wetlands habitat further providing a buffer. Where the store satisfies the preference for four-sided architecture, we do not propose an amendment in this instance.

J. Road Layout Recommendations.

On p. 4, the Crossroads Plan recommends that roads be located within 20 feet of the center lines as depicted in the Plan. It further identifies that primary access points should have traffic signals when warranted by a traffic impact study.

Along Puetz Road, the Project will include a site access point for local traffic in nearly the same location as depicted in the Plan. Further, the intersection of Puetz and St. Martins Roads is realigned and squared off for better and safer traffic flow. That realignment is accomplished by re-routing part of Puetz Road through land that is part of the Site and will be contributed by Meijer and dedicated as public right-of-way.

Due to Meijer's traffic impact analysis, a right-in-right-out access point on St. Martins Road is also proposed. That additional access point is not inconsistent with the Plan which, as indicated above, is to serve as a guide, especially where the additional access point will alleviate congestion at other intersections.

On Loomis Road, Meijer proposes a full access intersection with traffic signals as the warrants for signals will be met. The location of Meijer's proposed intersection, approximately 570 feet north of the Plan's recommended location, is generally consistent with the Plan given that it should be a guideline and that flexibility is needed for the development potential of the entire area. Considerations for the location proposed by Meijer include the formal wetlands delineation on the Site and the need to manage stormwater on site by virtue of a stormwater detention pond. Siting that pond in relation to the wetlands and the other development needs of the Project dictated the proposed location of the intersection. Further, being approximately one-quarter mile (1,320 ft.) from the intersection of Loomis and St. Martins Road, the new intersection's proposed location is in accordance with Wisconsin DOT preferences.

Finally, the proposed location farther to the north does not compromise the ability of the landowner on the west side of Loomis Road to undertake development in Quadrant A. The proposed location aligns directly with that owner's property and the internal Quadrant A road recommended by the Plan can be accomplished in nearly the same fashion in the slightly relocated route to the north; notably no specific development plan has been proposed for Quadrant A and when it is, the plan can be tailored accordingly.

Because the Plan's road layout and access points are simply recommendations and the Plan states that traffic signals be installed when warranted, the foregoing demonstrates that Meijer complies with the Plan. The City must have flexibility and use the Plan to serve as a guideline when faced with implementation in an actual development scenario. Accordingly, Meijer does not request an amendment to the Plan for the road layout recommendations and traffic signal requirements, but to the extent an amendment is required, the City will be justified in amending these principles of the Plan.

K. Street Sections and Landscaping.

On p. 5, the Crossroads Plan identifies that the street edges should be lined with landscaping. As described above and depicted on the Site Plan, Landscaping Plan and Perspectives, the Site will be landscaped as recommended by the Plan. Where the Project satisfies the street sections and landscaping recommendations, we do not propose an amendment in this instance.

L. Public Places and Landscaping.

On p. 7, the Crossroads Plan recommends that green spaces be created in Quadrant D and that stormwater be integrated with the development and serve as a feature where possible. As described above and depicted on the Site Plan and Landscaping Plan, the Site will include landscaping and it will manage its stormwater in a fashion that will be integrated with the Project and will be surrounded by landscaped amenities to serve as a feature amenity.

In addition, the Plan's suggestion for a plaza with outdoor seating (Plaza 2) is addressed with the provision of a signature landscaped amenity at the northeast corner of Loomis Road and St. Martins Road. See Site Plan.

Despite these features, the Project cannot completely adhere to the Plan in part because the City has previously approved PDD No. 31 for a senior housing development to the east of the Site meaning that the wetlands and waterways cannot be relocated and opportunities within Quadrant D for additional public places are limited.

Where the Plan serves as a guide for public places and landscaping features in Quadrant D, the Project satisfies these principles as described above and we do not propose an amendment in this instance.

M. Sidewalks and Paths.

On p. 8, the Crossroads Plan recommends sidewalks and pedestrian paths be established. In light of the delineated wetlands on the Site and the previously approved senior housing development, the best pedestrian connections to the Site are via the public sidewalks proposed along Loomis and St. Martins Roads. See Site Plan. If a sidewalk along Puetz Road is desired by the City, Meijer is willing to incorporate that into its plan. Accordingly, because the Project provides sidewalks in compliance with the Plan, we do not propose an amendment in this instance.

