

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY, NOVEMBER 1, 2016 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
 - 1. Regular Common Council Meeting of October 18, 2016.
 - 2. Committee of the Whole of October 18, 2016
- D. Hearings.
- E. Organizational Business.
- F. Letters and Petitions.
 - Letter from Wisconsin Department of Natural Resources Regarding Compliance Inspection and Notice of Noncompliance at the Closed Milwaukee County Franklin Land Fill, License Number 881 (Rock Sports Complex/Rock Ballpark Commons Property).
- G. Reports and Recommendations:
 - 1. Donation from Christine Morgan in the name of Charles R. Morgan to the Fire Department in the amount of \$200.
 - 2. Franklin Civic Celebrations Commission Request for Spending Authority for 2017 and Summary of 2016 Activities.
 - 3. Creative Homes, Inc. October 6, 2016, Request to Further Defer Special Assessment for Installation of Sanitary Sewer, Water Main, Sanitary Sewer Laterals, Water Main Laterals, the Extension of a Public Street Including Curb and Gutter Along with the Necessary Appurtenances on W. Evergreen Street Extension From a Point 800 Feet East of S. 51st Street to a Point 1,360 Feet East of S. 51st Street.
 - 4. Results of Survey of Rawson Homes Regarding Solution to Storm Drainage Problem.
 - 5. An Ordinance to Create Section 15-3.0444 of the City of Franklin Unified Development Ordinance Establishing Planned Development District No. 39 (Mixed-Use Business Park) and to Rezone Property from B-7 South 27th Street Mixed-Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District, and South 27th Street Design Overlay District to Planned Development District No. 39, FW Floodway District, and FC Floodplain Conservancy District (Within the South 27th Street Corridor Area Lying South of West Oakwood Road) (City of Franklin, Applicant).
 - 6. A Resolution to Enter into an Agreement with Milwaukee County and State of Wisconsin for Pre-Emption Equipment (“Emergency Vehicle Pre-Emption” for the Purpose of Giving Emergency Response Vehicles a Green Light on Their Approach to a Signalized Intersection While Providing a Red Light to Conflicting Approaches) at

Common Council Meeting Agenda

November 1, 2016

Page 2

Intersections of: W. Rawson Avenue and S. 31st Street; W. Rawson Avenue and S. 51st Street; W. Rawson Avenue and S. 68th Street; W. Forest Home Avenue and S. North Cape / W. Speedway Drive; W. Rawson Avenue and W. Forest Home Avenue; State Trunk Highway (STH) 100 and S. 41st Street; STH 100 and S. 51st Street; STH 100 and S. 60th Street; STH 100 and Wyndham North Entrance; and STH 100 and W. Speedway Drive.

7. Amendment Number One to Funding Agreement (FR01) with Milwaukee Metropolitan Sewerage District to Address the Private Property Inflow and Infiltration issues in Rawson Homes Subdivision (S. 37th Place and S. 36th Street South of W. Rawson Avenue).
8. An Ordinance to Amend Chapter 245 of the Municipal Code, "Vehicles and Traffic" Pertaining to the Jurisdictional Transfer of Certain County Trunk Highways to the City of Franklin.
9. Request From Department of Public Works to Purchase Equipment from WisconsinSurplus.com.
10. Approval of a Job Description for a Residential Building Inspector, and Amendment to the Civil Service System Personnel Administration Manual to Create a Promotional Career Path Exception from the Position of Residential Building Inspector to Assistant Building Inspector.
11. September 2016 Financial Report.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of November 1, 2016.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

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

REMINDERS:

November 3	Plan Commission	7:00 p.m.
November 8	General Election	7:00 a.m. to 8:00 p.m.
November 15	Common Council Meeting	6:30 p.m.
November 17	Plan Commission	7:00 p.m.
November 24-25	Thanksgiving	Office Closed

CORRECTED*

CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 18, 2016
MINUTES

ROLL CALL

*A. The regular meeting of the Common Council was held on October 18, 2016 and called to order at 7:15 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Excused was Alderwoman Kristen Wilhelm. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 7:16 p.m. and closed at 7:16 p.m.

APPROVAL OF MINUTES

C.1. Alderman Dandrea moved to approve the minutes from the Committee of the Whole meeting of October 3, 2016 as presented. Seconded by Alderman Barber. All voted Aye; motion carried.

