

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/01/18
REPORTS & RECOMMENDATIONS	ORDINANCE TO CODIFY THROUGH CURRENT IN ITS ENTIRETY AND AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO REVISE THE DISTRICT IN THE FOLLOWING MANNER: TO REVISE CERTAIN DISTRICT STANDARDS INCLUDING BUT NOT LIMITED TO BUILDING HEIGHT LIMITS, BUILDING SETBACK LIMITS, AND BUILDING DENSITY LIMITS; AND TO INCLUDE ADDITIONAL MORE DETAILED SITE INFORMATION PERTAINING TO BUILDINGS AND STRUCTURES; (MIKE ZIMMERMAN AND GREG MARSO, ZIM-MAR PROPERTIES LLC, APPLICANTS) (AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE, WEST LOOMIS ROAD, AND WEST OLD LOOMIS ROAD)	ITEM NUMBER <i>G.6.</i>

At their meeting on April 19, 2018, the Plan Commission recommended approval, with conditions and restrictions, of an ordinance to codify and amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District (PDD) No. 37 (The Rock Sports Complex/Ballpark Commons) to revise the District to:

- Codify all of the previously adopted amendments to PDD No. 37 into this one ordinance.
- Revise certain District Standards including but not limited to building heights, building setbacks, and building density limits. Most, but not all, of these changes pertain to proposed Buildings B1 through B4 and the Multi-Family Residence portion of PDD No. 37.
- Include additional more detailed information pertaining to proposed buildings and structures.

Included in the Council packet are both a track changes version of the draft PDD amendment ordinance, which highlights the changes proposed by the Plan Commission, and a clean copy of the draft PDD amendment ordinance which includes these changes.

It can be noted that the Plan Commission also approved, with conditions and restrictions, a Site Plan for proposed Buildings B1 through B4. Each of these four buildings (to be located south of W. Rawson Avenue and west of the proposed Ballpark Drive), are to be three-stories in height, with one level of underground parking, with about 53 apartment units, and would be approximately 64,000 square feet in size.

It is important to note that should the Common Council further change or revise any of the District Standards or District Design Standards currently set forth in the draft ordinance, that it is likely that the Site Plan for Buildings B1 through B4 would need to be revised accordingly.

COUNCIL ACTION REQUESTED

A motion to approve Ordinance No. 2018-_____, an ordinance to codify through current in its entirety and amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to revise the District in the following manner: to revise certain District Standards including but not limited to building height limits, building setback limits, and building density limits; and to include additional more detailed site information pertaining to buildings and structures; (Mike Zimmerman and Greg Marso, Zim-Mar Properties LLC, Applicants), (at approximately 7900 West Crystal Ridge Drive, and along West Raswon Avenue, West Loomis Road, and West Old Loomis Road).

STATE OF WISCONSIN CITY OF FRANKLIN MILWAUKEE COUNTY
Changes accepted draft 4-24-18
ORDINANCE NO. 2018-_____

AN ORDINANCE TO CODIFY THROUGH CURRENT IN ITS ENTIRETY AND AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO REVISE THE DISTRICT IN THE FOLLOWING MANNER: TO REVISE CERTAIN DISTRICT STANDARDS INCLUDING BUT NOT LIMITED TO BUILDING HEIGHT LIMITS, BUILDING SETBACK LIMITS, AND BUILDING DENSITY LIMITS; AND TO INCLUDE ADDITIONAL MORE DETAILED SITE INFORMATION PERTAINING TO BUILDINGS AND STRUCTURES; (MIKE ZIMMERMAN AND GREG MARSO, ZIM-MAR PROPERTIES LLC, APPLICANTS)
(AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE,
AND ALONG WEST RAWSON AVENUE, WEST LOOMIS ROAD,
AND WEST OLD LOOMIS ROAD)

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, and Ordinance No. 2018-2318, with such District primarily being located at 7900 West Crystal Ridge Drive, bearing tax key nos. 708-8996-000, 708-8999-000, 744-8980-001, 744-8985-001, 744-8985-002, 744-8988-000, 744-8989-000, 745-0029-000, 745-8998-000 and 745-8999-004, 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:

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°44'47" West along said reference line, 907.00 feet to a point of curve; thence southwesterly 1280.00 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°08'47" West, 1274.02 feet to a point of tangency; thence South 30°32'47" West along said reference line, 913.06 feet; thence North 59°36'20" West, 148.15 feet to the southeast corner of Stone Hedge Subdivision Addition No. 1; thence North 00°10'59" West along the east line of said Stone Hedge Subdivision Addition, 1801.35 feet to the northeast corner of said Stone Hedge Subdivision Addition; thence North 00°03'31" East, 485.75 feet to the north right of way line of West Rawson Avenue; thence North 88°25'44" East along said north right of way line 598.14 feet to the southeast corner of Parcel 1 of Certified Survey Map No. 3107; thence North 00°17'04" West along the east line of said Parcel 1 and then along the east line of Lot 14, Lot 13, and Lot 12 of Block 1 of Whitnall View Subdivision Addition No. 1, 852.41 feet to the northeast corner of said Lot 12; thence South 88°37'08" West along the north line of said Lot 12 and then the north line of Lot 11 of said Whitnall View Subdivision Addition, 485.05 feet to the northwest corner of said Lot 11; thence North 00°24'53" West along the east line of Lot 10 and then along the east line of Lot 9 of said Whitnall View Subdivision, 399.30 feet to the northeast corner of said Lot 9; thence North 88°36'34" East, 545.17 feet to the East line of said Southwest 1/4 of Section 4; thence South 00°20'48" East along said east line of said Southwest 1/4 of Section 4, 38.94 feet; thence North 88°41'22" East, 661.95 feet; thence North 00°14'26" West, 1877.15 feet; thence North 88°31'03" East 1252.42, feet; thence South 00°19'01" East, 369.30 feet; thence North 54°01'00" East, 650.18 feet; thence North 88°32'16" East, 202.64 feet to the east line of said Northeast 1/4 of Section 4; thence South 00°19'12" East along said east line, 520.62 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, 1659.17 feet to said reference line; thence South 49°44'7" West along said reference line, 1561.91 feet to the point of beginning.

Containing in all 8,946,167 square feet (205.376 acres) of land, more or less.

WHEREAS, Mike Zimmerman and Greg Marso, Zim-Mar Properties LLC, , having petitioned for a further amendment to Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to codify through current in its entirety Section 15-3.0442 and to revise the District in the following manner: to revise certain District standards including but not limited to building height limits, building

setback limits, and building density limits; and to include additional more detailed site information pertaining to buildings and structures; and

WHEREAS, the City of Franklin desiring to codify all of the prior adopted Ordinance-; Resolution-; and Standards, Findings, and Decisions for a Special Exceptions to Certain Natural Resource Provisions-; related amendments to Planned Development District No. 37 into one comprehensive and up-to-date Ordinance document; and

WHEREAS, the City of Franklin Plan Commission on the 19th day of April, 2018, 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 codify through current in its entirety Section 15-3.0442 and to revise the District in the following manner: to revise certain District standards including but not limited to building height limits, building setback limits, and Landscape Surface Ratio limits; to revise certain District Design Standards including but not limited to landscaping, building character and design, and the waver of standards; to include additional more detailed site information pertaining to buildings and structures

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-____ (re: Building C1).
11. **Exhibit K:** Those Plans City file-stamped April 9, 2018.

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, a parking structure, 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 46,000 square feet in area and/or taller than three stories, 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.
10. Be served by public sanitary sewer and water supply facilities.
11. 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.
12. 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.
13. 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.

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, 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. General Retail
 - h. Slides/Children's Play Areas
 - i. Physical Therapy
 - j. Sports Medicine
 - k. Medical Offices
 - l. Fitness studios/Gyms
 - m. Restaurants/eating and drinking establishments

- n. Skiing
- o. Snowboarding
- p. Sledding & tubing
- q. Cross country skiing
- r. Baseball
- s. Softball
- t. Commercial batting cages
- u. Volleyball
- v. Football
- w. Lacrosse
- x. Soccer
- y. Mountain biking
- z. Bicycle motocross
- aa. Running
- bb. Temporary Uses/Extraordinary Entertainment & Special Events as permitted by the Unified Development Ordinance and Municipal Code
- cc. Restaurant/Umbrella Bar (without drive through facilities)
- dd. Concession stands
- ee. Equipment rental
- ff. Retail equipment and accessory sales
- gg. A Sprecher Beer Café within the four fields located on the north end of the site.
- hh. Those uses permitted within the P-1 Park District
- ii. Monitoring and other activities associated with the landfill as required by the Wisconsin Department of Natural Resources
- jj. 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.