N. Comprehensive Master Plan Conclusion.

Generally Meijer's proposal is in compliance with the vision set forth in the Crossroads Plan. Additionally, given that the Crossroads Plan is to serve as a guide and flexibility must be allowed, the requested amendments should be granted to facilitate the Project.

IV. Planned Development District (PDD) Application

The preceding sections of this document are intended to serve as the Project Narrative for the Planned Development District (PDD) Application which also includes a Major PDD Amendment to PDD No. 31 (Boundary Modification). The major amendment is due to the necessary boundary change as it relates to the eastern portion of the Site that is currently part of PDD No. 31 (Forest Hill Highlands – United Financial Group, Inc.). The subject parcel, under contract to be owned by Meijer, is no longer owned by United Financial Group and is no longer a part of that development.

In addition, and as a result of the combination of the multiple parcels forming the Project, Meijer is applying to create a new PDD for the grocery and retail facility with an associated parking field development which will also allow for the uniformity and consistency in the zoning regulations and design standards.

V. Unified Development Ordinance (UDO) Text Amendment Application

The preceding sections of this document are intended to serve as the Project Narrative for the Unified Development Ordinance (UDO) Text Amendment Application. By way of background, at the same time as the Crossroads Plan was created and adopted, the City enacted Ordinance No. 2004-1803 limiting the size of individual commercial and retail buildings to 125,000 square feet. The size limitation applied to all City Zoning Districts, as well as Planned Development Districts and special use permits.

While the policymakers debated and imposed the size limitations back in 2004, many of the same reasons that provide the basis for the requested amendments to the Comprehensive Master Plan also establish the grounds to justify a narrow amendment to Ordinance No. 1803.

Meijer proposes that the City amend Ordinance No. 1803 as narrowly as possible such that the size limitations remain on the books and continue to be of uniform application but that the City may review proposed developments that exceed 125,000 square feet on a case-by-case basis.

To that end, Meijer proposes a UDO text amendment to Ordinance No. 1803 to simply remove the Planned Development District zoning category from the list of districts subject to the 125,000 square foot size limitation. In so doing, the City will not open the door to any other large format retail stores being a permitted use as a matter of right but rather, if others are proposed, the City can evaluate such a store as part of a Planned Development District as that use specifically relates to a particular site and a specific operator as well as all of the associated impacts related to the both aspects.

In other words, should the City amend the UDO to allow for large format retail stores and thereafter approve the proposed Meijer store of 191,352 square feet at the Site, it could well be that the City will not approve any other large retail stores in the future because no other proposal satisfies the Planned Development District requirements for a particular user at a particular site.

VI. Natural Resource Special Exception Application

The preceding sections of this document are intended to serve as the Project Narrative for the Natural Resources Special Exception (NRSE) Application, in addition to the Questionnaire answers and the Attachment to the Questionnaire.

With respect to the NRSE request, the Project is designated for commercial development by the Crossroads Plan. However, to accommodate actual development on the Site, the natural resource features have to be considered. Avoidance is always the preferred approach and Meijer considered numerous design iterations in an attempt to minimize the wetland impacts. As part of the design process Meijer decided to eliminate its fuel center which is typically a part of its projects, reduce the parking count to less than City requirements, incorporate retaining walls, loading dock redesign, design subsurface stormwater systems and incorporate a stormwater system that is conducive to recharging the present water ecosystem.

Meijer used the Crossroads Plan as a baseline and our chosen plan approaches enable us to minimize the number of impacts to be far less than those suggested by the vision development of the Crossroads Plan.

VII. Certified Survey Map (CSM) Application

Meijer is petitioning the City to allow for the creation of a single parcel through the Certified Survey Map (CSM) process for this development. The preceding sections of this document are intended to serve as the Project Narrative for the CSM Application on file.

VIII. Conclusion

On behalf of Meijer, we request that this submission be considered the Project Narrative for, and be made a part of, the Comprehensive Master Plan Amendment Application, Planned Development District Application, Unified Development Ordinance Text Amendment Application, Natural Resource Special Exception Application, and Certified Survey Map Application.

We further respectfully request that the applications be granted to approve the construction and operation of a 191,352 square foot grocery and retail facility with an associated parking field at the northeast corner of St. Martins Road, Loomis Road and West Puetz Road in the City of Franklin.

Respectfully Submitted,

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End of Memorandum

