

ORDINANCE NO. 2005- 1842

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TO AMEND THE B-4 SOUTH 27TH STREET BUSINESS DISTRICT TO B-4 SOUTH 27TH STREET MIXED-USE COMMERCIAL DISTRICT, TO CREATE THE OL-1 OFFICE OVERLAY DISTRICT, THE B-7 SOUTH 27TH STREET MIXED-USE OFFICE DISTRICT, THE RC-1 CONSERVATION RESIDENCE DISTRICT AND SOUTH 27<sup>TH</sup> STREET DESIGN OVERLAY DISTRICT

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WHEREAS, the City of Franklin having petitioned for an amendment to the City of Franklin Unified Development Ordinance, Part 3: Zoning Districts: District Establishment, Dimensional, and Use Regulations, or as may be otherwise located and numbered within such Ordinance, to create a new RC-1 Conservation Residence District (proposed within Division 15-3.0200), providing in part for allowing a diversity of lot sizes and single and multiple family uses, housing choices and building densities, while protecting and restoring environmentally sensitive areas; a new B-7 South 27th Street Mixed-Use Office District (proposed within Division 15-3.0300), providing in part for the development of high quality office and retail uses; a new OL-1 Office Overlay District (proposed within Division 15-3.0300), providing in part for the development of high quality office uses and other supportive business service uses as a component; and the amendment of the existing B-4 South 27th Street Business District (Section 15-3.0304) to a proposed B-4 South 27th Street Mixed-Use Commercial District, such amendment providing in part for the development of mixed uses such as retail, commercial, office and residential. Such proposed amendment is based upon the recommendations, discussions, information and provisions within the South 27th Street Corridor Plan, A Joint Project, City of Franklin, City of Oak Creek, which has been adopted as an element of the City of Franklin Comprehensive Master Plan by Plan Commission Resolution No. 2005-01 and the certification thereof being accepted as specified by the Common Council with the removal of the Sycamore Street extension upon the adoption of Resolution 2005-5822. Such proposed amendment also includes provisions to amend the City of Franklin Unified Development Ordinance, Part 3: Zoning Districts: District Establishment, Dimensional, and Use Regulations, and Division 15-3.0350 Design Standards for Land Divisions, or as may be otherwise located and numbered within such Ordinance, to create new South 27<sup>th</sup> Street Design Standards, including but not limited to requirements and standards for streetscape, parking, landscape and site design, off-street parking, lighting, signage and architectural requirements. The proposed design standards would be applicable within the area of and based upon the contents and concepts of the South 27th Street Corridor Plan. A map of the South 27th Street Corridor Plan Area is annexed hereto; and

WHEREAS, public hearings were held before the City of Franklin Plan Commission on the 31st day of March, 2005, and on the 21st day of April, 2005, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed zoning text amendment 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 zoning text amendment to amend the B-4 South 27<sup>th</sup> Street Business District to B-4 South 27<sup>th</sup> Street Mixed-Use Commercial District, to create the OL-1 Office Overlay District, the B-7 South 27<sup>th</sup> Street Mixed-Use Office District, the RC-1 Conservation Residence District and to provide for a South 27<sup>th</sup> Street Design Overlay as set forth above, 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:           The Unified Development Ordinance of Franklin, Wisconsin is hereby amended as follows:

Section 15-3.0304 of the Unified Development Ordinance is hereby repealed and recreated as follows:

**SECTION 15-3.0304       B-4 SOUTH 27<sup>TH</sup> STREET MIXED USE  
COMMERCIAL DISTRICT**

- A.   **District Intent.** The B-4 South 27<sup>th</sup> Street Mixed Use District is intended to provide for the development of certain mixed uses, including retail, commercial, office and residential development, in furtherance of the goals and objectives of the South 27<sup>th</sup> Street Corridor Element of the Comprehensive Master Plan and:
1.   Require that future land division be limited, such that no new lots are created that are smaller than two acres in size.
  2.   Require that no new lots of record for One-family detached dwellings and Two-family attached dwellings be created after the effective date of this ordinance.
  3.   Require that new residential development meet the R-8 Multiple-Family Residence District Development Standards in Table 15-3.0209.

4. Require that cross-access for both pedestrian and vehicular circulation is provided between adjacent parcels at the time of any new development or redevelopment. In cases where existing development on adjacent parcels, not under common ownership, does not allow for the actual construction of connecting driveways, sidewalks, etc. it shall be sufficient in most cases to provide the appropriate cross-access easements to be utilized at the point in time when the adjacent parcel undergoes development or redevelopment that would facilitate the completion of the connection. The city may require a letter of credit sufficient to ensure the construction of the future pedestrian and vehicular connection when actual construction is not taking place at the time of site plan approval.
5. Require special use approval for all new buildings greater than 40,000 square feet in area, whether single-tenant or multi-tenant spaces.
6. Single retail establishments are limited to tenant space of 80,000 square feet or less in area.
7. Be served by public sanitary sewer and water supply facilities.
8. A Special Use lawfully existing within the area of this District prior to and upon the creation of this District shall remain as such Special Use and a conforming use, with any future amendment to the Special Use Permission, to be granted only upon the consideration of all applicable standards for the review and approval of Special Uses, and the District Intent and District Standards in this Section.

While the off-street parking requirements for the B-4 South 27<sup>th</sup> Street Mixed Use District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-4 South 27<sup>th</sup> Street Mixed Use District are established to increase its compatibility with an URBAN character as set forth in the City of Franklin 27<sup>th</sup> Street Corridor Plan.

- B. **District Standards.** The B-4 South 27<sup>th</sup> Street Mixed Use District is further intended to have the development standards as set forth in Table 15-3.0304 and those design standards set forth within Section 15-3.0351 SOUTH 27TH STREET DESIGN OVERLY DISTRICT.
- C. **Permitted, Accessory, and Special Uses.** See Table 15-3.0603.

Table 15-3.0304 of the Unified Development Ordinance is hereby repealed and recreated as follows:

**Table 15-3.0304**

**B-4 SOUTH 27<sup>TH</sup> STREET MIXED USE COMMERCIAL DISTRICT  
DEVELOPMENT STANDARDS FOR NON RESIDENTIAL USES**

Type of Standard	Standard
<b>Landscape Surface Ratio and Floor Area</b>	
Minimum Landscape Surface Ratio (LSR)	0.30
<b>Lot Dimensional Requirements</b>	
Minimum Lot Area	2 Acres
Minimum Lot Width at Setback Line (feet)	150
Minimum Front Yard (feet)	30
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	30
Minimum Rear Yard (feet)	30
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
<b>Lot Dimensional Requirements for Lots of Record Prior to June 7 2005</b>	
Minimum Lot Area (s.f.)	10,000
Minimum Lot Width at Setback Line (feet)	45
Minimum Front Yard (feet)	30
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	19
Minimum Rear Yard (feet)	30
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50

**Maximum Building Height**

Principal Structure (stories/ft.)	3.0/45
Accessory Structure (stories/ft.)	1.0/35

Table 15-3.0603 of the Unified Development Ordinance as it pertains to the B-4 South 27<sup>th</sup> Street Business District is hereby repealed and recreated to pertain to the B-4 South 27<sup>th</sup> Street Mixed Use Commercial District as follows:

**Table 15-3.0603**

**Permitted, Accessory, and Special Uses**

		<b>B-4</b>
181	Ornamental Floriculture and Nursery Products	S
741	Veterinary services for livestock	S
742	Veterinary services, specialties	S
782	Lawn and garden services	S
783	Ornamental shrub and tree services	S
1521	Single-family housing construction	S
1522	Residential construction, not elsewhere classified	S
1531	Operative builders	S
1541	Industrial buildings and warehouses	S
1542	Nonresidential construction, not elsewhere classified	S
1711	Plumbing, Heating and Air Conditioning	S
1752	Floor Laying and Other Floor Work, not elsewhere classified	S
2434	Wood Kitchen Cabinets	S
4311	U.S. Postal Service	S
5231	Paint, glass, and wallpaper stores	P
5251	Hardware stores	P
5261	Retail nurseries and garden stores	P
5311	Department stores	P
5331	Variety stores	P
5399	Miscellaneous general merchandise stores	P
5411	Grocery stores	P
5421	Meat and fish markets	P
5431	Fruit and vegetable markets	P
5441	Candy, nut and confectionery stores	P
5451	Dairy products stores	P
5461	Retail bakeries	P
5499	Miscellaneous food stores	P
5531	Auto and home supply stores	S
5541	Gasoline service stations	S
5611	Men's & boys' clothing stores	P
5621	Women's clothing stores	P
5632	Women's accessory & specialty stores	P
5641	Children's and infants' wear stores	P
5651	Family clothing stores	P
5661	Shoe stores	P
5699	Miscellaneous apparel & accessory stores	P
5712	Furniture stores	P
5713	Floor covering stores	P
5714	Drapery and upholstery stores	P

5719	Miscellaneous homefurnishings stores	P
5722	Household appliance stores	P
5731	Radio, TV, & electronic stores	P
5734	Computer and software stores	P
5735	Record & prerecorded tape stores	P
5736	Musical instrument stores	P
5812	Eating places (without drive through facilities)	P
5812	Eating places (with drive through facilities)	S
5813	Drinking places (without drive through facilities)	S
5813	Drinking places (with drive through facilities)	S
5912	Drug stores and proprietary stores	P
5932	Used merchandise stores	S
5941	Sporting goods and bicycle shops	P
5942	Book stores	P
5943	Stationery stores	P
5944	Jewelry stores	P
5945	Hobby, toy, and game shops	P
5946	Camera & photographic supply stores	P
5947	Gift, novelty, and souvenir shops	P
5948	Luggage and leather goods stores	P
5949	Sewing, needlework, and piece goods	P
5961	Catalog and mail-order houses	S
5962	Merchandising machine operators	S
5963	Direct selling establishments	P
5992	Florists	P
5993	Tobacco stores and stands	P
5994	News dealers and newsstands	P
5995	Optical goods stores	P
5999	Miscellaneous retail stores, not elsewhere classified	P
6011	Federal reserve banks	P
6019	Central reserve depository, not elsewhere classified	P
6021	National commercial banks (without drive through facilities)	P
6021	National commercial banks (with drive through facilities)	S
6022	State commercial banks (without drive through facilities)	P
6022	State commercial banks (with drive through facilities)	S
6029	Commercial banks, not elsewhere classified (without drive through facilities)	P
6029	Commercial banks, not elsewhere classified (with drive through facilities)	S
6035	Federal savings institutions (without drive through facilities)	P
6035	Federal savings institutions (with drive through facilities)	S
6036	Savings institutions, except federal (without drive through facilities)	P
6036	Savings institutions, except federal (with drive through facilities)	S
6061	Federal credit unions (without drive through facilities)	P
6061	Federal credit unions (with drive through facilities)	S
6062	State credit unions (without drive through facilities)	P
6062	State credit unions (with drive through facilities)	S
6081	Foreign bank & branches & agencies	P