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. Baseball Stadium
- c. Climbing Walls
- d. Indoor and Outdoor Sports (non-motorized) not elsewhere classified
- e. Entertainment Outdoor and Indoor Music
- f. General Commercial Office
- g. Electric Vehicle Racing
- h. Drinking Places (without drive through facilities)
- i. 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/50 feet. The stated maximum building height may be increased pursuant to the granting of a Site Plan approval. The proposed Indoor/Outdoor Golf facility's netting may exceed this height limitation subject to Plan Commission approval of the associated Site Plan. The proposed Stadium lights may exceed this height limitation subject to Plan Commission approval of the associated Site Plan and Common Council approval of a Lighting Study pursuant to Ordinance No. 2016-2212 Section 3: Conditions of Approval No. 5.

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 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, approved by the Architectural Review Board 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.

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 depicted upon the Landscape Plan City file-stamped August 1, 2012 and annexed hereto as Exhibit B.

Plantings shall be provided with a minimum three (3) 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 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.

Future Phases and Uses shall provide Landscaping in compliance with all requirements set forth per Division 15-5.0300 of the Unified Development Ordinance.

5. Architecture:

a. *Architecture:*

The dugouts, concession stands, announcer's booth and Umbrella Bar/restaurant architecture shall be completed, and in substantial compliance, per Exhibit H.

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 10:30 p.m.

b. *Athletic field lighting curfew:*

All athletic field lights shall be shut off by 10:30 p.m.

c. *Umbrella Bar/restaurant:*

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

d. *Bicycle Motocross and Mountain Biking:*

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

e. *Ski Hill:*

Hours of operation for the ski hill shall be limited to 10:00 a.m. to 10:00 p.m.

f. *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, all site lighting shall be in compliance with the regulations set forth in Division 15-5.0400 of the Unified Development Ordinance.

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.

**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, 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.)	3.0/50
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.

- 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.
- b. Mixed use buildings up to three 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 three 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 south of the intersection of Rawson Avenue and Old Loomis Road.
 2. Provide multi-story mixed use building 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.)	3.0/45
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 three stories in height, with residential apartments on the upper 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 three 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 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)	8.00
Net Density (ND)	12.00
The stated maximum density regulations 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.)	3.0/45

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
	Home occupations	P
	Foster family home	P
	Community living arrangement (serving 8 or fewer persons)	P
	Community living arrangement (serving 9 or more persons)	S
	Accessory uses (see Section 15-2.0208 & Division	P

	15-3.0800)	
	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	S

^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 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that the required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.
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. 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 siding must be bevel, 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.

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 Exhibit A, Site Plan (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. Prior 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 shall prepare a comprehensive outdoor sound study of The Rock Sports Complex (incorporating both existing

and proposed events and facilities), that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City noise regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex. Any recommendations from the Comprehensive Study that apply to existing facilities or events shall be implemented by the applicants within two years from the date of acceptance of the Study by the Common Council.

3. Prior 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 shall prepare a comprehensive outdoor lighting study of The Rock Sports Complex (incorporating both existing and proposed events and facilities), that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City lighting regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex. Any recommendations from the Comprehensive Study that apply to existing facilities or events shall be implemented by the applicants within two years from the date of acceptance of the Study by the Common Council.
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 Building 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 Building Permit.
7. The applicants shall prepare example Landscape elements identifying potential District wide design and location details for such features as

- buildings, parking, and bufferyards, for staff review and approval, prior to issuance of a Building Permit.
8. The requested General Landscape Plan, and the pertinent zoning district standards, shall be revised to reflect a minimum 60' wide landscape buffer, including a predominantly 8' high berm, to be located along the entire western boundary of PDD No. 37, for staff review, prior to issuance of a Building Permit.
 9. The applicants shall prepare example Architectural and Site Design elements, identifying potential District wide features such as the use of common or complementary design themes, elements, or features throughout the development, for staff review and approval prior to issuance of a Building Permit.
 10. 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.
 11. 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.
 12. 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.
 13. 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.
 14. The applicant shall revise the utility plans along proposed Ballpark Drive to stub the water main into The Rock Sports Complex main entrance to allow a potential future connection of the ski chalet to the

public water system, for Engineering Department review and approval prior to issuance of an Occupancy Permit.