C.2. Alderman Taylor moved to approve the minutes from the Common Council meeting of October 4, 2016 as presented. Seconded by Alderman Barber. All voted Aye; motion carried.

PUBLIC HEARING
S. 27TH ST. CORRIDOR
PLAN/2025
COMPREHENSIVE
MASTER PLAN

D.1. A Public Hearing on a proposed Ordinance to Amend the City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan to Change the Future Land Use Map Use Designation for the properties listed in the Table below, from the Current Land Use Designations to the Proposed Land Use Designations, and to remove the Design Guidelines (City of Franklin, Applicant), was opened at 7:18 p.m. and closed at 7:26 p.m.

ORD. 2016-2234
AMEND S. 27TH ST.
CORRIDOR PLAN/2025
COMP. MASTER PLAN

G.1. Alderman Taylor moved to adopt Ordinance No. 2016-2234, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN SOUTH 27TH STREET CORRIDOR PLAN/CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP USE DESIGNATION OF THE LANDS WITHIN THE 27TH STREET CORRIDOR LYING SOUTH OF OAKWOOD ROAD, FROM MIXED USE, RECREATIONAL USE, AND AREAS OF NATURAL RESOURCE FEATURES USE TO

RECREATIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE (TAX KEY 950-9998-001), A FROM MIXED USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO MIXED USE BUSINESS PARK USE AND AREAS OF NATURAL RESOURCE FEATURES USE, AND TO REMOVE THE DESIGN GUIDELINES AS THEY MAY PERTAIN TO THIS AREA (CITY OF FRANKLIN, APPLICANT). Seconded by Alderman Barber. All voted Aye; motion carried.

PUBLIC HEARING
S. 27TH ST. NON-
DECORATIVE STREET
LIGHTING

D.2. A Public Hearing on Special Assessment for the cost of Non-Decorative Street Lights on South 27th Street from W. Rawson Avenue to W. Villa Drive was opened at 7:42 p.m. and closed at 8:00 p.m.

RES. 2016-7229
SPECIAL ASSESSMENTS
FOR STREET LIGHTS ON S.
27TH ST.

G.3. Alderman Taylor moved to adopt Resolution No. 2016-7229, A FINAL RESOLUTION DIRECTING PAYMENT AND LEVY OF SPECIAL ASSESSMENT FOR INSTALLATION OF NON-DECORATIVE STREET LIGHTS ON S. 27TH STREET FROM W. RAWSON AVENUE TO W. VILLA DRIVE, subject to changes to the Engineer's Report as read into the record by the City Attorney. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderman Taylor, and Alderman Barber voted Aye; Alderman D. Mayer and Alderwoman S. Mayer voted Motion carried.

Alderman D. Mayer vacated his seat at 8:09 p.m.

AMEND UDO
ESTABLISHING PDD 39

G.2. Alderman Taylor moved to table to November 1, 2016 an Ordinance to Create Section 15-3.044 of the City of Franklin Unified Development Ordinance establishing Planned Development District No. 39 (Mixed-Use Business Park) and to rezone property from B-7 South 27th Street Mixed-Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District, and South 27th Street Design Overlay District, to Planned Development District No. 39, FW Floodway District, and FC Floodplain Conservancy District (with the South 27th Street Corridor Area lying south of West Oakwood Road). Seconded by Alderman Barber. All voted Aye; motion carried.

Alderman D. Mayer returned to his seat at 8:12 p.m.
Alderman Taylor vacated his seat at 8:12 p.m.

SPECIAL EXCEPTION TO
NRPP (DONOVAN)

G.4. Alderman Dandrea moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon

application of Tom and Carole Donovan, for a Special Exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance, to approve the application. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2016-7230
60-FOOT SIDE YARD
SETBACK-CHMURA

G.5. Alderman Dandrea moved to adopt Resolution No. 2016-7230, A RESOLUTION TO RELEASE THE 60-FOOT SIDE YARD SETBACK RESTRICTION SET FORTH ON CERTIFIED SURVEY MAP NO. 5763, PREVIOUSLY APPROVED BY RESOLUTION NO. 92-3875 (8685 WEST PUETZ ROAD) (RAFAL CHMURA, APPLICANT; BEATA CHMURA, OWNER). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

