

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, APRIL 18, 2019, 7:00 P.M.

A. **Call to Order and Roll Call**

B. **Approval of Minutes**

1. Approval of regular meeting of March 21, 2019 and April 4, 2019.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

1. **PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) MAJOR AMENDMENT, CERTIFIED SURVEY MAP AND A SITE PLAN AMENDMENT FOR A MIXED-USE BUILDING REVISION AND RELOCATION, SNOW PARK HOURS OF OPERATION REVISION AND COMMERCIAL/RETAIL BUILDING AND APARTMENT BUILDING ADDITION TO THE BALLPARK COMMONS DEVELOPMENT.** A major Planned Development District Amendment, Certified Survey Map and a Site Plan Amendment Application by Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, Zim-Mar Properties, LLC and BPC County Land, LLC property owners, as follows:
Major Planned Development District Amendment: To revise and relocate proposed mixed-use building M-1 (to a newly acquired parcel east of Ballpark Drive (formerly owned by the Wisconsin Department of Transportation)) at the southeast corner of West Rawson Avenue and Ballpark Drive, to add a single-story approximately 11,000 square foot commercial/retail building, and to revise the hours of operation for the snow park, property located at 7115 South Ballpark Drive and vicinity, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key Nos. 754-9001-000, 754-9006-000 and 744-1003-000.
Certified Survey Map: to create two lots out of Lot 1 of Certified Survey Map 9042, located at the southwest corner of West Rawson Avenue and South Ballpark Drive; zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key No. 754-9001-000.
Site Plan Amendment: for a proposed fifth 3-story 53 unit apartment building B-5, to be located on the western half of Lot 1 of Certified Survey Map 9042, a 3,000 square foot clubhouse which will include a swimming pool, community room and offices, located south of the previously approved B-3 building, and a dog park enclosed with a fence, which will include benches and an obstacle

course play area, located south of the clubhouse, property located at 7115 South Ballpark Drive and vicinity, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key Nos. 754-9001-000 and 754-9002-000. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE PLANNED DEVELOPMENT DISTRICT AMENDMENT APPLICATION OF THIS MATTER.**

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

1. **PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) BASEBALL STADIUM REVISIONS.** Site Plan Amendment application by BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman, applicant/property owner, to revise certain aspects of the Ballpark Commons stadium site plan previously approved by the Plan Commission, more specifically, the applicant is proposing to: reduce the footprint of the front entrance/gateway into the stadium (i.e. reduce the length of the front entrance/decorative gate from approximately 100 feet to approximately 90 feet, reduce the length of the front canopy from approximately 85 feet to approximately 61 feet, to remove much of the decorative longboard aluminum panels from the front canopy, and to reduce the length of the ticketing cargo container from 40 feet to 30 feet); remove the concession cargo container located west of the beer garden area from the first phase of the stadium plans and move it to a future phase; and, to replace the glass railings on the upper level of the beer garden cargo containers with wire mesh railings, property located at 7035 South Ballpark Drive, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) and FW Floodway District; Tax Key No. 744-1003-000.
2. **RYANWOOD MANOR ADDITION NO. 1 (FORMERLY KNOWN AS OAKWOOD AT RYAN CREEK) SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.** Final Plat application by Oakwood at Ryan Creek, LLC, to create 34 single-family lots and 1 outlot (Phase 2 of Ryanwood Manor Addition No. 1 Subdivision, 13,892 square feet average lot size), property zoned R-5 Suburban Single-Family Residence District and FW Floodway District, property located at approximately South 76th Street and West Oakwood Road, bearing Tax Key No. 934-9992-010.
3. **BRION THOMAS WINTERS DECK ADDITION TO EXISTING HOME.** Miscellaneous application by Brion Thomas Winters, to allow for construction of a 385 square foot deck addition on the first floor of the back of the residential home, within an existing 20 foot wide storm sewer easement along the rear of the property line (deck will encroach approximately 3 feet 8 inches into the recorded easement), property located at

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6828 West Fox Haven Court, zoned R-3 Suburban/Estate Single-Family Residence District; Tax Key No. 837-0235-000.

4. **FRANKLIN VILLAGE SHOPPING CENTER SIGNAGE.** Master Sign Program application by Franklin Village Properties, LLC, property owner, to allow for a Master Sign Program, which will include a request for special exceptions to: the number of monument signs allowed; the distance between monument signs; the amount of tenant signage that would be located on the Master Identification Sign and the total size of the Master Identification Sign, for property zoned B-3 Community Business District, located at 7101-7133 South 76th Street (Franklin Village); Tax Key No. 755-0038-001.

E. Adjournment

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

**Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

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

REMINDERS:

Next Regular Plan Commission Meeting: May 9, 2019

City of Franklin
Plan Commission Meeting
March 21, 2019
Minutes

Unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the March 21, 2019 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Commissioners, Kevin Haley, Patricia Hogan and Adam Burckhardt, Alderman Mark Dandrea and City Engineer Glen Morrow. Excused was Commissioner Fowler and City Attorney Jesse Wesolowski. Also present was Planning Manager Joel Dietl and Principal Planner Benjamin Kohout.

B. Approval of Minutes

1. Regular Meeting of March 7, 2019.

Commissioner Hogan moved and Commissioner Haley seconded approval of the March 7, 2019 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (6-0-1).

C. Public Hearing Business Matters

1. REPACORP, INC. REMOVAL OF TWO BUILDINGS AND EXPANSION OF EXISTING BUILDING.

Rezoning, Site Plan Amendment and Land Combination applications by Ener-Con Companies Inc., c/o FHCC, LLC, as follows:
Rezoning: to rezone Outlot 2 of Certified Survey Map No. 6595 from R-3 Suburban/Estate Single-Family Residence District to M-1 Limited Industrial District as required by a previous City approval and to ensure that the entire property is zoned M-1 Limited Industrial District; **Site Plan Amendment:** for the removal of two smaller existing buildings on the northeastern portion of the Repacorp, Inc. property, and to expand the existing building on the northern portion of the property [the proposed approximately 40,120 square foot building expansion will be located on the east side of the existing building, with proposed site changes including parking lot changes

Planning Manager Joel Dietl presented the request by Ener-Con Companies Inc., c/o FHCC, LLC, as follows:
Rezoning: to rezone Outlot 2 of Certified Survey Map No. 6595 from R-3 Suburban/Estate Single-Family Residence District to M-1 Limited Industrial District as required by a previous City approval and to ensure that the entire property is zoned M-1 Limited Industrial District;
Site Plan Amendment: for the removal of two smaller existing buildings on the northeastern portion of the Repacorp, Inc. property, and to expand the existing building on the northern portion of the property [the proposed approximately 40,120 square foot building expansion will be located on the east side of the existing building, with proposed site changes including parking lot changes on the south side of the proposed building addition, an access drive along the northeast corner of the subject property, loading docks on the north side of the building addition, and a driveway connection to South 112th Street];
Land Combination: to combine both the parcel to the north (6858 South 112th Street) and the parcel to the south (generally located on the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building)) with the main parcel (11301 – 11311 West Forest Home Avenue) as

on the south side of the proposed building addition, an access drive along the northeast corner of the subject property, loading docks on the north side of the building addition, and a driveway connection to South 112th Street];

Land Combination: to combine both the parcel to the north (6858 South 112th Street) and the parcel to the south (generally located on the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building)) with the main parcel (11301 – 11311 West Forest Home Avenue) as required by a previous City approval (Resolution No. 98-4777) and to allow a truck loading dock to cross a property boundary; addresses, zoning and Tax Key Nos. as follows:

Rezoning: generally located on the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building), R-3 Suburban/Estate Single-Family Residence District, 748-9997-008;

Site Plan Amendment: 11301 West Forest Home Avenue, M-1 Limited Industrial District, 748-9994-003;

Land Combination: 11301-11311 West Forest Home Avenue, 6858 South 112th Street and generally the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building), R-3 Suburban/Estate Single-Family Residence District (748-9997-008) and M-1 Limited Industrial District (748-0067-000 and 748-9994-003).

required by a previous City approval (Resolution No. 98-4777) and to allow a truck loading dock to cross a property boundary; addresses, zoning and Tax Key Nos. as follows:

Rezoning: generally located on the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building), R-3 Suburban/Estate Single-Family Residence District, 748-9997-008;

Site Plan Amendment: 11301 West Forest Home Avenue, M-1 Limited Industrial District, 748-9994-003;

Land Combination: 11301-11311 West Forest Home Avenue, 6858 South 112th Street and generally the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building), R-3 Suburban/Estate Single-Family Residence District (748-9997-008) and M-1 Limited Industrial District (748-0067-000 and 748-9994-003).

The Official Notice of Public hearing was read in to the record by Principal Planner Benjamin Kohout and the Public Hearing was opened at 7:05 p.m. and closed at 7:18 p.m..

Rezoning:

Commissioner Burckhardt moved and Commissioner Hogan seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from R-3 Suburban/Estate Single-Family Residence District to M-1 Limited Industrial District (generally located on the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building) (approximately 4.35 acres). On voice vote, all voted 'aye'. Motion carried (6-0-1).

Site Plan Amendment:

Commissioner Haley moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution amending the Site Plan for property located at 11301 West Forest Home Avenue to allow for removal of two smaller existing buildings on the northeastern portion of the Repacorp, Inc. property and to expand the existing building on the northern portion of the property along with parking lot changes, the addition of an access drive, loading docks and a driveway connection to South 112th Street (Tax Key No. 748-9994-003). On voice vote, all voted 'aye'. Motion carried (6-0-1).

Land Combination:

Commissioner Hogan moved and Commissioner Haley seconded a motion to recommend approval of a Resolution conditionally approving a Land Combination for Tax Key Nos. 748-9994-003, 748-9997-008 and 748-0067-000 (11301 – 11311 West Forrest Home Avenue, 6858 South 112th Street and general the east side of West Forest Home Avenue, approximately 1,200 feet north of the intersection of West Forest Home Avenue and West Rawson Avenue (south of the existing general warehouse building)). On voice vote, all voted 'aye'. Motion carried (6-0-1).

D. Business Matters

1. None.

Commissioner Hogan moved and Commissioner Burckhardt seconded a motion to adjourn the Plan Commission meeting of March 21, 2019 at 7:30 p.m. All voted 'aye'; motion carried. (6-0-1).

E. Adjournment

**City of Franklin
Plan Commission Meeting
April 4, 2019
Minutes**

Unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the April 4, 2019 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Commissioners, Kevin Haley and Adam Burckhardt, Alderman Mark Dandrea and City Engineer Glen Morrow. Excused were Commissioners Patricia Hogan and David Fowler. Also present were Planning Manager Joel Dietl, Principal Planner Orrin Sumwalt, Alderman John Nelson, and Alderwoman Kristin Wilhelm.

B. Approval of Minutes

1. Regular Meeting of March 21, 2019.

No action taken. The March 21, 2019 meeting minutes will be presented at the April 18, 2019 meeting.

C. Public Hearing Business Matters

1. 2 MIKE'S LLC LAND DIVISION. Rezoning and Certified Survey Map applications by 2 Mike's LLC to: rezone the properties located at 8547 and 8567 South 76th Street from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District; and to subdivide two existing properties into three separate lots, to convey the properties where the residential buildings 8547 and 8567 South 76th Street (proposed Lot 1 and Lot 2, fronting onto South 76th Street) are located, and the remaining land, proposed Outlot 1 (located to the West of said lots), will be developed in the future, properties zoned R-6 Suburban Single-Family Residence District and C-1 Conservancy District, located at 8547 and 8567 South 76th Street; Tax Key Nos. 838-9984-000 and 838-9985-000.

Planning Manager Joel Dietl presented the request by 2 Mike's LLC to: rezone the properties located at 8547 and 8567 South 76th Street from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District; and to subdivide two existing properties into three separate lots, to convey the properties where the residential buildings 8547 and 8567 South 76th Street (proposed Lot 1 and Lot 2, fronting onto South 76th Street) are located, and the remaining land, proposed Outlot 1 (located to the West of said lots), will be developed in the future, properties zoned R-6 Suburban Single-Family Residence District and C-1 Conservancy District, located at 8547 and 8567 South 76th Street

The Official Notice of Public hearing was read in to the record by Principal Planner Orrin Sumwalt and the Public Hearing was opened at 7:05 p.m. and closed at 7:24 p.m.

Rezoning

Alderman Dandrea moved and Commissioner Burckhardt seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone two parcels of land from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District for the property located at 8547 and 8567 South 76th Street (approximately 0.48 acres). On voice vote, all voted 'aye'.

Motion carried (4-0-2).

CSM

Alderman Dandrea moved and Commissioner Haley seconded a motion to recommend approval of a Resolution conditionally approving a 3 lot Certified Survey Map, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 5 North, Range 21 East, located in the City of Franklin, Milwaukee County, Wisconsin (8547 and 8567 South 76th Street) On voice vote, all voted 'aye'. Motion carried (4-0-2).

2. OAK RIDGE OF FRANKLIN SINGLE-FAMILY RESIDENTIAL SUBDIVISION DEVELOPMENT.

Natural Resource Features Special Exception by Fred Arbanella, Arbanella/Carmody Homes, for the purpose of clearing, grading, filling and developing approximately 0.067 acre of wetlands, 0.242 acre of wetland buffer and 0.245 acre of wetland setback associated with 2 wetlands located within the proposed subdivision plat (and possible enhancement of the drainageway adjacent to one of the subject wetlands with native seed), to create Oak Ridge of Franklin Subdivision, a 23 lot subdivision (home sites ranging in size from 0.25 acres to 0.44 acres) and 1 outlot, located at 7475 South 49th Street, such property being zoned R-6 Suburban Single-Family Residence District; Tax Key No. 759-9981-010.

Planning Manger Joel Dietl presented the request by Fred Arbanella, Arbanella/Carmody Homes, for the purpose of clearing, grading, filling and developing approximately 0.067 acre of wetlands, 0.242 acre of wetland buffer and 0.245 acre of wetland setback associated with 2 wetlands located within the proposed subdivision plat (and possible enhancement of the drainageway adjacent to one of the subject wetlands with native seed), to create Oak Ridge of Franklin Subdivision, a 23 lot subdivision (home sites ranging in size from 0.25 acres to 0.44 acres) and 1 outlot, located at 7475 South 49th Street, such property being zoned R-6 Suburban Single-Family Residence District.

The Official Notice of Public hearing was read in to the record by Principal Planner Orrin Sumwalt and the Public Hearing was opened at 7:35 p.m. and closed at 7:53 p.m.

Commissioner Haley moved and City Engineer Morrow seconded a motion to recommend approval of the Fred Arbanella, Arbanella/Carmody Homes (Oak Ridge of Franklin Subdivision) Natural Resource Features Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of the Environmental Commission recommendations. On voice vote, all voted 'aye'. Motion carried (4-0-2).

D. Business Matters

1. MATT TALBOT RECOVERY SERVICES, INC. LAND DIVISION.

Certified Survey Map application by Matt Talbot Recovery Services, Inc., to divide an existing 15.52 acre property into two separate lots (Lot 1 contains an existing Community Based Residential Facility and is proposed to be

Planning Manger Joel Dietl presented the request by Matt Talbot Recovery Services, Inc., to divide an existing 15.52 acre property into two separate lots (Lot 1 contains an existing Community Based Residential Facility and is proposed to be approximately 13.45 acres and Lot 2 is being created to facilitate a future residential home and is proposed to be approximately 2.07 acres), property located at 9132 South 92nd Street, zoned R-3 Suburban/Estate Single-

approximately 13.45 acres and Lot 2 is being created to facilitate a future residential home and is proposed to be approximately 2.07 acres), property located at 9132 South 92nd Street, zoned R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District;

Family Residence District and C-1 Conservancy District.

City Engineer Morrow moved and Alderman Dandrea seconded a motion to suspend the rules of order to allow Alderman Nelson to speak. On voice vote, all voted 'aye'. Motion carried (4-0-2). Commissioner Haley moved and Alderman Dandrea seconded a motion to return to the regular rules of order. On voice vote, all voted 'aye'. Motion carried (4-0-2).

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution conditionally approving a 2 lot Certified Survey Map, being part of the Northwest 1/4 of the Southwest 1/4 of Section 21, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (9132 South 92nd Street), excepting conditions number 6 and number 7 of the draft Resolution, with condition number 6 to be amended in regard to public water service as discussed at the Plan Commission meeting, and with condition number 7 to be amended to include the following language at the end of the sentence "to provide that the property is subject to the special assessment for public water service as set forth in condition number 5 of Resolution No. 2015-011". On voice vote, all voted 'aye'. Motion carried (4-0-2).

E. Adjournment

Commissioner Haley moved and Commissioner Burckhardt seconded a motion to adjourn the Plan Commission meeting of April 4, 2019 at 8:20 p.m. All voted 'aye'; motion carried. (4-0-2).

Item C.1.

**Planned Development District No. 37 Amendment, Certified Survey Map,
and Site Plan Amendment**

PLEASE NOTE: As the applicant has not submitted plans in time for inclusion in the Plan Commission packet, and as staff has not had an opportunity to review any such plans prior to the Plan Commission meeting, staff recommends that any action on the Planned Development District Amendment, the Certified Survey Map, and the Site Plan Amendment be tabled until such time as staff review can be completed and copies of all materials provided to the Plan Commission for their prior review.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of April 18, 2019

**Planned Development District No. 37 Amendment, Certified Survey Map,
and Site Plan Amendment**

RECOMMENDATION: City Development staff recommends approval of the Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) major amendment, and Certified Survey Map, subject to the conditions of approval in attached draft ordinance and draft resolution.

Staff recommends that the Site Plan Amendment, Comprehensive Landscape Plan, and Mitigation Plan be tabled until such time as the applicants can provide a complete submittal for staff review and comment.

Project Name:	The Rock Sports Complex/Ballpark Commons PDD No. 37 Major Amendment, CSM, and Site Plan Amendment
Project Address:	7115 Ballpark Drive and vicinity
Applicants:	Ballpark Commons Apartments LLC, an affiliate of Mandel Group Inc.
Property Owners:	BPC County Land LLC, Zim-Mar Properties LLC, and Ballpark Commons Apartments LLC an affiliate of Mandel Group Inc.
Current Zoning:	PDD No. 37 and FW Floodway District
2025 Comprehensive Plan:	Mixed Use and Areas of Natural Resource Features
Use of Surrounding Properties:	Root River Parkway (Village of Greendale) to the north, S. 76 th Street and single-family residential to the east, Loomis Road (State Highway 36) to the south, and single-family residential to the west.
Applicant's Action Requested:	Recommendation to the Common Council for approval of the proposed Planned Development District major amendment and Certified Survey Map, and Plan Commission approval of the proposed Site Plan Amendment.

Please note: Additional information about staff's recommendations and concerns are provided in the attached Staff Comments memos dated April 4, 2019 and April 7, 2019.

INTRODUCTION:

On February 11, 2019, Ballpark Commons Apartments LLC, an affiliate of Mandel Group Inc. submitted applications for, and on March 22, 2019 provided additional information for, a

Planned Development District (PDD) major amendment, a Certified Survey Map, and a Site Plan Amendment.

PLANNED DEVELOPMENT DISTRICT (PDD) AMENDMENT:

Staff is recommending, with agreement from the applicant, that the Plan Commission classify the proposed amendment as a Major PDD Amendment. It can be noted that Major PDD Amendments are reserved for changes to the exterior boundary of, or proposed uses within, the PDD.

The applicant has proposed the following changes to the Planned Development District:

- Extend the hours of operation for the ski hill to 11:00 p.m. and to allow snow grooming equipment to be operated at all hours necessary to maintain the ski hill from November 1st to March 31st annually.
- To revise and relocate the proposed mixed-use building M-1 to a newly acquired parcel east of Ballpark Drive formerly owned by the Wisconsin Department of Transportation (at the southeast corner of West Rawson Avenue and Ballpark Drive), and to allow single story retail buildings.
- Staff has also updated the ordinance in regard to certain tax key and legal description information, and to remove Conditions of Approval number 11 pertaining to revision of utility plans to stub the water main into The Rock Sports Complex (which condition has now been addressed).

Staff recommends approval of the PDD Amendment subject to the following conditions:

- Provision of a front yard setback of at least 15' for Building B-5.
 - In order to obtain a building setback of less than 25' from Ballpark Drive, the applicant must request, and obtain approval of, a setback waiver from the Plan Commission pursuant to Table 15-3.0442D.1. of the UDO.
- The provision of additional details and a number of technical corrections as set forth in the Staff Comments dated April 4, 2019 and the draft Ordinance.

CERTIFIED SURVEY MAP (CSM):

The applicant is requesting that lot 1 of CSM 9042 be subdivided into two parcels. The eastern parcel would encompass a proposed 1 story retail building (which Site Plan application would be submitted at a future date), and the western parcel would encompass the B-5 building herein proposed as part of the subject Site Plan Amendment.

Staff recommends approval of the proposed CSM subject to a number of technical corrections as set forth in the Staff Comments dated April 4, 2019 and in the draft resolution.

SITE PLAN AMENDMENT:

The applicant is requesting approval of the site plan for the proposed building B-5, which is the same type of building as the other four apartment buildings previously approved by Site Plan Resolution No. 2018-002. The applicant has also provided:

- Partial information about a proposed clubhouse for the 5-building apartment complex.
- Partial information about the Comprehensive Landscape Plan.
 - This Plan is required by PDD No. 37 Ordinance 2018-2333 Section 15-3.0442B.14., and the conditions of approval for the various Ballpark Commons buildings (i.e. condition #7 of the Site Plan Resolution No. 2018-001 for Building C1, condition #8 of Site Plan Resolution No. 2018-014 for the stadium, etc.).
 - In addition, more detailed Landscape Plan information is needed to confirm the amount of landscaping and if any landscaping was moved from one building parcel to another (which changes may be allowed subject to approval by the Plan Commission).
- Partial information about the Mitigation Plan.
 - This Plan is required by condition #8 of the Standards, Findings and Decision of the NRSE approved on 1-9-18.
 - In addition, the Mitigation Plan does not indicate the degree of compliance or non-compliance with the mitigation standards set forth in Section 15-4.0103 of the UDO, and which must be presented to the Common Council pursuant to condition #17 of the Standards, Findings and Decision of the NRSE approved on 1-9-18.

Staff recommends that the Site Plan Amendment, and the Landscape and Mitigation Plans, be tabled until such time as the applicant can provide the additional requested information for staff review and comment.

CONCLUSION:

City Development staff recommends approval of the Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) major amendment subject to the conditions of approval in attached draft ordinance.

Staff recommends approval of the Certified Survey Map subject to the conditions of approval in the attached draft resolution.

Staff recommends that the Site Plan Amendment (and Landscape and Mitigation Plans) be tabled until such time as the applicant can provide the additional requested information for staff review and comment.

ORDINANCE NO. 2019-____

AN ORDINANCE TO AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO REVISE AND RELOCATE PROPOSED MIXED-USE BUILDING M-1 (TO A NEWLY ACQUIRED PARCEL EAST OF BALLPARK DRIVE (FORMERLY OWNED BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION)) AT THE SOUTHEAST CORNER OF RAWSON AVENUE AND BALLPARK DRIVE, TO ADD A SINGLE-STORY APPROXIMATELY 11,000 SQUARE FOOT COMMERCIAL/RETAIL BUILDING, AND TO REVISE THE HOURS OF OPERATION FOR THE SNOW PARK
(BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF MANDEL GROUP, INC., AND IN PARTNERSHIP WITH ZIM-MAR PROPERTIES, LLC, APPLICANTS, ZIM-MAR PROPERTIES, LLC AND BPC COUNTY LAND, LLC, PROPERTY OWNERS)
(AT APPROXIMATELY 7115 BALLPARK DRIVE AND VICINITY)

WHEREAS, Section 15-3.0442 of the Unified Development Ordinance provides for and regulates Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons), same having been created by Ordinance No. 2012-2089 and later amended by: Standards, Findings and Decision for a Special Exception to Certain Natural Resource Provisions Dated March 19, 2013; Ordinance No. 2013-2101; Ordinance No. 2016-2212; Ordinance No. 2017-2278, Ordinance No. 2018-2312, Resolution No. 2018-7339, Standards, Findings, and Decision for a Special Exception to Certain Natural Resource Provisions dated January 9, 2018, Ordinance No. 2018-2318, Ordinance No. 2018-2324, Ordinance No. 2018-2323 (re: Buildings B1 thru B4) and Ordinance No. 2018-2333, with such District primarily being located at 7900 West Crystal Ridge Drive, bearing Tax Key Nos. 708-8996-002, 744-1003-000, 744-1004-000, 744-1005-000, 744-1007-000, 744-1008-000, 744-1009-000, 744-1010-000, 754-9001-000, 754-9002-000, 754-9006-000, 754-9007-000, 754-9008-000, and is more particularly described below; and

WHEREAS, Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) currently includes those lands legally described as follows:

PDD BOUNDARY

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THE NORTHEAST 1/4, NORTHWEST 1/4, SOUTHEAST 1/4, AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; AND THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 5

NORTH, RANGE 21 EAST, AND THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4; AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF SECTION 4; THENCE NORTH 88°42'47" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 SECTION, 1452.10 FEET TO LOOMIS ROAD (STATE TRUNK HIGHWAY "36") REFERENCE LINE AS SHOWN IN WISCONSIN DEPARTMENT OF TRANSPORTATION PLAT OF RIGHT OF WAY PROJECT NUMBER F064-I(5)/2240-02-22, DATED JULY 3, 1956 AND THE POINT OF BEGINNING; THENCE SOUTH 49°45'51" WEST ALONG SAID REFERENCE LINE, 908.15 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY 1280.09 FEET ALONG SAID REFERENCE LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, WHOSE RADIUS IS 3819.72 FEET AND WHOSE CHORD BEARS SOUTH 40°09'15" WEST, 1274.10 FEET TO A POINT OF TANGENCY; THENCE SOUTH 30°33'51" WEST ALONG SAID REFERENCE LINE, 912.57 FEET; THENCE NORTH 59°26'09" WEST, 146.77 FEET TO THE SOUTHEAST CORNER OF STONE HEDGE SUBDIVISION ADDITION NO. 1; THENCE NORTH 00°11'17" WEST ALONG THE EAST LINE OF SAID STONE HEDGE SUBDIVISION ADDITION, 2266.74 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST RAWSON AVENUE; THENCE NORTH 88°31'09" EAST ALONG SAID NORTH RIGHT OF WAY LINE 393.64 FEET; THENCE NORTH 76°43'11" EAST 212.76 FEET TO A POINT ON THE EAST LINE OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3107; THENCE NORTH 00°21'06" WEST ALONG THE EAST LINE OF SAID PARCEL 1 AND ALONG THE EAST LINE OF LOTS 14, 13, AND 12 OF BLOCK 1 OF WHITNALL VIEW SUBDIVISION ADDITION NO. 1, 809.21 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 88°41'11" WEST ALONG THE NORTH LINE OF SAID LOTS 12 AND 11 OF SAID WHITNALL VIEW SUBDIVISION ADDITION, 484.57 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE NORTH 00°21'07" WEST ALONG THE EAST LINE OF LOTS 10 AND 9 OF SAID WHITNALL VIEW SUBDIVISION, 400.06 FEET TO THE NORTHEAST CORNER OF SAID LOT 9, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 88°41'11" EAST ALONG SAID NORTH LINE, 544.58 FEET TO THE EAST LINE OF SAID SOUTHWEST 1/4 OF SECTION 4; THENCE SOUTH 00°21'07" EAST ALONG SAID EAST LINE OF SAID SOUTHWEST 1/4, 35.86 FEET; THENCE NORTH 88°42'30" EAST, 662.58 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/4 OF SAID 1/4 SECTION; THENCE NORTH 00°22'39" WEST, 1349.21 FEET; THENCE NORTH 88°33'16" EAST 1252.39, FEET; THENCE SOUTH 00°19'12" EAST, 367.35 FEET; THENCE NORTH 54°02'33" EAST, 648.24 FEET; THENCE NORTH 88°33'16" EAST, 204.06 FEET TO THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 4, BEING THE CENTERLINE OF SOUTH

76TH STREET; THENCE SOUTH 00°19'12" EAST ALONG SAID EAST LINE, 519.27 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 4; THENCE SOUTH 00°25'03" EAST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 4, 1659.84 FEET TO SAID REFERENCE LINE; THENCE SOUTH 49°45'51" WEST ALONG SAID REFERENCE LINE, 1561.74 FEET TO THE POINT OF BEGINNING. CONTAINING IN ALL 8,951,502 SQUARE FEET (205.498 ACRES) OF LAND, MORE OR LESS.

WHEREAS, the Mixed-Use Building M-1 site within Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) currently includes those lands legally described as follows:

LOT 1 OF CERTIFIED SURVEY MAP NO. 9042 RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 10785127, BEING PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN. SAID PARCEL CONTAINS 125,667 SQUARE FEET OR 2.8849 ACRES.

WHEREAS, Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, having petitioned for a further amendment to Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to revise and relocate proposed mixed-use building M-1 (to a newly acquired parcel east of Ballpark Drive (formerly owned by the Wisconsin Department of Transportation)) at the southeast corner of Rawson Avenue and Ballpark Drive, to add a single-story approximately 11,000 square foot commercial/retail building, and to revise the hours of operation for the snow park; and

WHEREAS, the City of Franklin Plan Commission on the 18th day of April, 2019, having reviewed the proposed amendment to Planned Development District No. 37 and thereafter having recommended to the Common Council that the proposed amendment be approved subject to the conditions and restrictions included herewith; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission, and having determined that the proposed amendment to Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and that it will 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: Section 15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, as previously amended, is hereby amended to revise and relocate proposed mixed-use building M-1 (to a newly acquired parcel east of Ballpark Drive (formerly owned by the Wisconsin Department of Transportation)) at the southeast corner of Rawson Avenue and Ballpark Drive, to add a single-story approximately 11,000 square foot commercial/retail building, and to revise the hours of operation for the snow park.

SECTION 2: Section 15-3.0442 of the Unified Development Ordinance of the City of Franklin is hereby codified through current and amended as follows:

Section 15-3.0442 PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS)

A. **Exhibits.** This Planned Development District shall be constructed, operated and maintained in conformance with the following listed Exhibits, all containing matters approved hereunder or by the separate approval of the Common Council as set forth below, and all applicable terms and provisions of the Municipal Code and the Unified Development Ordinance not enumerated herein and not contrary to the terms or provisions of this ordinance, including, but not limited to such permits as are required under Division 15-8.0200 Construction, Division 15-8.0300 Construction Site Erosion Control, Division 15-8.0600 Stormwater Management, as well as the Development Agreement adopted by the Common Council on February 6, 2018.

1. **Exhibit A:** Ordinance No. 2012-2089.
2. **Exhibit B:** Standards, Findings and Decision for a Special Exception to Certain Natural Resource Provisions Dated March 19, 2013.
3. **Exhibit C:** Ordinance No. 2013-2101.
4. **Exhibit D:** Ordinance No. 2016-2212.
5. **Exhibit E:** Ordinance No. 2017-2278.
6. **Exhibit F:** Ordinance No. 2018-2312.
7. **Exhibit G:** Resolution No. 2018-7339.
8. **Exhibit H:** Standards, Findings, and Decision for a Special Exception to Certain Natural Resource Provisions dated January 9, 2018.
9. **Exhibit I:** Ordinance No. 2018-2318.
10. **Exhibit J:** Ordinance No. 2018-2323.
11. **Exhibit K:** Ordinance No. 2018-2324.
12. **Exhibit L:** Ordinance No. 2018-2333

B. **District Intent.** It is the intent of Planned Development District No. 37 to provide a unique and high quality sports anchored mixed-use development

which includes a multi-use sports and entertainment complex and certain compatible mixed-uses including commercial, retail, office, and residential development. And to provide an attractive center of recreational and economic activity which serves to enhance not only the subject District but the City of Franklin, surrounding communities, and Milwaukee County as well, in furtherance of the goals and objectives of the City of Franklin Comprehensive Master Plan and:

1. All development within this District shall comply with the zoning and land division standards and requirements of the Unified Development Ordinance, including but not limited to Division 15-3.0700 Special Uses, Division 15-3.0800 Accessory and Temporary Uses and Structures, Division 15-5.0100 Design Standards for Land Divisions, Division 15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access, except as otherwise specifically set forth within this Planned Development District No. 37.
2. Accommodate the clustering of buildings on parcels of land under individual or multiple ownership.
3. Provide for an arrangement of recreation, entertainment, commercial, retail, office, and multi-family residential uses that are compatible in function, form, and operation.
4. Apply superior architectural and site design considerations whenever new principal and/or accessory structures are constructed. Encourage multi-story buildings.
5. Provide a safe, interconnected, and pedestrian-friendly network of public streets, private roads, sidewalks, and trails which encourages a multi-modal system of transportation throughout the District, and through this network, with the surrounding community. A Complete Streets design, incorporating such considerations as narrower travel lanes, on-street parking, curb extensions, frequent and safe crossing opportunities, dedicated sidewalks and/or trails, etc., is encouraged.
6. Provide both on-site and off-site parking for tenants and customers combined with a pedestrian-oriented environment.
7. Provide shared parking arrangements between adjacent uses and properties through the use of easements and other similar agreements. Encourage shared parking arrangements throughout the entire District, including consideration of formal shuttle services, etc.

