

ORDINANCE NO. 2016-2223

AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED
DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT
DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB), SECTION 2., TO ADD
SELF-STORAGE AS AN ALLOWED SPECIAL USE WITHIN THE EXISTING
BUILDING AT 6803, 6805 AND 6807 SOUTH 27TH STREET
(ADAM HIRD, MANAGING PARTNER OF HIGHLAND DEVELOPMENT
VENTURES, LLC, APPLICANT)

WHEREAS, §15-3.0418 of the Unified Development Ordinance provides for and regulates Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), same having been created by Ordinance No. 1989-1071 and later amended by Ordinance Nos. 1994-1313, 1995-1342, 2001-1645, 2002-1705, 2004-1814, 2008-1940, 2010-1995, 2013-2123 and 2016-2213, with such District primarily being located at the 6700 Block of South 27th Street; and

WHEREAS, Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) currently includes those lands legally described as follows:

Lot 1 of Certified Survey Map No. 6543, recorded on August 7, 1998, Reel 43667, Images 1756 to 1758 inclusive, as Document No. 7578744, as corrected by Affidavit of Correction recorded as Document No. 7724864, part of the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 1, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Southeast 1/4 of said Section 1; thence South 00°06'34" West along the east line of said Southeast 1/4, 401.22 feet; thence South 87°35'33" West, 84.53 feet to the west right of way line of South 27th Street - State Trunk Highway "241" and the northeast corner of Lot 1 of CSM 6543 and the point of beginning;

Thence South 00°52'38" East along the west right of way line of South 27th Street and the east line of said Lot 1 of CSM No. 6543, 258.33 feet; thence South 00°06'34" West along said east line of CSM No. 6543, 157.41 feet to the southeast corner of Lot 1 of said CSM No. 6543; the following 8 courses follow the boundary of said Lot 1; thence South 89°59'55" West, 503.59 feet; thence South 87°51'06" West, 755.75 feet; thence South 00°07'09" West, 531.71 feet; thence South 87°31'24" West, 531.35 feet; thence North 01°18'51" West, 661.78 feet; thence North 87°32'56" East, 548.08 feet; thence North 00°06'58" East, 260.22 feet; thence North 87°33'33" East, 1255.32 feet to the aforesaid west right of way line of South 27th Street- State Trunk Highway "241" and the point of beginning.

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Containing in all 856,806 square feet (19.6695 acres) of land, more or less.
Tax Key No. 738-9974-006; and

WHEREAS, the property which is the subject of the application for the addition of self-storage as an allowed Special Use within the existing building at 6803, 6805 and 6807 South 27th Street, which is within Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) is more particularly described as follows:

All that part of Township 5 North, County, Wisconsin, the Northeast 1/4 and Southeast 1/4 of Section 1, Range 21 East, in the City of Franklin, Milwaukee bounded and described as follows: Commencing at the East 1/4 corner of said Section 1; thence South 0°06'34" West along the East line of said Southeast 1/4, 401.22 feet to a point, thence South 87°33'06" West 1340.00 feet to a point; thence South 87°33'06" West 263.35 feet to a point; thence North 0°06'34" East 401.94 feet to a point on the North line of said Southeast 1/4; thence North 0°06'34" East 492.42 feet to a point; thence North 87°34'39" East 1604.77 feet to a point on the East line of said NE 1/4; thence South 0°16'42" West along said East line 492.48 feet to the place of beginning, containing 1,432,320.89 square feet or 32.8816 acres more or less, excepting therefrom the East 80 feet dedicated for public street purposes. Tax Key Nos.: 714-0001-001, 714-0002-001, 714-0003-002, 714-0004-001; AND

Lot 1 of Certified Survey Map No. 6543, recorded on August 7, 1998, Reel 43667, Images 1756 to 1758 inclusive, as Document No. 7578744, as corrected by Affidavit of Correction recorded as Document No. 7724864, part of the Northeast 114 and Northwest 114 of the Southeast 114 of Section 1, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of the Southeast 1/4 of said Section 1; thence South 00°06'34" West along the east line of said Southeast 1/4, 401.22 feet; thence South 87°33'33" West, 84.53 feet to the west right of way line of South 27th Street- State Trunk Highway "241" and the northeast corner of Lot 1 of CSM 6543 and the point of beginning; Thence South 00°52'38" East along the west right of way line of South 27th Street and the east line of said Lot 1 of CSM No. 6543, 258.33 feet; thence South 00°06'34" West along said east line of CSM No. 6543, 157.41 feet to the southeast corner of Lot 1 of said CSM No. 6543; the following 8 courses follow the boundary of said Lot 1; thence South 89°59'55" West, 503.59 feet; thence South 87°51'06" West, 755.75 feet; thence South 00°07'09" West, 531.71 feet; thence South 87°31'24" West, 531.35 feet; thence North 01°18'51" West, 661.78 feet; thence North 87°32'56" East, 548.08 feet; thence North 00°06'58" East, 260.22 feet; thence North 87°33'33" East, 1255.32 feet to the aforesaid west right of way line of South 27th Street-

State Trunk Highway "241" and the point of beginning. Tax Key No. 738-9974-006. Containing in all 856,806 square feet (19.6695 acres) of land, more or less; and

WHEREAS, Adam Hird, managing partner of Highland Development Ventures, LLC, having petitioned for a further amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), to allow for the addition of self-storage as an allowed Special Use within the existing building at 6803, 6805 and 6807 South 27th Street; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), and having held a public hearing on the proposal on the 19th day of May, 2016, which hearing was continued to and also held on the 9th day of June, 2016, and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and 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: §15-3.0418 Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), Section 2., of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically, Ordinance No. 1989-1071, as previously amended, is hereby amended to allow for the addition of self-storage as an allowed Special Use within the existing building at 6803, 6805 and 6807 South 27th Street [City staff reviewing the addition of further additional details of the use and conditions thereof].

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 28th day of June, 2016, by Alderman Dandrea.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 28th day of June, 2016.

APPROVED:



Stephen R. Olson, Mayor

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 5 NOES 0 ABSENT 1 (Ald. S. Mayer)