

City of Franklin
Economic Development Commission (EDC)

Franklin City Hall — Hearing Room
9229 W. Loomis Road, Franklin, Wisconsin

Monday, June 26, 2017 – 6:30 p.m.

MEETING AGENDA

- I. Call to Order, Roll Call and Pledge of Allegiance
- II. Citizen Comment Period
- III. Review of Meeting Minutes: May 22, 2017
- IV. Announcements relating to Economic Development (No action to be taken)
- V. Business Matters (Action may be taken as determined by the EDC)
 - A. Update on approved changes to the Franklin Sign Code (See packet)
 - B. Discussion of Economic Development recruitment and site selection processes
 - C. Update on the Ballpark Commons development proposal
 - D. Report on development potential in Area G, land near W. Loomis and Ryan Roads
- VI. Next Meeting Date – July 24, 2017
- VII. Adjournment


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

Notice is given that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, please contact the Franklin City Clerk's Office at 414-425-7500.

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Economic Development Commission (EDC)
Franklin City Hall — Hearing Room
9229 W. Loomis Road, Franklin, Wisconsin
Monday, May 22, 2017 – 6:30 p.m.
MEETING MINUTES

- I. Call to Order, Roll Call and Pledge of Allegiance: The meeting of the Franklin Economic Development Commission (EDC) was called to order by Chairman Haskins at 6:34 P.M. Commissioners present were Ald. Barber and Commissioners Haskins, Dausman, Soto, and Cool. Commissioners Litynski was excused. Also present was Economic Development Director, Aaron Hertzberg.
- II. Citizen Comment Period: The floor was open to citizen comment at 6:35 and closed at 6:35.
- III. Review of Meeting Minutes: Motion made (Barber) to approve the minutes of the April 24, 2017 meeting. Motion seconded (Soto). Motion carried: 5 Ayes, 0 Noes, 1 Absent.
- IV. Announcements relating to Economic Development (No action to be taken). Discussion among members. No action taken.
- V. Business Matters
 - A. Discussion of future land use for development areas in Franklin.
 - Area G: Properties near W. Loomis Road (STH 36) and W. Ryan Road
 - Properties near W. Loomis Road (STH 36) and W. St. Martins Road (STH 100)

Mr. Hertzberg presented on the item. Discussion occurred among members. No action taken.
 - B. Update on the Ballpark Commons development proposal: Mr. Hertzberg presented on the item. Discussion occurred among members. No action taken.
 - C. Update on Area D, recently rezoned land between W. Oakwood and W. South County Line Roads and S. 27th and S. 42nd Streets: Mr. Hertzberg presented on the item. Discussion occurred among members. No action taken.
- VI. Next Meeting Date – June 26, 2017. Commissioner Haskins mentioned that he may not be available for the meeting.
- VII. Adjournment: Motion made (Barber) and seconded (Haskins) to adjourn the meeting at 7:26. Motion carried: 5 Ayes, 0 Noes, 1 Absent.

<p style="text-align: center;">APPROVAL</p> 	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">6/20/2017</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">An Ordinance to Amend Chapter 210: Signs and Billboards to Provide for a One-Year Suspension of a Requirement for Master Sign Programs, to Clarify Allowances for Monument Signs, and to Expand the Exception Appertaining to Signs for the Lease, Sale, or New or Pending Business or Commercial Occupancy of Any Building or Land</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">B.5.</p>

Staff has desired to engage in a comprehensive rewrite of Chapter 210: Signs and Billboards of the Franklin Municipal Code in significant part to ensure compliance with constitutional requirements as recently expressed by the United States Supreme Court. Additionally, staff and the Economic Development Commission wish to enhance the commercial and business environment and improve ease of administration. Unfortunately, the magnitude of the project keeps it from being completed. As such, pending the eventual rewrite of the entire Sign Code, staff is proposing three amendments that will address certain problematic issues. Each is described below.

First, although the Master Sign Code, which deals with a uniform sign for multi-tenant properties, campuses, and planned developments, has some positive conceptual benefits, it also creates some administrative burdens and time delays. This problem is enhanced by a requirement for participation. Staff recommends suspending the participation requirement for a year to provide time for staff to complete a review of the Master Sign Program requirements. The option still remains to use this strategy, but it would not be required. Following is a marked-up version of the applicable text for 210-9.A. (underlined text is added):

210-9.A. 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, except, effective June 30, 2017, through June 30, 2018, said requirement for a master sign program shall become discretionary for said property owners in order to provide a temporary waiver from this requirement to provide a period of time for additional municipal review of the requirement.

Second, staff recommends clarifying language pertaining to the number and location of monument signs as some of the wording may be interpreted as conflicting. For example, in two places the Code provides that "Each business premises may have one monument sign." At the same time, other language indicates that "Monument signs shall not be closer than 500 feet to another monument sign." Staff wants to clarify that each business premises may have a monument sign, and that said

provision overrides the distance restriction. If they will be closer than 500 feet due to the circumstances of the parcel, the Planning Department or the Plan Commission will establish the location so as to position it to avoid conflict with other signs to the extent reasonable or appropriate. Following is a marked-up version of the applicable text (underlined text is added):

210-4 C. (5) (d) [1] Monument signs shall not be closer than 500 feet to another monument sign, except where such distance is not attainable in providing for the allowance that "Each business premises may have one monument sign," as per Section 210-4 C. 1. (d) and (e), in which case the initial determination of placement shall be as established by the Department of City Development, when not otherwise under the jurisdiction of the Plan Commission."