8. 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.
9. Require special use approval for all new buildings greater than 90,000 square feet in area and/or taller than four stories, or 60 feet in height, whether single-tenant or multi-tenant spaces, except for Buildings B1, B2, B3, and B4 which require a special use approval if greater than 65,000 square feet in area and/or taller than three stories. And Buildings C2 and S3 having a combined total square footage of up to 145,000 without the need for a special use.
10. Be served by public sanitary sewer and water supply facilities. Existing facilities will have the option for public water.
11. Temporary Stone Crushing operations, to crush concrete obtained from both onsite and offsite sources, solely to be used onsite for temporary roads, staging areas, and as structural fill, shall be a permitted use between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday.
12. A Permitted Use lawfully existing and established with an existing principal building within the area of this District prior to and upon the recreation of this District shall remain as such Permitted Use and a conforming use, with any future addition, expansion and/or enlargement to the use and/or amendment to any site plan for the use, to be permitted and/or granted only upon the consideration of all applicable standards for the review and approval of such permits and site plans, and the District Intent and District Standards in this Section.
13. Allow smaller building setbacks along all public streets, up to 0' building setbacks from the public right-of-way (or corresponding easement), as well as into associated traffic visibility setbacks, bufferyards, parking lot setbacks, etc. subject to Site Plan approval by the Plan Commission; upon due consideration of applicable standards for Site Plans and traffic and pedestrian safety.

14. Allow Landscape Surface Ratio averaging, such that the Plan Commission may allow and grant approval of a minimum landscape surface ratio calculation which considers separate but contiguous parcels as one development site throughout the entire PDD. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, and Land Combination applications in making such determination. In addition, the overall quantity of landscape plantings shall be allowed to be reduced by 25 percent from the UDO standards, subject to review and approval by the Plan Commission. Furthermore, the revised Landscape Plans for Buildings C1, C2, C3, C4, S1, S2, S3, B1, B2, B3, B4, and A1/P17 shall be submitted for Plan Commission review and approval prior to issuance of Occupancy Permits for those buildings.

SECTION 15-3.0442A The Rock Sports Complex Area

- A. **District Intent.** It is the intent of The Rock Sports Complex Area (which is located in that area north of West Rawson Avenue, West Crystal Ridge Drive or future Ballpark Drive, west of South 76th Street, and east of the Whitnall View subdivision), to provide a multi-use sports and entertainment complex where the recreational needs of area residents can be met without undue disturbance of natural resources and adjacent uses, and in that regard, the entire Sports Complex Area in general, and the existing ballfields and proposed stadium in particular, shall employ superior lighting and sound systems so as to minimize potential adverse impacts upon adjacent properties. All development within this area shall comply with the standards and requirements of the P-1 Park District and all other applicable zoning requirements of the Unified Development Ordinance, except as otherwise specifically set forth in this Planned Development District No. 37. All decisions upon approvals to be made hereunder shall be made upon the application of such intent and standards and requirements.
- B. **Permitted, Special and Prohibited Uses.**
1. **District Permitted Uses.** The following are permitted uses in The Rock Sports Complex Area:
 - a. The Rock Sports Complex (Scenario 2, Phase 1) as depicted in Exhibits A through J of Ordinance No. 2012-2089 as such Exhibits are amended from time to time.
 - b. Snowshoeing
 - c. Indoor and Outdoor Soccer
 - d. Indoor and Outdoor Volleyball
 - e. Indoor and Outdoor Golf
 - f. Indoor and Outdoor Baseball
 - g. Indoor climbing wall
 - h. Indoor pickleball
 - i. General Retail
 - j. Slides/Children's Play Areas
 - k. Physical Therapy
 - l. Sports Medicine
 - m. Medical Offices

- n. Fitness studios/Gyms
- o. Restaurants/eating and drinking establishments
- p. Skiing
- q. Snowboarding
- r. Sledding & tubing
- s. Cross country skiing
- t. Baseball
- u. Softball
- v. Commercial batting cages
- w. Volleyball
- x. Football
- y. Lacrosse
- z. Soccer
- aa. Mountain biking
- bb. Bicycle motocross
- cc. Running
- dd. Temporary Uses/Extraordinary Entertainment & Special Events as permitted by the Unified Development Ordinance and Municipal Code
- ee. Restaurant/Umbrella Bar (without drive through facilities)
- ff. Concession stands
- gg. Equipment rental
- hh. Retail equipment and accessory sales
- ii. A Sprecher Beer Café within the four fields located on the north end of the site.
- jj. Those uses permitted within the P-1 Park District
- kk. Monitoring and other activities associated with the landfill as required by the Wisconsin Department of Natural Resources
- ll. Except as set forth under subs. a. above, those uses found to be similar to the above permitted uses under the terms of §15-2.0210 of this ordinance.

- mm. Stadium
- nn. Office
- oo. Athlete Housing/Apartments.

Review and approval required. Except for the permitted uses set forth in subs. a. above, which are conditionally approved under this ordinance, permitted uses are subject to site plan review and approval under the terms of §15-7.0100 of this Ordinance.

2. **District Special Uses.** The following are special uses in The Rock Sports Complex:
 - a. Those special uses allowed within the P-1 Park District
 - b. Outdoor Climbing Walls
 - c. Indoor and Outdoor Sports (non-motorized) not elsewhere classified
 - d. Entertainment Outdoor and Indoor Music
 - e. Electric Vehicle Racing
 - f. Drinking Places (without drive through facilities)
 - g. Those uses found to be similar to the above special uses under the terms of §15-2.0210 of this Ordinance.

Review and Approval required. Special uses are subject to special use review and approval under the terms of §§15-3.0701 and 15-3.0703 and site plan review and approval under the terms of §15-7.0100 of this Ordinance.

3. **Accessory Uses.** All ancillary and accessory uses which are not specifically enumerated in the aforementioned plans shall first be submitted to the Department of City Development in a written form providing all of the information regarding such use as would otherwise be required for a zoning compliance application, for the review and written approval of the Department upon its consideration of the standards set forth in Section 15-3.0701 of the Unified Development Ordinance as they pertain to such use, location, physical layout, and operation, and as to whether such proposed use(s) is reasonably determined to be ancillary and accessory to the overall intent of this District and any subsequent amendment, special use, and site plan approvals.

4. **District Prohibited Uses.** The following uses shall be prohibited in The Rock Sports Complex Area, including when proposed as accessory to a Permitted or a Special Use:
 - a. Motorized recreational vehicles including but not limited to snowmobiles, dune buggies, motorcycles, dirt bikes and all-terrain vehicles, except for snow grooming and grounds keeping operations, and /or emergency rescue operations
 - b. Riding/equestrian trails
 - c. Hunting, trapping, game propagation
 - d. Automobile racing, including track operation
 - e. Cabins or cottages (rental)
 - f. Campgrounds (rental, for tents and/or recreational vehicles)
 - g. Firearm Ranges (indoor and outdoor)
 - h. Archery Ranges (indoor and outdoor)
 - i. All uses not listed as a permitted use, special use or accessory use thereto within the P-1 Park District.
- C. **District Standards.** The Rock Sports Complex Area is further intended to have the following development standards:
 1. **Landscape Surface Ratio and Floor Area.** The Rock Sports Complex Area shall maintain a minimum Landscape Surface Ratio (LSR) of .50 and Floor Area Standards in compliance with P-1 Park District standards pursuant to Table 15-3.0313. The LSR may be averaged across the entire PDD No. 37 District such that the LSR on one or more lots within The Rock Sports Complex may be less than 0.50 as long as District wide the average LSR of 0.50 is maintained at all times. The Plan Commission shall consider the applicable standards for Site Plan, Special Use, and Land Combination applications in making such determinations.
 2. **Lot Dimensional Requirements.**

a. Minimum Lot Area (s.f.):	40,000
b. Minimum Lot Width at Setback Line (feet):	100
c. Minimum Front Yard (feet):	50
d. Minimum Side Yard (feet)(a):	20

- e. Minimum Side Yard on Corner Lot (feet): 50
- f. Minimum Rear Yard (feet)(a): 50
- g. Minimum Shore Buffer (feet): 75
- h. Minimum Wetland Buffer (feet): 30
- i. Minimum Wetland Setback (feet): 50

(a) Upon approval of site plans, the Plan Commission may waive the minimum building setbacks from any lot line or public right-of-way (or corresponding easement), as well as from associated traffic visibility corners, bufferyards, parking lots, etc. The Plan Commission shall consider the applicable standards for Site Plan, Special Use and Land Division applications, and traffic and pedestrian safety, in making such determination.

- 3. **Maximum Building Height:** 3.0 stories/60 feet. The stated maximum building height may be increased pursuant to the granting of a Site Plan approval.
- 4. **Indoor/Outdoor Netting:**
The proposed Indoor/Outdoor Golf facility's netting will exceed this height limitation (up to 170') subject to Plan Commission approval of the associated Site Plan.

D. **Approved Uses.**

The Rock Sports Complex Area development for the time period as set forth in this ordinance is an "approved use" under this ordinance. The following terms and provisions of this subs. E. shall only apply to such approved uses where the subject matter of the following terms and provisions is not otherwise addressed or depicted in the Exhibits to this ordinance. The following terms and provisions of this subs. E. shall apply to all future uses of the property within the District.

1. **Site Restrictions:**

a. *Accessory Structures:*

Accessory structures or uses not depicted upon any Exhibit to this ordinance shall require approval under §15-9.0102 of this Ordinance and the Zoning Administrator shall apply the standards of this ordinance upon the review of an application therefore.

b. *Fencing:*

No fences shall be constructed on any Site without the approval of the Plan Commission. Fencing, where permitted, shall be solely for purposes of screening, security and landscape enhancement. Fencing shall be constructed only of permanent, high quality materials such as black vinyl coated chain link fencing with or without privacy slats, pressure-treated wood, masonry, or metal, and shall be approved by the Plan Commission in every instance.

c. *Temporary Structures:*

No temporary structures or trailers are permitted without prior written approval of the Plan Commission, except those belonging to construction companies during periods of construction.

d. *Ancillary Structures:*

No water tower, storage tank, processing equipment, solar collector, telecommunications equipment, cooling tower, satellite disks or other ancillary structure or outside equipment shall be constructed, erected or placed in the District without the prior written approval of the Plan Commission.

e. *Signs:*

All signs must be in accordance with the Municipal Code, as amended, and approved by the Architectural Review Board, or as approved by the Plan Commission on an individual site plan basis, and subject to issuance of a Sign Permit through the Inspection Department. On-site directional signage may be allowed in any area needed to control traffic or parking provided such signage has received approval from the Architectural Review Board or from the Plan Commission as appropriate.

Interior Signage associated with the Stadium, the ballfields, the indoor/outdoor golf facility, and the indoor baseball facility, if not visible to the general public located outside of The Rock Sports Complex (not withstanding minor and indirect views of such signage), shall be permitted and in addition to, whatever amount of signage as may be allowed by the Municipal Code, subject to Plan Commission approval of associated site plans.

2. **Parking:**

a. *Parking Generally:*

The Rock Sports Complex shall be provided with adequate paved on-street and off-street automobile parking as approved by the Plan Commission. Overnight parking of campers, mobile homes, boats, trailers and similar vehicles is prohibited unless prior written approval

is obtained from the Plan Commission. Overnight parking of trucks and service vehicles shall be behind landscape screening so as to minimize visibility from the roadway unless prior written approval is secured from the Plan Commission.

b. *Parking Location:*

No parking shall be allowed within the parking setbacks set forth in Division 15-5.0200 of the Unified Development Ordinance unless otherwise approved in writing by the Plan Commission, except parking setbacks from interior lot lines of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37.

Utilization of parking on any adjacent site is prohibited and shall not be counted towards parking requirements unless prior approval of the Plan Commission is obtained and subject to recorded shared parking agreements/easements/etc.

c. *Parking Ratio:*

Unless otherwise approved by the Plan Commission, areas for current and future parking needs shall be provided as follows:

- i. Off-street parking space and on-site queuing requirements shall comply with Section 15-5.0203 and Table 15-5.0203 of the Unified Development Ordinance. On-street parking, as may be approved by the Plan Commission, may also be utilized to address these required parking needs.
- ii. Each use shall have parking capacity adequate to serve the reasonable expected parking needs for the Site, which may include shared parking arrangements as approved by the Plan Commission, and as set forth in recorded shared parking agreements/easements/etc.; and
- iii. No continuing or extended use shall be made of a Site or any building constructed thereon which requires, or is reasonably expected to require, parking in excess of the capacity of the parking facilities available on said Site.

3. **Screening:**

a. *Storage:*

Waste and recycling containers shall be screened from view from the streets and adjacent sites by completely opaque screens unless otherwise approved by the Plan Commission. No other articles, goods, materials, finished or semi-finished products, incinerators, storage tanks, or other items shall be kept outdoors or exposed to public view, or to view from adjacent sites.

4. **Landscaping:**

a. *Landscape Requirements:*

The Rock Sports Complex shall provide landscape plantings as may be approved by the Plan Commission during its review and consideration of Site Plans.

Plantings shall be provided with a minimum two (2) year planting guaranty.

The 30' Buffer Yard Setback as depicted on the Landscape Plan City file-stamped August 1, 2012 shall be reserved for the planting of trees and shrubs; the building of structures hereon is prohibited, except for existing and proposed driveway access and trails as may be permitted by the Plan Commission.

The quantity of plantings within Bufferyard Easements shall be held in perpetuity and maintained throughout the life of the development.

5. **Architecture:**

a. *Architecture:*

The sports facilities, consisting of Buildings S1, S2/C3/C4, S3/C2, the ballfields and associated dugouts, concession stands, and announcer's booth; the Hinterhof indoor/outdoor facility, and the Umbrella Bar/restaurant architecture shall be completed, and in substantial compliance, per the approved Site and Architectural Plans.

Future uses and structures shall provide architectural elements consistent with the structures approved in Phase I to provide a single cohesive development.

6. **Hours of Operation:**

a. *Athletic Fields and Concession Stands:*

Hours of operation for the athletic fields and concession stands shall be limited to 7:00 a.m. to 11:00 p.m.

b. *Athletic field lighting curfew:*

All athletic field lights shall be shut off by 11:00 p.m. In the event of rain delays, extra innings, technical difficulties, or lighting maintenance, a reasonable extension of the lighting curfew, up to 12:00 a.m. (midnight), is allowed. Infrequent minor extensions beyond midnight is also allowed.

c. *Stadium:*

Hours of operation for the stadium shall be limited to 7:00 a.m. to 11:00 p.m. In the event of rain delays, extra innings, technical difficulties, or lighting maintenance, a reasonable extension of the lighting curfew, up to 12:00 a.m. (midnight), is allowed. Infrequent minor extensions beyond midnight is also allowed.

d.i. *Indoor Golf:*

Hours of operation of the indoor portion of the golf facility shall be limited to 7:00 a.m. to 12:00 a.m. (midnight) Sunday – Thursday and 7:00 a.m. to 2:00 a.m. Friday – Saturday.

d.ii. *Outdoor Golf:*

Hours of operation of the outdoor portion of the golf facility shall be limited to 7:00 a.m. to 12:00 a.m. (midnight).

e. *Indoor Baseball:*

Hours of operation of the Indoor Baseball and associated facility shall be limited to 5:00 a.m. to 12:00 a.m. (midnight).

f. *Umbrella Bar/restaurants (including the Hinterhof indoor/outdoor eating/drinking establishment):*

Hours of operation for the restaurant shall be limited to 7:00 a.m. to 2:00 a.m.

g. *Mountain Biking:*

Hours of operation for mountain biking on site shall be limited to sunrise to sunset.

h. *Ski Hill:*

Hours of operation for the ski hill shall be limited to 10:00 a.m. to 11:00 p.m. Snowmaking and snow grooming equipment may be operated at all hours necessary to maintain the ski hill from November 1st to March 31st of each year.

i. *Truck Deliveries and Refuse Collection:*

Truck deliveries and refuse collection shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

Trucks shall be prohibited from idling while loading and unloading.

7. **Lighting:**

- a. Unless otherwise approved by the Plan Commission, except as may otherwise be approved by the Common Council as part of the Comprehensive Lighting Study, all site lighting shall be in compliance with the regulations set forth in Division 15-5.0400 of the Unified Development Ordinance and in the Milwaukee County and Ballpark Commons Development Agreement/Exhibit C Noise and Light Addendum. Stadium light poles shall be allowed up to 110' above field level.

8. **Noise:**

- a. All noise levels must be in compliance with Sections 15-3.0908 and 15-3.1107 of this Ordinance and §183-38 through §183-46 of the City of Franklin Municipal Code, the Milwaukee County and Ballpark Commons Development Agreement/Exhibit C Noise and Light Addendum, and as may otherwise be approved by the Common Council as part of the comprehensive Sound Study.

**SECTION 15-3.0442B Ballpark Commons Sports Village
Commercial/Mixed Use Area**

- A. **Area Intent.** The Ballpark Commons Sports Village Commercial/Mixed Use Area is intended to provide for the development of certain mixed commercial uses that is compatible with and serves to create a synergy with, the adjacent multi-use sports and entertainment complex, in furtherance of the goals and objectives of the City of Franklin Comprehensive Master Plan and:
1. To be located in that area bounded by Crystal Ridge Drive or future Ballpark Drive, 76th Street, Loomis Road, and Rawson Avenue.
 2. Allow multi-story mixed-use commercial buildings, with commercial and retail uses, roof-top and/or outdoor seating areas, fountains, gardens, plazas, and/or other similar shared amenities that are compatible in function, form, and operation.
 3. Provide both on-street and off-street parking for tenants and customers including formal shared parking arrangements with the adjacent multi-use sports and entertainment complex.
 4. Provide a pedestrian-oriented environment.
 5. Provide superior four-sided architecture.
 6. Provide signage as may be approved by the Plan Commission during Site Plan review, and approval of a Sign Permit from the Inspection Department.
- B. **Area Standards.** The Ballpark Commons Sports Village Commercial/Mixed Use Area is further intended to have the development standards as set forth in Table 15-3.0442B.1.

Table 15-3.0442B.1.

**BALLPARK COMMONS SPORTS VILLAGE COMMERCIAL/MIXED USE
AREA DEVELOPMENT STANDARDS**

Type of Standard	Standard
Landscape Surface Ratio and Floor Area	

Minimum Landscape Surface Ratio (LSR) The LSR may be averaged across the entire PDD No. 37 District such that the LSR on one or more lots within the Sports Village may be less than 0.25 as long as District wide the average LSR of 0.50 is maintained at all times. The Plan Commission shall consider the applicable standards for Site Plan, Special Use, and Land Combination applications in making such determinations.	0.25
Lot Dimensional Requirements	
Minimum Lot Area (square feet)	20,000
Minimum Lot Width at Setback Line (feet)	100
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	25
Minimum Rear Yard (feet)	20
Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from any lot line or public right-of-way (or corresponding easement), as well as from associated traffic visibility corners, bufferyards, parking lots, etc. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications, and traffic and pedestrian safety, in making such determinations.	
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
Maximum Building Height	
Principal Structure (stories/ft.)	4.0/60
Accessory Structure (stories/ft.)	1.0/35
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

C. Permitted, Accessory, and Special Uses.

1. **District Permitted Uses.** The following are permitted uses in the Ballpark Commons Sports Village Commercial/Mixed Use Area:
 - a. Those uses permitted within the OL-2 General Business Overlay District, baseball fields, and hotel (up to 4 stories).

- b. Mixed use buildings up to four stories in height, with residential apartments on the upper floors, or specialty retail, food, and beverage outlots.
- c. Monitoring and other activities associated with: the landfill as required by the Wisconsin Department of Natural Resources; and with the Emerald Park Landfill gas pipeline as required by the Milwaukee Metropolitan Sewerage District.

Review and approval required. Permitted uses are subject to site plan review and approval under the terms of Section 15-7.0100 of this Ordinance.

2. **District Special Uses.** The following are special uses in the Ballpark Commons Sports Village Commercial/Mixed Use Area:

- a. Those special uses allowed within the OL-2 General Business Overlay District.
- b. Mixed use buildings over four stories in height, with residential apartments on the upper floors.

Review and Approval required. Special uses are subject to special use review and approval under the terms of §§15-3.0701 and 15-3.0703 and site plan review and approval under the terms of §15-7.0100 of this Ordinance.

3. **District Prohibited Uses.** The following uses shall be prohibited in the Ballpark Commons Sports Village Commercial/Mixed Use Area, including when proposed as accessory to a Permitted or a Special Use:

- a. All uses not listed as a permitted use, special use, or accessory use thereto within the OL-2 General Business Overlay District.

SECTION 15-3.0442C Ballpark Commons Mixed Use Area

- A. **Area Intent.** The Ballpark Commons Mixed Use Area is intended to provide for the development of certain mixed-uses, primarily including office, commercial, retail, and multi-family residential development, that is compatible with and serves to create a synergy with, the adjacent multi-use sports and entertainment complex, the adjacent Commercial area, and the adjacent multi-family residential area, in furtherance of the goals and objectives of the City of Franklin Comprehensive Master Plan and:
1. To be located at the southeast and southwest corners of the intersection of Rawson Avenue and Ballpark Drive.
 2. Provide single-story retail buildings and multi-story mixed use buildings with ground floor office/commercial/retail uses, and upper story residential apartments, roof-top and/or outdoor seating, fountains, gardens, plazas, and/or and other similar shared amenities that are compatible in function, form, and operation.
 3. Provide both on-street and off-street parking for tenants and customers, including underground parking for all multi-story buildings and formal shared parking arrangements with the adjacent multi-family residential area.
 4. Provide a pedestrian-oriented environment.
 5. Provide superior four-sided architecture.
 6. Require that new residential development meet the R-8 Multiple-Family Residence District Development Standards in Table 15-3.0209.
- B. **Area Standards.** The Ballpark Commons Mixed-Use Area is further intended to have the development standards as set forth in Table 15-3.0442C.1.

Table 15-3.0442C.1.

**BALLPARK COMMONS MIXED-USE AREA
DEVELOPMENT STANDARDS**

Type of Standard	Standard
Landscape Surface Ratio and Floor Area	

Minimum Landscape Surface Ratio (LSR) The LSR may be averaged across the entire PDD No. 37 District such that the LSR on one or more lots within the Mixed Use Area may be less than 0.25 as long as District wide the average LSR of 0.50 is maintained at all times. The Plan Commission shall consider the applicable standards for Site Plan, Special Use, and Land Combination applications in making such determinations.	0.25 ^a
Lot Dimensional Requirements	
Minimum Lot Area (square feet)	20,000
Minimum Lot Width at Setback Line (feet)	100
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	25
Minimum Rear Yard (feet)	20
Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from any lot line or public right-of-way (or corresponding easement), as well as from associated traffic visibility corners, bufferyards, parking lots, etc. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications, and traffic and pedestrian safety, in making such determinations.	
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
Minimum Total Living Area per Residential Apartment Dwelling Unit (D.U.) in Mixed Use Commercial Buildings	
For less than 3 D.U.'s per structure for one bedroom D.U.	900 sq. ft. (plus 200 sq. ft. for each bedroom over 1 bedroom)
For 3 or more D.U.'s per structure	(see Table 15-3.0442D.1.)
^a Commercial apartments may be permitted on the upper levels of a multi-story building only. The minimum landscape surface ratio (LSR) for the entire site shall be 0.35.	

Maximum Building Height	
Principal Structure (stories/ft.)	4.0/60
Accessory Structure (stories/ft.)	1.0/35
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

C. Permitted, Accessory, and Special Uses.

1. **District Permitted Uses.** The following are permitted uses in the Ballpark Commons Mixed Use Area:

- a. Those uses permitted within the B-4 South 27th Street Mixed Use Commercial District.
- b. Mixed use buildings up to four stories in height, with residential apartments on the upper three floors.

Review and approval required. Permitted uses are subject to site plan review and approval under the terms of Section 15-7.0100 of this Ordinance.

2. **District Special Uses.** The following are special uses in the Ballpark Commons Commercial Area:

- a. Those special uses allowed within the B-4 South 27th Street Mixed-Use Commercial District.
- b. Mixed use buildings over four stories in height, with residential apartments on the upper floors.

Review and Approval required. Special uses are subject to special use review and approval under the terms of §§15-3.0701 and 15-3.0703 and site plan review and approval under the terms of §15-7.0100 of this Ordinance.

3. **District Prohibited Uses.** The following uses shall be prohibited in the Ballpark Commons Commercial Area, including when proposed as accessory to a Permitted or a Special Use:

- a. All uses not listed as a permitted use, special use, or accessory use thereto within the B-4 South 27th Street Mixed-Use Commercial District.

SECTION 15-3.0442D Ballpark Commons Multi-Family Residence Area

- A. **Area Intent.** The Ballpark Commons Multi-Family Residence Area is intended to provide multiple family residential uses, housing choices and building densities compatible with the mixed-use area to the north, while providing an enhanced buffer between it and the single-family residential development to the west, in furtherance of the goals and objectives of the Comprehensive Master Plan, and:
1. To be located south of Rawson Avenue (west and south of the Mixed-Use Area) generally extending from Loomis Road or future Ballpark Drive to the Stone Hedge subdivision.
 2. Provide multi-story apartment buildings with partially exposed underground parking throughout the area, with a community center, pool, trails, gardens, and/or other similar shared amenities that are compatible in function, form, and operation.
 3. Provide both on-street and off-street parking for tenants and visitors, including underground parking for all multi-story buildings, including formal shared parking arrangements with the adjacent mixed use area.
 4. Provide a pedestrian-oriented environment.
 5. Provide superior four-sided architecture.
 6. Provide an enhanced buffer consisting of a highly attractive and effective berm and landscaping along the entire western boundary of the subject area. The entirety of which shall be constructed prior to or along with the first phase of any development within the subject area. And which shall be maintained in perpetuity and which shall be the subject of an easement to be approved by the Common Council and recorded with the Milwaukee County Register of Deeds Office.
 7. Provide buffering between residential development and non-residential uses.
- B. **Area Standards.** The Ballpark Commons Multi-Family Residence Area is further intended to have the development standards as set forth in Tables 15-3.0442D.1. and 15-3.0442D.2.

Table 15-3.0442D.1.

BALLPARK COMMONS MULTI-FAMILY RESIDENCE AREA DEVELOPMENT STANDARDS

Type of Standard	Standard
Minimum Open Space Ratio and Maximum Density	
Open Space Ratio (OSR) The OSR may be averaged across the entire PDD No. 37 District such that the LSR on one or more lots in the Multi-Family Residence Area may be less than 0.25 as long as District wide the average LSR of 0.50 is maintained at all times. The Plan Commission shall consider the applicable standards for Site Plan, Special Use, and Land Combination applications in making such determinations.	0.25
Gross Density (GD)	16.00
Net Density (ND)	16.00
The stated maximum density regulations may be averaged across the portion of PDD No. 37 located south of Rawson Avenue, and may be increased pursuant to the granting of a Special Use permit.	
Lot Dimensional Requirements	
Minimum Lot Area (square feet)	6,000
Minimum Lot Width at Setback Line (feet)	60
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	5
Minimum Side Yard on Corner Lot (feet)	15
Minimum Rear Yard (feet)	25
Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from any lot line or public right-of-way (or corresponding easement), as well as from associated traffic corners, bufferyards, parking lots, etc. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications, and traffic and pedestrian safety, in making such determinations.	
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
Maximum Building Height	

Principal Structure (stories/ft.)	3.0/50
Accessory Structure (stories/ft.)	1.0/25
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

Table 15-3.0442D.2.

**BALLPARK COMMONS MULTI-FAMILY RESIDENCE DISTRICT
MINIMUM DWELLING UNIT SIZE STANDARDS FOR MULTI-FAMILY
DWELLING STRUCTURES WITH MORE THAN TWO (2) DWELLING
UNITS PER STRUCTURE**

Type of Dwelling Structure & Number of Dwelling Units	Average Dwelling Unit Size (Square Feet) for One (1) Bedroom Dwelling Units (a)	Average Area (Square Feet) to be Added to Minimum Dwelling Unit Size for Each Bedroom Over One (1) Bedroom (a)
Thirteen (13) or More Dwelling Units per Structure	750	200
Dens, libraries, studies, etc. or other room within a dwelling unit which can potentially be used as a bedroom shall be considered and counted as a bedroom.		

- C. **Permitted, Accessory, and Special Uses.** The Ballpark Commons Multi-Family Residence Area is further intended to have the permitted, accessory, and special uses as set forth in Table 15-3.0442D.3.

Table 15-3.0442D.3.

**BALLPARK COMMONS MULTI-FAMILY RESIDENCE AREA
PERMITTED, ACCESSORY, AND SPECIAL USES**

	Multiple-family dwellings and apartments	P/S ^a
	Memory care residence facility	P
	Home occupations	P
	Foster family home	P
	Community living arrangement (serving 8 or fewer persons)	P
	Community living arrangement (serving 9 or more persons)	P

	Accessory uses (see Section 15-2.0208 & Division 15-3.0800)	P
	Required off-street parking (see Division 15-5.0200)	P
	Required on-street parking	P
	Essential Services	P
	Multiple-family Residential Housing for Older Persons	P
^a Multiple-family dwellings and apartments up to three stories are permitted, over three stories are special uses.		

SECTION 15-3.0442E Design Standards

A. Design Standards Intent. The Ballpark Commons Design Standards are intended to create a high quality, attractive, unifying theme throughout Planned Development District No. 37 and is intended to:

1. Further the integration and compatibility of Planned Development No. 37 with the surrounding area and to:
 - a. Be a local and regional destination for people to work, live, shop, recreate, and interact with one another.
 - b. Be an attractive center of recreational and economic activity in Milwaukee County with clearly and conveniently linked developments, beautiful open spaces, and engaging civic places.
 - c. Serve as a unifying place for the City of Franklin, the Village of Greendale, and Milwaukee County.
2. Apply whenever new principal and/or accessory buildings are constructed in the district following the effective date of this ordinance.
3. Authorize the Plan Commission to waive any of the Design Standards by 4 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 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.
4. Allow existing structures to remain conforming with regard to this Section.

B. Design Standards. These standards are intended to apply fully to the Commercial and Mixed-Use areas of Planned Development District No. 37, and only when applicable and reasonable to The Rock Sports Complex and the Multi-Family Residence areas of Planned Development District No. 37, as may be determined by the Plan Commission and the Common Council.

1. **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. On-street parking

Upon approval of Site Plans, the Plan Commission may allow on-street parking. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Division 15-5.0100 Design Standards for Land Divisions, and Division 15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access in making such determinations.

d. Parking reductions/Land banking

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 application request for Buildings C5 and/or C6, to be exercised at City discretion, should the need for a parking lot expansion be determined.

2. GENERAL SITE DESIGN STANDARDS

a. Vision Clearance Necessary

Landscaping and site amenities shall be provided to satisfy the requirements of this Section. 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.

b. 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 throughout the entire District.

c. Pedestrian considerations

- i. New streets proposed as part of new developments shall provide “pedestrian and bike friendly” streetscapes.
- ii. 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.
- iii. The entire area 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.
- iv. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds.
- v. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities.
- vi. Internal pedestrian walkways shall be distinguished from driving surfaces.
- vii. The building shall provide awnings or other weather protection features within thirty (30) feet of all customer entrances along a building.

d. 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.

e. Bicycle and pedestrian amenities required

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

3. LANDSCAPE STANDARDS

a. Landscaping

On-site landscaping shall be provided per the landscaping requirements found in Section 15-5.0302, or as may be approved by the Plan Commission during its review and approval of Site Plans. In addition, the project shall provide:

- i. 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.
- ii. Screen fences and/or landscaped buffers at property edges, particularly where commercial and light industrial properties adjoin residential properties.
- iii. Off-street parking area landscaping as set forth in Section 15-5.0302.

b. Central Areas/Features

Each development which contains a building over forty-thousand (40,000) 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.

c. 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.

4. **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

- i. 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.
- ii. 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.
- iii. 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.

- iv. 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:

- i. A minimum of twenty (20) square feet of interior landscaped island shall be provided per parking stall.
- ii. 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.
- iii. 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.
- iv. Plants in landscaped islands shall be underlain by soil (not base course material), and shall be protected by curbing or other protective treatment.
- v. 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.
- vi. 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:

- i. Perimeter planting areas shall be designed to maintain and protect visibility at driveways and access points.
- ii. 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.