15. Other:

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 1st day of May, 2018, by _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 1st day of May, 2018.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES __ NOES __ ABSENT __

STATE OF WISCONSIN CITY OF FRANKLIN MILWAUKEE COUNTY

Track Changes draft 4-24-18

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ORDINANCE NO. 2018-_____

AN ORDINANCE TO CODIFY THROUGH CURRENT IN ITS ENTIRETY AND AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO REVISE THE DISTRICT IN THE FOLLOWING MANNER: TO REVISE CERTAIN DISTRICT STANDARDS INCLUDING BUT NOT LIMITED TO BUILDING HEIGHT LIMITS, BUILDING SETBACK LIMITS, AND LANDSCAPE SURFACE RATIO BUILDING DENSITY LIMITS; TO REVISE CERTAIN DISTRICT DESIGN STANDARDS INCLUDING BUT NOT LIMITED TO LANDSCAPING, BUILDING CHARACTER AND DESIGN, AND THE WAIVER OF STANDARDS; AND TO INCLUDE ADDITIONAL MORE DETAILED SITE INFORMATION PERTAINING TO BUILDINGS AND STRUCTURES ; (MIKE ZIMMERMAN AND GREG MARSO, ZIM-MAR PROPERTIES LLC, APPLICANTS)
(AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE, WEST LOOMIS ROAD, AND WEST OLD LOOMIS ROAD)

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, and Ordinance No. 2018-2318, with such District primarily being located at 7900 West Crystal Ridge Drive, bearing tax key nos. 708-8996-000, 708-8999-000, 744-8980-001, 744-8985-001, 744-8985-002, 744-8988-000, 744-8989-000, 745-0029-000, 745-8998-000 and 745-8999-004, 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:

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°44'47" West along said reference line, 907.00 feet to a point of curve; thence southwesterly 1280.00 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°08'47" West, 1274.02 feet to a point of tangency; thence South 30°32'47" West along said reference line, 913.06 feet; thence North 59°36'20" West, 148.15 feet to the southeast corner of Stone Hedge Subdivision Addition No. 1; thence North 00°10'59" West along the east line of said Stone Hedge Subdivision Addition, 1801.35 feet to the northeast corner of said Stone Hedge Subdivision Addition; thence North 00°03'31" East, 485.75 feet to the north right of way line of West Rawson Avenue; thence North 88°25'44" East along said north right of way line 598.14 feet to the southeast corner of Parcel 1 of Certified Survey Map No. 3107; thence North 00°17'04" West along the east line of said Parcel 1 and then along the east line of Lot 14, Lot 13, and Lot 12 of Block 1 of Whitnall View Subdivision Addition No. 1, 852.41 feet to the northeast corner of said Lot 12; thence South 88°37'08" West along the north line of said Lot 12 and then the north line of Lot 11 of said Whitnall View Subdivision Addition, 485.05 feet to the northwest corner of said Lot 11; thence North 00°24'53" West along the east line of Lot 10 and then along the east line of Lot 9 of said Whitnall View Subdivision, 399.30 feet to the northeast corner of said Lot 9; thence North 88°36'34" East, 545.17 feet to the East line of said Southwest 1/4 of Section 4; thence South 00°20'48" East along said east line of said Southwest 1/4 of Section 4, 38.94 feet; thence North 88°41'22" East, 661.95 feet; thence North 00°14'26" West, 1877.15 feet; thence North 88°31'03" East 1252.42, feet; thence South 00°19'01" East, 369.30 feet; thence North 54°01'00" East, 650.18 feet; thence North 88°32'16" East, 202.64 feet to the east line of said Northeast 1/4 of Section 4; thence South 00°19'12" East along said east line, 520.62 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, 1659.17 feet to said reference line; thence South 49°44'7" West along said reference line, 1561.91 feet to the point of beginning.