ORD. 2016-2235
AMEND UDO TABLE 15-
3.0603 MAJOR GROUP NO.
86 MEMBERSHIP
ORGANIZATIONS

G.6. Alderman Dandrea moved to adopt Ordinance No. 2016-2235, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 TO DELETE STANDARD INDUSTRIAL CLASSIFICATION MAJOR GROUP NO. 86 MEMBERSHIP ORGANIZATIONS FROM CERTAIN ZONING DISTRICTS, DELETE THE PLANNED DEVELOPMENT DISTRICT COLUMN AND TO INCLUDE ALL MEMBERSHIP ORGANIZATIONS AND RELIGIOUS ORGANIZATIONS AS PERMITTED USES IN THE I-1 INSTITUTIONAL DISTRICT (CITY OF FRANKLIN, APPLICANT). Seconded by Alderman Barber. On roll call, Alderwoman S. Mayer, Alderman Barber, and Alderman Dandrea voted Aye; Alderman D. Mayer voted No. Motion carried.

ORD. 2016-2236
AMEND ORD 2015-2198
ANNUAL BUDGET

G.7. Alderman Barber moved to adopt Ordinance No. 2016-2236, AN ORDINANCE TO AMEND ORDINANCE 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL FUND AND DEBT SERVICE FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO PROVIDE PERSONNEL APPROPRIATIONS FOR PERSONNEL COSTS RELATED TO THE FALL 2016 GENERAL ELECTIONS AND THE DEBT REFUNDING. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ORD. 2016-2237
CREATE 133-6.L.(7) OF
MUN. CODE FOR
REPORTING WATER USED
IN EQUIPMENT TESTING

G.8. Alderman Dandrea moved to adopt Ordinance No. 2016-2237, AN ORDINANCE TO CREATE 133-6.L.(7) OF THE MUNICIPAL CODE, "REPORTING WATER USED IN TESTING OF EQUIPMENT" IN ACCORDANCE WITH WIS. STATS. 62.11(5), subject to technical corrections to the Ordinance and the letter by the City Attorney. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

NOXIOUS WEED
DETERMINATION APPEAL

G.9. Alderman D. Mayer moved to place on file the appeal noxious weed determination (Max Fonsing) for property located at 7730 W. Terrace Drive as the matter has been resolved. Seconded by Alderman Dandrea. All voted Aye; motion carried.

HEALTH AND DENTAL
INSURANCE PLAN

G.10. Alderman Dandrea moved to authorize the Director of Administration to execute Health and Dental Insurance Plan and Claim Administration Services documents with United Health Care, and specific and aggregate stop loss coverage with Sun Life, and broker services with Diversified for fees and premiums not to exceed those rates as provided in the "Summary of Partially Self-Funded Premiums for City of Franklin" with the bottom line "Total Estimated Maximum Cost" of \$3,850,672.08 which may include additional modifications to Claim Administration Fees and services, as negotiated by the Director of Administration, of not to exceed \$7,500. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

AMEND EMPLOYEE
SHARE OF HEALTH AND
DENTAL PLAN

G.11. Alderman Dandrea moved to amend and adopt the employee share of monthly health insurance premiums, effective 1/1/17, at 14% with participation in the Health Risk Assessment (HRA) and at 18% absent participation in the HRA and authorize the Director of Administration to incorporate the amendment into the Employee Handbook and Civil Service Manual in a manner he shall determine is appropriate. Seconded by Alderman Barber. Alderman Dandrea, Alderman Barber, and Alderwoman S. Mayer voted Aye; Alderman D. Mayer voted No. Motion carried.

COMMITTEE OF THE
WHOLE
RECOMMENDATIONS

G.12. Upon recommendation of the Committee of the Whole, the Mayor's Recommended 2017 Budget (including all Funds, Department, Revenues, Expenditures and Activities) was referred to the Public Hearing to be held on November 15, 2016.

WOODVIEW
NEIGHBORHOOD PARK
SITE

G.13. Alderman Dandrea moved to enter closed session at 8:30 p.m. pursuant to 19.85(1)(e), Wis. Stats., to consider City purchase of property for sale (Tax Key Nos. 886-9985-000, 15.1 Acres and 885-9997-000, 10.09 Acres) in the Woodview Neighborhood, in the vicinity of Planned Public Park Site PN3 in the Comprehensive Outdoor Recreation Plan, for Public Park purposes. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:47 p.m. Alderman Dandrea moved to direct staff to proceed as discussed in closed session. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RENEW AGENT
AGREEMENT WITH
EHLERS

- G.14. Alderman Dandrea moved to allow renewal of a Dissemination Agent Agreement for Issuer Continuing Disclosure required under Securities and Exchange Commission Rule 15c2-12 with Ehlers & Associates. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