- iii. Berms may be utilized as part of the perimeter landscaping.

5. ARCHITECTURAL REQUIREMENTS

a. **Building Character and Design**

- i. 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.
- ii. 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.
- iii. Brick, metal, stone and cementitious siding are preferred primary materials for new buildings or additions.
- iv. The use of false brick or other “faux” sidings is discouraged.
- v. Color choice shall complement the style and materials of the building’s facade and provide a pleasing relationship with adjoining buildings.
- vi. Painting of brick and stone is discouraged.
- vii. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.
- viii. 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.
- ix. Building massing that creates modulation and articulation is encouraged.
- x. 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]**

i. Purpose and Intent

The purpose of these design standards is to guide the design of smaller non-residential buildings constructed in Planned Development District No. 37 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.

- ii. 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.

c. Building Materials and Colors

- i. 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.
- ii. Exterior building materials shall convey an impression of durability. Materials such as masonry, metal, stone, stucco, and wood are encouraged. Metal is allowed as the primary exterior building material, though it may be used for accents including awnings.
- iii. 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.

- iv. Wood (or fiber cement) siding must be bevel (horizontal lap), shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern.
- v. Building façade colors shall be non-reflective and approved on a case by case basis. The use of high intensity colors, metallic colors, or fluorescent colors on façades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, 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.

d. Roof Materials, Parapets, and Flat and Roof Pitch

- i. Flat roofs are permitted with detailed parapets or detailed coursing.
- ii. Parapet corners can be stepped or flat or the parapet can be designed to emphasize the center or primary entrance(s), unless the primary entrance is at the corner of the building.
- iii. Visible sloped roofs can be neutral in color, such as gray, black, or dark brown.
- iv. Visible roof materials must be wood or architectural grade composition shingle or sheet metal with standing or batten seam.
- v. 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.

e. Building Facades

- i. 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.
- ii. 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.

f. 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.

g. Windows

- i. 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 may be used but are not encouraged.
- ii. First Floor Window Standards
 - (a) All new buildings must provide ground floor windows.
 - (b) Required window areas must be either windows that allow views into working areas or lobbies, pedestrian entrances, or display windows.
 - (c) Required windows should 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.
 - (d) Darkly tinted windows and mirrored windows that block two-way visibility are prohibited as ground floor windows along street facades.
 - (e) 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.
 - (f) Ground floor windows are also required on facades facing any public parking lot. The minimum requirement is sixteen (16) square feet per story or five (5) percent of the facade, whichever is greater.
- iii. Upper Floor Window Standards
 - (a) Glass area dimensions shall not exceed 5' x 7'. (The longest dimension may be taken either horizontally or vertically.)
 - (b) Windows must have trim or molding at least two inches wide around their perimeters.

h. Pedestrian Accessibility

- i. Buildings shall maintain and/or enhance the pedestrian scale.
- ii. Building entries must comply with the accessibility requirements of the applicable state and federal codes.
- iii. Special attention shall be given to designing a primary building entrance that is both attractive and functional.
- iv. 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.
- v. The pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers.

i. Landscaping/Streetscape

- i. 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.
- ii. 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 when adjacent to or in the public right-of-way.

j. External Storage

- i. 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.
- ii. 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.
- iii. 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.

6. DESIGN STANDARDS FOR NON-RESIDENTIAL BUILDINGS
[Greater than 40,000 square feet in area]

a. Purpose and Intent

The design standards for buildings greater than 40,000 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 Planned Development District No. 37. Such projects shall also be subject to the more general standards for the approval of Special Use Permits when applicable.

The following requirements are applicable to all new buildings in excess of forty thousand (40,000) 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 forty thousand (40,000) gross square feet.

b. Waiver of Standards

The Plan Commission may waive any of the following standards by a majority 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.

c. 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.

d. 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 viewable by the public. Building materials

such as glass, brick, decorative concrete block, or stucco shall be used. Decorative architectural metal may be approved if sensitively incorporated into the overall design of the building.

e. 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 viewable by the public 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 viewable by the public 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 sixty thousand (60,000) 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, however not required if operational needs require less windows.

f. 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.

g. 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 approved on a

case by case basis. 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.

h. 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.

i. 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.

j. Traffic Impact

All projects that include buildings over forty thousand (40,000) 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.

k. Natural Resources Protection

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

l. 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. Exterior signage, if architecturally embedded in, and compatible with the form and function of the building in an aesthetically manner, is also allowed. Furthermore, use of such signage may, as determined by the Plan Commission or Architectural Review Board (as may be appropriate), be in addition to the typical amount of regulated signage.

SECTION 3: Conditions of Approval.

The development of Planned Development District No. 37 upon the adoption of Section 15-3.0442 as herein amended shall occur and be in compliance with all adopted plans, as may be amended from time to time (including the conditions of approval below). Limited development defined as construction and installation of all necessary utilities and infrastructure, shall be allowed prior to addressing the conditions of approval herein, subject to receiving all other required permits and approvals.

1. The submittal of plans for detailed approval of the various components of Planned Development District No. 37 shall be forwarded to the Common Council for approval, after review and recommendation by the Plan Commission, unless otherwise specifically set forth in PDD No. 37, such as for those uses/structures identified as permitted uses.
2. In regard to any new or revised concerts, live music venues, or outdoor events utilizing speakers, including but not limited to the proposed baseball stadium, the applicants have agreed to implement the sound

enhancements as set forth in the BPC County Lands LLC agreement with Milwaukee County set forth in Exhibit C/Addendum of that agreement. The applicants have also agreed to comply with the City of Franklin's noise ordinances as they relate to the standard of 79 dBA at the property boundary. The applicants shall also provide a report to the Plan Commission after one year from the date of Occupancy Permit of the new stadium to review the results of the noise monitoring.

3. In regard to any new or revised ballfields, parking lots, or outdoor events utilizing lighting systems, including but not limited to the proposed baseball stadium, the applicants have agreed to implement the lighting enhancements as set forth in the BPC County Lands LLC agreement with Milwaukee County set forth in Exhibit C/Addendum of that agreement. The applicants have also agreed to comply with the City of Franklin's lighting standards as set forth in PDD No. 37. The applicant shall also prepare a comprehensive photometric plan for City review and approval meeting the City's lighting standards at the PDD No. 37 exterior boundaries.
4. The applicants shall obtain all required approvals and permits from the Milwaukee Metropolitan Sewerage District prior to any disturbance or development within the MMSD landfill gas pipeline easement limits. The applicants shall ensure that the City is an active participant in, and that City staff is invited to, all discussions with the Milwaukee Metropolitan Sewerage District regarding development of, and permits and approvals for, disturbance of the lands adjacent to the gas pipeline.
5. The applicants shall prepare example Bike and Pedestrian elements, identifying potential District wide design and location details for such facilities as sidewalks, trails, crosswalks, signage, pedestrian scale lighting, bike rest/rental/repair stations, etc., for staff review and approval, prior to issuance of a Occupancy Permit.
6. The applicants shall prepare example Streetscaping elements, identifying potential District wide features as decorative lighting, special signage, pedestrian rest areas, etc., for staff review and approval, prior to issuance of a Occupancy Permit.
7. The applicants shall submit a Comprehensive Stormwater Management Plan for PDD No. 37, for Engineering Department staff review and approval, prior to issuance of any Building Permit within the portion of the development contributory to the subject stormwater pond, subject to receipt of all necessary Wisconsin Department of Natural Resource and Milwaukee Metropolitan Sewerage District permits and approvals, receipt of a City of Franklin Fill/Soils Disturbing Permit, and Engineering Department review and approval of all pertinent grading, erosion control, restoration, etc. plans.
8. The applicants shall prepare a Master Sign Program for PDD No. 37, for staff review and approval, prior to issuance of a Building Permit. Alternatively, the applicant shall abide by the City's existing sign

regulations as set forth in the Municipal Code, and the variance process set forth in the Unified Development Ordinance. In either event, such plans shall be submitted for Plan Commission approval with each building Site Plan submittal.

9. In the event that no building permit has been issued for any one of the substantial structures; that being the stadium, the four-seasons complex, any one or more retail buildings along Crystal Ridge Drive, any one or more multi-use buildings along West Rawson Avenue, or any one or more apartment buildings; prior to the expiration of 24 months from the date of enactment of this Ordinance, and allowing a three month extension, the zoning designation shall revert back to the zoning for the subject parcel(s) which existed prior to the effective date of this Ordinance.
10. The applicant shall submit and regularly update a PDD/Site Plan amendment map which clearly identifies all constructed, approved, and pending amendments for Department of City Development review and approval prior to issuance of an Occupancy Permit.
11. Condition number 15 in the Standards, Findings and Decision of the City of Franklin Common Council for a Special Exception to certain natural resource provisions dated January 9, 2018, pertaining to certain financial surety requirements, is herein revised to accept a personal guaranty in lieu of a Letter of Credit for those costs associated with the installation and maintenance of the subject Mitigation Plan.
12. The applicant shall update the Open Space Ratios, Gross Densities, Net Densities, Floor Area Ratios, Landscape Surface Ratios, and Site Intensity Calculations--as applicable--for the entire project area as well as for each lot or parcel, for Department of City Development review and approval prior to issuance of any Occupancy Permits.
13. The applicant shall implement all snow grooming such that grooming begins on the eastern side of the ski hill so as to minimize the impacts of noise and lights associated with the grooming operations upon those homes located closest to the ski hill's facing slopes.

SECTION 4: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 5: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2019, by _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES __ NOES __ ABSENT __

RESOLUTION NO. 2019-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT
CERTIFIED SURVEY MAP, BEING PART OF THE NORTHWEST 1/4
OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE
NORTHWEST 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IN
THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF
MANDEL GROUP, INC., AND IN PARTNERSHIP WITH ZIM-MAR
PROPERTIES, LLC, APPLICANT, ZIM-MAR PROPERTIES, LLC AND
BPC COUNTY LAND, LLC PROPERTY OWNERS)
(7115 SOUTH BALLPARK DRIVE AND VICINITY (SOUTHWEST
CORNER OF WEST RAWSON AVENUE AND BALLPARK DRIVE))

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being part of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 7115 South Ballpark Drive and vicinity (southwest corner of West Rawson Avenue and Ballpark Drive), bearing Tax Key No. 754-9001-000, Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, applicant, Zim-Mar Properties, LLC and BPC County Land, LLC property owners; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this

BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF MANDEL GROUP, INC., AND IN PARTNERSHIP WITH ZIM-MAR PROPERTIES, LLC – CERTIFIED SURVEY MAP

RESOLUTION NO. 2019-_____

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Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, successors and assigns, and any developer of the Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC 2 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC and the 2 lot certified survey map project for the property located at 7115 South Ballpark Drive and vicinity (southwest corner of West Rawson Avenue and Ballpark Drive): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. The applicant shall revise the Certified Survey Map to correctly depict the 30' building setback along Rawson Avenue and the 20' landscape bufferyard easement along Rawson Avenue for Department of City Development review and approval prior to recording of the Certified Survey Map.

BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF MANDEL GROUP,
INC., AND IN PARTNERSHIP WITH ZIM-MAR PROPERTIES, LLC – CERTIFIED
SURVEY MAP

RESOLUTION NO. 2019-_____

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7. The applicant shall revise the Certified Survey Map to correctly depict all utility (AT&T, We Energies, etc.) easements for City staff review and approval prior to recording of the Certified Survey Map.
8. The applicant shall revise the Certified Survey Map to correctly depict the proposed contours and soils information for Department of City Development review and approval prior to recording of the Certified Survey Map.
9. The applicant shall revise the Certified Survey Map to correctly depict all contiguous areas owned or controlled by the subdivider.
10. The applicant shall revise the Certified Survey Map to address all affected utilities, Milwaukee County, and Franklin School District comments, for Department of City Development review and approval prior to recording of the Certified Survey Map.
11. The applicant shall prepare a Subdivider's Agreement for City review and approval for all public improvements prior to recording of the Certified Survey Map.
12. The applicant shall prepare all required public easement agreements for City review and approval prior to recording the Certified Survey Map.
13. [other conditions, etc.]

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, Zim-Mar Properties, LLC and BPC County Land, LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, Zim-Mar Properties, LLC and BPC County Land, LLC, with the Office of the Register of Deeds for Milwaukee County.

BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF MANDEL GROUP,
INC., AND IN PARTNERSHIP WITH ZIM-MAR PROPERTIES, LLC – CERTIFIED
SURVEY MAP

RESOLUTION NO. 2019-_____

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Introduced at a regular meeting of the Common Council of the City of Franklin this
_____ day of _____, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of
Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2019-____

A RESOLUTION AMENDING THE SITE PLAN FOR
PROPERTY LOCATED AT 7115 SOUTH BALLPARK
DRIVE AND VICINITY TO ALLOW FOR CONSTRUCTION OF A 3-STORY,
53 UNIT APARTMENT BUILDING B-5, A CLUBHOUSE AND A DOG PARK
(TAX KEY NOS. 754-9001-000 AND 754-9002-000)
(BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF
MANDEL GROUP, INC., AND IN PARTNERSHIP WITH ZIM-MAR
PROPERTIES, LLC, APPLICANT, ZIM-MAR PROPERTIES, LLC AND
BPC COUNTY LAND, LLC PROPERTY OWNERS)

WHEREAS, Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, applicant, Zim-Mar Properties, LLC and BPC County Land, LLC property owners, having applied for an amendment to the site plan for the property located at 7115 South Ballpark Drive and vicinity, such Site Plan having been previously approved on April 19, 2018, by Resolution No. 2018-002; and

WHEREAS, such proposed amendment proposes construction of a fifth 3-story 53 unit apartment building B-5, to be located on the western half of Lot 1 of Certified Survey Map 9042, a 3,000 square foot clubhouse which will include a swimming pool, community room and offices, located south of the previously approved B-3 building, and a dog park enclosed with a fence, which will include benches and an obstacle course play area, located south of the clubhouse, upon property located at 7115 South Ballpark Drive and vicinity, and the Plan Commission having reviewed such proposal and having found same to be in compliance with and in furtherance of those express standards and purposes of a Site Plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Site Plan for Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, applicant, Zim-Mar Properties, LLC and BPC County Land, LLC property owners, to allow for construction of the Ballpark Commons 3-story 53 unit apartment building B-5, clubhouse and dog park, as submitted by Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, applicant, Zim-Mar Properties, LLC and BPC County Land, LLC property owners, successors and assigns and any developer of the Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in

BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF MANDEL GROUP, INC., AND IN PARTNERSHIP WITH ZIM-MAR PROPERTIES, LLC – SITE PLAN AMENDMENT

RESOLUTION NO. 2019-_____

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partnership with Zim-Mar Properties, LLC Ballpark Commons 3-story 53 unit apartment building B-5, clubhouse and dog park construction project shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC Ballpark Commons 3-story 53 unit apartment building B-5, clubhouse and dog park construction project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

2. The approval granted hereunder is conditional upon Ballpark Commons Apartments LLC, an affiliate of Mandel Group, Inc., and in partnership with Zim-Mar Properties, LLC, applicant, Zim-Mar Properties, LLC and BPC County Land, LLC property owners, and the Ballpark Commons 3-story 53 unit apartment building B-5, clubhouse and dog park construction project for the property located at 7115 South Ballpark Drive and vicinity: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
3. The Ballpark Commons 3-story 53 unit apartment building B-5, clubhouse and dog park construction project shall be developed in substantial compliance with the plans City file-stamped _____, 2019.

4. [other conditions, etc.]

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Ballpark Commons 3-story 53 unit apartment building B-5, clubhouse and dog park construction project as depicted upon the plans City file-stamped _____, 2019, attached hereto and incorporated herein, shall be developed and constructed within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin; and the Site Plan for the property located at 7115 South Ballpark Drive and vicinity, as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2019.

BALLPARK COMMONS APARTMENTS LLC, AN AFFILIATE OF MANDEL GROUP,
INC., AND IN PARTNERSHIP WITH ZIM-MAR PROPERTIES, LLC – SITE PLAN
AMENDMENT

RESOLUTION NO. 2019-_____

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Passed and adopted at a regular meeting of the Plan Commission of the City of
Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

City of Franklin

Department of City Development

Date: April 4, 2019

To: Zim-Mar Properties LLC, BPC County Land LLC, and Mandel Group Inc.

From: Department of City Development Staff

RE: Ballpark Commons Major Planned Development District Amendment, Certified Survey Map, Site Plan Amendment (Apartment Building), and Site Plan Amendment (Stadium) – Staff Comments

Please be advised that staff has reviewed the above referenced materials. Department comments are as follows for the Planned Development District (PDD) Amendment, Certified Survey Map (CSM), the Site Plan Amendment materials submitted by Ms. Emily Cialdini on behalf of Zim-Mar Properties LLC, BPC County Land LLC, and Mandel Group Inc, date stamped by the City of Franklin on February 11, 2019 and March 22, 2019, and the Site Plan Amendment materials for the Stadium dated April 1, 2019.

Staff comments on landscaping, mitigation, and the site intensity calculations will be provided separately.

Please note that Fire Department general comments about all Ballpark Commons structures are attached separately.

Unified Development Ordinance (UDO) Requirements:

Planned Development District (PDD)

1. Sections 15-3.0401B., 15-3.0403C., Table 15-3.0402C. of the UDO, and Section 15-3.0442B.14. of the PDD No. 37 Ordinance, please provide the Open Space Ratios, Gross Densities, Net Densities, Floor Area Ratios, and Landscape Surface Ratios--as applicable--for the entire project area as well as for each lot or parcel.
 - a. Please provide these densities and ratios for each parcel (preferably in a table). In particular, the proposed parcels for Buildings B5, R1, and M1 should each have its own calculations, as well as an overall total for the entire PDD.
 - b. Staff has not yet completed its review of these densities and ratios, additional comments may be forthcoming.
2. Sections 15-3.0403D., 15-7.0102B., and 15-7.0103M. of the UDO, please revise the Building B5 setback from Ballpark Drive.
 - a. Pursuant to Table 15-3.0442D.1. of the PDD No. 37 Ordinance, the front yard setback is 25' unless specifically waived by the Plan Commission. You must request this waiver in your project narrative.

- b. Please note that staff will likely recommend that at least a 15' setback be provided, which is smaller than the next smallest building setback along Ballpark Drive (16' associated with Building B4).
3. Sections 15-9.0208B.1.g., 15-7.0201N., 15-3.0501, 15-7.0102C. and 15-7.0103S. of the UDO, please provide the Site Intensity and Capacity Calculations for the entire project area as well as for each parcel.
 - a. Please provide these densities and ratios for each parcel (preferably in a table). In particular, the proposed parcels for Buildings B5, R1, and M1 should each have its own calculations, as well as an overall total for the entire PDD.
 - b. Staff has not yet completed its review of these calculations, additional comments may be forthcoming.
4. Section 15-9.0208E.7.b.(2) of the UDO, please provide detailed plans of all buildings proposed as part of this PDD amendment in addition to Building B5 (i.e. Buildings M1, R1, and the clubhouse).
 - a. Please note that staff will likely recommend that the Site Plan Amendment application for Building B5 be tabled until it can be amended to include Buildings R1 and M1, as well as all required information for the clubhouse. Doing so will ensure an efficient and coordinated review of the entire remaining development south of Rawson Avenue. It will also allow time to consider moving Building B5 as recommended in staff comment #2.

Certified Survey Map

1. Per Section 15-7.0701 of the UDO, please contact the Engineering Department directly to obtain all pertinent design standards and improvement requirements (i.e. land division, construction, erosion control, and stormwater management standards and requirements).
2. Per Sections 15-7.0702B. and 15-5.0106D. of the UDO, please correctly depict on the CSM the 30' building setback along Rawson Avenue and the 20' landscape bufferyard easement along Rawson Avenue.
3. Per Sections 15-7.0702C., 15-5.0109A., and 15-7.0103X. of the UDO, please depict all utility (AT&T, We Energies, etc.) easements. Per Section 15-5.0109C. of the UDO, the minimum width of all easements shall be 12' or wider.
4. Per Section 15-7.0702F. of the UDO, please depict the proposed contours on the CSM.
 - Alternatively, staff would accept a separate map, for the subject CSM lots, clearly depicting the existing and proposed topographic contours. Staff further recommends that the soils information also be shown on this map.
5. Per Section 15-7.0702K. of the UDO, please show on the CSM all contiguous areas owned or controlled by the subdivider.
 - Staff would accept depiction of only those lands south of Rawson Avenue.
6. Per Section 15-9.0309B.4. of the UDO, please verify that copies of the CSM were transmitted to all affected utilities.
7. Per Section 15-9.0309B.5. of the UDO, comments from Milwaukee County and the Franklin School District will be provided when available.
8. Per Section 15-9.0309F. of the UDO, please contact the Engineering Department for a Subdivider's Agreement template which must be completed by the applicant, and

reviewed and approved by the City, for all public improvements prior to approval of the CSM.

9. Per Sections 15-9.0309G. and 15-7.0702C. of the UDO, please note that all public easements shown on the CSM require separate written agreements that must be submitted for review and approval, prior to recording the CSM. This includes, but may not be limited to, the 20'-wide water main easement.
10. Per Engineering Department comments, must rectify any review comments from Milwaukee County.

Site Plan Amendment (Building B-5, clubhouse, and dog park)

1. Section 15-7.0102B. of the UDO, please correct sheet C2.0, to indicate the correct building setbacks per Table 15-3.0442D.1. of PDD Ordinance No. 37, along with the note that the Plan Commission may waive the setbacks upon specific request thereof during review of a Site Plan.
2. Section 15-7.0102E. of the UDO, please verify that all Rawson Avenue permits and approvals have been obtained from Milwaukee County and (if needed) the Wisconsin Department of Transportation.
3. Section 15-7.0102F. of the UDO, please address the Police Department's following concerns about Rawson Avenue.

The police department has one concern with this development. That concern is with the Rawson Avenue construction and access and egress out of the south side of Rawson. We believe:

1. Rawson Avenue should be reconstructed to be a 4 lane divided highway beginning at Hawthorne Lane on the West end of the development and be divided with full median east to where it is currently a divided highway;
2. This divided highway should contain dedicated right and left turn lanes for both Westbound and Eastbound traffic entering the developments on both the south and north side of Rawson Avenue;
3. The roadway construction must address traffic entering and exiting the lesser road to the west of the main thoroughfare and should have dedicated turn lanes for each direction.

Taking these steps during construction will alleviate any issues after the development is completed. The opinions expressed here are based on the map labeled as B6 in the packet I was provided.

4. Section 15-7.0102I. of the UDO, please verify with the City of Franklin Police and Fire Departments that proper emergency vehicle access has been provided.
 - a. In particular, verify that the proposed private road/driveway adjacent to Building B5 is adequately sized for emergency vehicles.
 - b. Staff recommends that the private road/driveway not allow through truck traffic and be redesigned accordingly. This may also provide additional flexibility in the site layout to allow Building B5 to be shifted 15' further north as recommended in PDD staff comment #2.
5. Section 15-7.0103G. of the UDO, please provide soils data for the proposed lot for Building B5.
6. Section 15-7.0103H. of the UDO, please depict all driveways within 200' of the subject lot proposed for Building B5.

7. Section 15-7.0103I. of the UDO, please provide the size and location of all structures and signage.
 - a. Please revise sheets C2.0 and C2.4 to depict the proposed dog park.
 - b. If signage information is not provided, separate review and approval will be required.
 - c. Please revise the project summary to clearly indicate that in addition to your request for Building B5, you are also requesting Site Plan approval of the clubhouse and of a dog park, and that you are not requesting Site Plan approval of Buildings M1 and R1 at this time. Please revise the project summary, site plan approval is not necessary for Buildings B1 through B4, as such approval (with conditions) has already been provided.
8. Per Engineering Department comments and Section 15-7.0103P. of the UDO, please address the previously submitted comments regarding stormwater management and the associated infrastructure.
9. Section 15-7.0103V. of the UDO, please provide architectural elevations for the proposed clubhouse, and of all elevations of Building B5.
10. Sections 15-7.0103W. and 15-5.0402 of the UDO, please include all building and trail lights within the lighting and photometric plans, provide catalog pages/cut sheets of all lights, the height of the lights, and the cut-off type of each light.
11. Sections 15-7.0103X. and 15-5.0109A. of the UDO, please clearly identify all existing and proposed easements.
 - a. Please note that easement documents must be prepared separately, reviewed by staff, and approved by the Common Council.
 - b. In addition to the Conservation Easement needed for the remaining natural resource features to be preserved and any mitigation, please submit separate easements for the Landscape Easement along the western portion of the subject project area.
12. Sections 15-7.0103Y. of the UDO, please obtain Milwaukee County (and if necessary, Wisconsin Department of Transportation) approval of the access to Rawson Avenue.
13. Sections 15-5.0202C.7. and 15-5.0203C. of the UDO, please depict a cross access easement along the entire shared driveway and provide an easement document for Plan Commission review and approval, for recording with Milwaukee County.
14. Section 15-5.0210 of the UDO, please provide a snow storage plan for Building B5 and the clubhouse.
15. Section 15-7.0803A. of the UDO, please provide architectural drawings of the clubhouse. In addition, please provide details of the proposed exterior heating, ventilation, and air-conditioning equipment. Furthermore, ensure that all elevations are provided for Building B5 (missing Lower Level Plan, Second Floor Plan, Third Floor Plan, Roof Plan) and that details of the proposed exterior heating, ventilation, and air-conditioning equipment are also provided.
16. Section 15-7.0803A. 1. of the UDO, please provide the owners/developers information on the architectural plans.

Site Plan Amendment (Stadium)

1. Staff recommends that only those plan pages with revisions be included in the Plan Commission packet, and that the currently approved elements under consideration in the subject Site Plan amendment request be provided for comparison purposes.
 - a. Please note that Building 8 (electrical container) has already been approved by staff and does not need to be included in these plans.
 - b. Please note that the signage shown in the submitted plans has not been reviewed. Stadium signage will be subject to separate review and approval of a separate Sign Plan pursuant to condition #13 of Site Plan Resolution No. 2018-016.
2. See Planned Development District No. 37 Amendment Ordinance comment #3 below.
3. Staff continues to recommend that the front entrance/gate features (Building 1) remain as presented in the approved Architectural Renderings of the site plan approved by the Plan Commission on November 8, 2018, and as generally referenced in condition #15 of Site Plan Resolution No. 2018-016.
4. Staff recommends that the concessions container on the west side of the stadium remain in the first phase of development as depicted in the site plans approved as part of Site Plan Resolution No. 2018-016.
5. Staff recommends that the beer garden entrance features (Building 2) remain as depicted in the site plans approved as part of Site Plan Resolution No. 2018-016, and that the details requested in condition #21 of that Resolution be provided at this time.

Planned Development District No. 37 Amendment (Ordinance No. 2018-2333)
Remaining Conditions of Approval:

Please Note: If a particular condition from Ordinance No. 2018-2333 is not referenced below, staff believes that condition has been addressed or is an ongoing requirement.

1. Pursuant to condition #2 “The applicants shall also provide a report to the Plan Commission after one year from the date of Occupancy Permit of the new stadium to review the results of the noise monitoring.”
2. Pursuant to condition #3, “The applicants shall also prepare a comprehensive photometric plan for City review and approval meeting the City’s lighting standards at the PDD No. 37 exterior boundaries”.
 - a. In regard to the Building B5/clubhouse area, all building lights and trail lights must be added to the comprehensive lighting and photometric plan.
 - b. In regard to the stadium area, staff recommends that the lighting and photometric plans be revised to address/explain why certain light levels dropped when building and decorative lights were added to the plans.
3. Pursuant to condition #4, please note that Milwaukee Metropolitan Sewerage District approval is required prior to any disturbance or development of the gas pipeline area.
4. Pursuant to conditions #5 and #6, regarding a Street Design and Bike and Pedestrian Plans, partial preliminary information was provided by a memo dated 6-10-18. More details are required prior to issuance of any Occupancy Permits.
5. Pursuant to condition #7, final stormwater management plan and associated approvals are still outstanding. This must be addressed through the Engineering Department.

Additional Staff Recommendations:

1. In regard to the PDD Amendment, staff recommends that all snow grooming begin on the eastern side of the ski hill so as to minimize the impacts of noise and lights associated with the grooming operations upon those homes located closest to the ski hill's facing slopes.
2. In regard to the CSM (pursuant to Section 15-7.0702N. of the UDO) and to the Site Plan Amendment (pursuant to Section 15-7.0103G.), staff recommends that soil borings of both proposed lots be obtained, and that information provided on, or as a separate attachment to, the CSM.

City of Franklin

Department of City Development

Date: April 7, 2019

To: Zim-Mar Properties LLC, BPC County Land LLC, and Mandel Group Inc.

From: Department of City Development Staff

RE: Ballpark Commons Major Planned Development District Amendment, Certified Survey Map, Site Plan Amendment (Apartment Building), and Site Plan Amendment (Stadium)
– Staff Comments Re: Landscaping, Mitigation, Site Intensity

Please be advised that staff has reviewed the above referenced materials. Department comments are as follows for the Landscaping, Mitigation, and Site Intensity Calculations for the Planned Development District (PDD) Amendment, Certified Survey Map (CSM), the Site Plan Amendment materials submitted by Ms. Emily Cialdini on behalf of Zim-Mar Properties LLC, BPC County Land LLC, and Mandel Group Inc, date stamped by the City of Franklin on February 11, 2019 and March 22, 2019, and the Site Plan Amendment materials for the Stadium dated April 1, 2019.

Unified Development Ordinance (UDO) Requirements:

Planned Development District (PDD)

1. Sections 15-3.0401B., 15-3.0403C., Table 15-3.0402C. of the UDO, and Section 15-3.0442B.14. of the PDD No. 37 Ordinance, please provide the Open Space Ratios, Gross Densities, Net Densities, Floor Area Ratios, and Landscape Surface Ratios--as applicable--for the entire project area as well as for each lot or parcel.
 - a. Please provide these densities and ratios for each parcel (preferably in a table). In particular, the proposed parcels for Buildings B5, R1, and M1 should each have its own calculations, as well as an overall total for the entire PDD.
 - b. **UPDATED 4-7-19:** Please correct the LSR Exhibit and calculations to include the northern most portion of the subject Ballpark Commons property along the Root River, to exclude all ballfields which are or will be converted to artificial turf, to exclude the future parking areas north of Rawson Avenue, and to provide the calculation for each and every parcel within Ballpark Commons, as well as the overall total.
2. Sections 15-9.0208B.1.g., 15-7.0201N., 15-3.0501, 15-7.0102C. and 15-7.0103S. of the UDO, please provide the Site Intensity and Capacity Calculations for the entire project area as well as for each parcel.
 - a. Please provide these densities and ratios for each parcel (preferably in a table). In particular, the proposed parcels for Buildings B5, R1, and M1 should each have its own calculations, as well as an overall total for the entire PDD.
 - b. **UPDATED 4-7-19:** Please correct the Site Intensity Calculations to provide such calculations for each lot or parcel separately, to reflect the NRSE which approved

the removal of certain natural resources, and to reflect the NRSE which required certain mitigation areas.

Landscaping

1. Sections 15-5.0301A., C. D. and 15-7.0301F. and G. of the UDO, please revise the Landscape Plan depicting all required bufferyards and mitigation areas within the Ballpark Commons project.
 - a. Please note that the Landscape Plan must include all areas within Ballpark Commons, including all areas north and south of Rawson Avenue.
 - b. Please note that the proposed NRSE mitigation must be shown on the Landscape Plan. For clarity purposes, the separate map depicting this information is acceptable. But please note these general areas on the Landscape Plan.
 - c. Please utilize the most up-to-date site layout for at least that portion of the Landscape Plan for the multi-family apartments south of Rawson Avenue. The B1/B2 Common Area and certain trails and sidewalk locations do not match between the Landscape Plan and the Site Plan.
2. Sections 15-5.0302A. and 15-7.0301H. of the UDO, please provide and verify the amount of plantings as set forth in Table 15-5.0302.
3. Section 15-5.0302C. of the UDO, please provide and verify that the majority of the increased bufferyard plantings are located within the landscape easement along the western boundary of the Ballpark Commons project area.
4. Section 15-5.0302D. of the UDO, please verify if any credit is being requested for preservation of existing vegetation, i.e. woodlands north of Rawson Avenue.
5. Section 15-5.0302E. of the UDO, please indicate if the alternative minimum landscape surface ratio is being utilized.
6. Section 15-5.0302F. of the UDO, please provide and verify the required species mix for each planting type.
7. Section 15-5.0302H. of the UDO, please revise the landscape plan to reflect the snow storage and utility locations, i.e. limited landscaping should be provided within such areas.
8. Section 15-5.0302I. of the UDO, please include the preparer's name, the most up-to-date site plan/site layout, any existing plantings to be preserved, and the Landscape Surface Ratio by lot or parcel, and the planting calculations on the landscape plan.
9. Section 15-5.0303C. of the UDO, please indicate the use of landscape fabrics.
10. Section 15-5.0303D. of the UDO, please identify the permanent, onsite, outdoor water supply for irrigation of the landscaping.
11. Sections 15-5.0303E. and 15-5.0210 of the UDO, please prepare a snow storage plan.
 - a. Please note that staff recommends a snow storage plan for all public spaces, in addition to all streets and parking lots.
12. Section 15-5.0303F. of the UDO, please indicate the timing of installation of the landscaping.
 - a. Please note that staff recommends installation of the Landscape Easement berm and associated landscaping simultaneously with construction of the adjacent buildings.