6082	Foreign trade & international banks	P
6091	Nondeposit trust facilities	P
6099	Functions related to deposit banking	P
6162	Mortgage bankers and correspondents	P
6163	Loan brokers	P
6311	Life insurance	P
6321	Accident and health insurance	P
6324	Hospital and medical service plans	P
6331	Fire, marine, and casualty insurance	P
6351	Surety insurance	P
6361	Title insurance	P
6371	Pension, health, and welfare funds	P
6399	Insurance carriers, not elsewhere classified	P
6411	Insurance agents, brokers and services	P
6531	Real estate agents and managers	P
6541	Title abstract offices	P
6552	Subdividers and developers, not elsewhere classified	P
6553	Cemetery subdividers and developers	P
7212	Garment pressing & cleaners' agents	P
7215	Coin-operated laundries and cleaning	P
7219	Laundry and garment services, not elsewhere classified	P
7221	Photographic studios, portrait	P
7231	Beauty shops	P
7241	Barber shops	P
7251	Shoe repair and shoeshine parlors	P
7261	Funeral service and crematories	S
7291	Tax return preparation services	P
7299	Miscellaneous Personal Services, Not Elsewhere Classified	P
7311	Advertising agencies	P
7312	Outdoor advertising services	P
7313	Radio, TV, publisher representatives	P
7319	Advertising, not elsewhere classified	P
7322	Adjustment & collection services	P
7323	Credit reporting services	P
7331	Direct mail advertising services	P
7334	Photocopying & duplicating services	P
7335	Commercial photography	P
7336	Commercial art and graphic design	P
7338	Secretarial & court reporting	P
7342	Disinfecting & pest control services	S
7349	Building maintenance services, not elsewhere classified	S
7352	Medical equipment rental	S
7361	Employment agencies	P
7363	Help supply services	P
7371	Computer programming services	P
7372	Prepackaged software	P
7373	Computer integrated systems design	P
7374	Data processing and preparation	P

7375	Information retrieval services	P
7376	Computer facilities management	P
7377	Computer rental & leasing	P
7378	Computer maintenance & repair	P
7379	Computer related services, not elsewhere classified	P
7381	Detective & armored car services	P
7382	Security systems services	P
7383	News syndicates	P
7384	Photofinishing laboratories	P
7389	Business services, not elsewhere classified	P
7533	Auto exhaust system repair shops	S
7536	Automotive glass replacement shops	S
7537	Automotive transmission repair shops	S
7538	General automotive repair shops	S
7539	Automotive repair shops, not elsewhere classified	S
7542	Carwashes	S
7549	Automotive services, not elsewhere classified	S
7622	Radio and television repair	P
7631	Watch, clock, and jewelry repair	P
7832	Motion picture theaters, except drive-in	P
7841	Video tape rental	P
7911	Dance studios, schools, and halls	P
7933	Bowling centers	P
7991	Physical fitness facilities	P
7993	Coin-operated amusement devices	P
8011	Offices & clinics of medical doctors	P
8021	Offices and clinics of dentists	P
8031	Offices of osteopathic physicians	P
8041	Offices and clinics of chiropractors	P
8042	Offices and clinics of optometrists	P
8043	Offices and clinics of podiatrists	P
8049	Offices of health practitioners, not elsewhere classified	P
8082	Home health care services	P
8111	Legal Services	P
8243	Data processing schools	P
8244	Business and secretarial schools	P
8249	Vocational schools, not elsewhere classified	P
8299	Schools & educational services, not elsewhere classified	P
8331	Job training and related services	P
8351	Child day care services	P
8711	Engineering services	P
8712	Architectural services	P
8713	Surveying services	P
8721	Accounting, auditing, & bookkeeping	P
8741	Management services	P
8742	Management consulting services	P
8743	Public relations services	P
8744	Facilities support services	P

8748	Business consulting, not elsewhere classified	P
8999	Services, not elsewhere classified	P
	OTHER USES NOT CLASSIFIED UNDER SIC CODE	
	Bicycle Trails (non-motorized)	P
	Convenience Stores (without the dispensing of gasoline)	P
	Convenience Stores (with the dispensing of gasoline)	S
	Essential Services	P
	Hiking Trails	P
	Historic Monuments or Sites	P
	Jogging Trails	P
	Nature Areas	P
	Nature Trails	P
	Wildlife Sanctuaries	P

Table 15-3.0602 of the Unified Development Ordinance as it pertains to the B-4 South 27<sup>th</sup> Street Business District is hereby repealed and recreated to pertain to the B-4 South 27<sup>th</sup> Street Mixed Use Commercial District as follows:

<b>Table 15-3.0602</b>		
<b>Permitted and Special Uses in the Residential Zoning Districts</b>		
	One-family detached dwellings	P
	Two-family attached dwellings	P
	Multiple-family dwellings and apartments	S
	Row dwellings not greater than six dwelling units	S
	Home occupations	P
	Foster family home	P
	Community living arrangement (serving 8 or fewer persons)	P
	Community living arrangement (serving 9 or more persons)	S
	Accessory uses (see Section 15-2.0208 & Division 15-3.0800)	P
	Required off-street parking (see Division 15-5.0200)	P
	Essential Services	P
	Multiple-family Residential Housing for Older Persons	S

The Unified Development Ordinance is hereby amended to create Section 15-3.0306A as follows:

**SECTION 15-3.0306A B-7 SOUTH 27<sup>TH</sup> STREET MIXED USE OFFICE DISTRICT**

A. **District Intent.** The B-7 South 27<sup>th</sup> Street Mixed Use Office District is intended to provide for the development of high quality office and retail uses, in furtherance of the goals and objectives of the South 27th Street Corridor Element of the Comprehensive Master Plan, and:

1. Require that future land division be limited, such that no new lots of record are created that are smaller than 40,000 square feet in size.
2. Require that no new lots of record for Residential dwellings be created after the effective date of this ordinance.
3. Require that all new buildings be a minimum of two stories in height.
4. Require that cross-access for both pedestrian and vehicular circulation be provided between adjacent parcels at the time of any new development or redevelopment. In cases where existing development on adjacent parcels, not under common ownership, does not allow for the actual construction of connecting driveways, sidewalks, etc. it shall be sufficient in most cases to provide the appropriate cross-access

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

5. Require special use approval for all new buildings greater than 40,000 square feet in area, whether single-tenant or multi-tenant spaces.
6. Stand alone retail and entertainment establishments except restaurants be limited to 25,000 square feet or less in tenant area. When located in a multi-story mixed-use buildings retail and entertainment establishments may exceed 25,000 square feet in area provided such uses do not exceed 50% of total floor area of the entire building.
7. Be served by public sanitary sewer and water supply facilities.
8. A Special Use lawfully existing within the area of this District prior to and upon the creation of this District shall remain as such Special Use and a conforming use, with any future amendment to the Special Use Permission, to be granted only upon the consideration of all applicable standards for the review and approval of Special Uses, and the District Intent and District Standards in this Section.

While the off-street parking requirements for the B-7 South 27<sup>th</sup> Street Mixed Use Office District have a tendency to promote an AUTO-URBAN character, the various other requirements of the B-7 South 27<sup>th</sup> Street Mixed Use Office District are established to increase its compatibility with an URBAN character as set forth in the City of Franklin 27<sup>th</sup> Street Corridor Plan.

- B. **District Standards.** The B-7 South 27<sup>th</sup> Street Mixed Use Office District is further intended to have the development standards as set forth in Table 15-3.0306A and those design standards set forth within Section 15-3.0351 SOUTH 27TH STREET DESIGN OVERLY DISTRICT.
- C. **Permitted, Accessory, and Special Uses.** See Table 15-3.0603.

The Unified Development Ordinance is hereby amended to create Table 15-3.0306A as follows:

**Table 15-3.0306A**

**B-7 SOUTH 27<sup>TH</sup> STREET MIXED USE OFFICE DISTRICT DEVELOPMENT STANDARDS**

Type of Standard	Standard
<b>Landscape Surface Ratio and Floor Area</b>	
Minimum Landscape Surface Ratio (LSR)	0.25
Minimum Principal Building Coverage	0.15 (c)
Maximum Principal Building Coverage	0.25
<b>Lot Dimensional Requirements</b>	
Minimum Lot Area (s.f.)	40,000
Minimum Lot Width at Setback Line (feet)	150
Minimum Setback Abutting a Public Street (feet)	50
Minimum Setback Abutting a Private Street (feet)	40
Minimum Setback Abutting a Lot Line (feet)	30
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
<b>Maximum Building Height</b>	
Principal Structure (stories/ft.)	No Maximum(a)(b)
Accessory Parking Structures Housing More than 500 vehicles (stories/ft.)	5.0/65
Accessory Structure (stories/ft.)	1.0/35