LICENSES

- H.1. Alderwoman S. Mayer moved to approve the following:
Extraordinary Entertainment and Amusement license to The Rock Sports Complex, Chris Ponteri, Mustache Dache 5k Run/Walk on 11/12/16 from 7 a.m. to 11 a.m.;
Class B Combination license to Enthusiast Approved LLC, Apostolos Evreniadis, Agent, 9405 S. 27th St.;
Class B Beer and Class C Wine to Pandori LLC, Harjinder Singh Braich, Agent, 7107 S. 76th St.;
Operators' licenses to Danielle Conrad, W127S6807 Jaeger Place, Muskego; Elizabeth Granley, 3870 S. 54th St., Milwaukee; and John Lehman, 1301 S. 76th St., West Allis.
Seconded by Alderman Barber. All voted Aye; motion carried.

WARRIOR DASH EVENT
LETTER

- F.1. A letter from The Ballpark Commons Development Team regarding the Warrior Dash Event held on August 13, 2016, was placed on file on a motion by Alderman Dandrea, seconded by Alderman Barber. All voted Aye; motion carried.

AUDITOR
COMMUNICATION

- F.2. A letter from Baker Tilly Virchow Krause, LLP regarding communications to elected officials was placed on file on a motion by Alderman D. Mayer, seconded by Alderman Dandrea. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Barber moved to approve the following: City vouchers with an ending date of October 13, 2016 in the amount of \$778,912.15; and payroll dated October 14, 2016 in the amount of \$361,989.75 and payments of the various payroll deductions in the amount of \$204,433.83 plus City matching payments; and estimated payroll dated October 28, 2016 in the amount of \$388,000.00 and payments of the various payroll deductions in the amount of \$426,000.00 plus City matching payments. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman D. Mayer moved to adjourn this meeting at 8:55 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CITY OF FRANKLIN
SPECIAL COMMITTEE OF THE WHOLE MEETING
OCTOBER 18, 2016
MINUTES

ROLL CALL

- A. The special meeting of the Committee of the Whole was held on October 18, 2016 and called to order at 6: p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Excused was Alderwoman Kristen Wilhelm. Also present were Dir. of Finance and Treasurer Paul Rotzenberg, Dir. of Administration Mark Lubarda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

MAYOR'S
RECOMMENDED 2017
BUDGET

2. Alderman Taylor moved to tentatively amend the Mayor's Recommended 2017 Budget by incorporating the changes outlined in the Exempt Computer Aid and Health Cost Changes document. Seconded by Alderman Barber. Alderman Taylor withdrew his motion. It was then moved by Alderman Dandrea to tentatively amend the Mayor's Recommended 2017 Budget by incorporating the changes outlined in the Exempt Computer Aid and Health Cost Changes document. Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

3. Alderman Taylor moved to adjourn this special Committee of the Whole meeting at 7:18 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Milwaukee Headquarters
2300 N. Martin Luther King Drive
Milwaukee, WI 53212

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



October 6, 2016

File Ref: FID 241206130
Milwaukee
SW / CMEL

Mr. Steve Keith
Milwaukee County Department of Transportation and Public Works
633 W. Wisconsin Avenue, Suite 1000
Milwaukee, WI 53203

Subject: Compliance Inspection and Notice of Noncompliance (NON) at the closed Milwaukee County Franklin Landfill, License Number 881

Dear Mr. Keith:

Enclosed is a copy of the inspection report and two photos that were taken at the Milwaukee County Highway Department Landfill located on Crystal Ridge Drive in Franklin on September 26, 2016.

The inspection identified one alleged area of noncompliance with Chapters NR 500 to 590, Wisconsin Administrative Code, which is provided below along with the recommended corrective actions.

Alleged Area of Noncompliance

NR 506.085(3), Wis. Adm. Code-- No excavation of the final cover/waste- The cap had been excavated for an athletic event in August.

Milwaukee County should regrade the area to prevent ponding of water and revegetate the area.
Milwaukee County shall also provide an explanation of how it will prevent activities like this (by others) from occurring in the future.

The Department requests that you immediately address these areas of noncompliance and provide written documentation of the corrective actions taken to the Department within 60 days of the date of this letter. If I can assist you in meeting these standards, please feel free to contact me at (414) 263-8594.

Thank you for your cooperation.