13. Section 15-5.0303G. of the UDO, please indicate the maintenance responsibilities, any phasing schedules, and a minimum 2 year warranty on the Landscape Plan.
 - a. Please note that previous approvals require the landscaping in the Landscape Easement/Bufferyard along the western boundary of the project area to clearly state it will be maintained in perpetuity.
14. Section 15-5.0303H. of the UDO, please provide and verify the required plant material species mixture.
15. Section 15-7.0301C. of the UDO, please provide the names, addresses, etc. information.

Planned Development District No. 37 Amendment (Ordinance No. 2018-2333) Standards:

1. Pursuant to Section 15-3.0442B.14., please clearly indicate (and provide separate calculations) if the Landscape Plan will utilize the up to 25% reduction in plantings that may be allowed by the Plan Commission. As herein noted, the Landscape Plan must include all portions of the Ballpark Commons development.
2. Pursuant to Section 15-3.0442D.4., please clearly depict and note the required bufferyard setbacks on the Landscape Plan.
3. Pursuant to condition #12 of the PDD Ordinance and condition #15 of the NRSE, please note that a personal guaranty is required for any landscaping and mitigation installation and maintenance costs.

Standards, Findings and Decision for the Natural Resource Special Exception (NRSE) dated January 9, 2018:

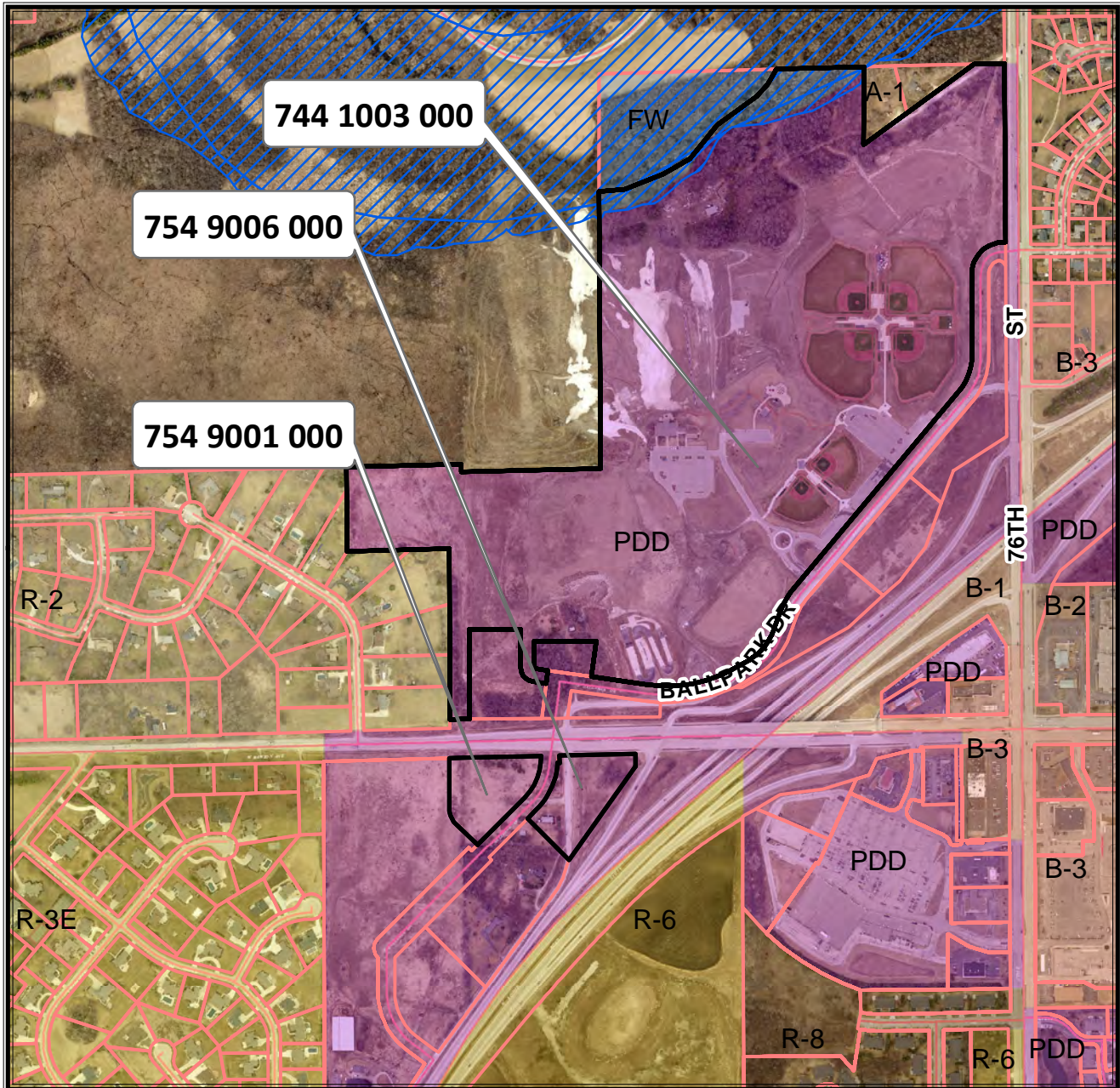
1. Pursuant to condition #1, a Conservation Easement is still required prior to issuance of any Occupancy Permit.
2. Pursuant to condition #8 regarding the Berm Planting Plan, and pursuant to my email of 5-18-18, please revise the Buffer Planting Plan to clearly identify if any UDO required plantings (and/or the 20% additional bufferyard plantings, are included in this plan), and how much is attributable to the mitigation plan.
3. Pursuant to condition #10, the Conservation Easement shall be shown on the Natural Resource Protection Plan.
4. Pursuant to condition #11, please provide an explanation why the berm height is not an average of 8' high south of Rawson Avenue. Please note that per my email of 8-6-18, portions of the berm below 8' high for the trail, access to manholes, etc. would be acceptable.
5. Pursuant to condition #12, please provide all Landscape and Conservation Easements for City approval and County recording prior to issuance of any Occupancy Permit.
6. Pursuant to condition #14, please verify that all mitigation will be installed prior to any Occupancy Permits.
7. Pursuant to condition #15, see comment #3 for the PDD No. 37 Ordinance above.
8. Pursuant to condition #17, please note that the Mitigation Plan must be reviewed by the Common Council.

Additional Staff Recommendations:

1. Staff recommends that all trees be removed from the dog park as it is unlikely they will survive. If they are to remain, details must be provided to show that the trees will be adequately protected at all times.
2. Staff recommends that the Mitigation Plans be revised to clearly indicate the degree of compliance with the UDO mitigation standards set forth in Section 15-4.0103, and that it be clearly identified what plantings are for mitigation, what plantings are for standard landscaping, and what plantings are for the 20% increase for bufferyards.
3. Staff recommends that additional details be provided about the mitigation plantings maintenance, installation, replacement, monitoring, etc.

Ballpark Commons

TKN: 754 9001 000
754 9006 000
744 1003 000



Planning Department
(414) 425-4024

0 455 910 1,820 Feet

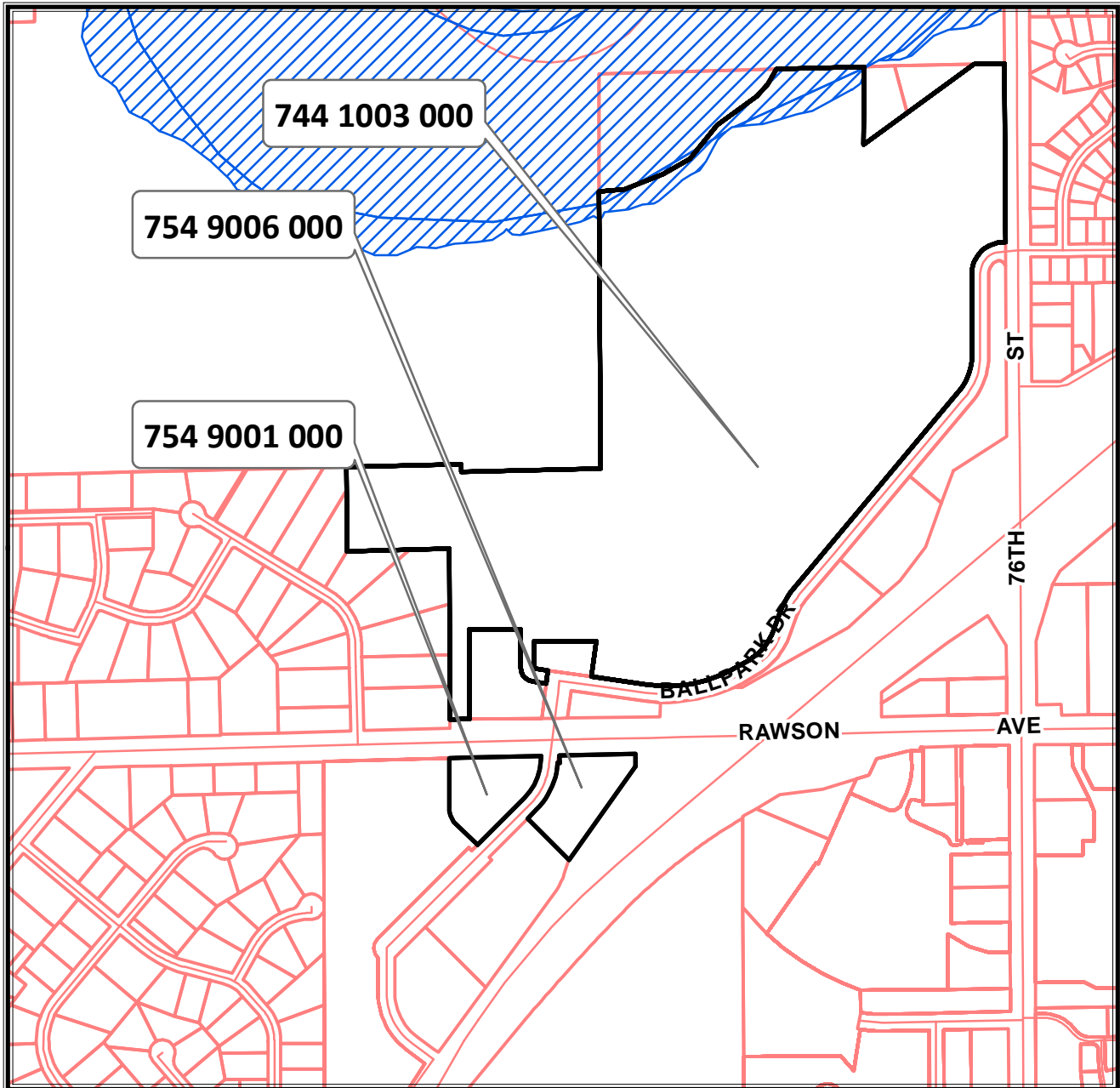
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.


NORTH
2017 Aerial Photo



Ballpark Commons

TKN: 754 9001 000
754 9006 000
744 1003 000



Planning Department
(414) 425-4024

0 455 910 1,820 Feet

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2017 Aerial Photo

Item D.1.

Site Plan Amendment

PLEASE NOTE: As the applicant has not submitted plans in time for inclusion in the Plan Commission packet, and as staff has not had an opportunity to review any such plans prior to the Plan Commission meeting, staff recommends that any action on the Site Plan Amendment for the stadium be tabled until such time as staff review can be completed and copies of all materials provided to the Plan Commission for their prior review.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of April 18, 2019

Site Plan Amendment

RECOMMENDATION: City Development staff recommends denial of the Site Plan Amendment for the Ballpark Commons Stadium.

Project Name:	The Rock Sports Complex/Ballpark Commons Stadium Site Plan Amendment
Project Address:	Approximately 7035 South Ballpark Drive
Applicant:	Tredo Group, LLC
Property Owner:	BPC Pro Baseball Stadium, LLC
Current Zoning:	PDD No. 37 and FW Floodway District
2025 Comprehensive Plan:	Mixed Use and Areas of Natural Resource Features
Use of Surrounding Properties:	Root River Parkway (Village of Greendale) to the north, The Rock Sports Complex existing baseball fields to the east, Rawson Avenue and Loomis Road (State Highway 36) to the south, and the Ballpark Commons proposed Indoor/Outdoor Golf Facility and Indoor Sports Facility to the west.
Applicant's Action Requested:	Plan Commission approval of the Site Plan Amendment.

Please note: Additional information about staff's recommendations and concerns are provided in the attached Staff Comments memo dated April 4, 2019.

INTRODUCTION:

On April 1, 2019, Mr. Alex Van Osten of Tredo Group LLC, on behalf of BPC Pro Baseball Stadium LLC, submitted a Site Plan Amendment application for the Ballpark Commons Stadium. Specifically, the applicant is requesting approval of the following revisions to a few of the structures within the stadium:

- Reduction of the footprint of the front entrance/gateway into the stadium (i.e. reduce the length of the front entrance/decorative gate from approximately 100 feet to approximately 90 feet), reduction of the length of the front canopy from approximately 85 feet to approximately 61 feet, removal of much of the decorative longboard aluminum panels from the front canopy, and reduction of the length of the ticketing cargo container from 40 feet to 30 feet.
- Removal of the concession cargo container located west of the beer garden area from the first phase of the stadium plans and adding it to a future phase of development.
- Replacement of the glass railings on the upper level of the beer garden cargo containers with wire mesh railings.

A separate email received from the City's Health Department, providing a few comments/concerns about the subject stadium structures is also attached.

Staff is also requesting additional details about the beer garden area railings, stairs, cargo container roof top seating area, and the outdoor grilling area.

COMPREHENSIVE LIGHTING PLAN:

Pursuant to condition #14 of the Site Plan Resolution No. 2018-016, the applicant has prepared a comprehensive lighting plan for staff review and approval, incorporating the stadium lights, adjacent parking lot and street lights, and the proposed stadium buildings and decorative lights.

While the light levels are generally only a few footcandles higher than the preliminary photometric plan provided to the Plan Commission at its November 8, 2018 meeting, it can be noted that light levels dropped by about 5 – 10 footcandles in certain portions of the beer garden area where decorative lights were added and incorporated into the comprehensive photometric plan. Staff has been informed that apparently the computer modeling of the light levels for the stadium lights is based upon proprietary information and is not conducive to inclusion with other modeling for other light sources. Therefore, staff is requesting Plan Commission review and consideration of the Comprehensive Lighting Plan. A copy of that plan is included for Plan Commission review.

CONCLUSION:

City Development staff recommends denial of the Site Plan Amendment for the Ballpark Commons Stadium due to the comments/concerns expressed by the Health Department and in the Staff Comments memo dated April 4, 2019.

However, should the Plan Commission wish to approve the Stadium Site Plan Amendment, a draft resolution to that effect is included.

RESOLUTION NO. 2019-____

A RESOLUTION AMENDING THE SITE PLAN FOR PROPERTY
LOCATED AT 7035 SOUTH BALLPARK DRIVE TO REVISE CERTAIN
ASPECTS OF THE STADIUM SITE PLAN, INCLUDING REDUCING THE
FOOTPRINT OF THE FRONT ENTRANCE/GATEWAY INTO THE STADIUM,
REMOVING THE CONCESSION CARGO CONTAINER WEST OF THE BEER
GARDEN AREA FROM THE FIRST PHASE OF THE STADIUM PLANS AND
REPLACING THE GLASS RAILINGS ON THE UPPER LEVEL OF THE BEER
GARDEN CARGO CONTAINERS WITH WIRE MESH RAILINGS
(TAX KEY NO. 744-1003-000)
(BPC PRO BASEBALL STADIUM, LLC/MICHAEL E. ZIMMERMAN,
APPLICANT/PROPERTY OWNER)

WHEREAS, BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman, applicant/property owner, having applied for an amendment to the site plan for the property located at 7035 South Ballpark Drive, such Site Plan having been previously approved on November 8, 2018, by Resolution No. 2018-016; and

WHEREAS, such proposed amendment proposes revision of certain aspects of the Ballpark Commons stadium site plan previously approved by the Plan Commission, more specifically, the applicant is proposing to: reduce the footprint of the front entrance/gateway into the stadium (i.e. reduce the length of the front entrance/decorative gate from approximately 100 feet to approximately 90 feet, reduce the length of the front canopy from approximately 85 feet to approximately 61 feet, to remove much of the decorative longboard aluminum panels from the front canopy, and to reduce the length of the ticketing cargo container from 40 feet to 30 feet); remove the concession cargo container located west of the beer garden area from the first phase of the stadium plans and move it to a future phase; and, to replace the glass railings on the upper level of the beer garden cargo containers with wire mesh railings, property located at 7035 South Ballpark Drive, and the Plan Commission having reviewed such proposal and having found same to be in compliance with and in furtherance of those express standards and purposes of a Site Plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Site Plan for BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman, to reduce the footprint of the front entrance/gateway into the stadium, remove the concession cargo container from the first phase of the stadium plans and replace the glass railings on the upper level of the beer garden cargo containers, as submitted by BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman, as described above, be and the same is hereby approved, subject to the following conditions:

BPC PRO BASEBALL STADIUM, LLC/MICHAEL E. ZIMMERMAN – SITE PLAN
AMENDMENT

RESOLUTION NO. 2019-_____

Page 2

1. BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman, applicant/property owner, successors and assigns and any developer of the BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman stadium front entrance/gateway footprint reduction, concession cargo container removal and glass railings replacement project shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman stadium front entrance/gateway footprint reduction, concession cargo container removal and glass railings replacement project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
2. The approval granted hereunder is conditional upon BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman, applicant/property owner, and the BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman stadium front entrance/gateway footprint reduction, concession cargo container removal and glass railings replacement project for the property located at 7035 South Ballpark Drive: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
3. The BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman stadium front entrance/gateway footprint reduction, concession cargo container removal and glass railings replacement project shall be developed in substantial compliance with the plans City file-stamped _____, 2019.

4. [other conditions, etc.]

BE IT FURTHER RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the BPC Pro Baseball Stadium, LLC/Michael E. Zimmerman stadium front entrance/gateway footprint reduction, concession cargo container removal and glass railings replacement project as depicted upon the plans City file-stamped _____, 2019, attached hereto and incorporated herein, shall be developed and constructed within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin; and the Site Plan for the property located at 7035 South Ballpark Drive, as previously approved, is amended accordingly.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this

BPC PRO BASEBALL STADIUM, LLC/MICHAEL E. ZIMMERMAN – SITE PLAN
AMENDMENT

RESOLUTION NO. 2019-_____

Page 3

_____ day of _____, 2019.

Passed and adopted at a regular meeting of the Plan Commission of the City of
Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

City of Franklin
Department of City Development

Date: April 4, 2019

To: Zim-Mar Properties LLC, BPC County Land LLC, and Mandel Group Inc.

From: Department of City Development Staff

RE: Ballpark Commons Major Planned Development District Amendment, Certified Survey Map, Site Plan Amendment (Apartment Building), and Site Plan Amendment (Stadium) – Staff Comments

Please be advised that staff has reviewed the above referenced materials. Department comments are as follows for the Planned Development District (PDD) Amendment, Certified Survey Map (CSM), the Site Plan Amendment materials submitted by Ms. Emily Cialdini on behalf of Zim-Mar Properties LLC, BPC County Land LLC, and Mandel Group Inc, date stamped by the City of Franklin on February 11, 2019 and March 22, 2019, and the Site Plan Amendment materials for the Stadium dated April 1, 2019.

Staff comments on landscaping, mitigation, and the site intensity calculations will be provided separately.

Please note that Fire Department general comments about all Ballpark Commons structures are attached separately.

Unified Development Ordinance (UDO) Requirements:

Planned Development District (PDD)

1. Sections 15-3.0401B., 15-3.0403C., Table 15-3.0402C. of the UDO, and Section 15-3.0442B.14. of the PDD No. 37 Ordinance, please provide the Open Space Ratios, Gross Densities, Net Densities, Floor Area Ratios, and Landscape Surface Ratios--as applicable--for the entire project area as well as for each lot or parcel.
 - a. Please provide these densities and ratios for each parcel (preferably in a table). In particular, the proposed parcels for Buildings B5, R1, and M1 should each have its own calculations, as well as an overall total for the entire PDD.
 - b. Staff has not yet completed its review of these densities and ratios, additional comments may be forthcoming.
2. Sections 15-3.0403D., 15-7.0102B., and 15-7.0103M. of the UDO, please revise the Building B5 setback from Ballpark Drive.
 - a. Pursuant to Table 15-3.0442D.1. of the PDD No. 37 Ordinance, the front yard setback is 25' unless specifically waived by the Plan Commission. You must request this waiver in your project narrative.

Stadium Site Plan Amendment Comments on Page 5

- b. Please note that staff will likely recommend that at least a 15' setback be provided, which is smaller than the next smallest building setback along Ballpark Drive (16' associated with Building B4).
3. Sections 15-9.0208B.1.g., 15-7.0201N., 15-3.0501, 15-7.0102C. and 15-7.0103S. of the UDO, please provide the Site Intensity and Capacity Calculations for the entire project area as well as for each parcel.
 - a. Please provide these densities and ratios for each parcel (preferably in a table). In particular, the proposed parcels for Buildings B5, R1, and M1 should each have its own calculations, as well as an overall total for the entire PDD.
 - b. Staff has not yet completed its review of these calculations, additional comments may be forthcoming.
4. Section 15-9.0208E.7.b.(2) of the UDO, please provide detailed plans of all buildings proposed as part of this PDD amendment in addition to Building B5 (i.e. Buildings M1, R1, and the clubhouse).
 - a. Please note that staff will likely recommend that the Site Plan Amendment application for Building B5 be tabled until it can be amended to include Buildings R1 and M1, as well as all required information for the clubhouse. Doing so will ensure an efficient and coordinated review of the entire remaining development south of Rawson Avenue. It will also allow time to consider moving Building B5 as recommended in staff comment #2.

Certified Survey Map

1. Per Section 15-7.0701 of the UDO, please contact the Engineering Department directly to obtain all pertinent design standards and improvement requirements (i.e. land division, construction, erosion control, and stormwater management standards and requirements).
2. Per Sections 15-7.0702B. and 15-5.0106D. of the UDO, please correctly depict on the CSM the 30' building setback along Rawson Avenue and the 20' landscape bufferyard easement along Rawson Avenue.
3. Per Sections 15-7.0702C., 15-5.0109A., and 15-7.0103X. of the UDO, please depict all utility (AT&T, We Energies, etc.) easements. Per Section 15-5.0109C. of the UDO, the minimum width of all easements shall be 12' or wider.
4. Per Section 15-7.0702F. of the UDO, please depict the proposed contours on the CSM.
 - Alternatively, staff would accept a separate map, for the subject CSM lots, clearly depicting the existing and proposed topographic contours. Staff further recommends that the soils information also be shown on this map.
5. Per Section 15-7.0702K. of the UDO, please show on the CSM all contiguous areas owned or controlled by the subdivider.
 - Staff would accept depiction of only those lands south of Rawson Avenue.
6. Per Section 15-9.0309B.4. of the UDO, please verify that copies of the CSM were transmitted to all affected utilities.
7. Per Section 15-9.0309B.5. of the UDO, comments from Milwaukee County and the Franklin School District will be provided when available.
8. Per Section 15-9.0309F. of the UDO, please contact the Engineering Department for a Subdivider's Agreement template which must be completed by the applicant, and

Stadium Site Plan Amendment Comments on Page 5

reviewed and approved by the City, for all public improvements prior to approval of the CSM.

9. Per Sections 15-9.0309G. and 15-7.0702C. of the UDO, please note that all public easements shown on the CSM require separate written agreements that must be submitted for review and approval, prior to recording the CSM. This includes, but may not be limited to, the 20'-wide water main easement.
10. Per Engineering Department comments, must rectify any review comments from Milwaukee County.

Site Plan Amendment (Building B-5, clubhouse, and dog park)

1. Section 15-7.0102B. of the UDO, please correct sheet C2.0, to indicate the correct building setbacks per Table 15-3.0442D.1. of PDD Ordinance No. 37, along with the note that the Plan Commission may waive the setbacks upon specific request thereof during review of a Site Plan.
2. Section 15-7.0102E. of the UDO, please verify that all Rawson Avenue permits and approvals have been obtained from Milwaukee County and (if needed) the Wisconsin Department of Transportation.
3. Section 15-7.0102F. of the UDO, please address the Police Department's following concerns about Rawson Avenue.

The police department has one concern with this development. That concern is with the Rawson Avenue construction and access and egress out of the south side of Rawson. We believe:

1. Rawson Avenue should be reconstructed to be a 4 lane divided highway beginning at Hawthorne Lane on the West end of the development and be divided with full median east to where it is currently a divided highway;
2. This divided highway should contain dedicated right and left turn lanes for both Westbound and Eastbound traffic entering the developments on both the south and north side of Rawson Avenue;
3. The roadway construction must address traffic entering and exiting the lesser road to the west of the main thoroughfare and should have dedicated turn lanes for each direction.

Taking these steps during construction will alleviate any issues after the development is completed. The opinions expressed here are based on the map labeled as B6 in the packet I was provided.

4. Section 15-7.0102I. of the UDO, please verify with the City of Franklin Police and Fire Departments that proper emergency vehicle access has been provided.
 - a. In particular, verify that the proposed private road/driveway adjacent to Building B5 is adequately sized for emergency vehicles.
 - b. Staff recommends that the private road/driveway not allow through truck traffic and be redesigned accordingly. This may also provide additional flexibility in the site layout to allow Building B5 to be shifted 15' further north as recommended in PDD staff comment #2.
5. Section 15-7.0103G. of the UDO, please provide soils data for the proposed lot for Building B5.
6. Section 15-7.0103H. of the UDO, please depict all driveways within 200' of the subject lot proposed for Building B5.

Stadium Site Plan Amendment Comments on Page 5

7. Section 15-7.0103I. of the UDO, please provide the size and location of all structures and signage.
 - a. Please revise sheets C2.0 and C2.4 to depict the proposed dog park.
 - b. If signage information is not provided, separate review and approval will be required.
 - c. Please revise the project summary to clearly indicate that in addition to your request for Building B5, you are also requesting Site Plan approval of the clubhouse and of a dog park, and that you are not requesting Site Plan approval of Buildings M1 and R1 at this time. Please revise the project summary, site plan approval is not necessary for Buildings B1 through B4, as such approval (with conditions) has already been provided.
8. Per Engineering Department comments and Section 15-7.0103P. of the UDO, please address the previously submitted comments regarding stormwater management and the associated infrastructure.
9. Section 15-7.0103V. of the UDO, please provide architectural elevations for the proposed clubhouse, and of all elevations of Building B5.
10. Sections 15-7.0103W. and 15-5.0402 of the UDO, please include all building and trail lights within the lighting and photometric plans, provide catalog pages/cut sheets of all lights, the height of the lights, and the cut-off type of each light.
11. Sections 15-7.0103X. and 15-5.0109A. of the UDO, please clearly identify all existing and proposed easements.
 - a. Please note that easement documents must be prepared separately, reviewed by staff, and approved by the Common Council.
 - b. In addition to the Conservation Easement needed for the remaining natural resource features to be preserved and any mitigation, please submit separate easements for the Landscape Easement along the western portion of the subject project area.
12. Sections 15-7.0103Y. of the UDO, please obtain Milwaukee County (and if necessary, Wisconsin Department of Transportation) approval of the access to Rawson Avenue.
13. Sections 15-5.0202C.7. and 15-5.0203C. of the UDO, please depict a cross access easement along the entire shared driveway and provide an easement document for Plan Commission review and approval, for recording with Milwaukee County.
14. Section 15-5.0210 of the UDO, please provide a snow storage plan for Building B5 and the clubhouse.
15. Section 15-7.0803A. of the UDO, please provide architectural drawings of the clubhouse. In addition, please provide details of the proposed exterior heating, ventilation, and air-conditioning equipment. Furthermore, ensure that all elevations are provided for Building B5 (missing Lower Level Plan, Second Floor Plan, Third Floor Plan, Roof Plan) and that details of the proposed exterior heating, ventilation, and air-conditioning equipment are also provided.
16. Section 15-7.0803A. 1. of the UDO, please provide the owners/developers information on the architectural plans.

Site Plan Amendment (Stadium)

Stadium Site Plan Amendment Comments on Page 5

1. Staff recommends that only those plan pages with revisions be included in the Plan Commission packet, and that the currently approved elements under consideration in the subject Site Plan amendment request be provided for comparison purposes.
 - a. Please note that Building 8 (electrical container) has already been approved by staff and does not need to be included in these plans.
 - b. Please note that the signage shown in the submitted plans has not been reviewed. Stadium signage will be subject to separate review and approval of a separate Sign Plan pursuant to condition #13 of Site Plan Resolution No. 2018-016.
2. See Planned Development District No. 37 Amendment Ordinance comment #2.b. below.
3. Staff continues to recommend that the front entrance/gate features (Building 1) remain as presented in the approved Architectural Renderings of the site plan approved by the Plan Commission on November 8, 2018, and as generally referenced in condition #15 of Site Plan Resolution No. 2018-016.
4. Staff recommends that the concessions container on the west side of the stadium remain in the first phase of development as depicted in the site plans approved as part of Site Plan Resolution No. 2018-016.
5. Staff recommends that the beer garden entrance features (Building 2) remain as depicted in the site plans approved as part of Site Plan Resolution No. 2018-016, and that the details requested in condition #21 of that Resolution be provided at this time.

Planned Development District No. 37 Amendment (Ordinance No. 2018-2333) Remaining Conditions of Approval:

Please Note: If a particular condition from Ordinance No. 2018-2333 is not referenced below, staff believes that condition has been addressed or is an ongoing requirement.

1. Pursuant to condition #2 “The applicants shall also provide a report to the Plan Commission after one year from the date of Occupancy Permit of the new stadium to review the results of the noise monitoring.”
2. Pursuant to condition #3, “The applicants shall also prepare a comprehensive photometric plan for City review and approval meeting the City’s lighting standards at the PDD No. 37 exterior boundaries”.
 - a. In regard to the Building B5/clubhouse area, all building lights and trail lights must be added to the comprehensive lighting and photometric plan.
 - b. In regard to the stadium area, staff recommends that the lighting and photometric plans be revised to address/explain why certain light levels dropped when building and decorative lights were added to the plans.
3. Pursuant to condition #4, please note that Milwaukee Metropolitan Sewerage District approval is required prior to any disturbance or development of the gas pipeline area.
4. Pursuant to conditions #5 and #6, regarding a Street Design and Bike and Pedestrian Plans, partial preliminary information was provided by a memo dated 6-10-18. More details are required prior to issuance of any Occupancy Permits.
5. Pursuant to condition #7, final stormwater management plan and associated approvals are still outstanding. This must be addressed through the Engineering Department.

Additional Staff Recommendations:

1. In regard to the PDD Amendment, staff recommends that all snow grooming begin on the eastern side of the ski hill so as to minimize the impacts of noise and lights associated with the grooming operations upon those homes located closest to the ski hill's facing slopes.
2. In regard to the CSM (pursuant to Section 15-7.0702N. of the UDO) and to the Site Plan Amendment (pursuant to Section 15-7.0103G.), staff recommends that soil borings of both proposed lots be obtained, and that information provided on, or as a separate attachment to, the CSM.

From: [Courtney Day](#)
To: [General Planning](#)
Subject: Site Plan Amendment - 2018-016
Date: Wednesday, April 03, 2019 3:59:10 PM

Health has reviewed the Site Plan Amendment for Ballpark Commons (Resolution 2018-016). We do have some concerns related to the proposed changes in this document.

- Health has also not seen information regarding the materials for floors, walls, ceilings, lighting, and grease interceptors for the concession locations.
- The most recent plans submitted to Health on 4/1/19 still include the Cargo Container for the concession stand near the Beer Garden. If this is removed we would need new plans to show what this new concession area will look like, including an updated menu.
- We have had no information on how they plan to deal with outside cooking –air curtain, screen, etc.

Thank you.