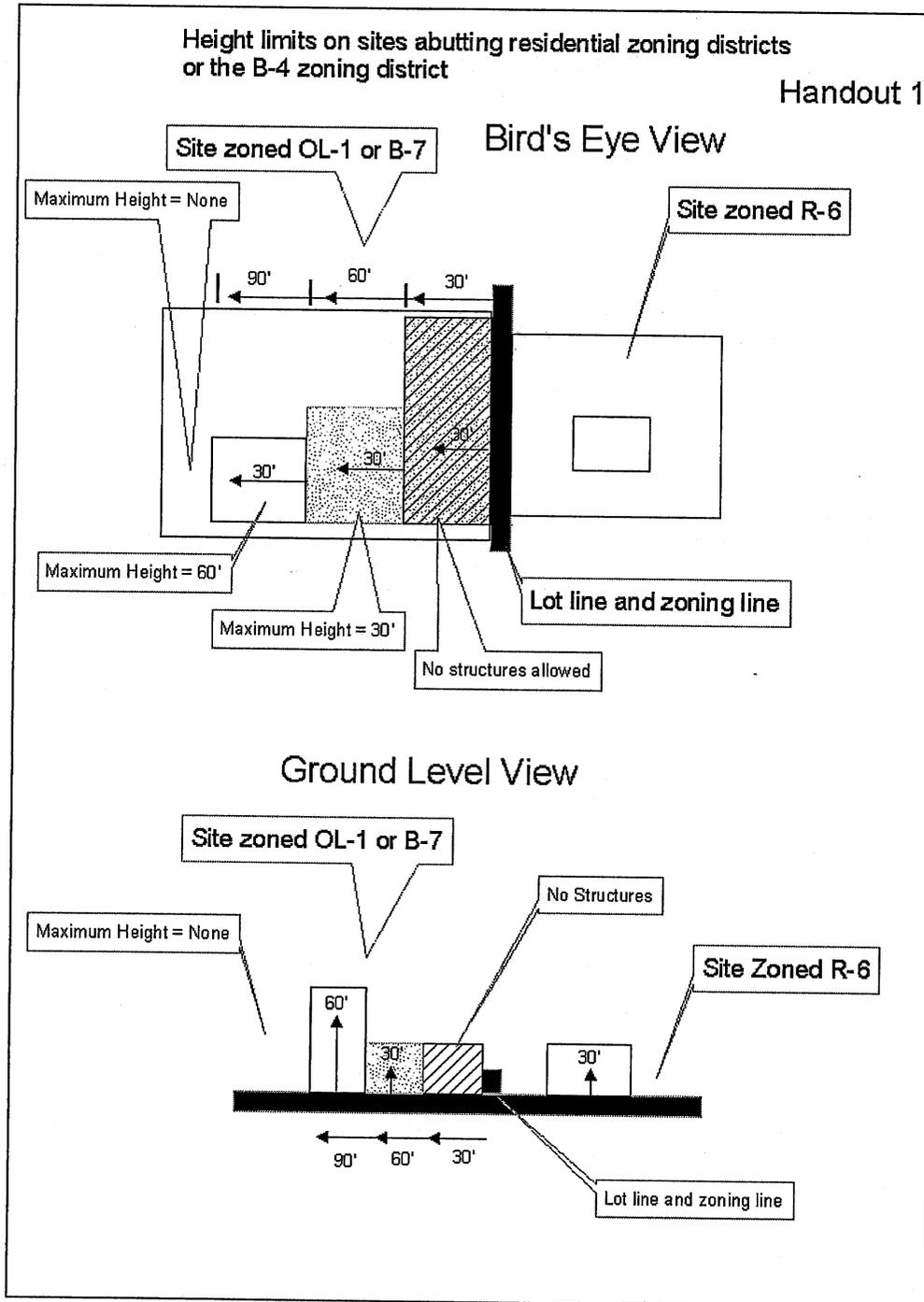
(a) Maximum height limits are displayed in table 15-3.0300A22.

(b) Allow for a variance from the maximum height regulations described in table 15-3.0306A1, 2 & 3 with 5 votes of approval from the Plan Commission.

(c) Allow for a variance from the minimum principal building coverage described in table 15-3.0306A with 5 votes of approval from the Plan Commission.

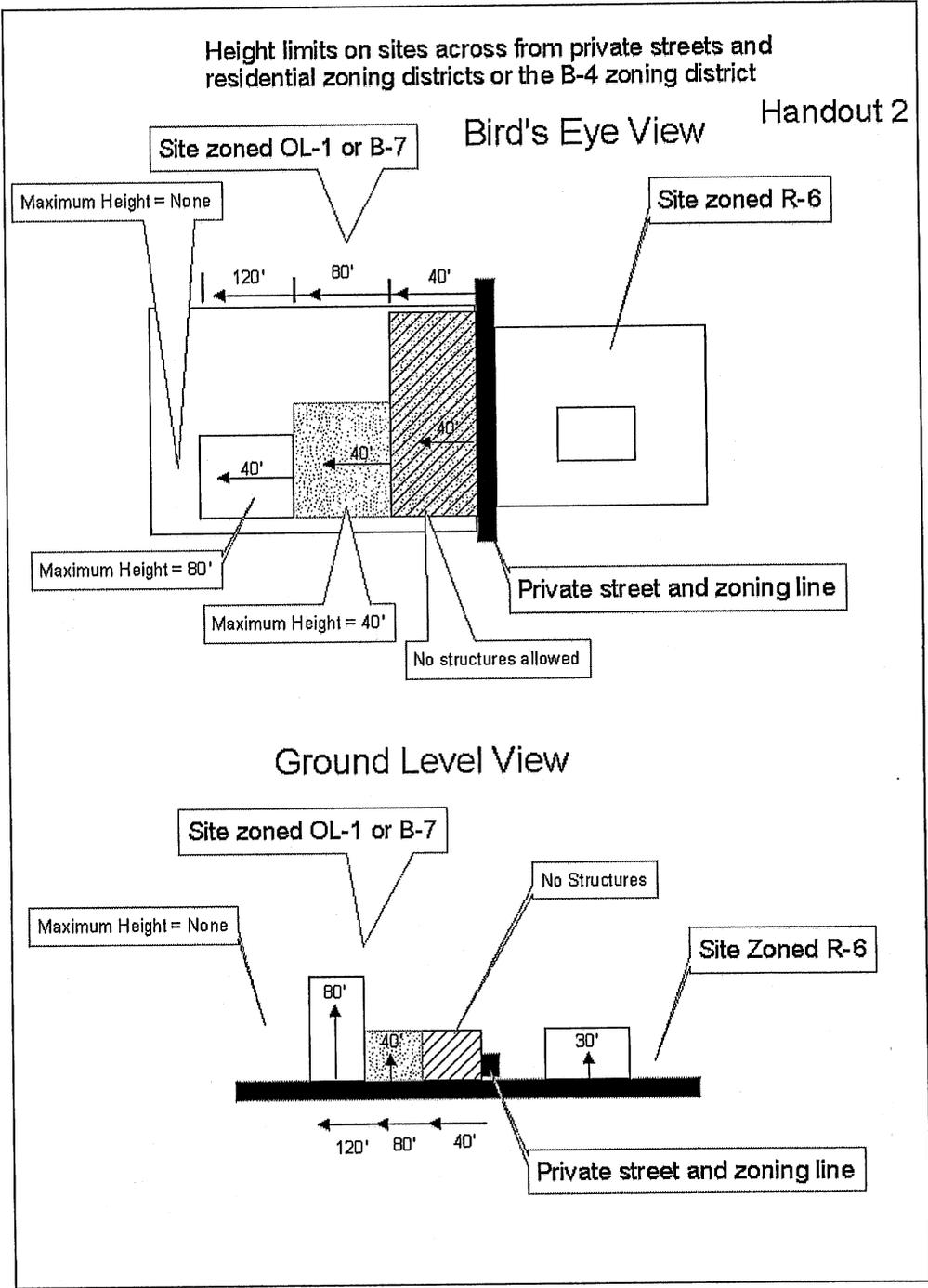
The Unified Development Ordinance is hereby amended to create Table 15-3.0306A1 as follows:

**Table 15-3.0306A1**



The Unified Development Ordinance is hereby amended to create Table 15-3.0306A2 as follows:

Table 15-3.0306A2



The Unified Development Ordinance is hereby amended to create Table 15-3.0306A3 as follows:

Table 15-3.0306A3

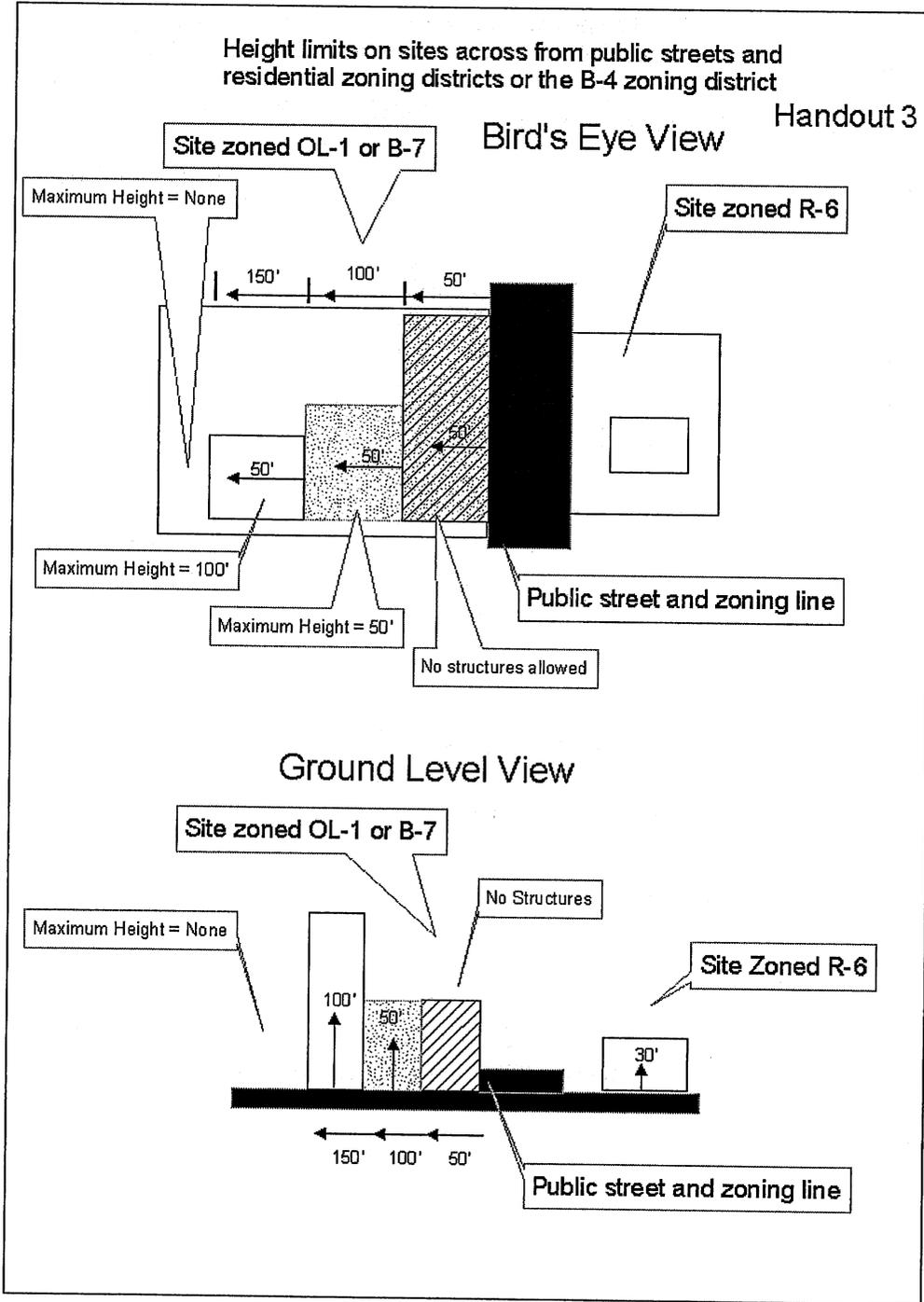


Table 15-3.0603 of the Unified Development Ordinance is hereby amended to add the following list of permitted and special uses pertaining to the B-7 South 27<sup>th</sup> Street Mixed Use Office District:

**Table 15-3.0603**

**Permitted, Accessory, and Special Uses**

		B-7
5211	Lumber and other building materials	S
5231	Paint, glass, and wallpaper stores	S
5251	Hardware stores	S
5261	Retail nurseries and garden stores	S
5311	Department stores	S
5331	Variety stores	S
5399	Miscellaneous general merchandise stores	S
5411	Grocery stores	S
5421	Meat and fish markets	S
5431	Fruit and vegetable markets	S
5441	Candy, nut and confectionery stores	S
5451	Dairy products stores	S
5461	Retail bakeries	S
5499	Miscellaneous food stores	S
5531	Auto and home supply stores	S
5541	Gasoline service stations	S
5611	Men's & boys' clothing stores	S
5621	Women's clothing stores	S
5632	Women's accessory & specialty stores	S
5641	Children's and infants' wear stores	S
5651	Family clothing stores	S
5661	Shoe stores	S
5699	Miscellaneous apparel & accessory stores	S
5712	Furniture stores	S
5713	Floor covering stores	S
5714	Drapery and upholstery stores	S
5719	Miscellaneous homefurnishings stores	S
5722	Household appliance stores	S
5731	Radio, TV, & electronic stores	S
5734	Computer and software stores	S
5735	Record & prerecorded tape stores	S
5736	Musical instrument stores	S
5812	Eating places (without drive through facilities)	S/A
5813	Drinking places (without drive through facilities)	S/A
5912	Drug stores and proprietary stores	S/A
5941	Sporting goods and bicycle shops	S
5942	Book stores	S/A
5943	Stationery stores	S/A

5944	Jewelry stores	S/A
5945	Hobby, toy, and game shops	S
5946	Camera & photographic supply stores	S/A
5947	Gift, novelty, and souvenir shops	S/A
5948	Luggage and leather goods stores	S/A
5949	Sewing, needlework, and piece goods	S
5961	Catalog and mail-order houses	S
5962	Merchandising machine operators	S
5963	Direct selling establishments	S
5992	Florists	S/A
5993	Tobacco stores and stands	S/A
5994	News dealers and newsstands	S/A
5995	Optical goods stores	S/A
5999	Miscellaneous retail stores, not elsewhere classified	S/A
6011	Federal reserve banks	P
6019	Central reserve depository, not elsewhere classified	P
6021	National commercial banks (with drive through facilities)	S
6021	National commercial banks (without drive through facilities)	P
6022	State commercial banks (with drive through facilities)	S
6022	State commercial banks (without drive through facilities)	P
6029	Commercial banks, not elsewhere classified (with drive through facilities)	S
6029	Commercial banks, not elsewhere classified (without drive through facilities)	P
6035	Federal savings institutions (with drive through facilities)	S
6035	Federal savings institutions (without drive through facilities)	P
6036	Savings institutions, except federal (with drive through facilities)	S
6036	Savings institutions, except federal (without drive through facilities)	P
6061	Federal credit unions (with drive through facilities)	S
6061	Federal credit unions (without drive through facilities)	P
6062	State credit unions (with drive through facilities)	S
6062	State credit unions (without drive through facilities)	P
6081	Foreign bank & branches & agencies	P
6082	Foreign trade & international banks	P
6091	Nondeposit trust facilities	P
6099	Functions related to deposit banking	P
6111	Federal & federal-sponsored credit	S
6141	Personal credit institutions	S
6153	Short-term business credit	S
6159	Miscellaneous business credit institutions	S
6162	Mortgage bankers and correspondents	P
6163	Loan brokers	P
6211	Security brokers and dealers	P
6221	Commodity contracts brokers, dealers	P
6231	Security and commodity exchanges	P
6282	Investment advice	P
6289	Security & commodity services, not elsewhere classified	P
6311	Life insurance	P
6321	Accident and health insurance	P
6324	Hospital and medical service plans	P

6331	Fire, marine, and casualty insurance	P
6351	Surety insurance	P
6361	Title insurance	P
6371	Pension, health, and welfare funds	P
6399	Insurance carriers, not elsewhere classified	P
6411	Insurance agents, brokers, & service	P
6512	Nonresidential building operators	P
6513	Apartment building operators	P
6514	Dwelling operators, except apartments	P
6517	Railroad property lessors	S
6519	Real property lessors, not elsewhere classified	S
6531	Real estate agents and managers	P
6541	Title abstract offices	P
6552	Subdividers and developers, not elsewhere classified	P
6553	Cemetery subdividers and developers	P
6712	Bank holding companies	P
6719	Holding companies, not elsewhere classified	P
6722	Management investment, open-end	P
6726	Investment offices, not elsewhere classified	P
6732	Educational, religious, etc. trusts	P
6733	Trusts, not elsewhere classified	P
6792	Oil royalty traders	P
6794	Patent owners and lessors	P
6798	Real estate investment trusts	P
6799	Investors, not elsewhere classified	P
7011	Hotels and motels	S
7041	Membership-basis organization hotels	S
7212	Garment pressing & cleaners' agents	S/A
7219	Laundry and garment services, not elsewhere classified	S/A
7221	Photographic studios, portrait	S
7231	Beauty shops	S/A
7241	Barber shops	S/A
7251	Shoe repair and shoeshine parlors	S/A
7291	Tax return preparation services	S
7311	Advertising agencies	P
7312	Outdoor advertising services	P
7313	Radio, TV, publisher representatives	P
7319	Advertising, not elsewhere classified	P
7322	Adjustment & collection services	P
7323	Credit reporting services	P
7331	Direct mail advertising services	P
7334	Photocopying & duplicating services	P
7335	Commercial photography	P
7336	Commercial art and graphic design	P
7338	Secretarial & court reporting	P
7342	Disinfecting & pest control services	S
7349	Building maintenance services, not elsewhere classified	S
7352	Medical equipment rental	S

7361	Employment agencies	P
7363	Help supply services	P
7371	Computer programming services	P
7372	Prepackaged software	P
7373	Computer integrated systems design	P
7374	Data processing and preparation	P
7375	Information retrieval services	P
7376	Computer facilities management	P
7377	Computer rental & leasing	P
7378	Computer maintenance & repair	P
7379	Computer related services, not elsewhere classified	P
7381	Detective & armored car services	S
7382	Security systems services	S
7383	News syndicates	P
7384	Photofinishing laboratories	S
7389	Business services, not elsewhere classified	S
7542	Carwashes	S
7812	Motion picture & video production	S/A
7832	Motion picture theaters, except drive-in	S
7833	Drive-in motion picture theaters	S
7841	Video tape rental	S/A
7911	Dance studios, schools, and halls	S
7933	Bowling centers	S
7991	Physical fitness facilities	S/A
8011	Offices & clinics of medical doctors	P
8021	Offices and clinics of dentists	P
8031	Offices of osteopathic physicians	P
8041	Offices and clinics of chiropractors	P
8042	Offices and clinics of optometrists	P
8043	Offices and clinics of podiatrists	P
8049	Offices of health practitioners, not elsewhere classified	P
8051	Skilled nursing care facilities	P
8052	Intermediate care facilities	P
8059	Nursing and personal care, not elsewhere classified	P
8062	General medical & surgical hospitals	S
8063	Psychiatric hospitals	P
8069	Specialty hospitals except psychiatric	P
8071	Medical laboratories	P
8072	Dental laboratories	P
8082	Home health care services	P
8092	Kidney dialysis centers	P
8093	Specialty outpatient clinics, not elsewhere classified	P
8099	Health and allied services, not elsewhere classified	P
8111	Legal Services	P
8243	Data processing schools	S/A
8244	Business and secretarial schools	S/A
8249	Vocational schools, not elsewhere classified	S/A
8299	Schools & educational services, not elsewhere classified	S

8331	Job training and related services	S/A
8351	Child day care services	S/A
8611	Business associations	P
8621	Professional organizations	P
8631	Labor organizations	P
8641	Civic and social associations	P
8651	Political organizations	P
8661	Religious organizations	P
8699	Membership organizations, not elsewhere classified	S
8711	Engineering services	P
8712	Architectural services	P
8713	Surveying services	P
8721	Accounting, auditing, & bookkeeping	P
8731	Commercial physical research	S
8732	Commercial nonphysical research	S
8733	hotels	S
8741	Management services	P
8742	Management consulting services	P
8743	Public relations services	P
8744	Facilities support services	P
8748	Business consulting, not elsewhere classified	P
8999	Services, not elsewhere classified	S
9111	Executive offices	P
9121	Legislative bodies	P
9131	Executive and legislative combined	P
9199	General government, not elsewhere classified	P
	OTHER USES NOT CLASSIFIED UNDER SIC CODE	
		<b>B-7</b>
	Bicycle Trails (non-motorized)	P
	Convenience Stores (without the dispensing of gasoline)	S/A
	Convenience Stores (with the dispensing of gasoline)	S
	Essential Services	P
	Hiking Trails	P
	Historic Monuments or Sites	P
	Jogging Trails	P
	Nature Areas	P
	Nature Trails	P
	Wildlife Sanctuaries	P

The Unified Development Ordinance is hereby amended to create Section 15-3.0306B as follows:

**SECTION 15-3.0306B      OL-1 OFFICE OVERLAY DISTRICT**

- A. **District Intent.** The OL-1 Office Overlay District is intended to provide for the development of high quality office uses and other supportive business

service uses as a component, in furtherance of the goals and objectives of the South 27th Street Corridor Element of the Comprehensive Master Plan, and:

1. Require that compliance with the OL-1 Office Overlay District Development Standards is mandatory for all lots of record created after the effective date of this ordinance and the uses in Table 15-3.0603. Lots of record existing as of the effective date of this ordinance and the uses in Table 15-3.0603 thereon may utilize either the OL-1 Office Overlay District Development Standards or the District Development Standards established by the base zoning.
2. Require that future land division be limited, such that no new lots are created that are smaller than 40,000 square feet in size.
3. Require that all new buildings be a minimum of two stories in height.
4. Require that cross-access for both pedestrian and vehicular circulation be provided between adjacent parcels at the time of any new development or redevelopment. In cases where existing development on adjacent parcels, not under common ownership, does not allow for the actual construction of connecting driveways, sidewalks, etc. it shall be sufficient in most cases to provide the appropriate cross-access easements to be utilized at the point in time when the adjacent parcel undergoes development or redevelopment that would facilitate the completion of the connection. The city may require a letter of credit sufficient to ensure the construction of the future pedestrian and vehicular connection when actual construction is not taking place at the time of site plan approval.
5. Require special use approval for all new buildings greater than 40,000 square feet in area, whether single-tenant or multi-tenant spaces.
6. Be served by public sanitary sewer and water supply facilities.
7. A Special Use lawfully existing within the area of this District prior to and upon the creation of this District shall remain as such Special Use and a conforming use, with any future amendment to the Special Use Permission, to be granted only upon the consideration of all applicable standards for the review and approval of Special Uses, and the District Intent and District Standards in this Section.

