

ORDINANCE NO. 2008- 1944

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE TEXT AT TABLE 15-3.0306C OL-2 GENERAL
BUSINESS OVERLAY DISTRICT DEVELOPMENT STANDARDS
TO ALLOW THE CONSIDERATION AND CALCULATION OF
SEPARATE BUT CONTIGUOUS RETAIL DEVELOPMENT
PARCELS AS ONE SITE TO MEET THE 35% MINIMUM
LANDSCAPE SURFACE RATIO
(EQUITABLE DEVELOPMENT, LLC, APPLICANT)

WHEREAS, Table 15-3.0306C OL-2 General Business Overlay District Development Standards of the Unified Development Ordinance provides in part for the minimum landscape surface ratio in the OL-2 General Business Overlay District; and

WHEREAS, the Common Council having considered the ongoing retail development within the City and proposals being considered which involve the assemblage of lands, multiple principal buildings on-site, the division of lands within a single development project, and the like, in relation to minimum landscape surface ratios for the B-2 General Business District and OL-2 General Business Overlay District and having determined to review the minimum landscape surface ratio regulations for the OL-2 General Business Overlay District, accordingly; and

WHEREAS, the Plan Commission having reviewed a text amendment application to allow for the consideration and calculation of separate but contiguous retail development parcels as one site to meet the 35% minimum landscape surface ratio and having held a public hearing on the proposal on the 8th day of May, 2008 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having determined that the ability to allow the consideration and calculation of separate but contiguous retail development parcels as one site to meet the 35% minimum landscape surface ratio within the OL-2 General Business Overlay District will serve to further orderly growth and development and 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: ~~Table 15-3.0306C OL-2 General Business Overlay District~~
Development Standards, of the Unified Development Ordinance of the

Municipal Code of the City of Franklin, Wisconsin, is hereby amended to create a footnote "(d)", to read as follows: "(d) Upon application therefore, the Plan Commission may allow and grant approval of a multiple principal building retail development minimum landscape surface ratio calculation which considers separate but contiguous parcels as one development site. Landscape Surface Area must be distributed throughout the site, including a portion to be located within the front yard setback of the property and all landscape bufferyards requirements continue to be met. The Plan Commission shall consider the applicable standards for Site Plan, Special Use and Land Combination applications in making such determination. Upon any approval hereunder, the "one development site" with specified landscape surface distribution shall be shown on a deed restriction to be submitted by the applicant and approved by the City Engineer which shall be recorded with the Register of Deeds for Milwaukee County."

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.

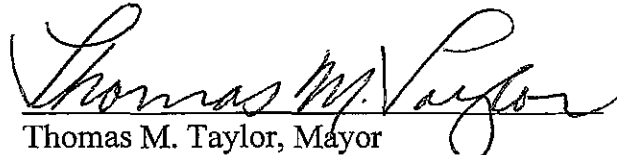
SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

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 20th day of May, 2008, by Alderman Sohns.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 20th day of May, 2008.

APPROVED:


Thomas M. Taylor, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0