Sincerely,

Gerald DeMers, P.E.
Environmental Engineer
Waste and Materials Management Program Engineer, Southeast Region

cc: Matt Matrise, Waste and Materials Management Program Supervisor, Southeast Region, DNR

Mike Prattke, SCS Engineers
SE Facility File



**COMPLIANCE MONITORING
AND EVALUATION FORM**

FIST SEQ #: 57874

A. GENERAL INFORMATION

Facility Name (current) MILWAUKEE COUNTY FRANKLIN LANDFILL			FID # 241206130	EPA ID #	Case # 57874	Complaint #
Street/Location CRYSTAL RIDGE DRIVE			Notification Status			
City FRANKLIN	Zip Code 53130-	County MILWAUKEE	Type of Contact FIELD		Contact Date/Time 09/26/2016 01:30	
Contact Name/Phone Number STEVE KEITH (414) 278-4355			Staff Assigned to Site DEMERS, GERALD		Case Close Out Date	

B. FACILITY INSPECTED AS

Inspection Type
LANDFILL UNCLASSIFIED

C. NOTIFICATION CHANGE

Date processed SHWIMS _____, EPA Data System _____

Status Change: Field Verified Status Is _____

Name Change: Former Name _____

D. ACTIVITY TYPES

Lic/RU/RA	Staff Person	Lead Program	Activity Type
881	DEMERS, GERALD L	SOLID WASTE	COMPLIANCE CLOSED LANDFILL

E. ACTIONS AND VIOLATIONS

Action Date	Action Type	Close Date	SNC	Comments
10/06/2016	NON			

Viol. Type	Action Type	Violation Discovery Date	Action Date	Response Due Date	Actual Compliance Date	Viol. Status Code	Code or Statute Citation	Code or Statute Description
	NON	09/26/2016	10/06/2016	11/05/2016		X	506.085(3)	No excavation of the final cover/waste

F. CASE CONTACTS

G. COMMENTS

SITE NARRATIVE

Narrative:

Gerald DeMers, Matt Matrise, Travis Menser and Mike Zillmer of the Department met Steve Keith, Jack Suter, and Tim Detzer from Milwaukee County and Mike Prattke of SCS Engineers at the site at 1:45 pm. The weather was windy and 65 degrees. The inspection included the parking lot near the umbrella bar, the area that was used for an August athletic event west of the umbrella bar parking lot, the active gas system blower and flare, and monitor wells OW-69 and OW-70. Based on photographs and information sent by nearby residents, a "Warrior Dash Mud Run" was held on the site in August, and it included excavating the cap to create mud filled basins for the participants to enter. Permission to excavate the cap was not requested of the DNR for this activity. The location of the excavation was in an area of about 5 feet of cap, and the cap in this area is a soil cap (it is not a compacted clay cap). The excavated soils were replaced after the event. The blower for the gas system runs about 40 hours per week. The flare attempts to relight every 10 hours. The site inspection was completed about 2:45 pm.

Region Signature(s) 10 <i>Gerald DeMers</i>	DEMERS, GERALD	Date Signed 10-16-16	d_report_main_site_contact_cme_package_1 Page 1 of 4
--	----------------	-------------------------	---

CLOSED LANDFILL INSPECTION FORM

Section 1: General Facility Requirements

- A. Gate provided at the entrance and kept locked when authorized personnel not on site.
The site is open to the public for recreation activities. NA 506.07(1)(j)
- B. Entrance area clean and no solid waste indiscriminately dumped at or near the entrance. (e.g. operating an unlicensed storage or disposal facility) C 289.31(1)
- C. Sign posted at the entrance to the facility indicating that the landfill is closed, and includes the landfill name, license number, penalty for unauthorized use and any other pertinent information unless the approved final use does not require signage.
Signs are posted as previously requested by the DNR. C 506.08(1)(b)
- D. Access to the landfill restricted by use of gates, fencing, or other appropriate means unless approved final use allowing access (e.g. baseball playfields, soccer fields, dog runs, etc.) does not require these restrictions.
Site is used by the public for recreation activities. NA 506.08(2)