Containing in all 8,946,167 square feet (205.376 acres) of land, more or less.

WHEREAS, Mike Zimmerman and Greg Marso, Zim-Mar Properties LLC, , having petitioned for a further amendment to Planned Development District No. 37

(The Rock Sports Complex/Ballpark Commons) to codify through current in its entirety Section 15-3.0442 and to revise the District in the following manner: to revise certain District standards including but not limited to building height limits, building setback limits, and Landscape Surface Ratio limits; to revise certain District Design Standards including but not limited to landscaping, building character and design, and the waver of standards; to include additional more detailed site information pertaining to buildings and structures, and development of the "Ballpark Commons" Sports Anchored Mixed-Use Development encompassing said District and certain adjacent lands along West Crystal Ridge Drive, West Rawson Avenue, West Loomis Road, and West Old Loomis Road; and

WHEREAS, the City of Franklin desiring to codify all of the prior adopted Ordinance-; Resolution-; and Standards, Findings, and Decisions for a Special Exceptions to Certain Natural Resource Provisions-; related amendments to Planned Development District No. 37 into one comprehensive and up-to-date Ordinance document; and

WHEREAS, the City of Franklin Plan Commission on the 5th day of April, 2018, 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 codify through current in its entirety Section 15-3.0442 and to revise the District in the following manner: to revise certain District standards including but not limited to building height limits, building setback limits, and Landscape Surface Ratio limits; to revise certain District Design Standards including but not limited to landscaping, building character and design, and the waver of standards; to include additional more detailed site information pertaining to buildings and structures

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.

9-10. **Exhibit J:** Ordinance No. 2018-_____ (re: Building C1).

10-11. **Exhibit JK:** Those Plans City file-stamped ~~March 26~~ April 9, 2018.

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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, a parking structure, 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 46,000 square feet in area and/or taller than three stories, 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.
10. Be served by public sanitary sewer and water supply facilities.
11. 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.
12. 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.
13. 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,

Comment [Jed1]: Applicant requested to reflect proposed site plan. Staff has no objection, as the size of these buildings has long been proposed, and has been the subject of informal neighborhood meetings.

Comment [Jed2]: Applicant continues to request this. For the proposed apartments, 0' setbacks are not required.

Special Uses, and Land Combination applications in making such determination.

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, 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. General Retail
 - h. Slides/Children's Play Areas
 - i. Physical Therapy
 - j. Sports Medicine
 - k. Medical Offices

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

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. Baseball Stadium
- c. Climbing Walls
- d. Indoor and Outdoor Sports (non-motorized) not elsewhere classified
- e. Entertainment Outdoor and Indoor Music
- f. General Commercial Office
- g. Electric Vehicle Racing
- h. Drinking Places (without drive through facilities)
- i. 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.

Comment [jed3]: Change recommended for approval by the Plan Commission on 4-5-18.

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 ~~the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37~~ 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.

Comment [jed4]: Changes recommended for approval by the Plan Commission on 4-5-18.

- 3. **Maximum Building Height:** 3.0 stories/50 feet. The stated maximum building height may be increased pursuant to the granting of a Site Plan approval. The proposed Indoor/Outdoor Golf facility's netting may exceed this height limitation subject to Plan Commission approval of the associated Site Plan. The proposed Stadium lights may exceed this height limitation subject to Plan Commission approval of the associated Site Plan and Common Council approval of a Lighting Study pursuant to Ordinance No. 2016-2212 Section 3: Conditions of Approval No. 5.

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 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, approved by the Architectural Review Board 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.

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 depicted upon the Landscape Plan City file-stamped August 1, 2012 and annexed hereto as Exhibit B.

Plantings shall be provided with a minimum three (3) 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 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.

Future Phases and Uses shall provide Landscaping in compliance with all requirements set forth per Division 15-5.0300 of the Unified Development Ordinance.

5. **Architecture:**

a. *Architecture:*

The dugouts, concession stands, announcer's booth and Umbrella Bar/restaurant architecture shall be completed, and in substantial compliance, per Exhibit H.