Courtney Day, RN, BSN

Courtney Day, RN, BSN
Director of Health & Human Services/Health Officer
City of Franklin Health Department
414-425-9101
cday@franklinwi.gov





CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of April 18, 2019

Final Plat

RECOMMENDATION: City Development Staff recommends approval of the Final Plat for the Ryanwood Manor Phase 1 Subdivision, subject to the conditions as noted in the attached draft ordinances and resolution.

Project Name:	Ryanwood Manor Addition No. 1 Final Plat
Project Location:	Northwest corner of 76 th Street & West Oakwood Road (Tax Key No: 934-9992-010)
Property Owner:	Oakwood at Ryan Creek, LLC
Applicant:	Oakwood at Ryan Creek, LLC
Agent:	Eric Obarski, Neumann Developments, Inc.
Current Zoning:	R-5 Suburban Single-Family Residence District, and FW Floodway District
2025 Comprehensive Plan:	Business Park and Residential
Use of Surrounding Properties:	Single-family residential to the north, single-family and agricultural to the south, single-family and Milwaukee County parkland to the east, and agricultural to the west.
Applicant's Action Requested:	Recommendation of approval of the Rezoning, Comprehensive Master Plan Amendment, and Final Plat

Introduction/Background:

On December 11, 2018, the applicant submitted a Final Plat Applications for the Ryanwood Manor Addition No. 1 Subdivision located at the northwest corner of South 76th Street and West Oakwood Road (formerly Oakwood at Ryan Creek). This is considered Phase Two of the subdivision development.

Project Description/Analysis:

The applicant is proposing to further subdivide the existing property to create 34 R-5 single-family residential lots with this phase.

This Plat includes three new public roadways, including a connection to to West Oakwood Road at West Oakwood Way on the south side of the subdivision. There are also two (2) proposed through streets. While the Preliminary Plat (Oakwood at Ryan Creek) was for the entire subdivision, the applicant has decided to do the Final Plat in phases. Following Phase 1 and this Phase 2, There is planned development to the west of these phases, with no timeline submitted to date.

With Phase 1 approval, one point of ingress/egress from South 76th Street at South Creek View Court was approved. This phase, as proposed, incorporates a completed access to Phase 1 by means of West Oakwood Way to South Woodside Court and South Ryan Creek Court, which connect to Wet Schweitzer Street.

All single-family lots abut a public right-of-way and have sufficient width. Staff recommends the applicant demonstrate that lot 45 can accommodate a single-family home of a size comparable to what could be built on other lots in the Subdivision due to the curve of the street prior to submitting to the Council for final approval. Also, staff recommends the applicant demonstrate that lots 46, 47 and 48 meet the minimum lot width of 90-feet at the front yard setback prior to submitting to the Council for final approval.

Storm drainage easement and a vision corner are proposed within Outlot 4, within the south side of the property. The proposed subdivision will be served by municipal water and public sanitary sewer.

Signage:

Signage is not being proposed at this time. Staff recommends any proposed subdivision monument sign(s) be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department. Staff recommends any proposed subdivision monument sign(s) be subject to review and approval of Sign Review Application by the Plan Commission and issuance of Sign Permit from the City Inspection Department.

Staff Recommendation:

City Development Staff recommends approval of the Final Plat for the Ryanwood Manor Addition No. 1 Subdivision, subject to the conditions as noted in the attached draft resolution.

RESOLUTION NO. 2019-_____

A RESOLUTION CONDITIONALLY APPROVING A
FINAL PLAT FOR RYANWOOD MANOR ADDITION NO. 1 SUBDIVISION
(AT APPROXIMATELY SOUTH 76TH STREET AND WEST OAKWOOD ROAD)
(OAKWOOD AT RYAN CREEK, LLC, APPLICANT)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a final plat for Ryanwood Manor Addition No. 1 (formerly known as Oakwood at Ryan Creek) Subdivision (Phase 2), such plat being that part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at approximately South 76th Street and West Oakwood Road [Phase 2 has 34 lots (average size of 13,892 square feet) and 1 outlot], bearing Tax Key No. 934-9992-010, Oakwood at Ryan Creek, LLC, applicant; said Final Plat having been reviewed by the City Plan Commission following the reviews and recommendations or reports of the City Planning Department and the City Engineering Department, and the Plan Commission having recommended approval thereof at its meeting on April 18, 2019, pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed final plat is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Final Plat of Ryanwood Manor Addition No. 1 Subdivision (Phase 2), as submitted by Oakwood at Ryan Creek, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, and that all minor technical deficiencies within the Final Plat be rectified, all prior to the recording of the Final Plat.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Pursuant to §236.13(1) and (2), Stats., pertaining to conditions of plat approval and the provision of public improvements reasonably necessary, respectively, and §§15-

OAKWOOD AT RYAN CREEK, LLC - FINAL PLAT FOR RYANWOOD MANOR
ADDITION NO. 1 SUBDIVISION (PHASE 2)
RESOLUTION NO. 2019-_____

Page 2

8.0101 and 15-2.0303 of the Unified Development Ordinance, pertaining to required improvements and the financial security to be provided therefore as conditions of plat approval, the required improvements prescribed in the Unified Development Ordinance for land divisions are required as a condition of the approval of the Final Plat for Ryanwood Manor Addition No. 1 Subdivision (Phase 2); a Subdivision Development Agreement (“Subdivider’s Agreement”), as may be approved by the Common Council upon the recommendation of the City Engineer and as secured by a letter of credit in form as approved by the City Attorney, shall provide for the furnishing, construction and installation of the required improvements and such other matters as set forth therein, and shall be entered into and executed by Oakwood at Ryan Creek, LLC prior to the recording of the Final Plat.

4. Each and any easement shown on the Final Plat shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Final Plat.
5. That any and all submissions, reviews and approvals, for any and all matters required to be submitted, reviewed and/or approved within the final plat application process as specified within the Unified Development Ordinance, which may not have been submitted, reviewed and/or approved as of the date of adoption of this Resolution, if any, including for matters of utility easements, a declaration of deed restrictions and protective covenants, conservation easements, other public purpose easements, stormwater management agreements, and homeowners’ association legal instruments, shall be so submitted, reviewed and/or approved, prior to the recording of the Final Plat.
6. Oakwood at Ryan Creek, LLC, successors and assigns and any developer of the Ryanwood Manor Addition No. 1 34 lot and 1 outlot single-family residential subdivision (Phase 2) development shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Ryanwood Manor Addition No. 1 34 lot and 1 outlot single-family residential subdivision (Phase 2) development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

OAKWOOD AT RYAN CREEK, LLC - FINAL PLAT FOR RYANWOOD MANOR
ADDITION NO. 1 SUBDIVISION (PHASE 2)
RESOLUTION NO. 2019-_____

Page 3

7. The approval granted hereunder is conditional upon Oakwood at Ryan Creek, LLC and the Ryanwood Manor Addition No. 1 34 lot and 1 outlot single-family residential subdivision (Phase 2) development project for the property located at approximately South 76th Street and West Oakwood Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
8. The Ryanwood Manor Addition No. 1 34 lot and 1 outlot single-family residential subdivision (Phase 2) development project shall be developed in substantial compliance with the terms and provisions of this Resolution.

9. [other conditions, etc.]

BE IT FURTHER RESOLVED, that the Final Plat of Ryanwood Manor Addition No. 1 Subdivision (Phase 2), be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a final plat, the City Clerk is hereby directed to obtain the recording of the Final Plat of Ryanwood Manor Addition No. 1 Subdivision (Phase 2) with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

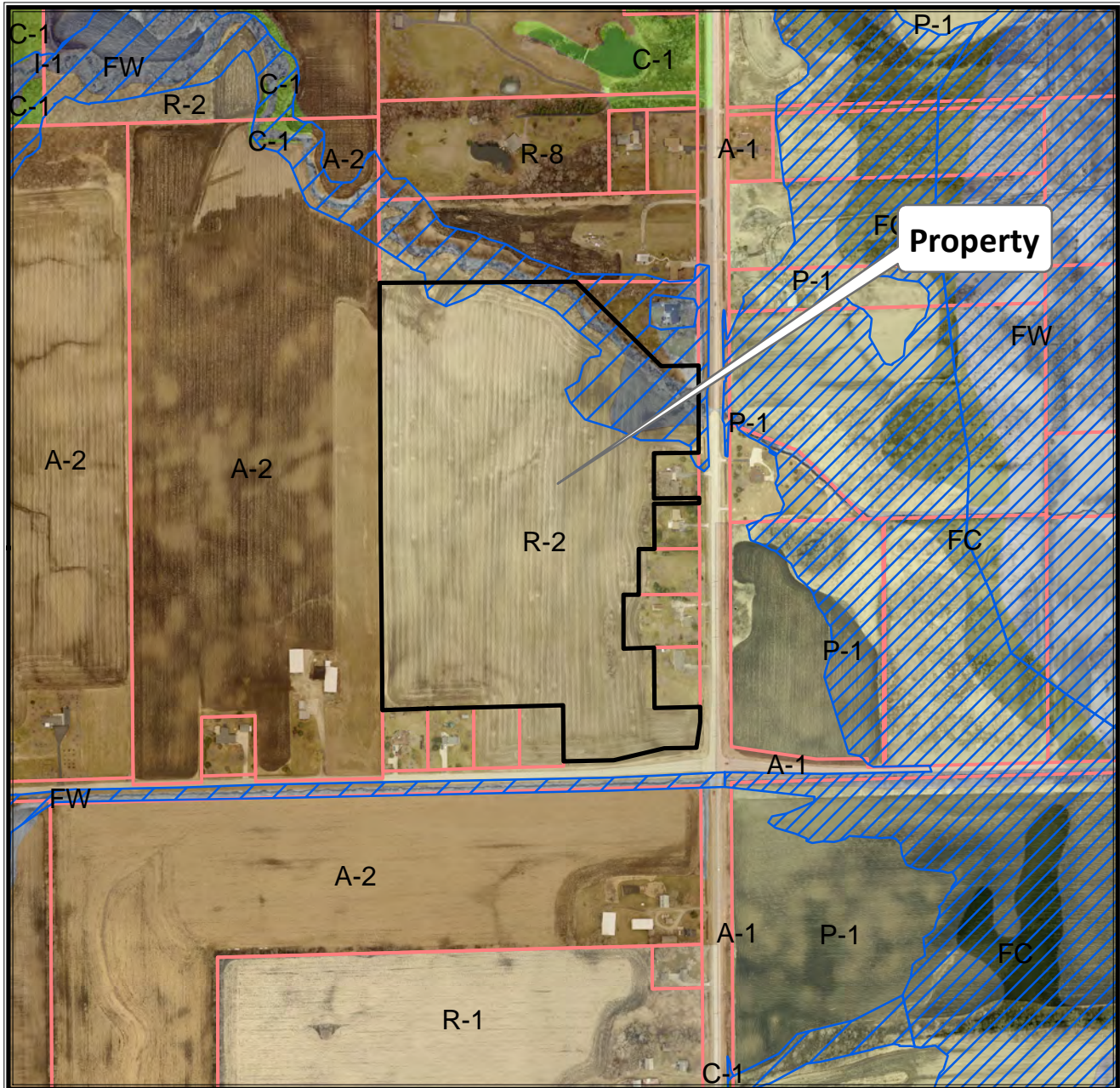
ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

S. 76th Street & W. Oakwood Road
TKN: 934 9992 010



Planning Department
(414) 425-4024

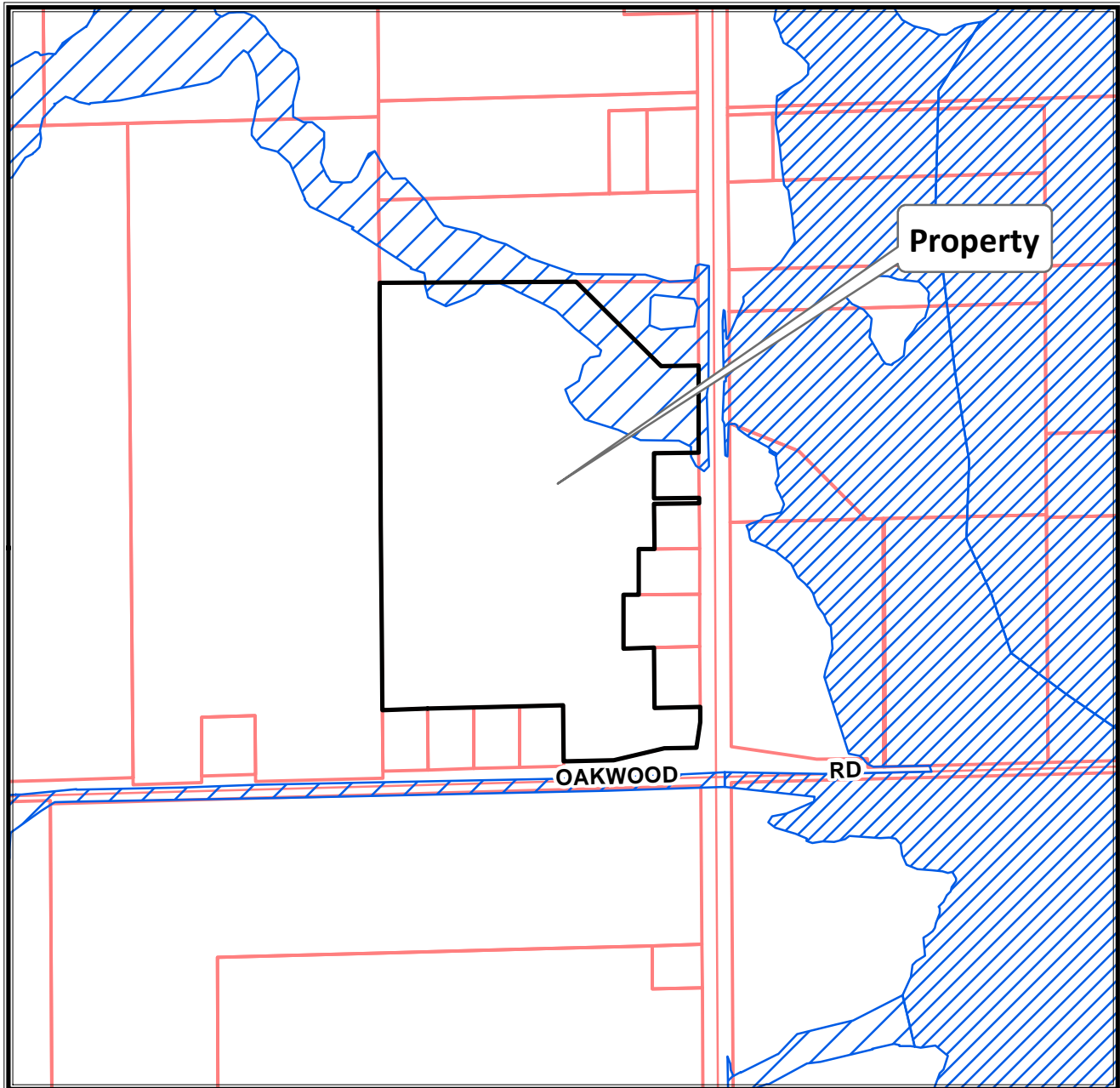
0 380 760 1,520 Feet

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.





S. 76th Street & W. Oakwood Road
TKN: 934 9992 010



Planning Department
(414) 425-4024

0 380 760 1,520 Feet

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



City of Franklin

Department of City Development

Date: April 4, 2019

To: Oakwood at Ryan Creek, LLC

From: City Development Staff

RE: Ryanwood Manor Addition No. 1 Final Plat – Staff Comments

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Final Plat Application submitted by Oakwood at Ryan Creek, LLC and City file-stamped on March 18, 2019.

Unified Development Ordinance (UDO) Requirements

Plat Data

1. Please depict utility and drainage easements on the face of the Final Plat per Section 15-7.0602-D of the UDO.

Drainage easements were previously shown, utility easements have been added.

Declaration of Deed Restrictions, Protective Covenants, Conservation Easements, and Homeowner's Association

2. The City Attorney shall review all final declaration of deed restrictions and protective covenants, conservation easements, and homeowners' associations and shall approve said instruments as to form as they pertain to such purpose, as required by Section 15-7.0603-D of the UDO.

All documents will be submitted to the City attorney for final approval upon the recording of the first plat. The first plat recording information is needed to complete these documents.

Staff Recommendations

Plat

See the attached exhibit which shows a 60' x 60' building pad which is the standard pad size in this development.

1. Please demonstrate that Lot 45 can accommodate a single-family home of a size comparable to what could be built on other lots in the Subdivision. The building envelope on this lot appears to be tight due to the curve of the street.
2. Please demonstrate that Lots 46, 47 and 48 meet the minimum lot width of 90-feet at the front yard setback.

See the attached exhibit which shows that each of these three lots have a minimum 90'.

Sign Plan

3. Staff recommends any proposed subdivision monument sign(s) be subject to review and approval of a Sign Review Application by the Plan Commission and issuance of a Sign Permit from the Inspection Department.

Understood. Any proposed signage will be submitted for the proper review and approval.

Other

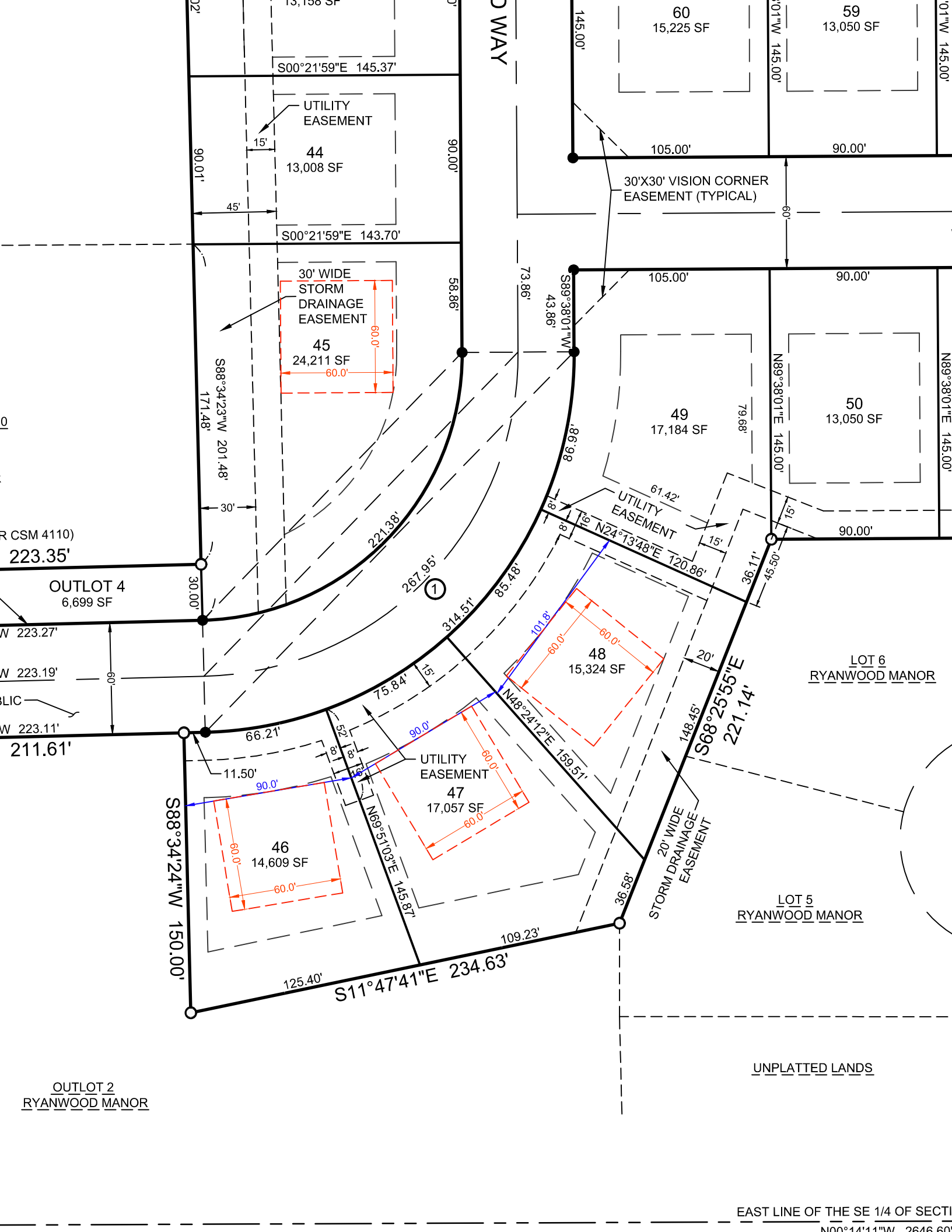
4. According to Condition No. 12 of Resolution No. 2019-7466, a revised Landscape Plan shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.
Understood. A revised landscape plan will be submitted for approval.

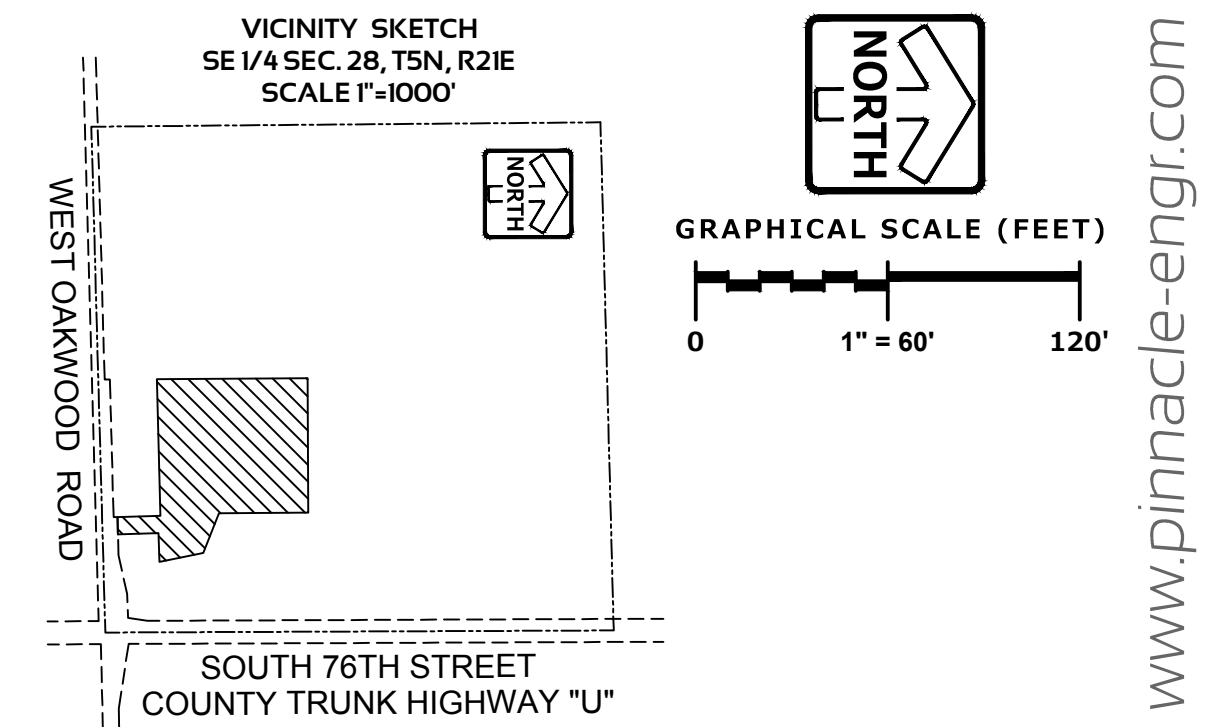
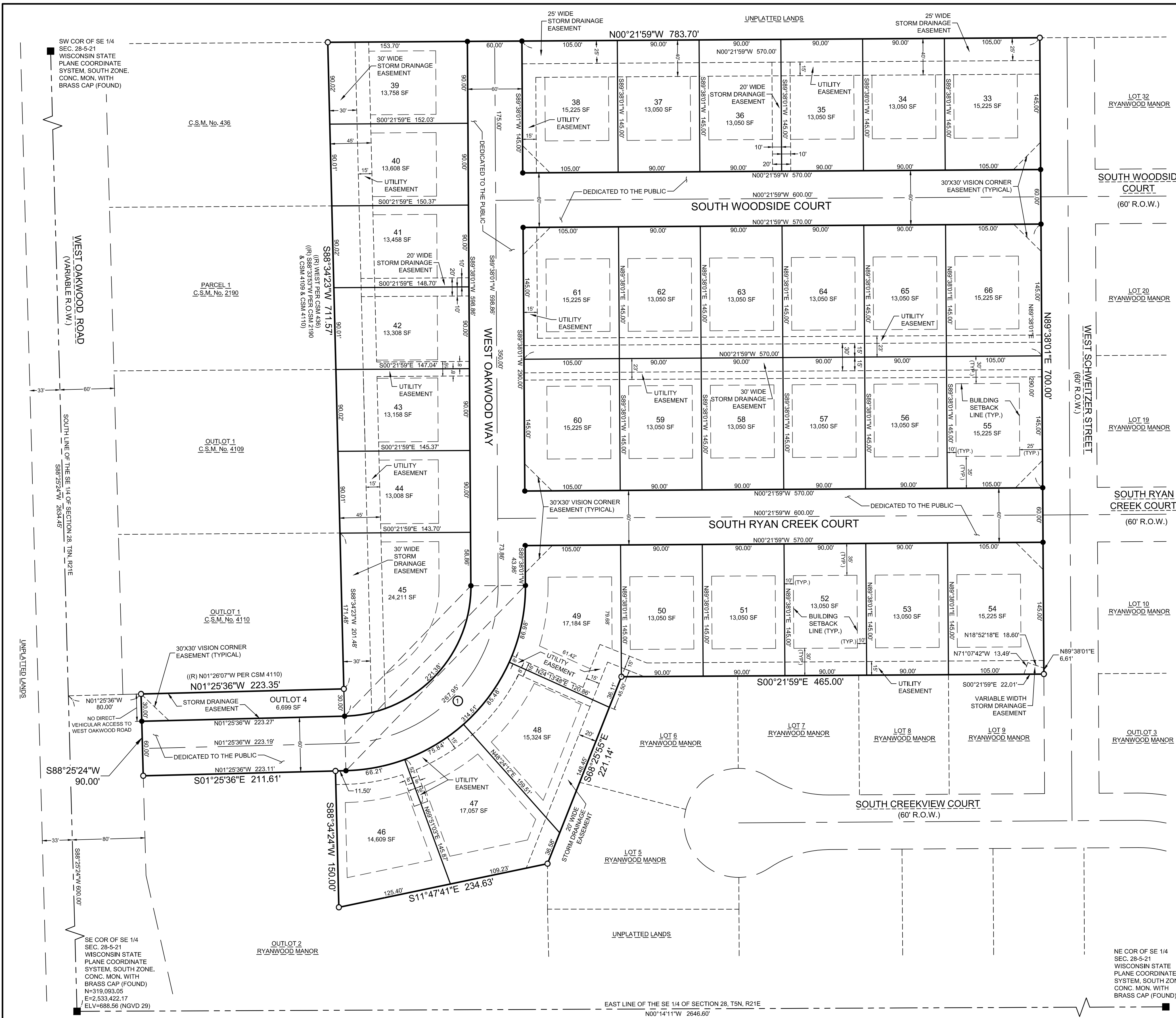
Engineering Staff Comments

5. Insert the recording information of the Ryan Manor Subdivision in the legal description. **Ryanwood Manor has not been recorded yet. Once the first plat is recorded, the information will be filled in on the addition no. 1 plat.**

Milwaukee County

6. Milwaukee County comments are forthcoming.
Understood.





- NOTES:**
- All measurements have been made to the nearest one-hundredth of a foot and all angular measurements have been made to the nearest one second.
 - Dimensions along curves are arc lengths.
 - All roads within this plat will be dedicated to the public.
 - VISION CORNER EASEMENT RESTRICTIONS:** No visual obstructions, such as structures, parking, or vegetation, shall be permitted in any district between the heights of two and one-half (2.5) feet and ten (10) feet above the plane through the mean curb grades within the triangular space formed by any two (2) existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines, located a minimum of thirty (30) feet or sixty (60) feet from their intersection as specifically shown on the plat.
 - NO ACCESS NOTE:** OAKWOOD AT RYAN CREEK LLC, as owner, hereby restricts all lots in that no owner, possessor, user, nor licensee, nor other person shall have any right of direct vehicular ingress or egress with West Oakwood Road, as shown on this plat; it being expressly intended that this restriction shall constitute a restriction for the benefit of the public according to s.236.293 of the Wisconsin State Statutes, and shall be enforceable by the Department of Transportation.
 - Outlot 4 of the plat of Ryanwood Manor Addition No. 1 is owned and shall be maintained by the Ryanwood Manor Addition No. 1 Homeowners Association and each individual lot owner shall have an undivided fractional ownership of outlot 4 and that Milwaukee County and the City of Franklin should become the owner of any lot in the subdivision be reason of delinquency. The Homeowners Association shall maintain said outlot in an unobstructed condition so as to maintain its intended purpose. Construction of any building, grading, or filling in said outlot is prohibited unless approved by the City of Franklin. The Homeowners Association grants to the City the right (but not the responsibility) to enter upon this outlot in order to inspect, repair or restore said outlot to its intended purpose. Expenses incurred by the City for said inspection, repair or restoration of said outlot may be placed against the tax roll for said association and collected as a special charge by the City.
 - See separate recorded easement documents for the storm drainage easement.

NOTE:
SEE CURVE DATA ON SHEET 2.

LEGEND:
● - Denotes Found 1-1/4" X 18" Iron Rebar
● - Denotes Set 1-1/4" X 18" Iron Rebar, 4.3 LBS/FT.
All other corners set are 3/4" x 18" Iron Rebar, 15 LBS/FT.
SF - Denotes lot areas to the nearest square foot.

All distances computed to the nearest 0.01'
All angles computed to the nearest 00°00'00.05" and measured to the nearest 00°00'01"

REFERENCE BENCHMARK: 688.56 (NGVD 29)
TOP OF CONCRETE MONUMENT WITH BRASS CAP MARKING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 21 EAST.

REFERENCE BEARING: THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 21 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 00°14'11" WEST PER THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

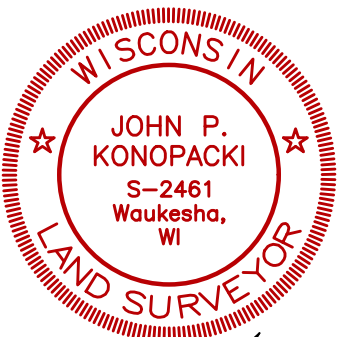
Owner/Subdivider
Oakwood at Ryan Creek LLC
N27 W24025 Paul Court, Suite 100
Pewaukee, WI 53072
262-542-9200

Prepared by:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

There are no objections to this plat with respect to
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



DATE: MARCH 15, 2019
REVISED: APRIL 8, 2019

PEG JOB# 902.00-WI
SHEET 1 OF 2

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

RYANWOOD MANOR ADDITION No. 1

Being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North,
Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the southeast corner of the Southeast 1/4 of said Section 28; thence South 88°25'24" West along the south line of said Southeast 1/4, 600.00 feet; thence North 01°25'36" West and then along the east line of Outlot 1 of Certified Survey Map No. 4110, 80.00 feet to a point on the north right of way line West Oakwood Road and the point of beginning;

Thence continuing North 01°25'36" West along said east line, 223.35 feet to the northeast corner of said Certified Survey Map No. 4110; thence South 88°34'23" West along the north line of said Certified Survey Map, the north line of Outlot 1 of Certified Survey Map No. 4109, the north line of Parcel 1 of Certified Survey Map No. 2190 and the north line of Certified Survey Map No. 436, 711.57 feet to the northwest corner of said Certified Survey Map No. 436; thence North 00°21'59" West, 783.70 feet to the south right of way line of West Schweitzer Street; thence North 89°38'01" East along said south right of way line, 700.00 feet to the west line of Ryanwood Manor, a recorded subdivision; thence South 00°21'59" East along said west line, 465.00 feet; thence South 68°25'55" East along said west line, 221.14 feet; thence South 11°47'41" East along said west line, 234.63 feet; thence South 88°34'24" West along said west line, 150.00 feet; thence South 01°25'36" East along said west line, 211.61 feet to the north right of way line of West Oakwood Road; thence South 88°25'24" West along said north right of way line, 90.00 feet to the point of beginning.

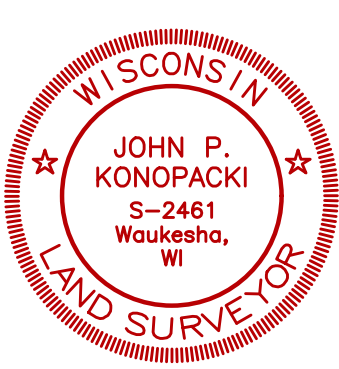
Containing 624,557 square feet (14.3379 acres) of land.