Section 2: Sediment and Erosion Control

- A. Runoff channels are protected to prevent scour and erosion that generates sediment. C 506.07(2)(a)(5)
- B. Storm water drainage ditches, structures and sedimentation basins cleaned and maintained. C 506.07(2)(b)
- C. The entire solid waste disposal area is covered with compacted earth and final grades are adequately sloped to allow storm water runoff. (e.g. no depressions with ponded water or wetland vegetation on the disposal area). C 506.08(3)(a)
- D. Storm water run-on diverted around all areas used for solid waste disposal to limit erosion of the cover soils and infiltration. C 506.08(3)(b)
- E. The finished surface of the disposal area is covered with a minimum of 6 inches of topsoil. C 506.08(3)(d)
- F. Vegetation established to minimize erosion (e.g. no bare spots or woody vegetation).
Disturbed areas need to be revegetated. CA 506.08(4)

Section 3: Gas Control

- A. Effective means being utilized to prevent migration of explosive gases generated by the waste fill (e.g. no noticeable gas odors or indication of stressed vegetation, and gas control system operating, if applicable).
There is an active gas extraction system. C 506.07(4)

Section 4: Leachate Collection System

- A. Any liquid that comes in contact with waste being handled as leachate and properly managed (e.g. no leachate seeps or discolored surface water/soil). C 506.07(5)(b)
- B. Leachate removal from all leachate storage structures to maintain gravity flow (e.g. no leachate storage on landfill base or liner). C 506.07(5)(a)
- C. All leachate removed from the leachate collection system is being disposed of at a wastewater treatment facility unless the facility has approval to recirculate leachate or gas condensate.
Underdrain system is discharged to the Milwaukee Metropolitan Sewerage District. C 506.07(5)(a)
- D. Leachate lines cleaned on an annual basis or other frequency approved by the Department. NA 506.07(5)(c)

SITE PHOTOS

Photo # 44572 Photo 1 of 2

Photo Date & Time 09/26/2016 00:00

Photo Direction SW

Photographer DEMERS, GERALD

Photo Description

Area of cap excavated for the "Warrior Mud Run" in August.



Photo # 44573 Photo 2 of 2

Photo Date & Time 09/26/2016 00:00

Photo Direction W

Photographer DEMERS, GERALD

Photo Description

Area excavated for Mud Run.



BLANK PAGE

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p><i>11/01/2016</i></p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Donation from Christine Morgan in the name of Charles R. Morgan to the Fire Department in the amount of \$200.00</p>	<p>ITEM NUMBER</p> <p><i>G.1.</i></p>

The Franklin Fire Department has received a donation from Franklin Resident Christine Morgan, in the name of her late husband, Charles R. Morgan in the amount of \$200.00. The department relies on donations to fund fire prevention and education programs and other safety initiatives in the community.

COUNCIL ACTION REQUESTED

Request approval to accept \$200.00 donation in the name of Charles R. Morgan to be used towards funding fire prevention and education programs.

BLANK PAGE



Request for Spending Authority 2017

October 20, 2016

I, John Bergner, Chairman of the Franklin Civic Celebrations Commission request authority to enter into contracts and agreements for the 2017 Franklin Civic Celebration. The dates and times will be:

- Saturday, July 1st - 5:00pm to 11:00pm
- Sunday July 2nd - 2:00pm to 11:00pm
- Monday July 3rd - 7:00pm to 11:00pm
- Tuesday July 4th - 10:00am to 9:30pm

With your approval, I request authority to spend the following amounts for 2017:

	2017 Requested	2016 Actual
1. ENTERTAINMENT	\$30,500	\$31,030
2. FIREWORKS-2 days	\$15,000	\$26,000
3. RENTALS	\$17,000	\$16,803
4. PARADE (Bleachers, Flags)	\$12,000	\$11,203
5 ICE CREAM	\$ 2,600	\$ 2,662
6. PRINTING	\$ 1,500	\$ 1,051
7. SUPPLIES	\$ 2,400	\$ 2,463
8. MISC.	<u>\$ 1,300</u>	<u>\$ 1,030</u>
Totals:	\$82,300	\$92,242
TOTAL REQUESTED 2016		\$96,300
TOTAL SPENT 2016		\$92,242*

*The 2016 amounts included an additional night of fireworks at a cost of \$13,000 to celebrate Franklin's 60th Anniversary, and a fourth day of celebration. *The 2016 Festival was a 4 day event as is the 2017 Festival.*

Note: Police and DPW cost are not included in any of the amounts.