While the off-street parking requirements for the OL-1 Overlay District have a tendency to promote an AUTO-URBAN character, the various other requirements of the OL- 1 Overlay District are established to increase its

compatibility with an URBAN character as set forth in the City of Franklin 27<sup>th</sup> Street Corridor Plan.

- B. **District Standards.** The OL-1 Overlay District is further intended to have the development standards as set forth in Table 15-3.0306B and those design standards set forth within Section 15-3.0351 SOUTH 27TH STREET DESIGN OVERLY DISTRICT.
- C. **Permitted, Accessory, and Special Uses.** See Table 15-3.0603.

The Unified Development Ordinance is hereby amended to create Table 15-3.0306B as follows:

**Table 15-3.0306B**

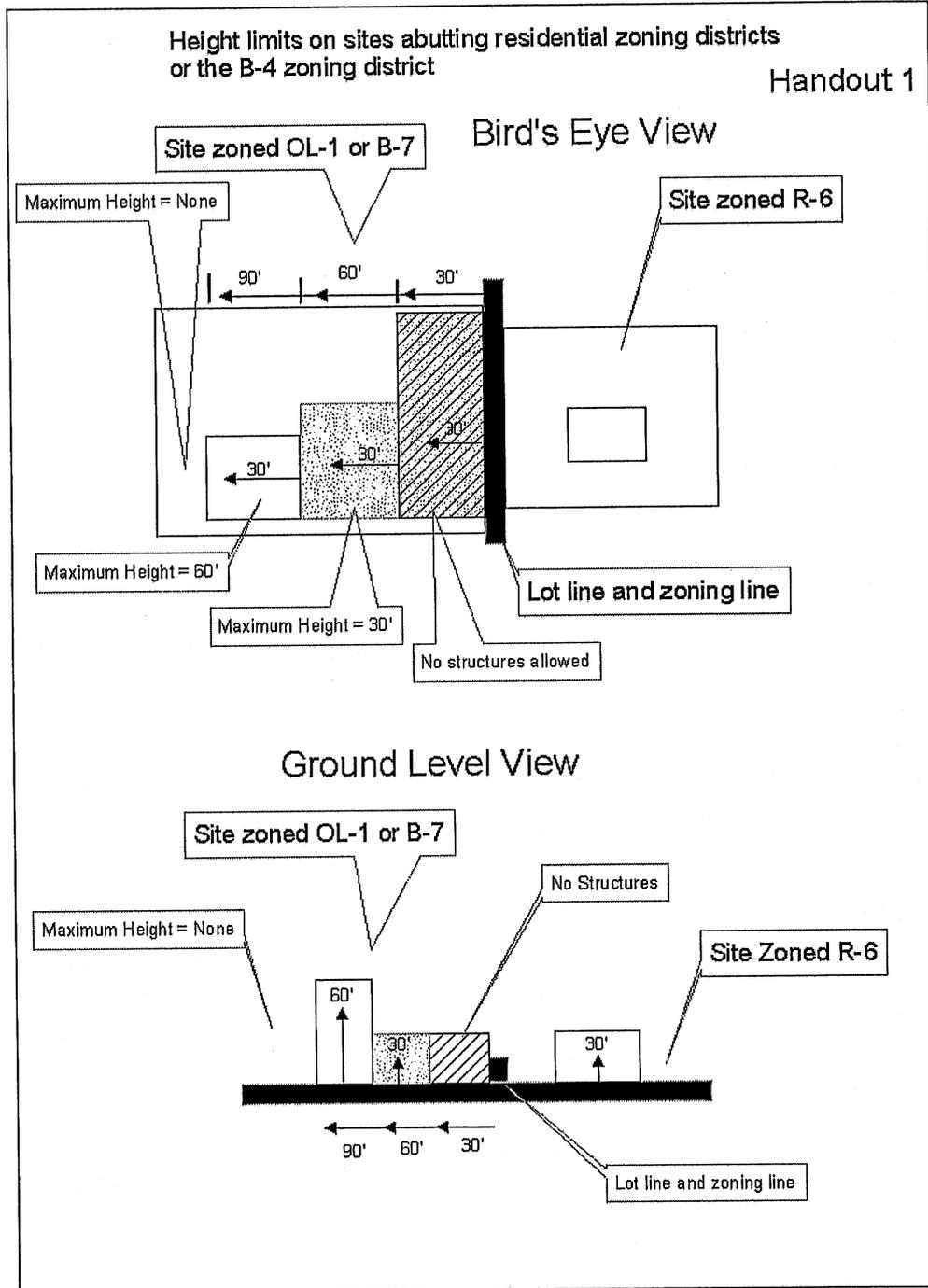
**OL-1 OFFICE OVERLAY DISTRICT DEVELOPMENT STANDARDS**

Type of Standard	Standard
<b>Landscape Surface Ratio and Floor Area</b>	
Minimum Landscape Surface Ratio (LSR)	0.30
Minimum Principal Building Coverage	0.15
Maximum Principal Building Coverage	0.25
<b>Lot Dimensional Requirements</b>	
Minimum Lot Area (s.f.)	40,000
Minimum Lot Width at Setback Line (feet)	150
Minimum Setback Abutting a Public Street (feet)	50
Minimum Setback Abutting a Private Street (feet)	40
Minimum Setback Abutting a Lot Line (feet)	30
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
<b>Maximum Building Height</b>	
Principal Structure (stories/ft.)	No Maximum (a)(b)
Accessory Parking Structures Housing More than 500 vehicles (stories/ft.)	5.0/65
Accessory Structure (stories/ft.)	1.0/35

- (a) Maximum height limits are displayed in table 15-3.0300A22.
- (b) Allow for a variance from the maximum height regulations described in table 15-3.0306B1, 2 & 3 with 5 votes of approval from the Plan Commission.
- (c) Allow for a variance from the minimum principal building coverage described in table 15-3.0306A with 5 votes of approval from the Plan Commission.

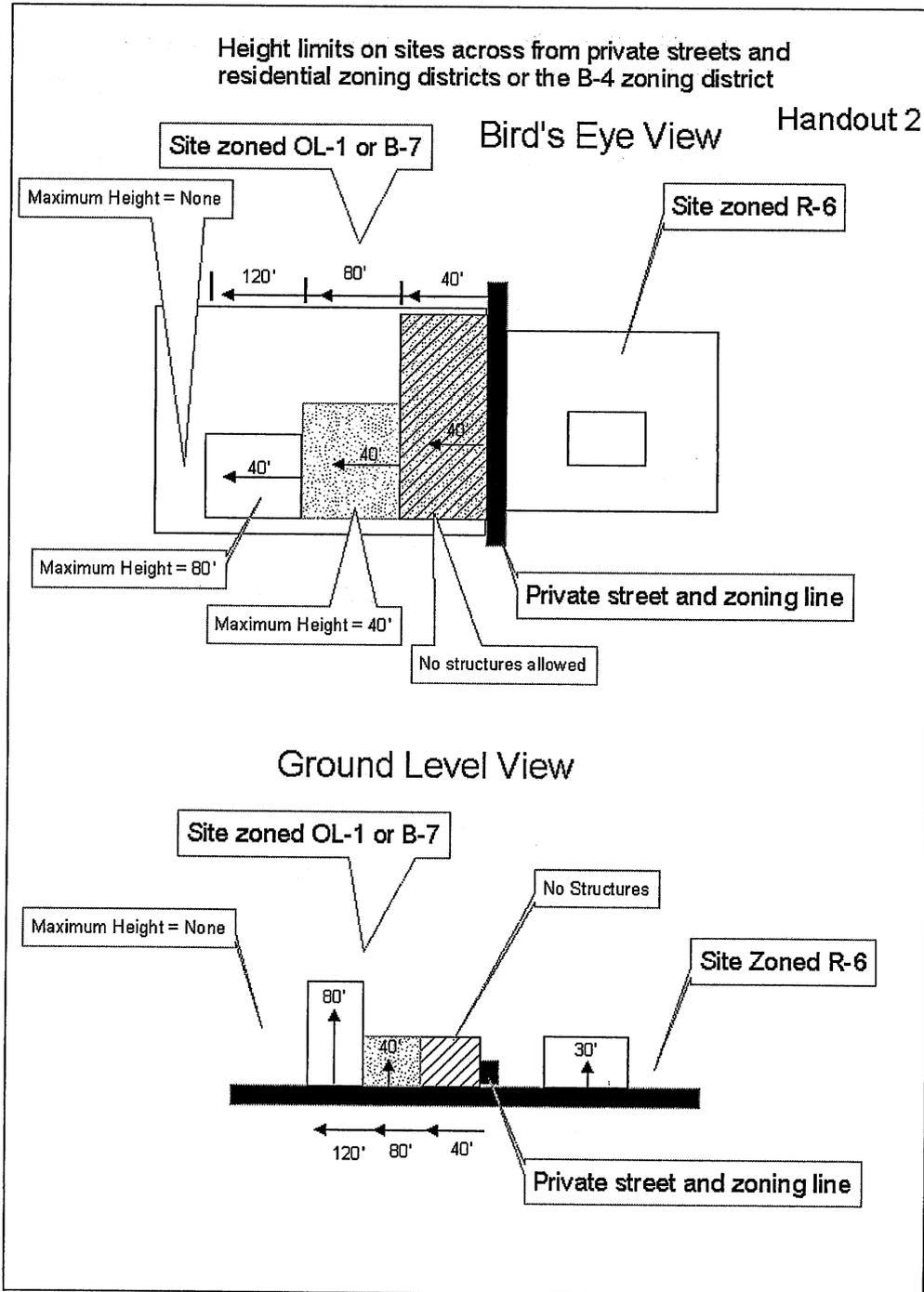
The Unified Development Ordinance is hereby amended to create Table 15-3.0306B1 as follows:

Table 15-3.0306B1



The Unified Development Ordinance is hereby amended to create Table 15-3.0306B2 as follows:

Table 15-3.0306B2



**Table 15-3.0306B3**

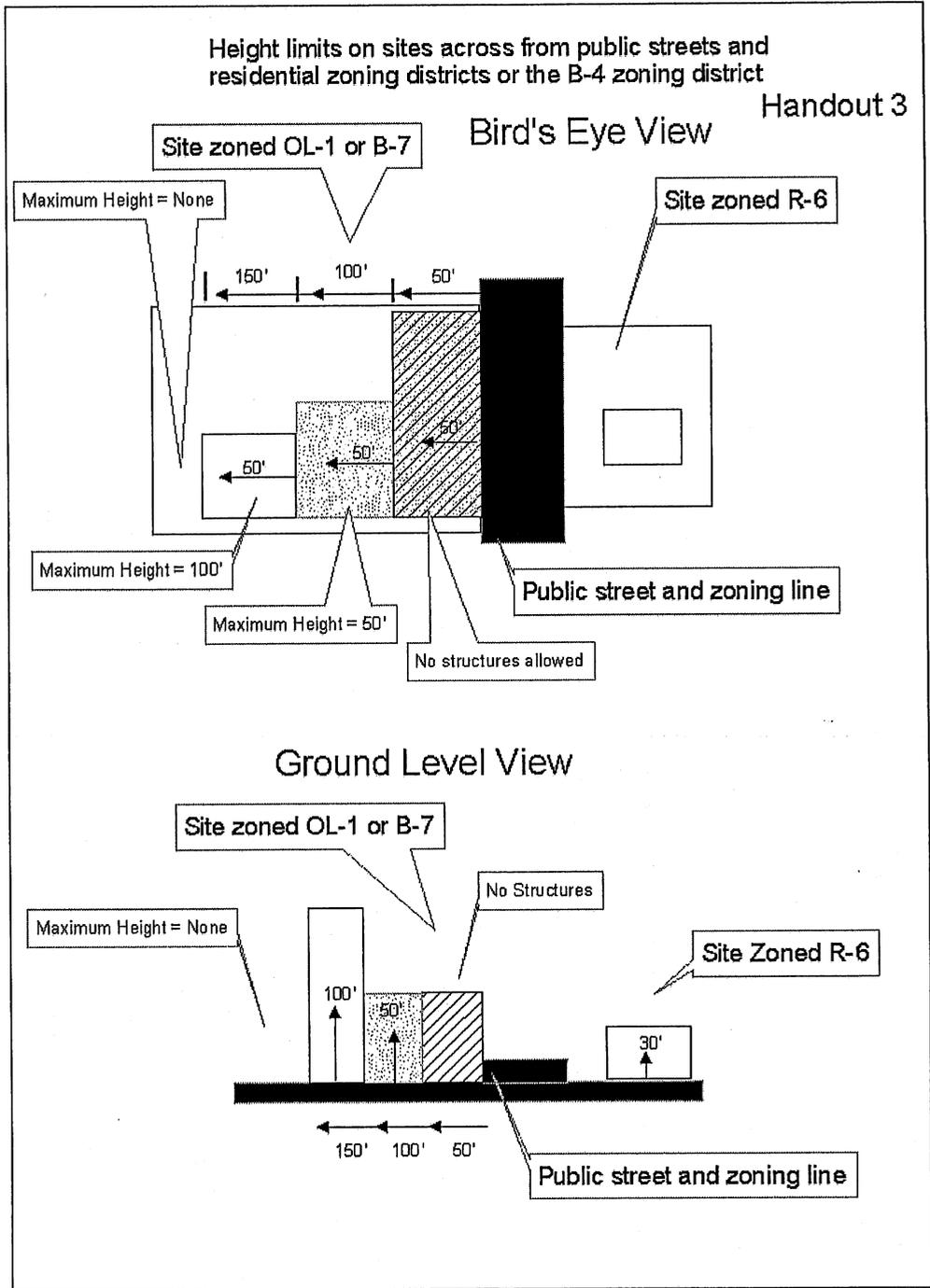


Table 15-3.0603 of the Unified Development Ordinance is hereby amended to add the following list of permitted and special uses pertaining to the OL-1 Office Overlay District:

**Table 15-3.0603**

**Permitted, Accessory, and Special Uses**

		<b>OL-1</b>
4311	U.S. Postal Service	S
5812	Eating places (without drive through facilities)	A
5813	Drinking places (without drive through facilities)	A
5912	Drug stores and proprietary stores	A
5942	Book stores	A
5943	Stationery stores	A
5944	Jewelry stores	A
5946	Camera & photographic supply stores	A
5947	Gift, novelty, and souvenir shops	A
5948	Luggage and leather goods stores	A
5992	Florists	A
5993	Tobacco stores and stands	A
5994	News dealers and newsstands	A
5995	Optical goods stores	A
5999	Miscellaneous retail stores, not elsewhere classified	A
6011	Federal reserve banks	P
6019	Central reserve depository, not elsewhere classified	P
6021	National commercial banks (with drive through facilities)	S
6021	National commercial banks (without drive through facilities)	P
6022	State commercial banks (with drive through facilities)	S
6022	State commercial banks (without drive through facilities)	P
6029	Commercial banks, not elsewhere classified (with drive through facilities)	S
6029	Commercial banks, not elsewhere classified (without drive through facilities)	P
6035	Federal savings institutions (with drive through facilities)	S
6035	Federal savings institutions (without drive through facilities)	P
6036	Savings institutions, except federal (with drive through facilities)	S
6036	Savings institutions, except federal (without drive through facilities)	P
6061	Federal credit unions (with drive through facilities)	S
6061	Federal credit unions (without drive through facilities)	P
6062	State credit unions (with drive through facilities)	S
6062	State credit unions (without drive through facilities)	P
6081	Foreign bank & branches & agencies	P
6082	Foreign trade & international banks	P
6091	Nondeposit trust facilities	P
6099	Functions related to deposit banking	P
6111	Federal & federal-sponsored credit	S
6141	Personal credit institutions	S

6153	Short-term business credit	S
6159	Miscellaneous business credit institutions	S
6162	Mortgage bankers and correspondents	P
6163	Loan brokers	P
6211	Security brokers and dealers	P
6221	Commodity contracts brokers, dealers	P
6231	Security and commodity exchanges	P
6282	Investment advice	P
6289	Security & commodity services, not elsewhere classified	P
6311	Life insurance	P
6321	Accident and health insurance	P
6324	Hospital and medical service plans	P
6331	Fire, marine, and casualty insurance	P
6351	Surety insurance	P
6361	Title insurance	P
6371	Pension, health, and welfare funds	P
6399	Insurance carriers, not elsewhere classified	P
6411	Insurance agents, brokers, & service	P
6512	Nonresidential building operators	P
6513	Apartment building operators	P
6514	Dwelling operators, except apartments	P
6517	Railroad property lessors	S
6519	Real property lessors, not elsewhere classified	S
6531	Real estate agents and managers	P
6541	Title abstract offices	P
6552	Subdividers and developers, not elsewhere classified	P
6553	Cemetery subdividers and developers	P
6712	Bank holding companies	P
6719	Holding companies, not elsewhere classified	P
6722	Management investment, open-end	P
6726	Investment offices, not elsewhere classified	P
6732	Educational, religious, etc. trusts	P
6733	Trusts, not elsewhere classified	P
6792	Oil royalty traders	P
6794	Patent owners and lessors	P
6798	Real estate investment trusts	P
6799	Investors, not elsewhere classified	P
7011	Hotels and motels	S
7041	Membership-basis organization hotels	S
7212	Garment pressing & cleaners' agents	A
7219	Laundry and garment services, not elsewhere classified	A
7231	Beauty shops	A
7241	Barber shops	A
7251	Shoe repair and shoeshine parlors	A
7311	Advertising agencies	P
7312	Outdoor advertising services	P
7313	Radio, TV, publisher representatives	P
7319	Advertising, not elsewhere classified	P

7322	Adjustment & collection services	P
7323	Credit reporting services	P
7331	Direct mail advertising services	P
7334	Photocopying & duplicating services	P
7335	Commercial photography	P
7336	Commercial art and graphic design	P
7338	Secretarial & court reporting	P
7361	Employment agencies	P
7363	Help supply services	P
7371	Computer programming services	P
7372	Prepackaged software	P
7373	Computer integrated systems design	P
7374	Data processing and preparation	P
7375	Information retrieval services	P
7376	Computer facilities management	P
7377	Computer rental & leasing	P
7378	Computer maintenance & repair	P
7379	Computer related services, not elsewhere classified	P
7383	News syndicates	P
7812	Motion picture & video production	A
7841	Video tape rental	A
7991	Physical fitness facilities	S/A
8011	Offices & clinics of medical doctors	P
8021	Offices and clinics of dentists	P
8031	Offices of osteopathic physicians	P
8041	Offices and clinics of chiropractors	P
8042	Offices and clinics of optometrists	P
8043	Offices and clinics of podiatrists	P
8049	Offices of health practitioners, not elsewhere classified	P
8051	Skilled nursing care facilities	P
8052	Intermediate care facilities	P
8059	Nursing and personal care, not elsewhere classified	P
8062	General medical & surgical hospitals	S
8063	Psychiatric hospitals	S
8069	Specialty hospitals except psychiatric	S
8071	Medical laboratories	P
8072	Dental laboratories	P
8082	Home health care services	P
8092	Kidney dialysis centers	P
8093	Specialty outpatient clinics, not elsewhere classified	P
8099	Health and allied services, not elsewhere classified	P
8111	Legal Services	P
8243	Data processing schools	A
8244	Business and secretarial schools	A
8249	Vocational schools, not elsewhere classified	A
8331	Job training and related services	A
8351	Child day care services	A
8611	Business associations	P