That I have made such survey, land division and map by the direction of Oakwood at Ryan Creek LLC, owner of said land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the City of Franklin Land Division and Platting Ordinance in surveying, mapping and dividing the lands within the subdivision.

DATE: MARCH 15, 2019
REVISED: APRIL 8, 2019



John P. Konopacki
Professional Land Surveyor S-2461

OWNER'S CERTIFICATE OF DEDICATION

Oakwood at Ryan Creek LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Oakwood at Ryan Creek LLC also certifies that this plat is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

- City of Franklin
- Wisconsin Department of Administration
- Milwaukee County

IN WITNESS WHEREOF, the said Oakwood at Ryan Creek LLC, has caused these presents to be signed by (name) _____, its member, at (city) _____, _____ County, Wisconsin, on this _____ day of _____, 20__.

In the presence of: Oakwood at Ryan Creek LLC.

Member - _____

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20__, (name) _____, member, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such member of said limited liability company and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____, its President, and its corporate seal to be hereunto affixed this _____ day of _____, 20__.

President - _____

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20__, _____, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20__

Department of Administration



Owner/Subdivider
Oakwood at Ryan Creek LLC
N27 W24O25 Paul Court, Suite 100
Pewaukee, WI 53072
262-542-9200

Prepared by:
PINNACLE ENGINEERING GROUP
15850 BLUEMOUND ROAD | SUITE 210
BROOKFIELD, WI 53005
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

CITY OF FRANKLIN CERTIFICATE

Resolved, that the plat known as RYANWOOD MANOR ADDITION No. 1, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, in the City of Franklin, which has been filed for approval, be and is hereby approved as required by Chapter 236 of the Wisconsin State Statutes.

I hereby certify that the foregoing is a true and correct copy of resolution No. _____ adopted by the Common Council of the City of Franklin, Wisconsin on the _____ day of _____, 20__, which action becomes effective upon receipt of approval of all other reviewing agencies and all conditions of the City of Franklin's approval were satisfied as of the _____ day of _____, 20__.

Date _____ Stephen Olson, Mayor

Date _____ Sandra L. Wesolowski, City Clerk

CITY OF FRANKLIN TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Paul Rotzenberg, being duly appointed, qualified and acting Director of Finance and Administrative Services of the City of Franklin, do hereby certify in accordance with the records in my office, there are no unpaid taxes or special assessments as of _____, 20__ on any of the lands included in the plat of RYANWOOD MANOR ADDITION No. 1.

Date _____ Paul Rotzenberg, Director of Finance and Treasurer

MILWAUKEE COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, David Cullen, being duly elected, qualified and acting Treasurer of Milwaukee County, do hereby certify that the records in my office show no unpaid taxes and no unredeemed tax sales or special assessments as of _____, 20__ affecting the lands included in the plat of RYANWOOD MANOR ADDITION No. 1.

Date _____ David Cullen, Milwaukee County Treasurer

UTILITY EASEMENT PROVISIONS

An easement for electric and communications service is hereby granted by

Oakwood at Ryan Creek LLC., Grantor, to

WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin Corporation doing business as WE Energies, Grantee

WISCONSIN BELL, INC., d/b/a AT&T WISCONSIN, a Wisconsin Corporation, Grantee

and **CHARTER CABLE PARTNERS, LLC, Grantee,**

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonable required incident to the rights herein given, and the right to enter upon the subdivided property of all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonable possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities or communication facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Buildings shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without the written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

CURVE TABLE								
CURVE NO.	LOT NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CH LENGTH	TANGENT IN	TANGENT OUT
1 WEST	45	221.38'	142.61'	88°56'23"	N45°53'47"W	199.81'	N01°25'36"W	S89°38'01"W
1 C/L	-	267.95'	172.61'	88°56'23"	N45°53'47"W	241.84'	N01°25'36"W	S89°38'01"W
1 EAST	-	314.51'	202.61'	88°56'23"	N45°53'47"W	283.87'	N01°25'36"W	S89°38'01"W
-	46	66.21'	202.61'	18°43'21"	N10°47'16"W	65.91'	-	-
-	47	75.84'	202.61'	21°26'52"	N30°52'22"W	75.40'	-	-
-	48	85.48'	202.61'	24°10'23"	N53°41'00"W	84.85'	-	-
-	49	86.98'	202.61'	24°35'47"	N78°04'05"W	86.31'	-	-



This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

RYANWOOD MANOR ADDITION No. 1

Being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



REPORT TO THE PLAN COMMISSION

Meeting of April 18, 2019

Storm Sewer Easement Encroachment for Proposed Deck

RECOMMENDATION: City Development Staff recommends approval of the proposed deck encroachment within the 20-foot wide storm sewer easement upon Lot 24 Whispering Woods Subdivision.

Project Name:	Deck Installation within 20 foot Storm Sewer Easement
Project Address:	6828 W. Fox Haven Court
Applicants:	Brion Thomas Winters
Owners (property):	Brion Thomas Winters
Current Zoning:	R-3 Suburban/Estate Single-Family Residence District
Use of Surrounding Properties:	Single-family residential to the north, south, east and west
Applicant Action Requested:	Recommendation of approval to allow construction of a deck within the 20-foot storm sewer along the east side of lot 24 of Whispering Woods subdivision

Introduction/Project Description:

On March 1, 2019, the applicant submitted a Miscellaneous Application, requesting to install a deck within the 20-foot storm sewer easement denoted on the Final Plat for Whispering Woods Subdivision for Lot 24, located at 6828 West Fox Haven Court.

The applicant is proposing to construct a 15 feet deep deck off of the east side of the existing residence within the 20-foot storm sewer easement on the rear of their property. The deck would extend approximately 3 feet 8 inches into the 20 foot recorded storm sewer easement.

The proposed deck and existing home are in conformance with all of the R-3 District development standards. Please note decks may be setback 10 feet from side and rear lot lines pursuant to Section 15-3.0802D of the City of Franklin Unified Development Ordinance.

During the December 6, 2018 Plan Commission meeting, the proposed deck addition under review with this application was presented as an area exception request to the Plan Commission. The Plan Commission recommended approval and the applicant was granted the size variance requested. This application is now addressing the subsequent encroachment into the 20 foot wide recorded storm sewer easement.

On October 13, 2017, the City Engineer approved the applicant to extend into the 20 foot wide storm sewer easement, not to exceed 4.5 feet. At that time, there were concerns noted by staff regarding the need to maintain an existing swale within the easement and also noted the property owner would be liable for any damage caused while working within the easement to City

infrastructure and the City not be held responsible for damage caused to the deck when working within the easement.

According to Section 15-3.0801D of the City of Franklin Unified Development Ordinance, “No accessory structure shall be constructed within or ever on an easement”. The Common Council would have to approve a release of the 20’ Storm Sewer Easement restriction in order for Mr. Winters to install any portion of the proposed deck within the easement.

After review, staff has noted the existence of an above ground swale over the storm sewer. *Therefore, staff will require that the existing swale over the existing storm sewer be maintained and functioning and that the City will not be liable for any damage caused to the deck for maintainance conducted by the City within the recorded easement.*

Staff Recommendation:

City Development Staff recommends approval of the deck to encroach no more than 3 feet 8 inches within the 20 foot storm sewer easment upon Lot 24 in the Whispering Woods Subdivision with the conditions proposed in the attached resolution.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-10-19]

RESOLUTION NO. 2019-_____

A RESOLUTION APPROVING A PARTIAL RELEASE AND PARTIAL
RESTRICTION WAIVER OF A CITY STORM SEWER EASEMENT UPON LOT 24,
IN WHISPERING WOODS SUBDIVISION, TO ALLOW FOR THE LOCATION OF A
DECK WITHIN THE EASEMENT AREA RELEASED AND WAIVED
(6828 WEST FOX HAVEN COURT)
(BRION THOMAS WINTERS, APPLICANT)

WHEREAS, Brion Thomas Winters having applied for a partial release of the 20 foot Storm Sewer Easement upon his property to the extent necessary to construct a 385 square foot deck addition on the first floor of the back of the residential home, property located at 6828 West Fox Haven Court, which would result in an approximate 3 foot 8 inch encroachment into the Easement area; such property being zoned R-3 Suburban/Estate Single-Family Residence District; and

WHEREAS, the subject Storm Sewer Easement is denoted upon the Final Plat for Whispering Woods Subdivision as a “20 foot Storm Sewer Easement” and the property located at 6828 West Fox Haven Court, bearing Tax Key No. 837-0235-000 is more particularly described as follows:

Lot 24, together with an undividable fractional interest in Outlots 1 through 5, Whispering Woods, being a redivision of Lot 2 of Certified Survey Map No. 7961, being a part of the Southeast 1/4 of the Northwest 1/4 and part of the Northeast 1/4, Southeast 1/4 and the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, City of Franklin, County of Milwaukee, State of Wisconsin.

The storm sewer easement area is described as the easterly 20 feet of recorded Lot 24, Whispering Woods Subdivision, City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, the 20 foot Storm Sewer Easement denoted upon the Final Plat for Whispering Woods Subdivision and its accompanying restriction of the construction or placement of buildings is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

WHEREAS, Wis. Stats. § 236.293 provides in part that any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body vests in the public body the right to enforce the restriction at law or in equity and that the restriction may be released or waived in writing by the public body having the right of enforcement; and

WHEREAS, the Common Council having considered the request for the release of the 20 foot Storm Sewer Easement only so as to allow for the subject deck construction, and having considered the proposed location of and type of deck to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed release is only to the extent of 3 feet and 8 inches.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the deck construction of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Brion Thomas Winters filed on March 1, 2019, be and the same is hereby authorized and approved and that the Storm Sewer Easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

BE IT FURTHER RESOLVED, that the applicant shall further obtain all required permit(s) for the installation of the subject deck and that the subject deck shall be constructed pursuant to such permit(s) within one year of the date hereof, or all approvals granted hereunder shall be null and void.

BE IT FINALLY RESOLVED, that the City Clerk be and the same are hereby directed to obtain the recording of this Resolution with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

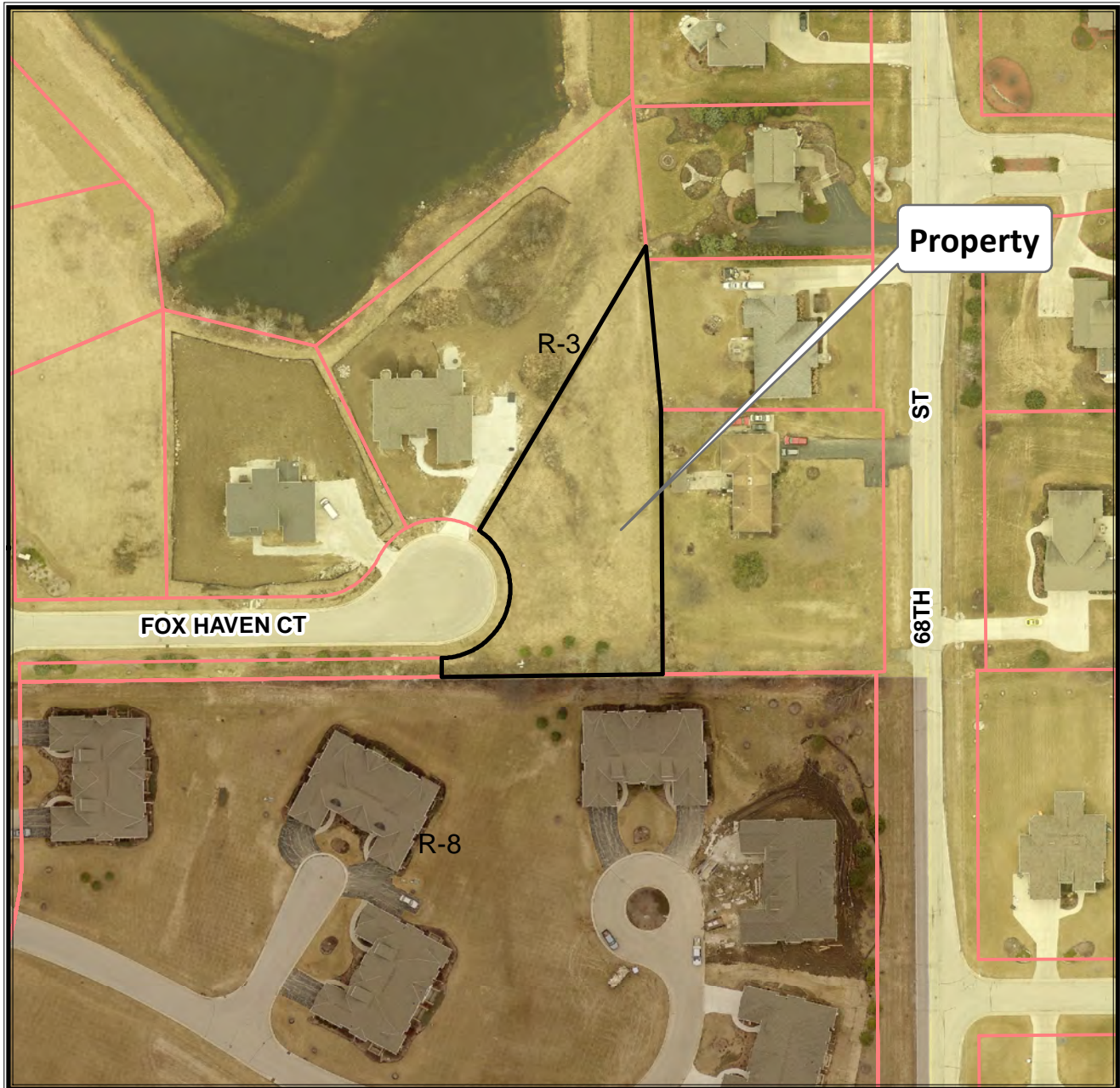
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

6828 W. Fox Haven Court
TKN: 837 0235 000



Planning Department
(414) 425-4024

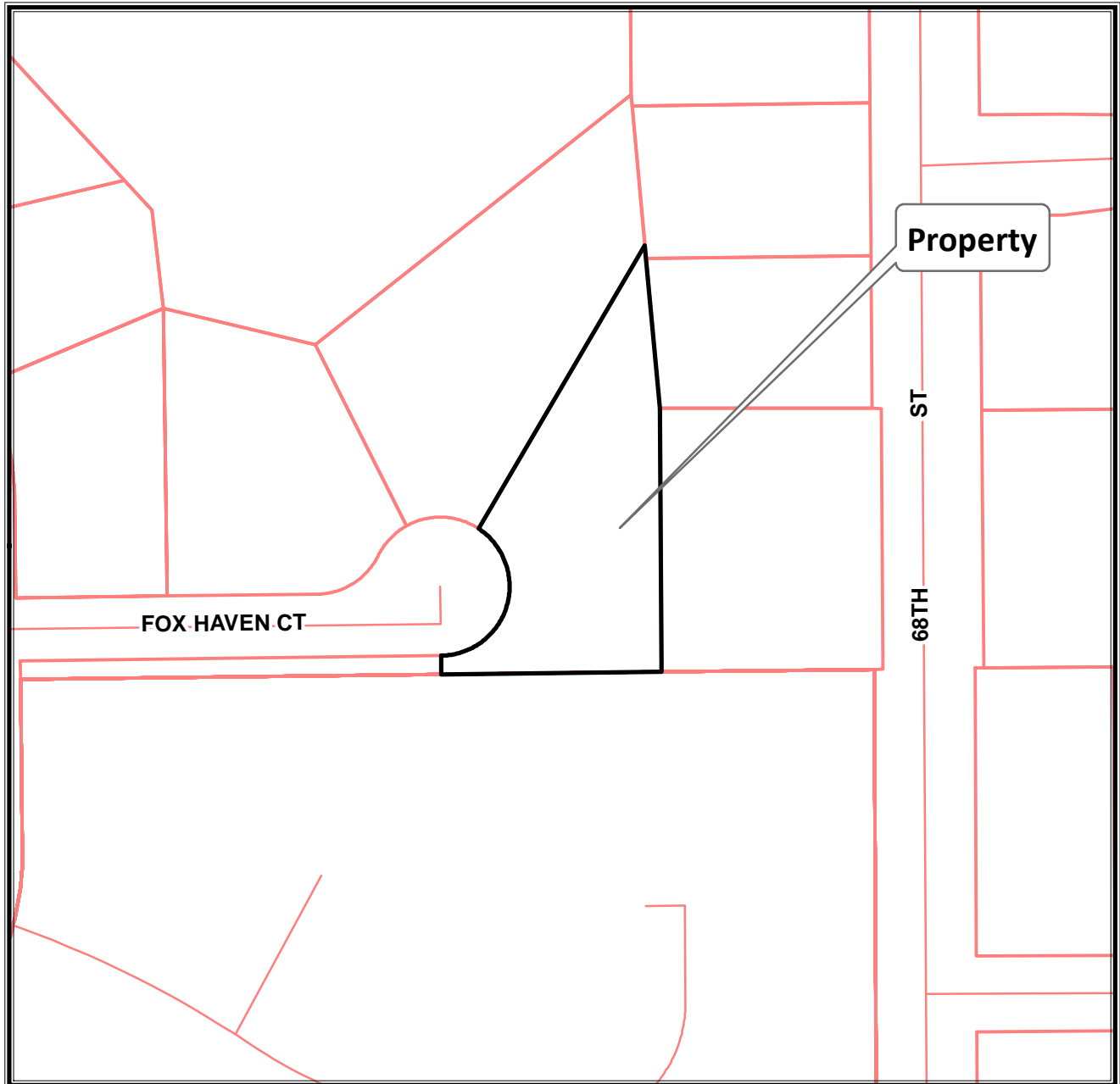
0 75 150 300 Feet

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.


NORTH
2017 Aerial Photo



6828 W. Fox Haven Court
TKN: 837 0235 000



Planning Department
(414) 425-4024

0 75 150 300 Feet

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



Franklin

Planning Department
9229 West Loomis Road
Franklin, Wisconsin 53132
Email: generalplanning@franklinwi.gov

MAR 01 2019

City Development

City of Franklin



Phone: (414) 425-4024
Fax: (414) 427-7691
Web Site: www.franklinwi.gov

Date of Application: 3/1/19

MISCELLANEOUS APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Applicant
Name: Brion Thomas Winters
Company: _____
Mailing Address: 6828 W. Fox Haven Ct.
City / State: Franklin, WI Zip: 53132
Phone: 414-698-8848
Email Address: bwinters@vonbriesen.com

(Full Legal Name[s]):

Applicant is Represented by (contact person)
Name: _____
Company: _____
Mailing Address: _____
City / State: _____ Zip: _____
Phone: _____
Email Address: _____

(Full Legal Name[s]):

Project Property Information:

Property Address: 6828 W. Fox Haven Ct.
Property Owner(s): Brion Thomas Winters
Mailing Address: 6828 W. Fox Haven Ct.
City / State: Franklin, WI Zip: 53132
Email Address: bwinters@vonbriesen.com

Tax Key Nos: 837-0235-000
Existing Zoning: R-3
Existing Use: Residential
Proposed Use: Residential - Add a deck
Future Land Use Identification: _____

*The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>

Miscellaneous Application submittals for review must include and be accompanied by the following:

- ☒ This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- ☒ Application Filing Fee, payable to City of Franklin: ☒ \$125
- ☒ Legal Description for the subject property (WORD.doc or compatible format).
- ☒ (1) original and six (6) copies of a written Project Narrative, including detailed description of the project.
- ☒ Other information as may be deemed appropriate for the request.

- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- Submittal of Application for review is not a guarantee of approval.
- Plan Commission, Community Development Authority and/or Common Council review and approval may be required.

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

Brion Thomas Winters
Signature - Property Owner
Name & Title (PRINT)
Date: 11/30/18

Signature - Applicant
Name & Title (PRINT)
Date: _____

Signature - Property Owner
Name & Title (PRINT)
Date: _____

Signature - Applicant's Representative
Name & Title (PRINT)
Date: _____

LEGAL DESCRIPTION

Lot 24, together with an undividable fractional interest in Outlots 1 through 5, Whispering Woods, being a redivision of Lot 2 of Certified Survey Map No. 7961, being a part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and part of the Northeast $\frac{1}{4}$, Southeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of Section 15, Town 5 North, Range 21 East, City of Franklin, County of Milwaukee, State of Wisconsin.

Franklin

MAR 01 2019

City Development

Project Narrative (Easement Amendment (Winters Deck) – 6828 W. Fox Haven Ct.)

(1) Current use and improvements on the property

The current use of the property is my primary (single-family) residence and the improvements on the property include my house (3,378 sq. ft.), garage (1,132 sq. ft.), existing deck #1 off the master bedroom (94 sq. ft.), existing deck #2 (to be expanded with deck plans; 30 sq. ft.) and existing deck stairs (24 sq. ft.).

(2) Ordinance standard from which exception/easement amendment is being sought

The ordinance standard from which the easement amendment is being sought is Section 15-3.0801D of the City of Franklin Unified Development Ordinance.

SECTION 15-3.0801D – LOCATION ON EASEMENTS

D. Location On Easements. No accessory structure shall be constructed within or over on an easement.

(3) Description of the Amendment to Easement

There is a 20-foot sanitary sewer easement on the easterly boarder of my property. My deck would encroach approximately 3 feet 8 inches into the 20-foot easement area (the "Encroachment Area"). Back in 2017, I had numerous discussions with the City to seek approval of my deck being constructed in the Encroachment Area based on the deck plans previously submitted. Ultimately, the City Engineer signed the plat of survey for the deck and, according to correspondence with the City at that time, approved the construction of the proposed deck into the Encroachment Area. Given the recommendation by City staff related to my area exception request, I am now seeking an amendment to the easement on my property to release the Encroachment Area from the easement so I can install my deck and not be in violation of 15-3.0801D.

(4) Statement of reasons for the request

The ultimate reason for the request is to build a deck off of the back of my house. We are not seeking a huge deck, but, rather, a functional deck that takes advantage of our backyard and enhances the value and elevation view of our home. For all intents and purposes, the main portion of the deck will come off the back of our house by approximately 15 feet. To reduce the deck size by 4 feet to 11 feet wide (in order to not build on the Encroachment Area) basically eliminates the functional value and use of the deck.

The proposed encroachment is quite small and should not impact any work that would need to be performed in the easement area. Based on prior discussions with the City, the reason the plat of survey for the deck was approved by the Engineering Department in the first place was because it did not materially encroach into the easement area and, if any work needed to be done on the sanitary sewer, the proposed location of my deck would not impact such work.

I ask that the Common Council take a practical view of the use and work typically required on a storm sewer pipe in an easement area and approve my application for an amendment to the

Franklin

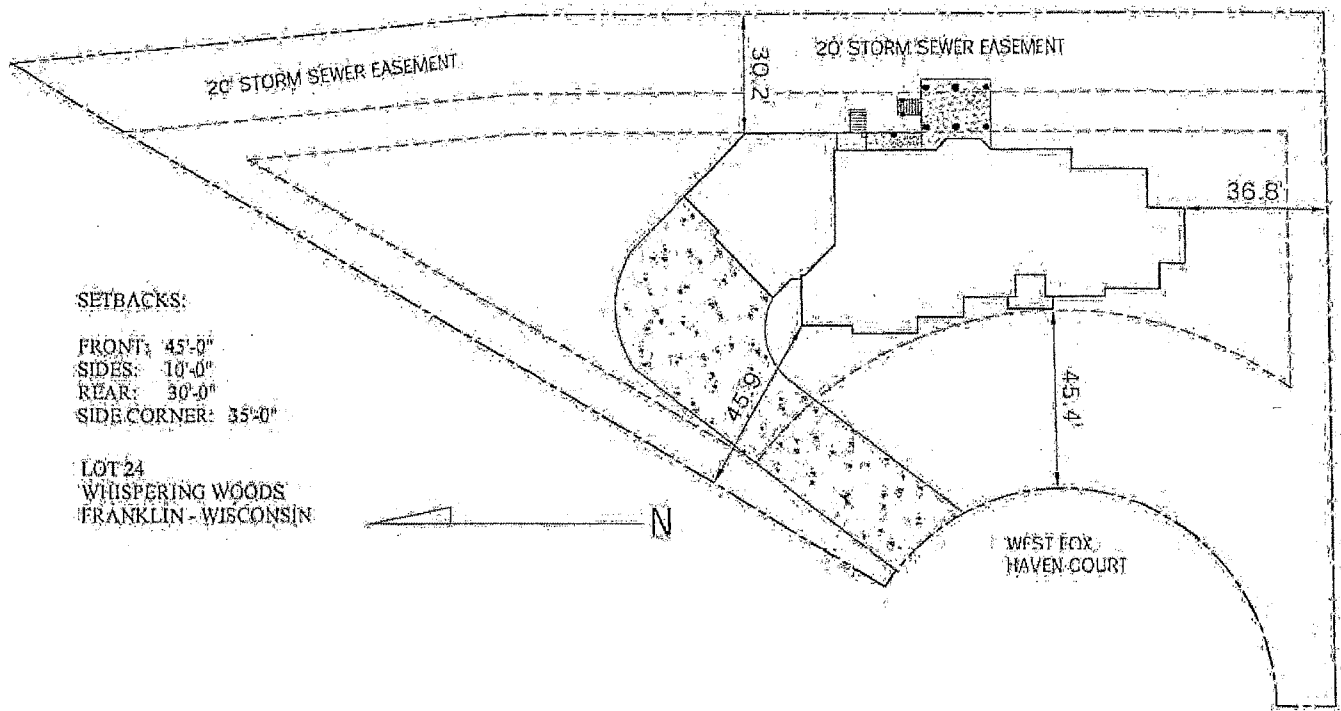
MAR 01 2019

City Development

sanitary sewer easement. Such an approval will satisfy the outstanding condition in my area exception application and, ultimately, allow me to build my deck as set forth in my deck plans.

(5) Description and date of any prior related petition

On October 31, 2018, I applied for an area exception related to maximum lot coverage (based on the calculations by the City, the deck would put me 190 square feet or 3.9% over the lot coverage ordinance). Attached please find the area exception application and related materials.



202 West Street Johnson Creek, WI 53038 (920) 699-3305

FOR LOT 24 OF WHISPERING WOODS, AND BEING A PART OF THE SE 1/4 OF THE
SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 21 EAST,
CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

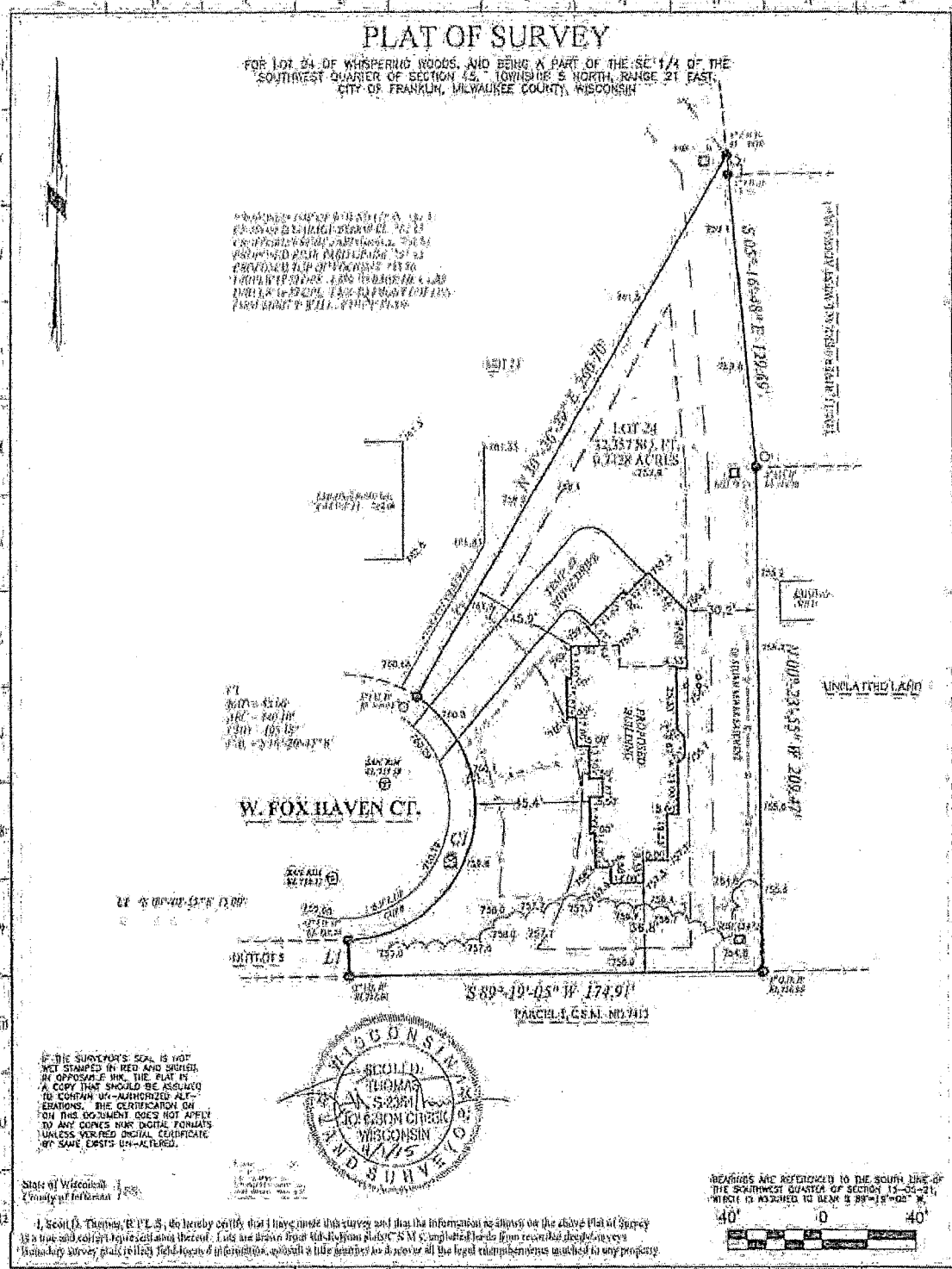
1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of subscribers. The names are written in a cursive script, and the addresses are listed below them.

2. The second part of the document is a list of names and addresses, which appears to be a directory or a list of subscribers. The names are written in a cursive script, and the addresses are listed below them.

3. The third part of the document is a list of names and addresses, which appears to be a directory or a list of subscribers. The names are written in a cursive script, and the addresses are listed below them.

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5. The fifth part of the document is a list of names and addresses, which appears to be a directory or a list of subscribers. The names are written in a cursive script, and the addresses are listed below them.