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 10:30 p.m.

b. *Athletic field lighting curfew:*

All athletic field lights shall be shut off by 10:30 p.m.

c. *Umbrella Bar/restaurant:*

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

d. *Bicycle Motocross and Mountain Biking:*

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

e. *Ski Hill:*

Hours of operation for the ski hill shall be limited to 10:00 a.m. to 10:00 p.m.

f. *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, all site lighting shall be in compliance with the regulations set forth in Division 15-5.0400 of the Unified Development Ordinance.

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.

**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, 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.

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5-6. Provide signage as may be approved by the Plan Commission during Site Plan review, and approval of a Sign Permit from the Inspection Department.

Comment [jed5]: Change recommended for approval by the Plan Commission on 4-5-18.

- 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) <u>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.</u>	0.25
Lot Dimensional Requirements	
Minimum Lot Area (square feet)	20,000
Minimum Lot Width at Setback Line (feet)	100
Minimum Front Yard (feet)	<u>025</u>
Minimum Side Yard (feet)	<u>010</u>
Minimum Side Yard on Corner Lot (feet)	<u>025</u>
Minimum Rear Yard (feet)	<u>020</u>

Comment [jed6]: Change recommended for approval by the Plan Commission on 4-5-18.

Comment [jed7]: Changes recommended for approval by the Plan Commission on 4-5-18.

Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37 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.)	3.0/50
Accessory Structure (stories/ft.)	1.0/35
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

Comment [jed8]: Changes recommended for approval by the Plan Commission on 4-5-18.

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.
 - b. Mixed use buildings up to three 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 three 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 south of the intersection of Rawson Avenue and Old Loomis Road.
- 2. Provide multi-story mixed use building 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) <u>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.</u>	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

Comment [jed9]: Change recommended for approval by the Plan Commission on 4-5-18.

Upon approval of Site Plans, the Plan Commission may waive the minimum building setbacks from ~~the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37~~ 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
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Minimum Wetland Buffer (feet)	30
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Minimum Wetland Setback (feet)	50
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Minimum Total Living Area per Residential Apartment Dwelling Unit (D.U.) in Mixed Use Commercial Buildings	
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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)
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For 3 or more D.U.'s per structure	(see Table 15-3.0442D.1.)
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^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	
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Principal Structure (stories/ft.)	3.0/45
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Accessory Structure (stories/ft.)	1.0/35
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The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	
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Comment [jed10]: Changes recommended for approval by the Plan Commission on 4-5-18.

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 three stories in height, with residential apartments on the upper 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 three 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 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) <u>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.</u>	0.25
Gross Density (GD)	8.00

Comment [jed11]: Change recommended for approval by the Plan Commission on 4-5-18.

Net Density (ND)	8.00/12.00
The stated maximum density regulations 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 the interior lot line of a property zoned PDD No. 37 when abutting another property zoned PDD No. 37 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.)	3.0/45
Accessory Structure (stories/ft.)	1.0/25
The stated maximum height regulations may be increased pursuant to the granting of a Special Use permit.	

Comment [jed12]: Applicant proposed, to reflect the site plan. Staff has no objection, as such a density has long been proposed, has been the subject of informal neighborhood meetings, and is similar to other recent apartment development densities.

Comment [jed13]: Changes recommended for approval by the Plan Commission on 4-5-18.

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)
Three (3) to Four (4) Dwelling per Structure	900	200
Five (5) to Eight (8) Dwelling Units per Structure	850	200
Nine (9) to Twelve (12) Dwelling Units per Structure	800	200
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.		

Comment [Jed14]: Staff recommended change, as these apartment building sizes are no longer proposed.

- 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
Home occupations	P
Foster family home	P
Community living arrangement (serving 8 or fewer persons)	P
Community living arrangement (serving 9 or more persons)	S
Accessory uses (see Section 15-2.0208 & Division 15-3.0800)	P
Required off-street parking (see Division 15-5.0200)	P
Required on-street parking	P
Essential Services	P

Multiple-family Residential Housing for Older Persons	S
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^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 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that 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. 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. ~~Because of the extensive perimeter landscaping/buffer areas, we request reduced building pad landscape density.~~
 - (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.

Comment [jed15]: Change recommended for approval by the Plan Commission on 4-5-18.

- (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 ~~permitted~~ 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.

