

ORDINANCE NO. 2010- 2026

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
TEXT TO AMEND TABLE 15-3.0303 B-3 COMMUNITY BUSINESS DISTRICT
DEVELOPMENT STANDARDS TO ALLOW FOR REDUCED
OR NO BUILDING AND PARKING SETBACKS FROM INTERIOR LOT
LINES WHERE B-3 COMMUNITY BUSINESS DISTRICT PROPERTY ABUTS
B-3 COMMUNITY BUSINESS DISTRICT PROPERTY
(MERIDIAN FRANKLIN LLC, D/B/A TOLD DEVELOPMENT
COMPANY (WALGREENS), APPLICANT)

WHEREAS, the Common Council having considered future and existing retail development within the City and proposals 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 building and parking setbacks from interior lot lines for the B-3 Community Business District, and having determined to review the building and parking setbacks from interior lot lines for the B-3 Community Business District, accordingly; and

WHEREAS, the Plan Commission having reviewed a text amendment application to amend Table 15-3.0303 B-3 Community Business District Development Standards to allow for reduced or no building and parking setbacks from interior lot lines where B-3 Community Business District property abuts B-3 Community Business District property, as part of applications for a new Walgreens pharmacy retail development, and having held a public hearing on the proposal on the 7th day of October, 2010, and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having determined that the amendment of the B-3 Community Business District Development Standards to allow for reduced or no building and parking setbacks from interior lot lines where B-3 Community Business District property abuts B-3 Community Business District property 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 15-3.0303 B-3 Community Business District Development Standards of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to add the following to the existing text under the "Lot Dimensional Requirements" category:

"Minimum Parking and Driveway Setback (feet)

10(d)"

- SECTION 2: Table 15-3.0303 B-3 Community Business District Development Standards of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to add the additional footnote reference "(d)" to the existing text under the "Lot Dimensional Requirements" category for the "Minimum Side Yard (feet) 10(b)" and the "Minimum Rear Yard (feet) 20(b)" Standards only.
- SECTION 3: Table 15-3.0303 B-3 Community Business District Development Standards of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to create footnote "(d)", as follows: "(d) Upon approval of site plans, the Plan Commission may waive the minimum setback for side yard, rear yard and parking and driveway setbacks, from the interior lot line of a property zoned B-3 Community Business District when abutting another property zoned B-3 Community Business District. The Plan Commission shall consider the applicable standards for Site Plan, Special Use and Land Combination applications in making such determination."
- SECTION 4: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.
- SECTION 5: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.
- SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 19th day of October, 2010, by Alderman Schmidt.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 19th day of October, 2010.

APPROVED:


Thomas M. Taylor, Mayor

ORDINANCE NO. 2010- 2026

Page 3

ATTEST:

Sandra L. Wesolowski
Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0