LEGEND:

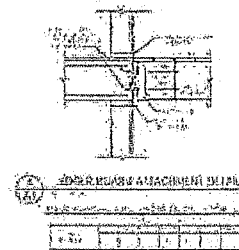
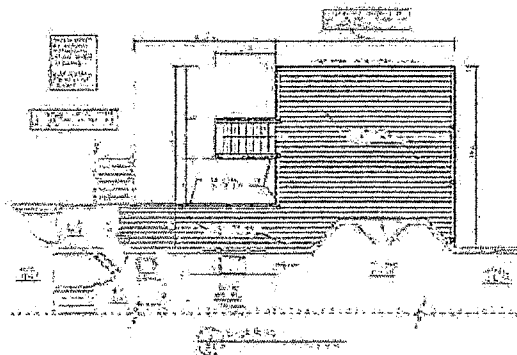
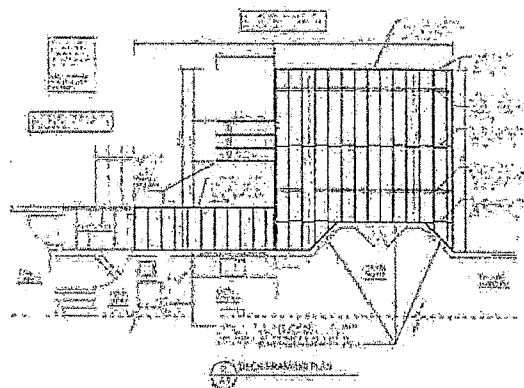
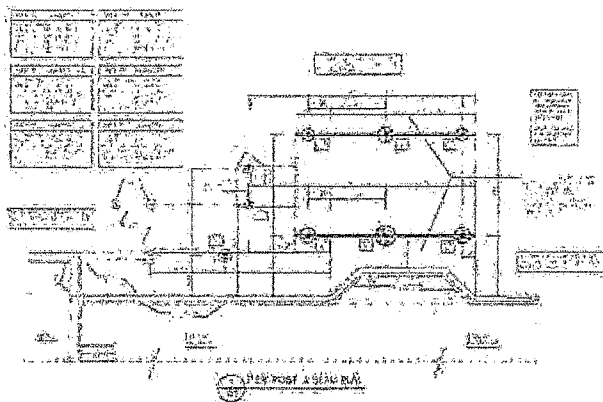
the Federal is the following:

- | | |
|--|-------------------------|
| <input checked="" type="checkbox"/> Lat. Survey (Fixed) <i>reference</i> | Estimated Boundary |
| <input type="checkbox"/> Prop. Tract Bnd | Setback Line |
| <input checked="" type="checkbox"/> Adj. Hldg. | Existing SW Corner |
| <input checked="" type="checkbox"/> Utility Reducible | Proposed SW Corner |
| <input checked="" type="checkbox"/> Prop. Easement | Proposed Easement Line |
| <input checked="" type="checkbox"/> Water Right | Proposed SW Line |
| <input checked="" type="checkbox"/> Cont. Easement | Proposed Contained Line |

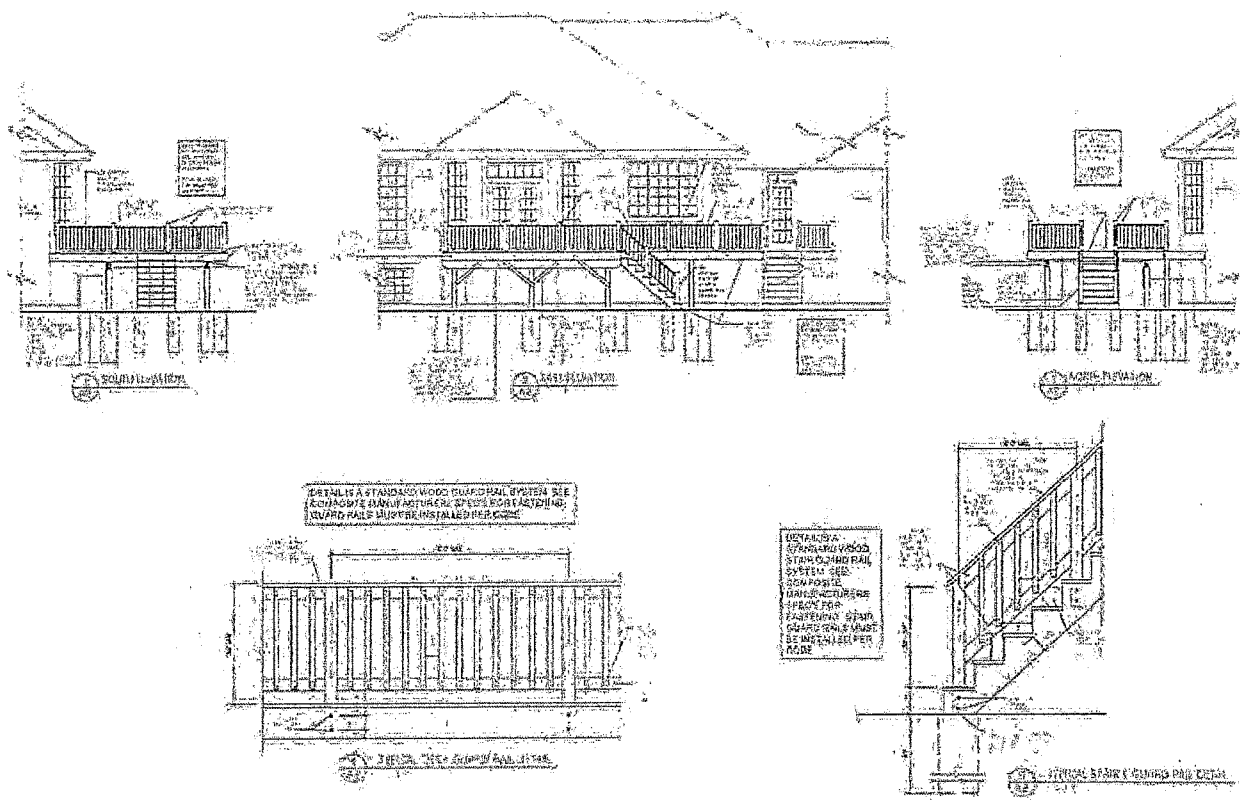
Washington, D.C. 20541

PROJECT: Winters

BUILDER: Single Pointe Homes, LLC
N60W24603 Rockhollow Point
Suamico, WI 53089



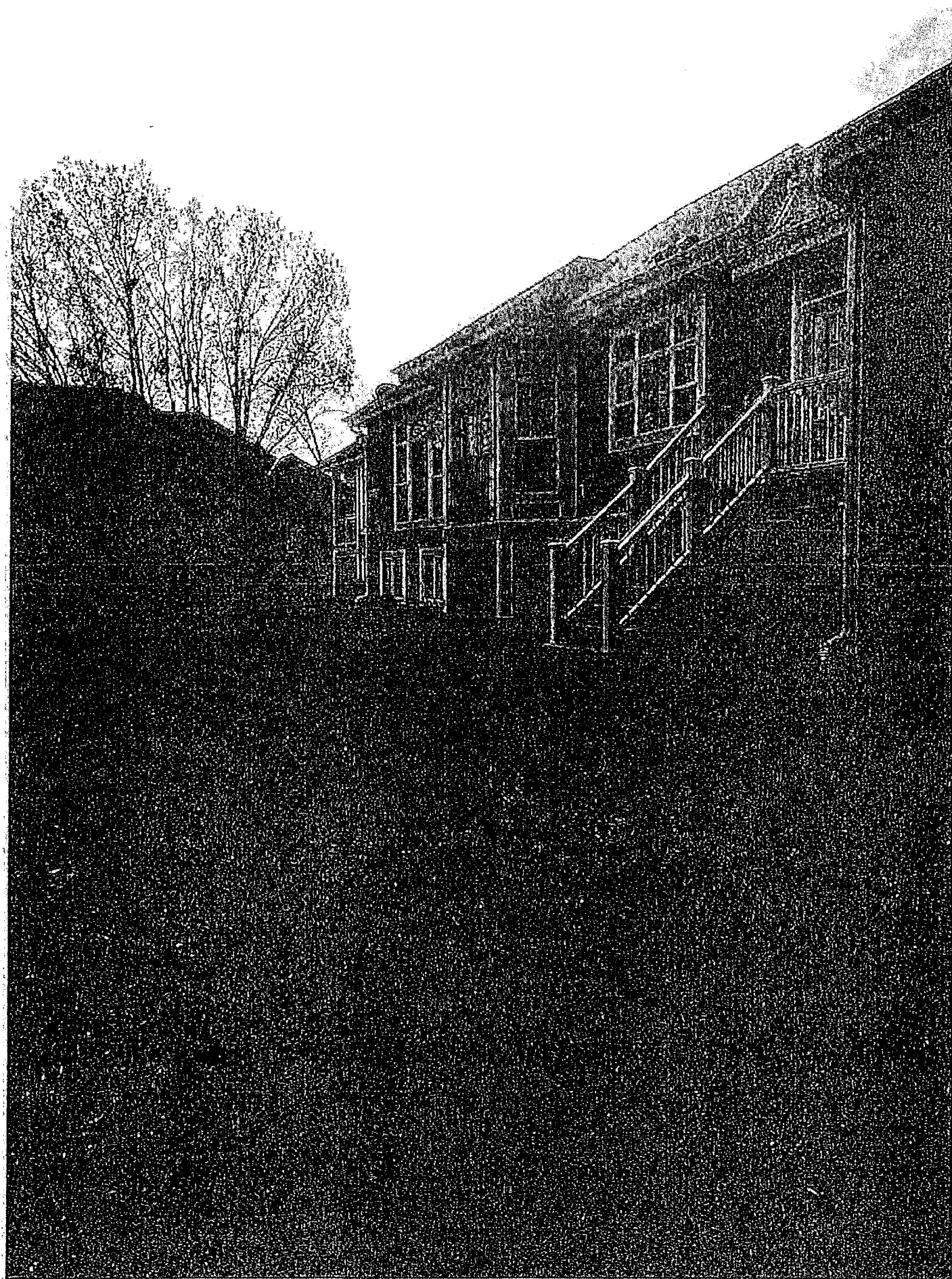
NO.	DESCRIPTION
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DETAILS FOR
 GUARDRAILS AND STAIRS
 SEE ROUGH SPEC FOR MATERIAL SPECIFICATIONS AND INSTALLATION









CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of April 18, 2019

Master Sign Program

RECOMMENDATION: City Development Staff recommends approval of the Master Sign Program for the Franklin Village shopping center located at 7101 - 7133 South 76th Street, subject to the conditions in the attached draft resolution.

Project Name:	Franklin Village Master Sign Program
Project Address:	7101-7133 South 76 th Street
Applicant:	Zach Wenger, Lemberg Electric
Owners (property):	Franklin Village Properties LLC
Current Zoning:	B-3 Community Business District
Use of Surrounding Properties:	Commercial to the north, south, east and west
Applicant Action Requested:	Approval of the proposed Master Sign Program

Introduction:

Please note:

- Additional details about staff's concerns and recommendations are set forth in the attached Staff Comments memo dated January 28, 2019.

On September 24, 2018, the applicant submitted an application for a Master Sign Program for the Franklin Village shopping center located at 7101-7133 South 76th Street. The Master Sign Program is required per Section 210-9.A. of the Franklin Municipal Code (see below). *Please note that pursuant to Ordinance 2018-2327, Master Sign Programs are now optional, pending an anticipated update of the City's sign regulations within the next year.*

“All MTCCs and planned developments, including, but not limited to, office parks, industrial parks, office centers, retail centers, office and limited business structures, and churches and schools which have a campus must have a master sign program if, after January 1, 2007, more than one sign will be erected in conjunction with such building, development, or center, as defined in this chapter.”

Based on initial staff comments dated October 8, 2018, the applicant submitted revised materials on December 10, 2018 for additional staff review. Although updated staff comments dated January 28, 2019, were then submitted to the applicant, no further changes were made, and the applicant submitted the attached Master Sign Program for consideration by the Plan Commission at its February 21, 2019 meeting. At its February 21st meeting, the Plan Commission tabled the subject matter in order to allow the applicant more time to address staff's concerns.

Project Description:

The applicant is requesting that the Master Sign Program apply to the Franklin Village Shopping Center and its 17 separate tenant spaces. From the applicant's materials:

- The existing large pylon sign will remain.
 - This will require four special exceptions, to allow: a non-monument type sign; a sign within the 40' setback from S. 76th Street; a sign taller than the principal building height limit of 35'; and a sign larger than 150 square feet.
- The existing small pylon sign will be replaced with a monument sign in the same location.
 - This will require two special exceptions, to allow: a second freestanding sign; and a sign within the 40' building setback from S. 76th Street.
 - **Please note that staff does not recommend approval of the proposed monument sign because as a new sign it does not meet the 40' setbacks from S. 76th Street and W. Rawson Avenue.**
- The applicant is requesting a total of 917 square feet of signage, about 236 square feet more than the 681 square feet allowed.
 - The additional 236 square feet of signage requires a special exception.
 - **Please note that staff recommends that the second monument sign be removed and that two tenant space wall signs be reduced in size to be proportionate with the size of the tenant space.**
- The applicant is requesting a Special Exception to be allowed to make changes to the multi-tenant pylon sign as tenants are added/subtracted.
 - However, this does not require a Special Exception, as long as the number, size, and style of tenant panels remains as shown in the Master Sign Program.

Staff Recommendation:

City Development Staff recommends approval of the Master Sign Program for the Franklin Village shopping center located at 7101-7133 South 76th Street, subject to the conditions in the attached draft resolution.

City of Franklin Department of City Development

Date: October 8, 2018, [Revised January 28, 2019](#)
To: Betty Buss, Franklin Village Properties, LLC.
Zach Wenger, Lemberg Electric, Co.
From: City Development Staff
RE: Franklin Village Master Sign Program – Staff Comments

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Franklin Village Master Sign Program submitted by Lemberg Electric Co., date-stamped ~~September 24~~[December 10](#), 2018.

[As indicated below, some of the Master Sign Program requirements and other staff recommendations have now been addressed, and have been crossed out. However, many comments still need to be addressed. Staff strongly recommends that all of the staff comments noted below be addressed prior to submittal to the Plan Commission, as many of these staff comments affect the amount and location of allowed signage, which must be clearly identified in any final approved Master Sign Program.](#)

[Please be aware that changes to the amount or location of signage can be considered in the future, but would require an amendment to the Master Sign Program \(and would once again involve review by staff and approval by the Plan Commission\).](#)

Chapter 210: Signs and Billboards Requirements

Master Sign Program

1. Pursuant to Sections 210-9.E.(1), F.(1), and F.(2) of the Municipal Code, staff recommends that:
 - a. The Victory Creek Accounting sign be reduced in size and in height to be the same as all other signs in regard to the relationship of the sign to the apparent view of the roof line and to its placement on the façade of the building.
 - b. ~~The~~[Please verify that the](#) existing pylon sign [will](#) be removed and replaced with a Master Identification Sign, meeting all standards and requirements of the Master Sign Program. See comment #4 for more details.
 - c. [Please verify that each](#) Tenant wall sign ~~colors be limited to yellow, black, and white, and that sign~~ text must all be in one color.
2. As required by Sections 210-9.E.(2) and (3) of the Municipal Code:
 - a. If future tenant wall signs are not identified for all existing and potential tenant spaces, those tenant spaces cannot have any signage. It appears that 7131, 7125, ~~7121A, 7119~~[7111/7109](#), and [7107](#) are existing and/or potential tenant spaces that do not have any signage allocated to them.

- b. Comparison of Exhibits F, G, and H to the “maximum Allowable Square Footage” amounts in Exhibit I, appears to indicate that the future signage will be less than the existing signage for tenant spaces 7127, 7121 A & B, 7119, and 7103, and 7104. Please correct-verify all signage amounts and calculations accordingly.
 - i. In particular, please note 7101’s signage must be the total of both of its wall signs and the proposed monument sign on 76th Street (which includes the center’s name also) that each existing and potential tenant space should have a maximum allowable square footage amount assigned to it in Exhibit I (as well as a sign area designated for it in Exhibits F, G, and H).
 3. Pursuant to Sections 210-9.E.(2) and (3) of the Municipal Code, staff recommends that the “Hair & Body Shop” and the “Pizza” tenant space signs be relocated to be centered to one or the other facade, not over both of them or off-centered.
 4. As stated by Pursuant to Sections 210-9.E.(4)(a), G.(1), G.(4)(d), G.(75)(a) of the Municipal Code, the existing Tenant Pylon Sign is not a proposed Master Identification Sign, and therefore this sign must be counted as part of the requested amount of signage must be revised.
 - a. In particular, to be a Master Identification Sign, the sign must be: a monument type sign; 50% of the sign must be devoted to the center’s name; and the sign cannot be more than 18 feet tall and the sign cannot exceed 120 square feet in size.
 - i. The size of the Master Identification Sign may be up to 150 square feet in size if approved by the Plan Commission as part of a Special Exception. You must amend your application to also request this Special Exception per Section 210-9H.(4).
 - ii. The amount of the Master Identification Sign devoted to the center’s name cannot be less than 50 % of the sign area. The Special Exception process cannot be used to change this requirement.
 - a-iii. However, if the Master Identification Sign was reclassified as a monument sign, a Special Exception per Section 210-9H.(2) could potentially be requested (and if approved by the Plan Commission) could be for a monument sign up to 25’ tall, up to 150 square feet in size, and with any amount devoted to the tenants. However, this signage would count toward the amount of total signage you would be allowed under the Master Sign Program.
 5. As required by Section 210-9.E.(4). of the Municipal Code, any entrance markers, directional signs, etc., must be included in this Master Sign Program. If none exist and none are proposed at this time, please indicate that.
 - 6.5 As required by Sections 210-9.G.(8) and H. of the Municipal Code;
 - a. If you wish to retain the existing pylon sign, it must be requested as part of a special exception, and the amount of signage associated with this sign clearly identified.

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- b. ~~It appears that only one monument sign is proposed near the northeast (not northwest) corner of the site. If that is correct, no special exception is needed for the number of monument signs and the distance between monument signs.~~
- c. ~~It appears that there are no Master Identification Signs proposed (see comment #4). If that is correct, no special exception is needed for the percentage of the center identification on the sign or the total square footage for the sign.~~
 - i. ~~Please note that the percentage of the center identification on a sign is not eligible for a special exception.~~

Additional Staff Recommendations

- ~~7. Pursuant to part 4.6.a.iii. of the application, please identify the frontage of the entire building.~~
- ~~8.6.~~ Pursuant to part 4.6.b.i. of the application, please identify a sign zone for every existing and proposed tenant, and revise the calculations accordingly. Please note, if not included within this Master Sign Program, signage for future tenant spaces is not allowed.
- ~~9.7.~~ Pursuant to part 4.6.b.iv. of the application, please identify the location of any permanent window signs, and pursuant to 4.6.c.vi., the amount of all such signs.
- ~~10. Pursuant to part 4.6.e.iv. of the application, please identify the location of any directional signs.~~
- ~~11.8.~~ Should a special exception be required for additional signage amounts, staff recommends that:
 - a. Page 3 of the Master Sign Program, parts ii. and iv. of “Sign text and logos shall be placed within the applicable allowable sign area consistent with the following guidelines.” be revised to change “may” to “shall”.
 - b. Page 3 of the Master Sign Program, part i. of “All wall signs shall be mounted in accordance with applicable codes and consistent with the following guidelines.” be revised that hangers and brackets will ***not*** be visible.
 - c. Page 4 of the Master Sign Program, “Section 210-9(I) – Temporary, Window, and Other Signs” be revised to only allow temporary signage up to 30 square feet for tenant grand openings and temporary banners as defined in Exhibit J for up to 30 days.
- ~~12.9.~~ If the existing pylon sign would be allowed to remain, staff would recommend that approximately 150 square feet of landscaping be placed at the base of the sign.
- ~~13. Staff recommends that approximately 100 square feet of landscaping be placed at the base of the monument sign.~~

RESOLUTION NO. 2019- ____

A RESOLUTION APPROVING A MASTER SIGN PROGRAM
FOR FRANKLIN VILLAGE
(7101-7133 SOUTH 76TH STREET)
(FRANKLIN VILLAGE PROPERTIES, LLC, APPLICANT)

WHEREAS, Franklin Village Properties, LLC having applied for a Master Sign Program approval for Franklin Village, at 7101-7133 South 76th Street, and such application having been reviewed by City staff and the application and staff recommendations and suggested considerations having been reviewed by the Plan Commission at its meeting on February 21, 2019; and

WHEREAS, the Plan Commission having determined that the Franklin Village Properties, LLC Master Sign Program application, together with those staff recommendations and suggested considerations meets the purposes and intent of §210-9. of the Municipal Code of the City of Franklin and will promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Franklin Village Properties, LLC Master Sign Program application, be and the same is hereby approved, subject to the Master Sign Program Application and plans City file-stamped on _____, 2018 together with the following additional conditions, which conditions shall be incorporated into the Master Sign Program – Franklin Village:

1. Franklin Village Properties, LLC, successors and assigns, and any developer of the Franklin Village Master Sign Program shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Franklin Village Master Sign Program, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
2. Compliance with the “City of Franklin – Master Sign Program” document annexed hereto and incorporated herein.
3. The applicant shall complete the following revisions to the Master Sign Program, for City staff review and approval, prior to implementation of the Program.

FRANKLIN VILLAGE PROPERTIES, LLC – MASTER SIGN PROGRAM
RESOLUTION NO. 2019-_____
Page 2

- a. The applicant shall state the correct amount of frontage along S. 76th Street (used in calculating the amount of signage allowed) as 454’.
- b. The applicant shall remove all reference to a Master Identification Sign, no such sign is proposed within the Franklin Village Master Sign Program.
- c. The applicant shall correctly state the special exceptions required.
 - i. To allow the existing Multi-Tenant Pylon Sign to remain as: a non-monument type sign; a sign within the 40’ setback from S. 76th Street; a sign taller than the principal building height limit of 35’; and a sign larger than 150 square feet.
 - ii. To allow a maximum amount of 777 square feet of signage for the Franklin Village Master Sign Program, specifically removing the second monument sign and reducing the maximum allowed amounts to 20 square feet for 7107 S. 76th Street and to 25 square feet and for 7103 S. 76th Street.
 - iii. To remove the request that Franklin Village be allowed to make changes to the multi-tenant pylon sign tenant panels as tenants are added/subtracted (such permission does not require a special exception).
- d. The location of the signs for tenant spaces 7119 and 7121B shall be centered over the tenant space.

4. [other conditions, etc.]

Introduced at a regular meeting of the Plan Commission of the City of Franklin this ____ day of _____, 2019.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this ____ day of _____, 2019.

APPROVED:

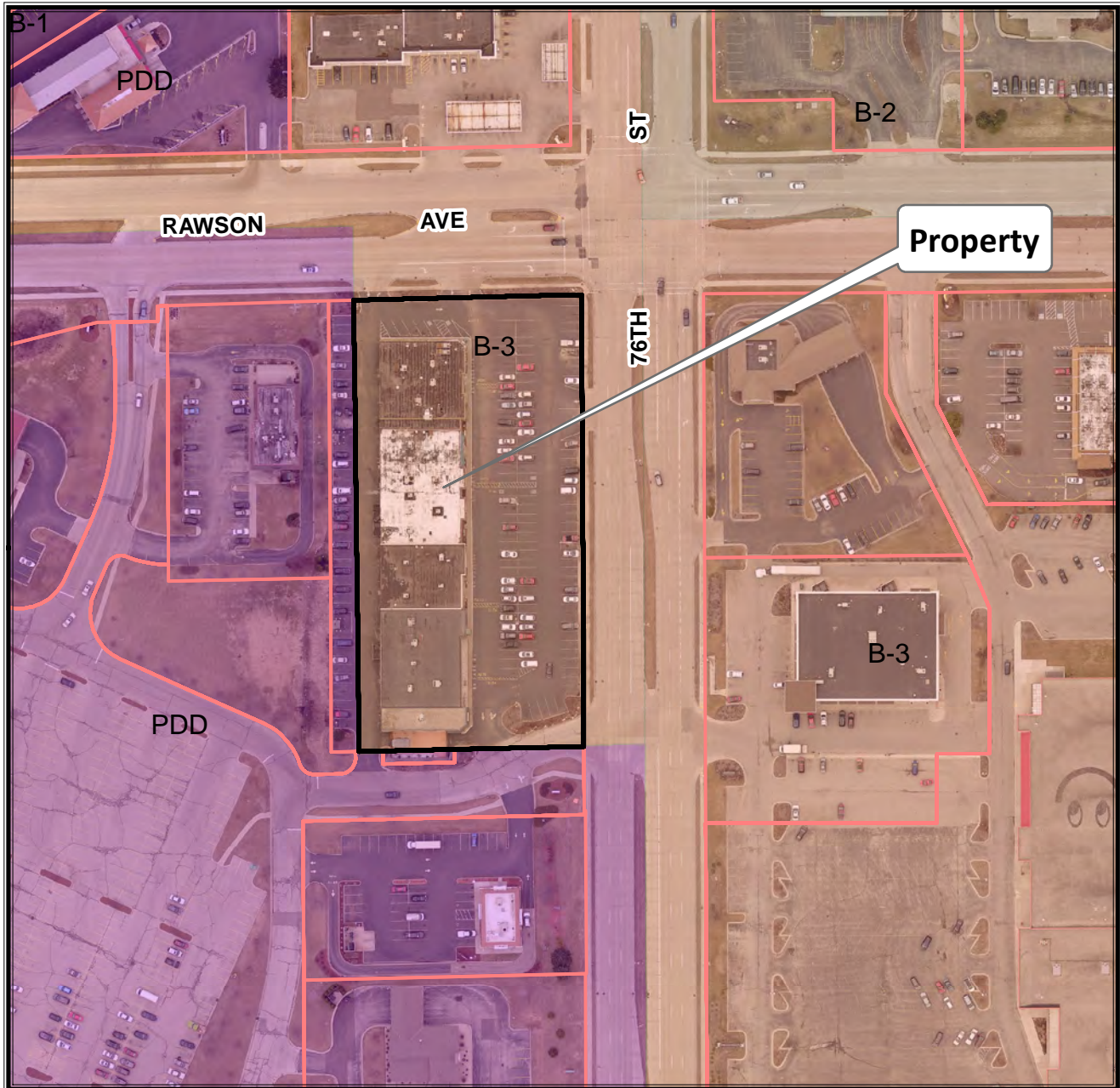
Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

7101 - 7131 S. 76th Street
TKN: 755 0038 001



Planning Department
(414) 425-4024

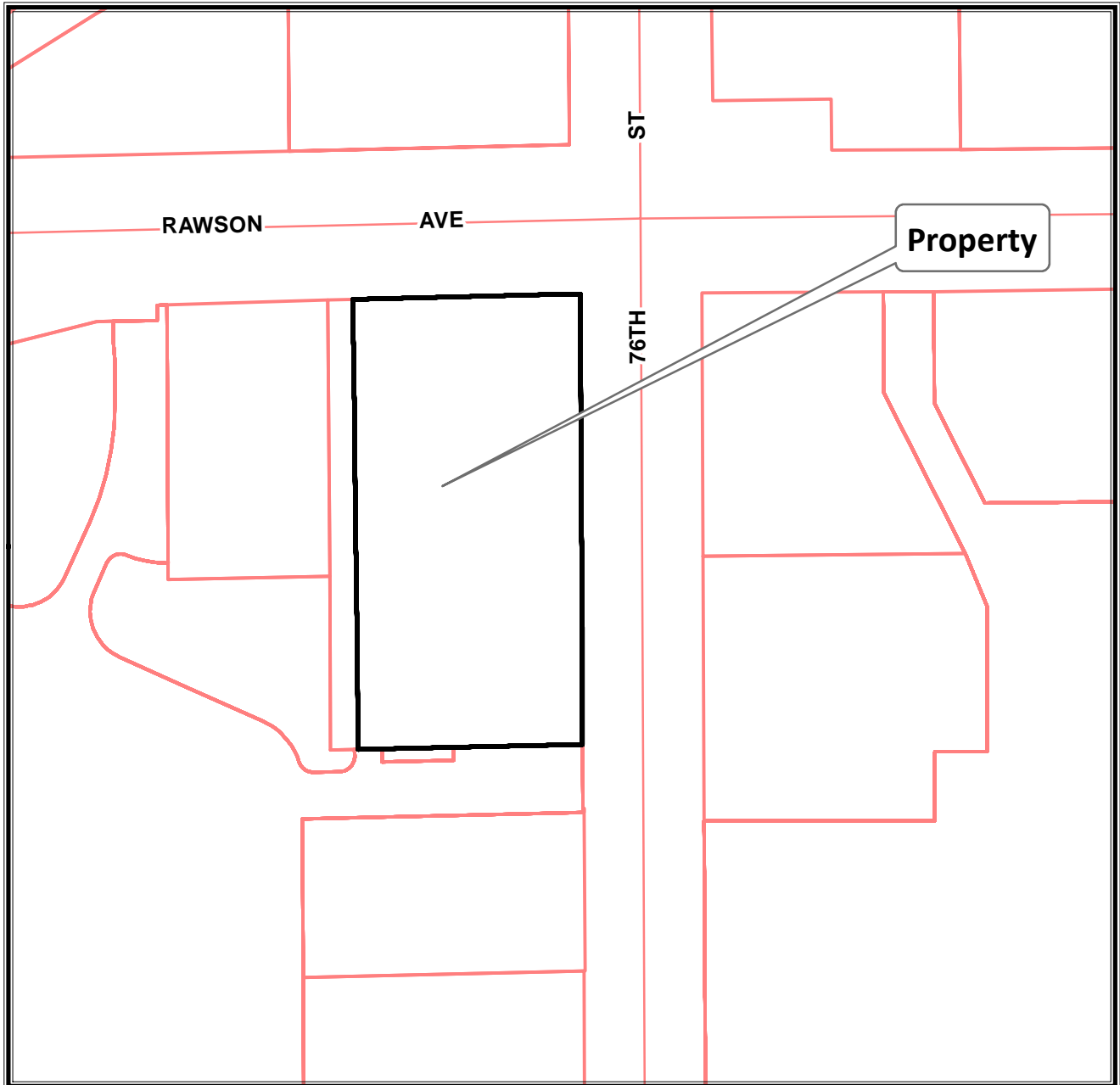
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This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.


NORTH
2017 Aerial Photo



7101 - 7131 S. 76th Street
TKN: 755 0038 001



Planning Department
(414) 425-4024

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This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

Project Name: Franklin Village

Property Address: 7101-7133 S 76th Street

Current Zoning: B-3 Community Business District

Applicant Name: Lemberg Electric, Co.

Contact Person: Zach Wenger

Applicant Address: 4085 N. 128th Street

City: Brookfield **State:** WI **Zip:** 53005

Phone: 262-364-0364 **Email:** zwenger@lembergelectric.com

Intent

This document comprises the Master Sign Program (MSP) for Franklin Village located at 7101-7131 S 76th Street. Franklin Village is a development consisting of 16 separate tenant spaces. The intent of the MSP is to set forth a theme as to placement, lettering style, color and related design considerations of signs, while at the same time reducing sign clutter. No sign shall be erected, placed, painted, or maintained, except in conformance with the MSP.

Background Information

The subject, Franklin Village, is zoned B-3 Community Business District and is subject to the B-3 standards and specific approvals of the City of Franklin Plan Commission and Common Council. The property in question has 470' of frontage along 76th Street and W Rawson Ave.

Approval Procedure

Amendments to this document require Plan Commission review and approval in the form of a Master Sign Program Amendment. Any future signage outside the requirements of the master sign program shall not be permitted without the applicant receiving approval of a master sign program amendment from the Plan Commission.

When considering an application for an amendment to a Master Sign Program, the Plan Commission may, at its discretion, require amendment to any other requirement or condition of the Master Sign Program and shall not be limited to the items contained in the application for amendment to the Master Sign Program.

Separate sign permits are required for each individual sign in the development and will be issued by the Inspection Department. Prior to application, the tenant shall obtain initial approval from the Owner of Franklin Village and the application must bear the signature and/or stamp of the appropriate Franklin Village representative(s). Additional requirements apply as noted in Section 210-9(c)

"Each individual sign proposed in accordance with an approved master sign program must be applied for and permitted separately in accordance with this chapter, and in no event shall any recommendation or approval of a master sign program be deemed an approval of or a permission to construct any particular sign under that program. All applications for permits for such signs must be filed with the Inspection Department for approval under the terms and conditions of the previously approved master sign program, except the application must specify in exact terms any sign characteristics which the master sign program considered in general or nonspecific terms or measurements. The Building Inspector may approve or deny such application or may forward the application to the Plan Commission for its denial, approval, or

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

approval with conditions or modifications, including but not limited to modification of the previously approved master sign program, provided such modification was duly noticed and the master sign program application fee is paid.”

Applicability of Sign, Zoning, and Municipal Codes

Conflict. If any provision, sentence, or clause of the Master Sign Program as approved herein, or as maybe amended from time to time, is found to be in conflict with the requirements of the Municipal Code of the City of Franklin, including but not limited to Chapter 201- Signs and Billboards, the requirements of the Municipal Code shall prevail.

Severability. If any provision, sentence, or clause of the Master Sign Program as approved herein, or as maybe amended from time to time, is declared invalid or unenforceable, such invalidity or unenforceability shall not affect the whole Master Sign Program, but the whole remaining Master Sign Program shall be construed and enforced accordingly and such provision, sentence of clause shall be severable.

Enforcement. If the City fails to enforce any requirement of the Master Sign Program or fails to exercise any right or remedy available under this Master Sign Program or the Municipal Code of the City of Franklin, including but not limited to Chapter 210- Signs and Billboards, that failure shall not be construed as a waiver of any requirement, right, or remedy and shall not restrict the City from enforcing any such requirement or exercising any such right or remedy.

Professionally Prepared

All signs and sign plans shall be “professionally” prepared and demonstrate materials, color selection, and craftsmanship. Applications to the City of Franklin Inspection Department for sign permits shall include professionally rendered imagery and dimension scaled drawings and shall depict the type of light source, all materials, and colors.

Franklin Village Sign Types

Multi-Tenant Pylon Sign

The Master Identification sign location is shown in Exhibit D and further discussed in the rendering in Exhibit A

Per the plan commission’s direction, the total square footage of the sign will be taken into account from the total allowable square footage for the facility.

The Multi-Tenant Pylon Sign Theme, Color, Size, and Style shall meet the following guidelines

- i. 150 sq. ft. of landscaping to be added to the base of the sign
- ii. Existing sign to remain and be refurbished per proposed rendering

The Location of the Multi-Tenant Pylon sign will meet the following guidelines

- i. Since the existing sign will remain as the master identification sign, the location will not change
- ii. Sign is within the 40’ setback requirement. See special exceptions section for further discussion

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

Anchor Tenant Monument Sign

The anchor tenant monument sign location is shown in Exhibit D and further discussed in the rendering in Exhibit E. The sign will be designated for use by the anchor tenant located in the 7107 tenant space.