8621	Professional organizations	P
8631	Labor organizations	P
8641	Civic and social associations	P
8651	Political organizations	P
8661	Religious organizations	P
8699	Membership organizations, not elsewhere classified	S
8711	Engineering services	P
8712	Architectural services	P
8713	Surveying services	P
8721	Accounting, auditing, & bookkeeping	P
8731	Commercial physical research	S
8732	Commercial nonphysical research	S
8733	hotels	S
8741	Management services	P
8742	Management consulting services	P
8743	Public relations services	P
8744	Facilities support services	P
8748	Business consulting, not elsewhere classified	P
8999	Services, not elsewhere classified	P
9111	Executive offices	P
9121	Legislative bodies	P
9131	Executive and legislative combined	P
9199	General government, not elsewhere classified	P
	OTHER USES NOT CLASSIFIED UNDER SIC CODE	
	Bicycle Trails (non-motorized)	P
	Convenience Stores (without the dispensing of gasoline)	A
	Essential Services	P
	Hiking Trails	P
	Historic Monuments or Sites	P
	Jogging Trails	P
	Nature Areas	P
	Nature Trails	P
	Wildlife Sanctuaries	P

The Unified Development Ordinance is hereby amended to create Section 15-3.0211 as follows:

**SECTION 15-3.0211      RC-1 CONSERVATION RESIDENCE DISTRICT**

- A.    **District Intent.** The RC-1 Conservation Residence District is intended to provide for allowing a diversity of lot sizes and single and multiple family uses, housing choices and building densities, while protecting and restoring environmentally sensitive areas, in furtherance of the goals and objectives of the South 27th Street Corridor Element of the Comprehensive Master Plan, and:
1.    To guide the detailed analysis of the development parcel so as to locate and coordinate appropriate areas for development and conservation.
  2.    To preserve the rural character through the permanent preservation of meaningful open space and sensitive natural resources.
  3.    To preserve scenic views by minimizing views of new development from existing roads.
  4.    To provide commonly-owned open space areas for passive and/or active recreational use by residents of the development and, where specified, the larger community.
  5.    To provide for a diversity of lot sizes, housing choices and building densities to accommodate a variety of age and income groups.
  6.    To provide buffering between residential development and non-residential uses.
  7.    To protect and restore environmentally sensitive areas and biological diversity, minimize disturbance to existing vegetation, and maintain environmental corridors.
  8.    To preserve significant archaeological sites, historic buildings and their settings.
  9.    To meet demand for housing in a rural setting.
  10.    Be served by public sanitary sewer and water supply facilities
- B.    **District Standards.** The RC-1 Conservation Residence District is further intended to have the development standards as set forth in Table 15-3.0211.

C. **Permitted, Accessory, and Special Uses.** See Table 15-3.0602.

The Unified Development Ordinance is hereby amended to create Table 15-3.0211 as follows:

Table 15-3.0211

**RC-1 CONSERVATION RESIDENCE DISTRICT DEVELOPMENT STANDARDS**

Type of Standard	Single-Family Detached D.U. s	Special Use: Two Family Structures	Special Use: Multiple-Family Attached Dwelling Units with Two or more D.U. s per Structure
		Option 1	Option 2
<b>Minimum Open Space Ratio and Maximum Density</b>			
Open Space Ratio (OSR)	0.5	0.5	0.5
Maximum Gross Density (GD)	1.5	3.00	8.00
<b>Lot Dimensional Requirements</b>			
Minimum Lot Area (s.f.)	10,000	15,000	43,560
Minimum Lot Width at Setback Line (feet)	60 & 75-corner	100	150
Minimum Front Yard (feet)	25	40	30
Minimum Side Yard (feet)	5	10	20
Minimum Side Yard on Corner Lot (feet)	15	30	30
Minimum Rear Yard (feet)	25-D.U. & 10-garage	30	30
Minimum Shore Buffer (feet)	75	75	75
Minimum Wetland Buffer (feet)	30	30	30
Minimum Wetland Setback (feet)	50	50	50
<b>Minimum Total Living Area per Dwelling Unit (D.U.) in Single-Family and Two-Family Structures</b>			
1-Story D.U. 3 Bedrooms	1,250 s.f.	N/A	N/A
1-Story D.U. >3 Bedrooms	150 s.f.	N/A	N/A
1-Story D.U. if Basement is < 600 Square Feet	250 s.f.	N/A	N/A
Multi-Story D.U. 3 Bedrooms	1,550 s.f.-total & 950 s.f.-1st floor	N/A	N/A
Multi-Story D.U. >3 Bedrooms	100 s.f.	N/A	N/A
Multi-Story D.U. if Basement is < 600 Square Feet	250 s.f.	N/A	N/A

Maximum Building Height			
Principal Structure (stories/ft.)	2.5/30	2.5/30	4.0/60
Accessory Structure (stories/ft.)	1.0/15	1.0/15	1.0/15

Table 15-3.0602 is hereby amended to add the following permitted and special uses pertaining to the RC-1 Conservation Residence District:

**Table 15-3.0602**  
**Permitted and Special Uses in the Residential Zoning**  
**Districts**

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

SECTION 2: Division 15-3.0350 OVERLAY DESIGN STANDARDS of the Unified Development Ordinance of Franklin, Wisconsin is hereby created to read as follows:

**DIVISION 15-3.03050 OVERLAY DESIGN STANDARDS**

**SECTION 15-3.03051 SOUTH 27<sup>TH</sup> STREET DESIGN OVERLAY DISTRICT**

**A. District Intent.** The South 27<sup>th</sup> Street Design Overlay District is intended to:

1. Further the implementation of the South 27th Street Corridor Master Plan Amendment adopted by the City of Franklin on January 20<sup>th</sup>, 2005. Specifically, the plan intends for the South 27<sup>th</sup> Street Corridor and adjacent areas to:
  - a. Be a local, regional and statewide destination for people to work, live, shop, recreate, and interact with one another.
  - b. Be an attractive center of economic activity in southeast Wisconsin with clearly and conveniently linked strong neighborhoods, beautiful parks and open spaces, and engaging civic and institutional places.
  - c. Serve as a unifying place for the cities of Franklin and Oak Creek, and for Milwaukee County.
2. Apply whenever new principal and/or accessory buildings are constructed in the district following the effective date of this ordinance.
3. Apply whenever building additions in the district result in an increase in floor area of fifty (50) percent or more over the floor area of the existing building at the time of the addition.
4. Exempt residential uses from compliance with the requirements set forth in this Division.
5. Authorize the Plan Commission to waive any of the South 27th Street Design Overlay District Standards by 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that the required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.

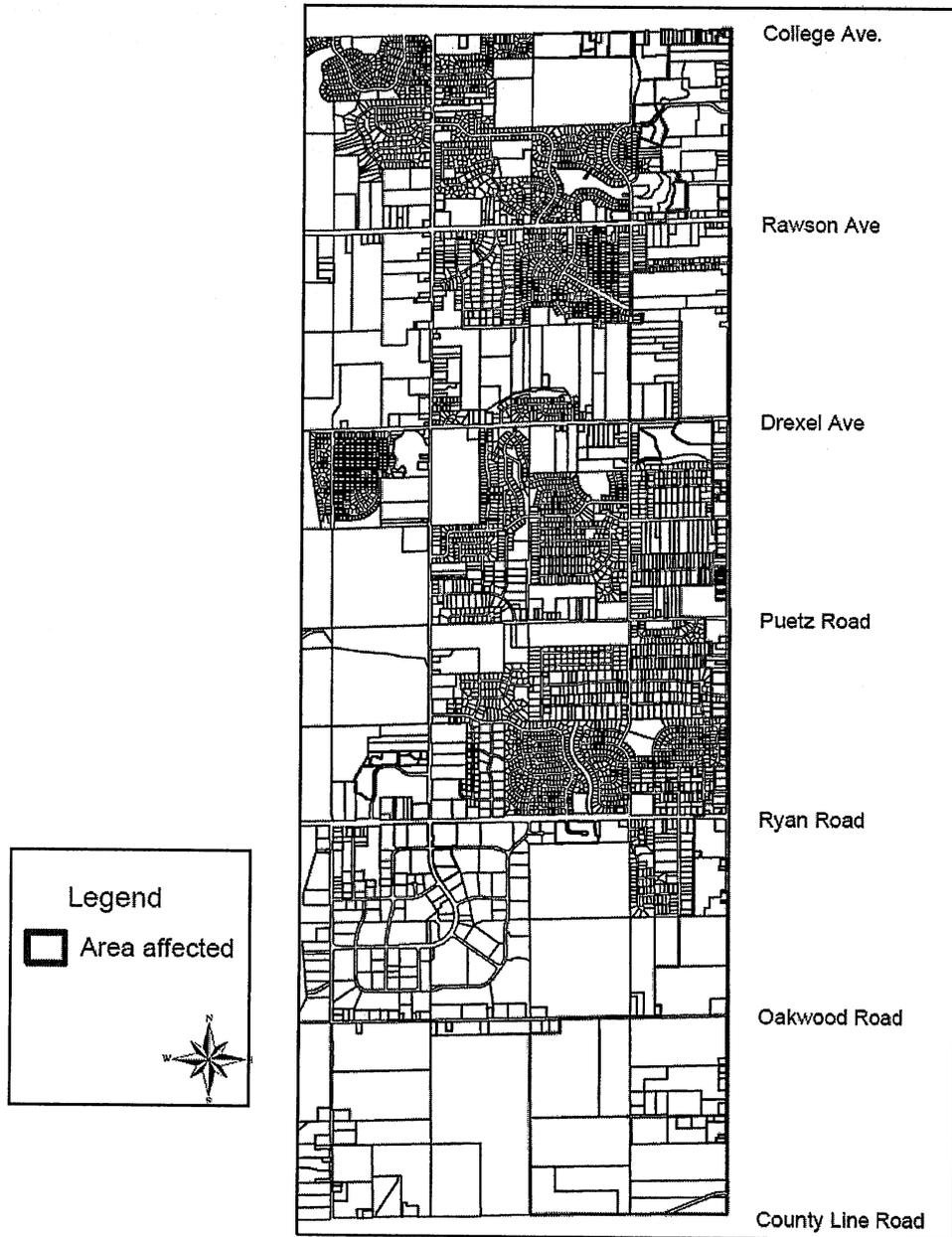
6. Allow existing structures to remain conforming with regard to this Division.