EXPENSES	2016	2015
1. ENTERTAINMENT	\$28,455.00	\$24,350.00
2. MUSIC ON MOVE-FREE KIDS RIDES	\$2,575.00	\$2,575.00
3. POLICE AND DPW	\$31,250.62	\$25,458.31
4. PARADE (INCLUDES BLEACHERS,FLAGS)	\$11,202.87	\$5,367.00
5. FIREWORKS	\$26,000.00	\$13,000.00
6. ICE CREAM	\$2,661.65	\$2,530.88
7. BEER, ICE, SODA	\$18,667.10	\$14,745.05
8. SUPPLIES,SERVICES, SHIRTS	\$2,094.17	\$1,269.33
9. RENTALS (TENTS,TABLES,CHAIRS,TOILETS)	\$16,803.21	\$18,123.96
10. T SHIRT PRIZES	\$0.00	\$175.00
11. TICKETS,PRINTING	\$676.00	\$750.00
12. NEWSLETTER PRINTING	\$375.00	\$350.00
13. GENERATOR FUEL	\$0.00	\$361.03
14. BACKGROUND CHECKS	\$560.00	\$434.00
15.GOLF CARTS	\$390.00	\$0.00
16.MEMBERSHIPS	\$80.00	\$0.00
17. POSTAGE	\$369.11	\$0.00
TOTAL EXPENSES	\$142,159.73	\$109,489.56
NET INCOME	\$843.61	\$1,599.14
BALANCE END OF YEAR	\$48,579.18	\$47,735.57

2016 FRANKLIN CIVIC CELEBRATION

INCOME STATEMENT

INCOME	2016	2015
1. DONATIONS	\$20,375.00	\$20,699.00
2. TICKET SALES	\$71,689.80	\$49,572.00
3. FOOD (NET)	\$15,867.54	\$11,197.70
4. CITY FUNDS	\$13,000.00	\$13,000.00
5. CARNIVAL COMMISSION	\$20,105.00	\$16,315.00
6. LISCENSES	\$0.00	\$(204.00)
7. HELICOPTER RIDES	\$791.00	\$509.00
TOTAL INCOME	\$143,003.34	\$111,088.70

BLANK PAGE

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>NOV 1, 2016</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>CREATIVE HOMES, INC. OCTOBER 6, 2016, REQUEST TO FURTHER DEFER SPECIAL ASSESSMENT FOR INSTALLATION OF SANITARY SEWER, WATER MAIN, SANITARY SEWER LATERALS, WATER MAIN LATERALS, THE EXTENSION OF A PUBLIC STREET INCLUDING CURB AND GUTTER ALONG WITH THE NECESSARY APPURTENANCES ON W. EVERGREEN STREET EXTENSION FROM A POINT 800 FEET EAST OF S. 51ST STREET TO A POINT 1,360 FEET EAST OF S. 51ST STREET</p>	<p>ITEM NUMBER</p> <p><i>G.3.</i></p>

BACKGROUND

At the June 28, 2016, Common Council Meeting, Resolution No. 2016-7211 was passed to amend Resolution 2014-7001. The subject matter was a request to reduce the West Evergreen Street project special assessments.

Staff received an additional request from the Developer Creative Homes, Inc. on October 6, 2016, to "...allocate the current special assessment across two (2) lots on Evergreen Drive based on their frontage, with the balance to be paid within 10 days of approval of this proposal." Further conversation with the developer indicates that the intent of the request is to defer the assessment for Lots 1 and 2 until such time a lot is sold.

Note that the developer has submitted a new preliminary plat with a cul-de-sac layout. There are two lots (No. 1 & 2) proposed to front W. Evergreen Street; nine lots (No. 3 - 11) to front a proposed cul-de-sac road, and two lots (No. 12 & 13) to front S. 51st Street. See attached exhibits.

ANALYSIS

Staff recalls that the original intent of the 2014 Common Council action was to defer the assessment because the prior Owner had no intention of developing. It was structured and worded the way it was so that if and when the land was considered for development, the assessment would be paid.

The Developer has further reasoned that he could not advance the property towards development in a timely manner because "the City implied that all necessary permits were in hand". The developer was unaware that the City had not completed a navigability determination when W. Evergreen Street was constructed. The navigability issue was raised after the preliminary plat was submitted.

The assessment of the four lots shown on the original version of the preliminary plat totaled 451.5 feet. The assessment was reduced to \$128,408.96. This equates to \$284.41 / foot.