The Multi-Tenant Pylon Sign Theme, Color, Size, and Style shall meet the following guidelines

- i. Sign to have similar themes and colors as the multi-tenant for signage uniformity
- ii. Total square footage of anchor tenant sign not to exceed 100 square feet
- iii. Message center (LED or manual changing) to be added to sign

The Location of the Multi-Tenant Pylon sign will meet the following guidelines

- i. Sign to stay in same location as the existing pylon sign
- ii. Sign is within the 40' setback requirement. See special exceptions for further discussion

Directional Signs

There are currently no directional signs onsite, and none are proposed at the moment.

Tenant Wall Signs

With the approval of the landlord, each tenant will be allowed to erect a wall or roof mounted (whichever makes the most sense) identification sign which will comply with the size requirements stated in the City of Franklin sign code and the restrictions set forth in this master sign program. Two wall signs will be allowed for the anchor tenant (northern most end cap tenant) for visibility on W. Rawson Ave and S 76th St. One wall sign will be allowed for all remaining tenants. Exhibits F-H show the existing building with the existing signage areas where signs may be placed. Exhibit B and Exhibit C shows the sign specifications allowable by the Master Sign Program.

Sign text and logos may be placed within the applicable allowable sign area consistent with the following guidelines.

- i. The vertical orientation of the wall sign within the allowable sign area shall be evenly balanced relative to a horizontal line running through the horizontal center of the allowable sign area
- ii. Wall signs may be centered over the tenant entrance, center relative to an architectural element, or centered over the tenant space as mutually determined by the landlord and Department of City Development
- iii. Each wall sign shall be placed and sized in such a manner that it does not interfere with architectural elements.
- iv. Wall signs may be placed so as to create balance across the façade of a given building.
- v. For anchor tenant north elevation, a wall sign may be positioned within the allowable sign area such that it is closest to the S. 76th Street entrance.

All wall signs shall be mounted in accordance with applicable codes and consistent with the following guidelines

- i. All fasteners, hangers, brackets, transformers, and internal sign wiring will be concealed from public view. In the event a sign must be mounted on mansard roof, it is understood that hangers and brackets will be visible.
- ii. All fasteners and brackets will be of non-corrosive material such as aluminum, stainless steel, or cadmium plated so as not to stain the fascia or roof. All holes and fasteners will be fully filled and covered with silicone caulk to aid rust prevention and prevent water penetration through the fascia. The proper number and size of fasteners are to be used to support each mounted sign. Care is to be taken during installation to minimize damage to the fascia, roof, and other adjacent materials and surfaces.

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

All wall signs style, materials, color, and illuminations shall be consistent with the following guidelines

- i. Tenant wall signs can be either individually mounted letters, or raceway mounted to the building façade, or roof. Channel letters including the tenant logo may be used to supplement the main tenant sign. Approval will be granted by the landlord and the City of Franklin. No box signs are allowed. Raceways and any exposed mounting frames are to be painted in such a manner that blends into the surrounding building.
- ii. Letter faces to be a minimum of .177 yellow acrylic, or .177 white acrylic for conformity and overall appearance. Letters to be made of *minimum* .040 aluminum backs and returns. Letters to be trimmed with 1" trim cap around the acrylic edge that is to be either yellow or black. Maximum projection not to exceed 10". Any combination of yellow, black, and white for acrylic colors are acceptable
- iii. Trademark or logo/graphic will be allowed in order for brand recognition, but must conform to color manufacturing guidelines listed above
- iv. All wall signs must be lighted. Letters must be internally LED illuminated (with translucent faces and light sources completely concealed). LED illumination must be red for yellow faced letters and white for white faced letters. Illumination levels shall comply with the City of Franklin code.
- v. Electrical service, wiring, and time clock/photocell to be furnished and installed by tenant at tenant's expense. All electrical service charges paid for by tenant. All components and their installation to comply with all City of Franklin ordinances and codes. All electrical work must be performed by a licensed electrician.
- vi. Sign text will be limited to the business name and principal service provided
- vii. Hangers and brackets will not be visible

The size, location, and square footage of a tenant wall sign shall be consistent with the following guidelines

- i. Tenant wall sign allowances are listed in Exhibit I of the master sign program. Signs are to be centered over tenant spaces whenever possible.

Section 210-9(I) – Temporary, Window, and Other Signs

"Temporary signs, window signs, and other devices to attract attention. Any master sign program approved hereunder may be modified at any time at the discretion of the City of Franklin or the Plan Commission to prohibit, further restrict, or place requirements upon the use of, restrictions on, and standards or requirements for temporary signs, window signs, interior signs visible to the exterior, and devices intended primarily to attract attention. This subsection shall in no way limit any rights or authority the City or Plan Commission may otherwise have in relation to signs and master sign programs."

Unless further detailed in the Master Sign Program, all temporary signs and window signs must conform to the City of Franklin sign code as outlined below:

"Temporary Sign – Any sign, banner pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a period not to exceed 30 days."

Traffic Regulatory, Directional and Informational Signs

Traffic Regulatory, Directional, and Informational signs, which include signs such as "Stop", "No Parking", "One-Way", "Fire Lane", "No Skateboarding", "Clearance 'X'", or other legal notices, etc., but which do not include wayfinding signs (directional signs that incorporate advertising or store names), may be installed by the developer or his designee in

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

accordance with a plan submitted to the City Development Department. Such plan may be modified from time to time as needed. The City, acting through the Planning Manager, reserves the right, based upon recommendations or the Engineering Department as appropriate, to deny such signs as requested or to require such additional signs as determined by the City. Traffic, directional, and informational signs do not require a sign permit application or fee and may not include advertising.

Address numbers must be placed at each individual storefront. These numbers must be located on or adjacent to the main entrance. Any deviations must be approved by staff.

Prohibited Signs

Any sign prohibited in the City of Franklin sign code shall not be allowed under this Master Sign Program unless expressly permitted in this document

Special Exceptions Requested

The following exception is requested by the applicant per Section 210-9(H)

- i.* Total square footage allowance increase by 236 square feet for a new allowance of 917 square feet
- ii.* Exception requested to allow (2) freestanding signs on one property. Signs to be 250 feet apart
- iii.* Existing multi-tenant pylon sign (noted in Exhibit A) to be retained and refurbished. Sign is legal non-conforming and sits within the 40' setback requirement. Exception requested to allow the existing multi-tenant pylon sign to be refurbished as proposed, and remain within the 40' setback.
- iv.* Franklin Village to be allowed to make changes to the faces of the multi-tenant pylon sign as tenants are added/subtracted
- v.* Anchor tenant monument sign to be added as proposed. Sign to be located within the 40' setback requirement. Exception requested to allow the sign as proposed within the 40' setback.

Acknowledgement of Subsection I

- i.* On behalf of Franklin Village, the undersigned acknowledges the authority identified in subsection 1 of Chapter 210

Type/Location of Building/Development Site

- i.* Typical, elongated, multi-tenant building located on the southeast corner of the intersection of W Rawson Ave and S 76th Street.

Development Size

- i.* 2.324 acres (387 feet of frontage). Gross leasable area is approximately 30,320 sq. ft.

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

Exhibits Enclosed

Exhibit A: Main Identification Sign Rendering

Exhibit B: Channel Letters on Raceway and Mounted to Mansard Roof Rendering

Exhibit C- Individually Mounted Channel Letters Mounted to Wall Rendering

Exhibit D: Site Plan

Exhibit E: Anchor Tenant Monument Sign

Exhibits F – H: Dimensional Drawings of Existing Tenant Signs & Tenant Spaces

Exhibit I: MSP Calculations

Exhibit J: Sign Standards

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

Exhibit I

Franklin Village

Master Sign Program Calculations

1. Primary Building

East Elevation

Total

Building Frontages

470 FT.

681 SF allowed

2. Existing Wall Signs

Maximum Allowable Square Footage

7133 S 76 th St.	35
7131 S 76 th St.	35
7129 S 76 th St.	35
7127 S 76 th St.	35
7125 S 76 th St.	35
7123 S 76 th St.	30
7121 A & B S 76 th St.	30
7119 S 76 th St.	35
7117 S 76 th St.	35
7115 S 76 th St.	35
7113 S 76 th St.	35
7111 S 76 th St.	35
7109 S 76 th St.	35
7107 S 76 th St.	35
7105 S 76 th St.	35
7103 S 76 th St.	50
7101 S 76 th St.	100
Multi-Tenant Pylon	152
Anchor Tenant Monument	100
Proposed Total	917

City of Franklin- Master Sign Program

As required by the City of Franklin Municipal Code- Section 210-9 (Ordinance No. 2007-1934)

Exhibit J

Signage Standards

Franklin Village

Tenant Wall Signs

Internally illuminated channel letters

Minimum .040 aluminum backs and returns

Maximum 5" return, minimum .040 aluminum

Returns to be Black

.177 Yellow #2465 or .177 White #7328 acrylic only

A logo or graphic may be allowed within tenant wall sign allowance

1" black trimcap

White LED illumination for white letters, red illumination for yellow letters

Can combine any combination of yellow, black, and white letter/logo colors

Sign cannot cross into other tenant's areas

Layout and font to be approved by Landlord prior to permit application

Scaled color drawings are required for submittal to Landlord prior to permit application

Temporary banners will be allowed prior to completion of signage and must be removed prior to final signage installation. Temporary banners will be allowed for 30 days. The content of the temporary banners will be limited to the name and approved layout of the permanent sign

Any deviation from the above sign standards must be approved by the landlord in writing

All signage and location of installation will have to be approved by the Landlord and the City of Franklin Inspection Department to ensure the integrity of the sign criteria set forth

Preferred sign vendor: Lemberg Electric, 4085 N 128th St. Brookfield, WI 53005

NEW FACES FOR
EXISTING CABINETS
DOUBLE SIDED

150 Sq. Ft. of
Landscaping

152 Sq. Ft.

16' +/-

8' +/-

30" +/-

24" +/-

131"

FRANKLIN VILLAGE

FAMILY DENTIST
UNIQUE CARE CLEANERS

CURVES FOR WOMEN
CHOSUN TAE KWON DO

BRUNELL
INSURANCE AGENCY
HAIR & BODY SHOPPE

MATHUS EYE CARE
P&A NAIL SPA

LULU'S DOG PAWLOR
BENEFIT REALTY

GEORGE WEBB RESTAURANT
CHIROPRACTOR

INDIA PALACE
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BRUNELL
INSURANCE AGENCY
SALES OFFICE

MATHUS
EYE CARE

GEORGE WEBB
RESTAURANT

SPACE FOR LEASE
414-425-0223

Tenant Pylon Sign Specifications

One (1) Existing Pylon Sign with Multiple Tenants

Internal Illumination

Double Sided

Size: (To be field verified)

Main Sign Cabinet to have Photo Cell

(A) Existing Main Sign Cabinet:
New faces w/ 3M translucent film graphics

(B) Existing Tenant Cabinets:
New faces to be white poly carbonate w/ 3M translucent film
graphics. (Verify Sizes)

(C) Existing poles and cabinets to be re-painted Taupe (T.B.D.)

Colors:

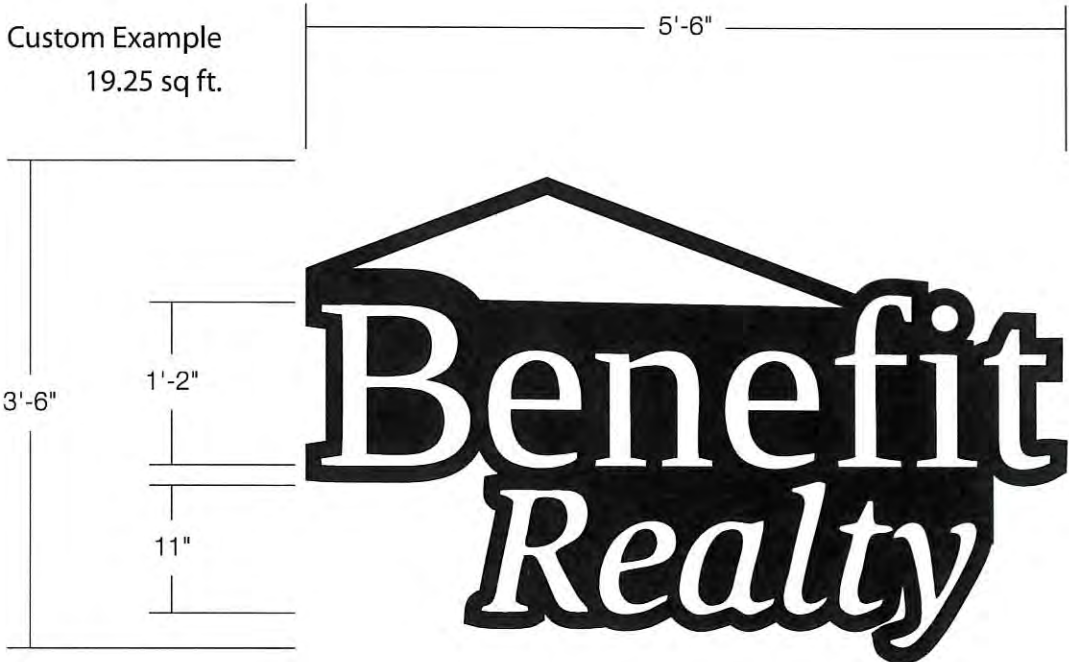
Dark Brown 3M Film (T.B.D.)

Yellow 3M Film (T.B.D.)

Light Beige 3M Film (T.B.D.)

Black (Paint T.B.D.)

Taupe (Paint T.B.D.)



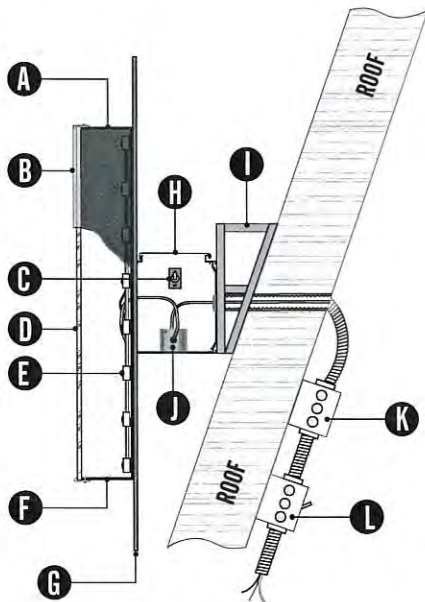
NOTE: 1.5 sq. ft. of sign allowed per linear ft. frontage.



Note: Some channel letter tenant signs are wall mounted, and do not require a angle support structure.



FACE LIT CHANNEL LETTERS W/ BACK PLATE ON RACEWAY / CROSS SECTION DETAIL
CENTER MOUNT RACEWAY w/ MANSARD ROOF BRACKET



A	3" DEEP ALUMINUM RETURN (.040)
	BLACK
B	1" TRIM CAP
	BLACK
C	DISCONNECT TOGGLE SWITCH
D	FACE - WHITE ACRYLIC #7328
E	LED MODULES
	WHITE
F	WEEP HOLES
	BAFFLE
G	BACK PLATE, 1/8" THICK FLAT CUT
	ALUMINUM - PAINTED (T.B.D.)
H	RACEWAY - PAINTED TO MATCH
	BACKGROUND
I	STEEL ANGLE MOUNTING BRACKET
J	POWER SUPPLY
	120V
K	JUNCTION BOX
L	ELECTRICAL DISCONNECT

Channel Letters - Face Lit on a Raceway

One (1) Set of Face Lit Channel Letters on a Raceway
Illuminated with Internal Red LED
Sign to have Photo Cell

(A) Returns:
3" deep .040 letter coil - Black

(B) Trim Cap:
1" Black

(C) Face:
.177 White acrylic #7328

(D) Backplate:
1/8" thick aluminum painted Black

Installation Method:
5" x 7" aluminum raceway mounted on steel angle bracket
attached to roof, (verify). Paint to match roof, (match required).

Colors:
 White acrylic #7328
 Black paint (satin finish)
 Brown paint, T.B.D. (raceway and support structure)



4085 North 128th Street
Brookfield, WI 53005
p. 262-781-1500
www.LembergElectric.com

Client: Franklin Village - Benefit Realty
Location: 7131 S. 76th Street
City: Franklin, WI 53132

Sales Representative: Skip DeBack
Project Manager:
Designer: Mark Mayzik / Skip DeBack

Scale: 3/4"=1'
Paper Size: 11x17
Signature / Date:

Client / Location or Project / Sign Classification / Version# or Sheet / Revision# / Drawing Status
Franklin_Village_CL_v01_r02_D

Date:
12-05-18



NOTE: 1.5 sq. ft. of sign allowed per linear ft. frontage.



Channel Letters - Face Lit Individually Mounted

One (1) Set of Face Lit Channel Letters on a Raceway
Illuminated with Internal Red LED
Sign to have Photo Cell

(A) Returns:
3" deep .040 letter coil - Black

(B) Trim Cap:
1" Black

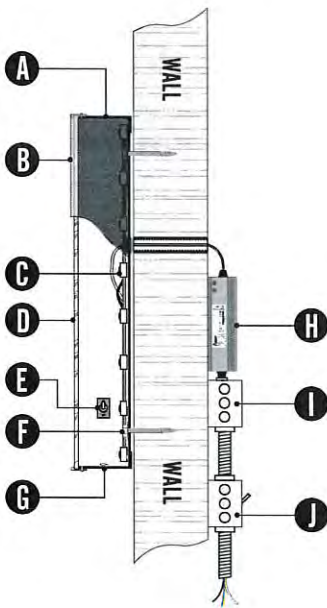
(C) Illumination:
Red LED

(D) Face:
.177 Yellow acrylic #2465

Installation Method:
Individually mounted, remote power supplies.

Colors:
 Yellow acrylic #2465
 Black paint (satin finish)

FACE LIT CHANNEL LETTERS / CROSS SECTION DETAIL
REMOTE LOCATED POWER SUPPLY



A	3" DEEP ALUMINUM RETURN (.040)
	BLACK
B	1" TRIM CAP
	BLACK
C	LED MODULES
	RED
D	YELLOW ACRYLIC #2465
E	DISCONNECT TOGGLE SWITCH
F	MOUNTING HARDWARE
G	WEEP HOLES
	BAFFLE
H	POWER SUPPLY
	120V
I	JUNCTION BOX
J	ELECTRICAL DISCONNECT

TENANT NAME

Note: Some channel letter tenant signs are roof mounted,
and require an angle support structure.



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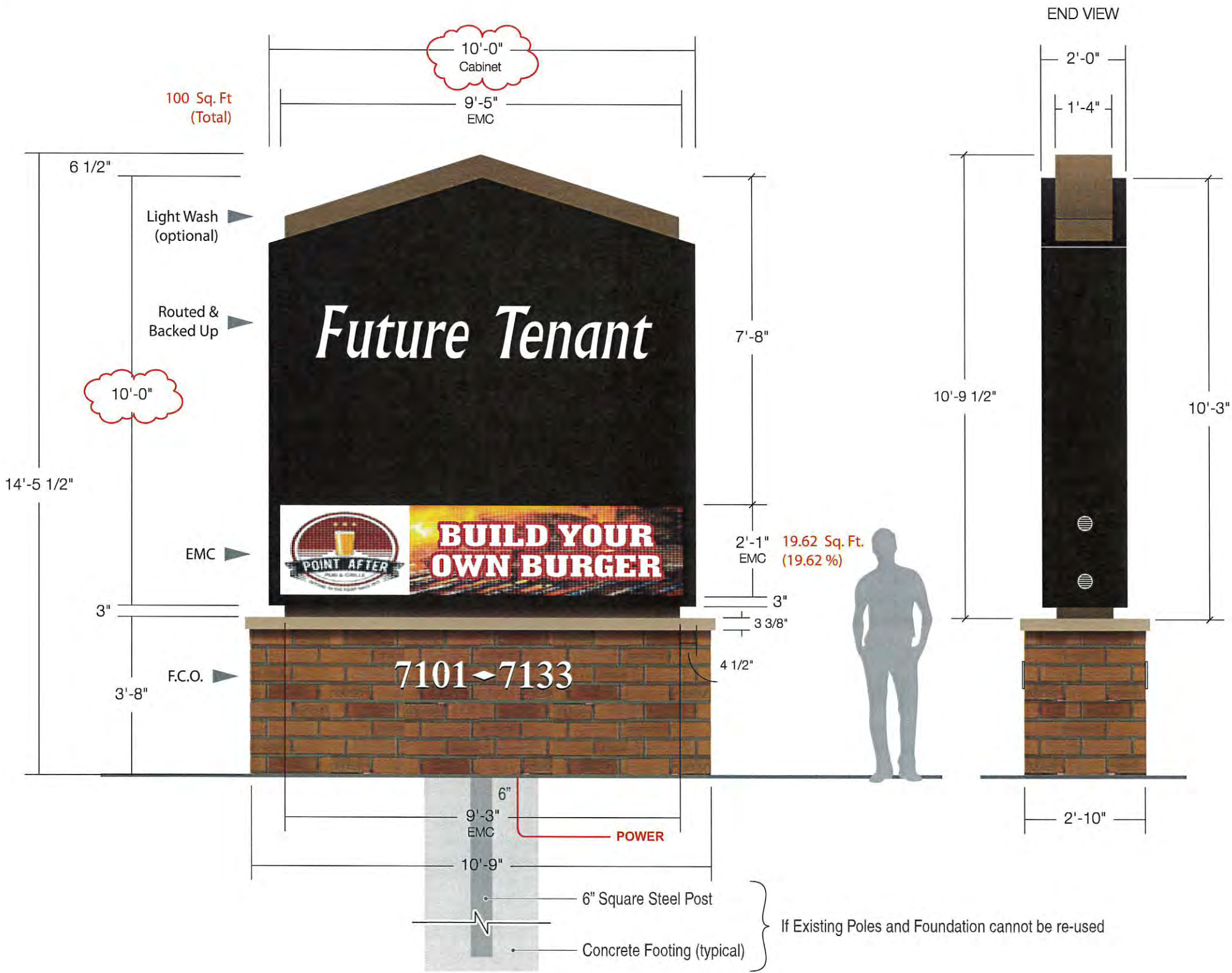
Sales Representative: Skip DeBack
Project Manager:
Designer: Mark Mayzik / Skip DeBack

Scale: 3/4"=1'
Paper Size: 11x17
Signature / Date:

Client / Location or Project / Sign Classification / Version# or Sheet / Revision# / Drawing Status
Franklin_Village_CL_v02_r02_D

Date:
12-05-18





Monument Sign with EMC Specifications

One (1) Monument Sign with a Full Color Electronic Message Center (EMC)
Illuminated - Internal White LED
Double Sided
Size: 10'-0" W x 14'-5 1/2" H (EMC: 2'-1" x 9'-5")
Main Sign Cabinet to have Photo Cell

(A) Main Sign Cabinet:
24" deep cabinet with 1/8" routed aluminum faces (no exposed fasteners), backed with white acrylic. Paint Dark Brown

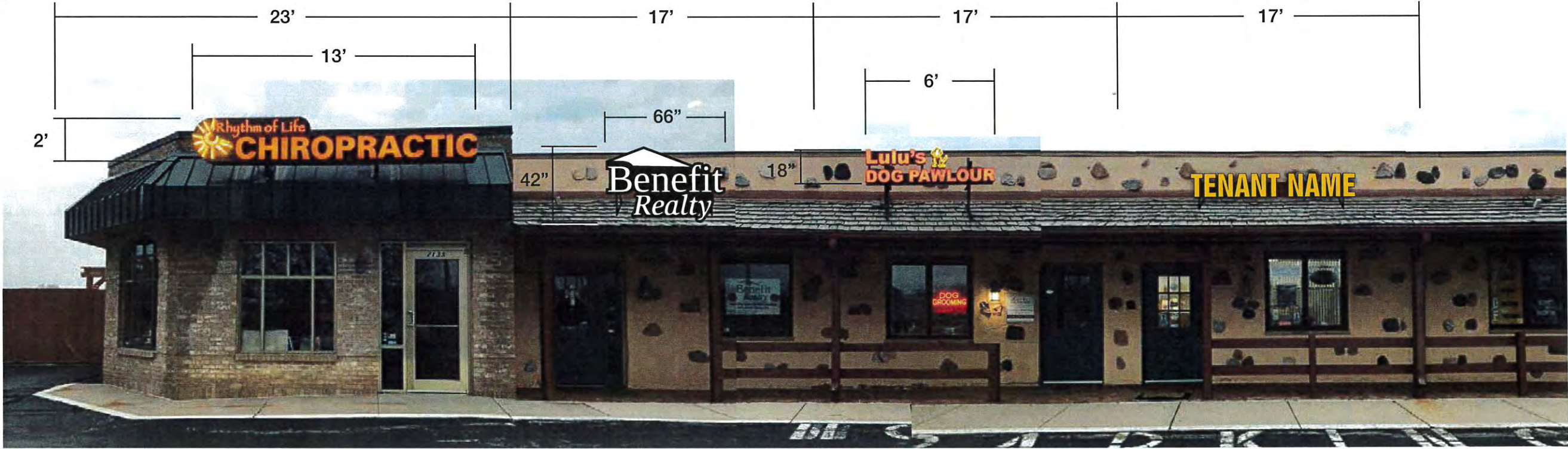
(B) Pole Wrap:
Fabricated aluminum angle frame, clad with 1/8 "aluminum. Paint Tan.

(C) Full Color EMC:
20mm THINK Sign, 32 x 144 pixel matrix, see specifications sheet.

(D) Thin Brick Masonry Base:
Summitville #14 Alexandria. Flat cut aluminum address, stud mount flush.

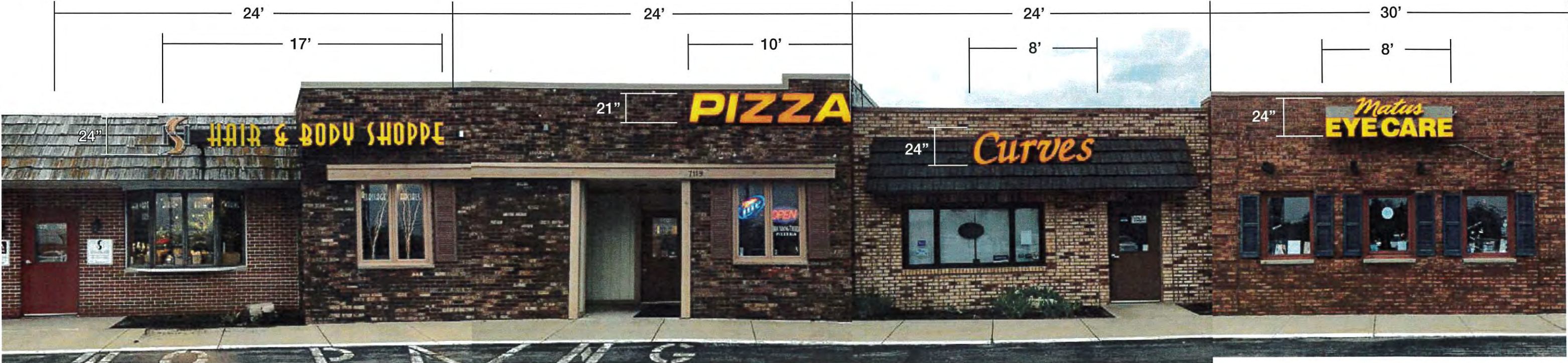
Installation Method:
Use existing poles and foundation if possible.
2 separate electrical circuits required.

- Colors:
- Dark Brown (Paint T.B.D.)
 - Tan (Paint T.B.D.)
 - 3M Translucent Film, Rust Brown (3630-63)
 - 3M Translucent Film, Silver Gray (3630-51)
 - 3M Translucent Film, Yellow (3630-015)
 - #14 Alexandria (Summitville Thin Brick)

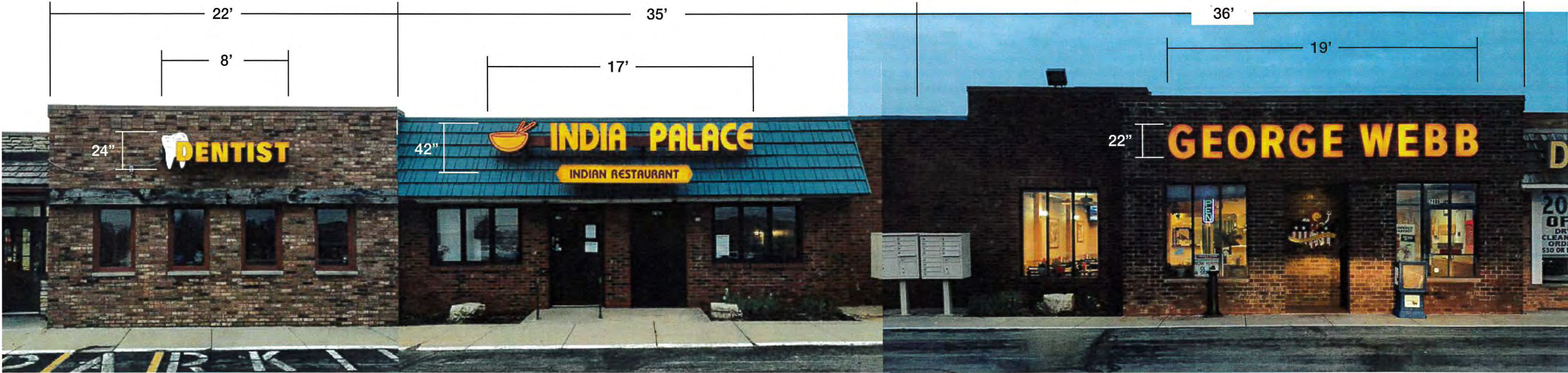


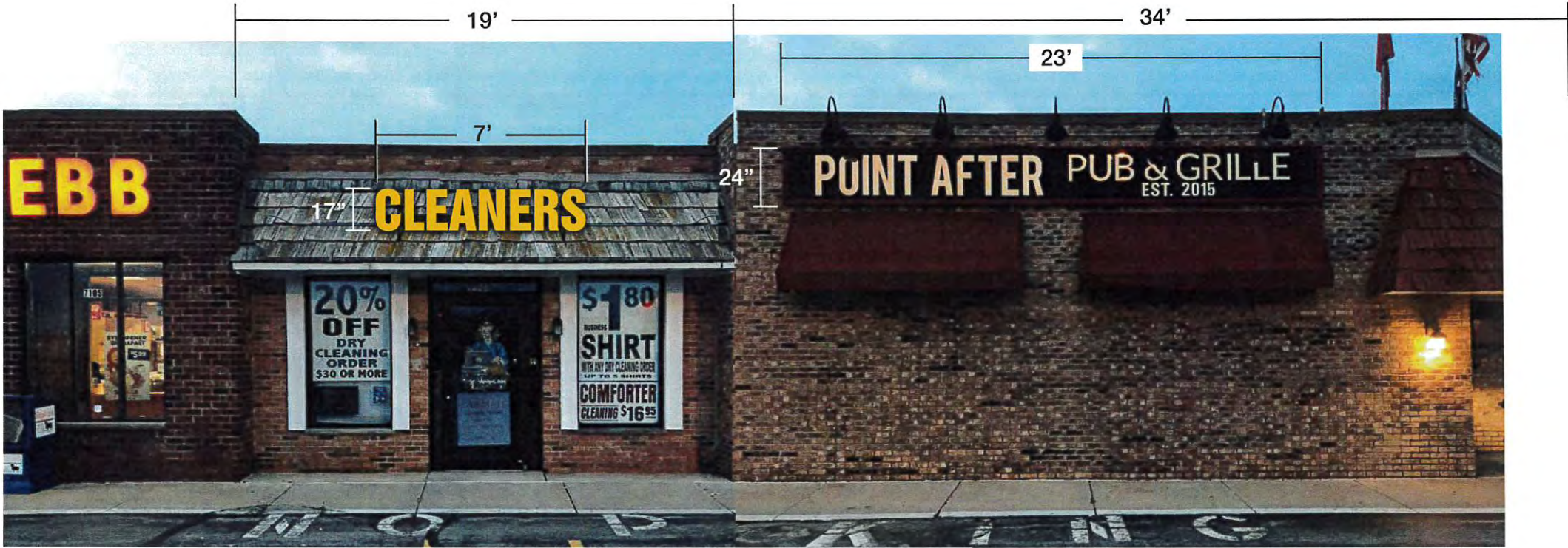
● NOTE: Linear storefront dimensions are approximate.





● NOTE: Linear storefront dimensions are approximate.





● NOTE: Linear storefront dimensions are approximate.