**B. District Standards.** Properties in the South 27<sup>th</sup> Street Design Overlay District are regulated by the City of Franklin Unified Development Ordinance in its entirety, and all provisions set forth in this Division, including the following:

SECTION 15-3.03052	Parking Requirements
SECTION 15-3.03053	Landscape and Site Design General Standards
SECTION 15-3.03054	Landscaping Requirements for Off-Street Parking Areas
SECTION 15-3.03055	Architectural Requirements

C. **District Area.** The requirements set forth in this Division apply to properties included within the area outlined on the map below:

### South 27th Street Design Standards



## **SECTION 15-3.0352 PARKING REQUIREMENTS**

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

### **A. Parking required and location regulated**

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

### **B. Number of parking spaces limited**

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

### **C. Potential parking reductions**

#### **1. Shared Parking.**

The Plan Commission may authorize as much as a forty (40) percent reduction in the area to be paved for non-residential off-street parking stalls when parking is shared by two (2) or more uses provided:

- a. The reduction does not exceed forty (40) percent of the required parking.
- b. The uses that are sharing parking have peak parking demand at different times.
- c. Pedestrian sidewalks or paths are provided as safe connections between any uses sharing the parking area.
- d. A shared parking agreement, signed by all parties, is approved by the City Council, following receipt of Plan Commission recommendations. The agreement shall state a minimum time frame for the agreement to be in effect; provide for ingress/egress easements; and be recorded with the County as a covenant.

#### **2. Other requested parking reductions.**

If a parking reduction is requested for any reason other than shared parking, or a parking reduction beyond forty (40) percent is requested for shared parking arrangements, technical documentation shall be furnished by the applicant during the site plan review process to indicate, to the satisfaction of the Plan

Commission, that actual off-street parking demand for that particular use is less than the required amount or that sufficient on-street parking is available in the area.

**D. Land-Banking of Reserved Parking Area**

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

**SECTION 15-3.0353 LANDSCAPE AND SITE DESIGN GENERAL STANDARDS**

**A. Vision Clearance Necessary**

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

**A. Coordination of site furnishings**

Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) shall complement the character of the building, and provide an attractive and strong relationship with adjoining properties and the public sidewalk.

**B. Pedestrian considerations**

1. New streets proposed as part of new developments shall provide "pedestrian friendly" streetscapes.
2. Large parking areas shall include walkways to allow safe pedestrian access to the building entrance and to connect the site to adjacent streets and properties. Pedestrian walkways shall be designed with amenities such as special paving treatments (colored paver blocks or textured concrete), lighting (see

lighting discussion below) and furnishings to create a pedestrian-friendly character.

3. The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties.
4. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds.
5. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities.
6. Internal pedestrian walkways shall be distinguished from driving surfaces.
7. The building shall provide awnings or other weather protection features within thirty (30) feet of all customer entrances along a building.

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

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

**D. Bicycle and pedestrian amenities required**

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

**E. Landscaping**

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

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

**F. Central Areas/Features**

Each development which contains a building over fifty thousand (50,000) square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

**G. Cart Returns**

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

**SECTION 15-3.0354 LANDSCAPING REQUIREMENTS FOR OFF-STREET PARKING AREAS**

**A. Parking Lot Landscaping Required**

Interior and perimeter buffer landscaping is required for all off-street parking lots and their associated vehicular use areas, with the exception of those infill and redevelopment projects that have been granted an

exception by the Plan Commission. These regulations stipulate the design and placement of such plantings. The actual number of plant units utilized in such plantings may be counted toward the total number of plant units required on-site as determined under Section 15-5.0302.

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

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

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

The interior parking lot landscaping standards of this section shall apply to all off-street parking lots and their vehicular use areas containing twenty (20) or more parking spaces. The intent of this section is to require landscaping within vehicular use areas; therefore, landscaping screens, planting strips and landscaping surrounding buildings shall not be considered as interior landscaping. Interior parking lot landscaping is required as follows:

1. A minimum of twenty (20) square feet of interior landscaped island shall be provided per parking stall.

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

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

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

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

**SECTION 15-3.0355 ARCHITECTURAL REQUIREMENTS**

**A. Building Character and Design**

1. Buildings located on prominent sites -- such as key intersections, corners, terminations of street vistas, and on high points -- shall be multi-story and exhibit quality architectural design to serve as landmarks.
2. All exterior materials shall be durable, of high-quality, utilized true to form (such as stone below wood rather than the opposite), and appropriate for external use.

3. Brick, stone and terra-cotta are preferred primary materials for new buildings or additions.
4. The use of false brick or other “faux” sidings is discouraged.
5. Color choice shall complement the style and materials of the building’s facade and provide a pleasing relationship with adjoining buildings.
6. Painting of brick and stone is discouraged.
7. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.
8. All visible sides of the building shall be designed with details that complement the front facade. Side facades that are visible from the public street shall receive equal design attention.
9. Building massing that creates modulation and articulation is encouraged.
10. Multi-story buildings that allow for a mix of retail, office or residential uses are preferred.

**B. Design Standards for Non-Residential Buildings [20,000 Square Feet or Less in Area]**

**1. Purpose and Intent**

The purpose of these design standards is to guide the design of smaller non-residential buildings constructed in the South 27<sup>th</sup> Street Design Overlay District to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings in the vicinity. These standards are intended to support good quality design in new building construction, enhance street safety, and provide a comfortable street environment by providing features of interest to pedestrians and motorists. Good design results in buildings that are in visual harmony with nearby buildings, leading to a city that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a sustainable community which facilitates easy pedestrian movement and establishment of a rich mixture of uses.

The standards of this section apply whether the use is allowed as a Permitted Use, Special Use or Accessory Use. The Plan Commission shall evaluate site plans and architectural plans for compliance with these provisions.

**2. Compatibility with Existing Buildings**

- a. Buildings shall maintain a similar size, shape, height, bulk, scale and mass of surrounding architecture, unless required to vary due to zoning district dimensional standards.
- b. Where building sizes will not be equivalent or comparable to those existing in the same general vicinity, larger building facades shall be broken down into units that resemble the size of existing facades.

### **3. Building Materials and Colors**

- a. Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.
- b. Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, though it may be used for accents including awnings.
- c. Where masonry is used for exterior finish, decorative patterns must be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.
- d. Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern.
- e. Building façade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on façades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on sign face and copy areas.

### **4. Roof Materials, Parapets, and Roof Pitch**

- a. Pitched roof structures shall have a minimum roof pitch of 6:12.

- b. Flat roofs are permitted with detailed stepped parapets or detailed brick coursing.
- c. Parapet corners must be stepped or the parapet must be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.
- d. Visible sloped roofs must be neutral in color, such as gray, black, or dark brown.
- e. Visible roof materials must be wood or architectural grade composition shingle or sheet metal with standing or batten seam.
- f. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means.

#### **5. Building Facades**

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

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

#### **6. Change in Relief of Building.**

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

#### **7. Windows**

- a. Windows which allow views to the interior activity or display areas are expected. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.
- b. Ground Floor Window Standards

- i All new buildings must provide ground floor windows.
  - ii Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
  - iii Required windows must have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill must be raised to allow it to be no more than two feet above the finished floor level, up to a maximum sill height of six feet above grade.
  - iv Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
  - v The primary façade of each building, or for corner buildings each of the two facades, must contain at least twenty (20) percent of the ground floor wall area in display areas, windows, or doorways. Blank walls are prohibited.
  - vi Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is sixteen (16) square feet per story or six (6) percent of the facade, whichever is greater.
- c. Upper Floor Window Standards
- i Glass area dimensions shall not exceed 5' x 7'. (The longest dimension may be taken either horizontally or vertically.)
  - ii Windows must have trim or molding at least two inches wide around their perimeters.

## 8. Pedestrian Accessibility

- a. Buildings shall maintain and/or enhance the pedestrian scale.
- b. Building entries must comply with the accessibility requirements of the applicable state and federal codes.
- c. Special attention shall be given to designing a primary building entrance that is both attractive and functional.
- d. Buildings located at the intersection of two streets shall utilize a corner entrance to the building unless this requirement is waived by the Plan Commission.
- e. The pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers.

**9. Landscaping/Streetscape**

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

**10. External Storage**

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

**C. Design Standards for Non-Residential Buildings [Greater than 20,000 Square Feet in Area]**

**1. Purpose and Intent**

The design standards for buildings greater than 20,000 square feet are intended to ensure that large buildings, and the sites they occupy, are properly located and compatible with the surrounding area and community character of the South 27<sup>th</sup> Street Design Overlay District. Such projects shall also be subject to the more general standards for the approval of Special Use Permits or PUD Districts when applicable.

The following requirements are applicable to all new buildings in excess of twenty thousand (20,000) gross square feet. These requirements are also applicable when additions to non-residential and mixed use buildings built either before or after the effective date of this

Division, bring the total building size to over twenty thousand (20,000) gross square feet.

**2. Waiver of Standards**

The Plan Commission may waive any of the following standards by a ¾ vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.

**3. Compatibility with City Plans**

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

**4. Building Materials**

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

## **5. Building Design**

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

## **6. Building Entrances**

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

## **7. Building Color**

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

## **8. Building Location**

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

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

#### **9. Screening**

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

#### **10. 10. Traffic Impact**

All projects that include buildings over twenty thousand (20,000) square feet shall have direct access to an arterial or collector street, or shall dedicate public roads which have direct access to a public street. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; and traffic control devices; and sidewalks. The site design shall provide direct connections to adjacent land uses if required by the City. Prior to development approval, the applicant's traffic engineer shall complete and present a traffic impact analysis following Wisconsin Department of Transportation guidelines. Where the project will cause off-site public roads, intersections, or interchanges to function below level of service C, as defined by the Institute of Transportation Engineers, the City may deny the application, require a size reduction in the proposed development, or require that the developer construct and/or pay for required off-site improvements.

#### **11. Natural Resources Protection**

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

#### **12. Signage**

The plan for exterior signage shall provide for modest, coordinated, and complimentary exterior sign locations, configurations, and colors throughout the development. All freestanding signage within the development shall compliment on-building signage. Monument style ground signs are strongly preferred over pole signs, and consolidated

signs for multiple users are strongly preferred over multiple individual signs. The City may require the use of muted corporate colors on signage if proposed colors are not compatible with the City's design objectives for the area.

SECTION 3: 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.

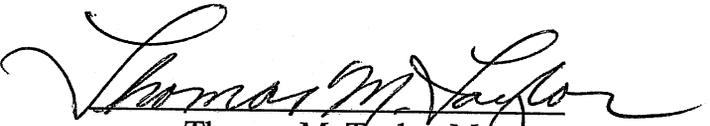
SECTION 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: 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 7th day of June, 2005, by Alderman Sohns.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 7th day of June, 2005.

APPROVED:

  
Thomas M. Taylor, Mayor

ATTEST:

  
Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0