Finally, the Economic Development Commission has been strongly encouraging expanding the language to allow for signs that promote a new business coming to Franklin or having just opened. Existing language that allowed for "For Sale" or "For Lease" signs was expanded to allow for signs at construction sites that can be used for the "Coming Soon" type signs and for the "Grand Opening" type signs for 60 days after attaining occupancy. Incorporating it in the "Exemption from Permit Regulations" section eliminates the need for permits or fees, but not structural or safety requirements. This provides great flexibility for businesses and will enable the City to monitor or test its application while the Sign Code rewrite is pending. Also, it was expanded to allow for two signs, instead of just one, although the total sign area was left as currently established. Following is a marked-up version of the applicable text for 210-6.A. (underlined text is added):

210-6.A. One ~~Up~~ to two signs, at the same time, for each premises or tenant space, where applicable, appertaining to the lease, ~~or~~ sale, or new or pending business or commercial occupancy of any building or land, provided that each such sign does not exceed 32 square feet in size- area, and is located upon the premises, and, for such a sign promoting the new or pending business or commercial occupancy, is not existing prior to commencement of construction occurring under a valid building permit and is removed within 60 calendar days following occupancy, issuance of an occupancy permit, or issuance of a conditional occupancy permit, whichever occurs first."

Staff recommends approval.

COUNCIL ACTION REQUESTED

Motion to approve an Ordinance to Amend Chapter 210: Signs and Billboards to Provide for a One-Year Suspension of a Requirement for Master Sign Programs, to Clarify Allowances for Monument Signs, and to Expand the Exception Appertaining to Signs for the Lease, Sale, or New or Pending Business or Commercial Occupancy of Any Building or Land.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2017 _____

AN ORDINANCE TO AMEND CHAPTER 210: SIGNS AND BILLBOARDS TO PROVIDE FOR A ONE-YEAR SUSPENSION OF A REQUIREMENT FOR MASTER SIGN PROGRAMS, TO CLARIFY ALLOWANCES FOR MONUMENT SIGNS, AND TO EXPAND THE EXCEPTION APPERTAINING TO SIGNS FOR THE LEASE, SALE, OR NEW OR PENDING BUSINESS OR COMMERCIAL OCCUPANCY OF ANY BUILDING OR LAND

WHEREAS, the regulation of signs within the City is necessary and in the public interest to safeguard life, health, property, safety, and public welfare; and, to that end, the provisions of the sign code are intended, in part, to regulate the size, type, construction standards, maintenance, and placement of signs situated within the boundaries of the City of Franklin; to preserve the beauty and the unique character of the City by aesthetically complementing the development that a sign identifies; and to promote a healthy and properly designed business environment; and

WHEREAS, the City of Franklin desires to engage in a comprehensive rewrite of Chapter 210: Signs and Billboards of the Franklin Municipal Code to, in part, enhance the commercial and business environment, improve ease of administration, and ensure compliance with State and Federal laws, but while such comprehensive rewrite has remained uncompleted, certain immediate modifications are recommended pending the complete revision of the Sign Code; and

WHEREAS, staff recommends a thorough review of the use and application of the Master Sign Program and its requirements and, pending such review, recommends that it is reasonable and appropriate to temporarily suspend the requirement to establish a new Master Sign Program, as defined in Section 210-9 A. of the Municipal Code; and

WHEREAS, staff recommends clarifying language pertaining to the number and location of monument signs that may be interpreted as conflicting, specifically the allowance that "Each business premises may have one monument sign" and the restriction that "Monument signs shall not be closer than 500 feet to another monument sign;" and

WHEREAS, the Economic Development Commission recommends that new and pending businesses need special opportunities to promote their business endeavor in order to further the business and commercial environment in Franklin.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1 §210-9.A of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed and replaced in its entirety with the following:

"A. 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, except, effective June 30, 2017, through June 30, 2018, said requirement for a master sign program shall become discretionary

for said property owners in order to provide a temporary waiver from this requirement to provide a period of time for additional municipal review of the requirement.”

Section 2 §210-4 C. (5) (d) [1] of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed and replaced in its entirety with the following:

“[1] Monument signs shall not be closer than 500 feet to another monument sign, except where such distance is not attainable in providing for the allowance that “Each business premises may have one monument sign,” as per Section 210-4 C. 1. (d) and (e), in which case the initial determination of placement shall be as established by the Department of City Development, when not otherwise under the jurisdiction of the Plan Commission.”

Section 3 §210-6 A. of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed and replaced in its entirety with the following:

“A. Up to two signs, at the same time, for each premises or tenant space, where applicable, appertaining to the lease, sale, or new or pending business or commercial occupancy of any building or land, provided that each such sign does not exceed 32 square feet in area, is located upon the premises, and, for such a sign promoting the new or pending business or commercial occupancy, is not existing prior to commencement of construction occurring under a valid building permit and is removed within 60 calendar days following occupancy, issuance of an occupancy permit, or issuance of a conditional occupancy permit, whichever occurs first.”

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.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___