Comment [jed16]: Change recommended for approval by the Plan Commission on 4-5-18.

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 siding must be bevel, 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.

Comment [jed17]: Change recommended for approval by the Plan Commission on 4-5-18.

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.
- 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.

Comment [jed18]: Changes recommended for approval by the Plan Commission on 4-5-18.

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 Exhibit A, Site Plan (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. Prior 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 shall prepare a comprehensive outdoor sound study of The Rock Sports Complex (incorporating both existing and proposed events and facilities), that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City noise regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex. Any recommendations from the Comprehensive Study that apply to existing facilities or events shall be implemented by the applicants within two years from the date of acceptance of the Study by the Common Council.
3. Prior 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 shall prepare a comprehensive outdoor lighting study of The Rock Sports Complex (incorporating both existing and proposed events and facilities), that such study shall identify and recommend such practices, equipment and systems to not only fully comply with all pertinent City lighting regulations and standards, but which also reasonably addresses neighbors concerns, that such study be reviewed by an independent party of the City's choosing and at the applicants reasonable expense, for review and acceptance by the Common Council, prior to any further development within The Rock Sports Complex. Any recommendations from the Comprehensive Study that apply to existing facilities or events shall be implemented by the applicants within two years from the date of acceptance of the Study by the Common Council.
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 Building 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 Building Permit.
7. The applicants shall prepare example Landscape elements identifying potential District wide design and location details for such features as buildings, parking, and bufferyards, for staff review and approval, prior to issuance of a Building Permit.
8. The requested General Landscape Plan, and the pertinent zoning district standards, shall be revised to reflect a minimum 60' wide landscape buffer, including a ~~minimum~~ predominantly 8' high berm, to be located along the entire western boundary of PDD No. 37, for staff review, prior to issuance of a Building Permit.
9. The applicants shall prepare example Architectural and Site Design elements, identifying potential District wide features such as the use of common or complementary design themes, elements, or features throughout the development, for staff review and approval prior to issuance of a Building Permit.
10. 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.
11. 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.
12. 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.
13. ~~Section 15-3.0442B.12. District Intent shall be revised to establish a Special Use process for case-by-case review of smaller building~~

Comment [jed19]: Change recommended for approval by the Plan Commission on 4-5-18.

Comment [jed20]: Change recommended for approval by the Plan Commission on 4-5-18.

setbacks from public street right-of-way/easements, as well as associated bufferyards and parking lot setbacks, also subject to consideration of: potential impacts upon traffic and pedestrian safety; extent of encroachment into vision corners, setbacks, bufferyards, etc.; adjacent speed limits existing and proposed; location of the existing and planned roadway in relation to the right-of-way boundary; sidewalks, pedestrian plazas/outdoor seating; landscape bufferyards; etc.; location of and potential conflicts with on-street parking; and the extent of Milwaukee County and/or DOT support.

~~14.13.~~ Table 15-3.0442B.1. building setbacks shall remain as originally established in Ordinance No. 2016-2212.

~~15.14.~~ Section 15-3.0442E.B.4.d. onsite perimeter greenbelts shall remain as originally established in Ordinance No. 2016-2212.

~~16.~~ Section 15-3.0442E.B.5.a. and c. exterior building materials shall remain as originally established in Ordinance No. 2016-2212.

~~17.~~ Section 15-3.0442E.B.5.c. and Section 15-3.0442E.B.6.g. building façade colors shall remain as originally established in Ordinance No. 2016-2212.

~~18.15.~~ 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.

~~19.16.~~ The applicant shall revise the utility plans along proposed Ballpark Drive to stub the water main into The Rock Sports Complex main entrance to allow a potential future connection of the ski chalet to the public water system, for Engineering Department review and approval prior to issuance of an Occupancy Permit.

~~20.17.~~ Other.

Comment [jed21]: Change recommended for approval by the Plan Commission on 4-5-18.

Comment [jed22]: Changes recommended for approval by the Plan Commission on 4-5-18.

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 4th-19th day of April, 2016~~2018~~, by Alderman Taylor _____.

Passed and adopted at a regular meeting of the Common Council of the City of

| Franklin this 4th-19th day of April, 20162018.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

| AYES ~~5~~__NOES ~~1~~__ABSENT 0__