Lot No	Original Version Plat	
	Width (feet)	Assessment
1	121.1	\$34,441.47
2	121.4	\$34,526.79
3	109.8	\$31,227.69
4	99.2	\$28,213.00
Total	451.5	\$128,408.96

Lot Nos. 1 and 2 did not change between the original and revised plat. The developer is proposing that lots 1 and 2 be deferred the respective \$34,441.47 and \$34,526.79 until a building permit for those lots is obtained. The developer would pay the balance \$59,440.69 upon approval of this request.

OPTIONS

- Instruct Staff to prepare a Resolution for Common Council Action after the Final Plat approval-potentially November 22, 2016; or
- Deny Developers October 6, 2016, Request; or
- Table.

FISCAL NOTE

Special Assessment receipts become resources to the Debt Service Fund.

When a project is undertaken, the City frequently borrows funds and incurs debt to provide resources for the project. Later, debt service payments are required, which can generate debt service tax levy. That debt service tax levy can be reduced by collections on Special Assessments.

The final resolution for the Evergreen Street projects (street, sanitary sewer and water) required payment of the Special Assessment upon the earlier of sale of the property or connection to the service. Granting a further delay in Special Assessment payment will reduce resources available to the Debt Service fund.

However, these resources are not required, in the near term, to hold debt service tax levy at projected levels outlined in the 2017 budget.

RECOMMENDATION

Recommendation to deny Creative Homes, Inc. October 6, 2016, request to further defer Special Assessment for Installation of Sanitary Sewer, Water Main, Sanitary Sewer Laterals, Water Main Laterals, the Extension of A Public Street Including Curb and Gutter along with the Necessary Appurtenances on W. Evergreen Street Extension from a Point 800 Feet East of S. 51st Street to a Point 1,360 Feet East of S. 51st Street.

Engineering:GEM

PRELIMINARY PLAT: EVERGREEN PARK ESTATES

Part of the Southwest 1/4 and Northwest 1/4 of the Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin.

OWNER/DEVELOPER/PLAT PREPARED FOR:

Mr. Rick Probst, Inc.
9244 W. Grandview Ct.
Franklin, WI 53132
(414) 529-0958

TYPE OF PLAT:

Single Family Residential

SITE DATA:

Proposed Number of Lots = 8 (8)
One Dwelling Unit per Lot
Gross Site Area = 1,423,215 Square Feet (32.67 acres)

ZONING DATA:

Existing Zoning: R-6, FW
Proposed Zoning: R-6, Suburban Single-Family Residential, FW
Minimum Lot Area = 11,000 Sq. Ft.
Minimum Lot Width at Setback Line = 90 Feet
Minimum Lot Width at Setback Line
(Corner Lot) = 100 Feet
Minimum Side Yard Setback = 30 Feet
Minimum Side Yard Setback = 10 Feet / 18 Feet Corner
Minimum Rear Yard Setback = 30 Feet
Minimum Wetland Buffer = 50 Feet
Minimum Shore Setback = 75 Feet

BASEMENT RESTRICTION

Although all lots in the Subdivision have been reviewed and approved for development with single-family residential use in the R-6 zoning, the following restrictions apply to any lot containing soil conditions which, due to the possible seepage of groundwater near the surface, may require soil engineering and foundation design with regard to basement construction. It is recommended that either a licensed professional engineer or other soils expert design a basement and foundation which will be suitable to withstand the various problems associated with wetland soils. The design shall be based on the results of a special investigation to be taken. Soil conditions shall be subject to each owner's special investigation prior to construction and no specific representation is made herein.

CONSERVATION EASEMENT RESTRICTIONS

Those areas of land which are identified as Conservation Easements of this subdivision shall be subject to the following restrictions:
1. The removal of any trees or other vegetation shall be prohibited.
2. The removal of any trees or other vegetation shall be prohibited.
3. The removal or destruction of any trees, shrubs, grasses, etc., shall be prohibited with the exception of the removal of dead, diseased or dying vegetation at the discretion of the owner, or the removal of any trees, shrubs, grasses, etc., for the purpose of fire prevention.
4. Grazing by domesticated animals, (i.e., horses, cows, etc.), shall be prohibited.
5. The introduction of plant material not indigenous to the existing environment of the natural area shall be prohibited.
6. Ponds may be permitted subject to the approval of the municipality in which they are located and, if applicable, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

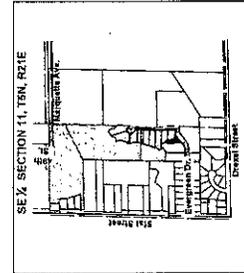
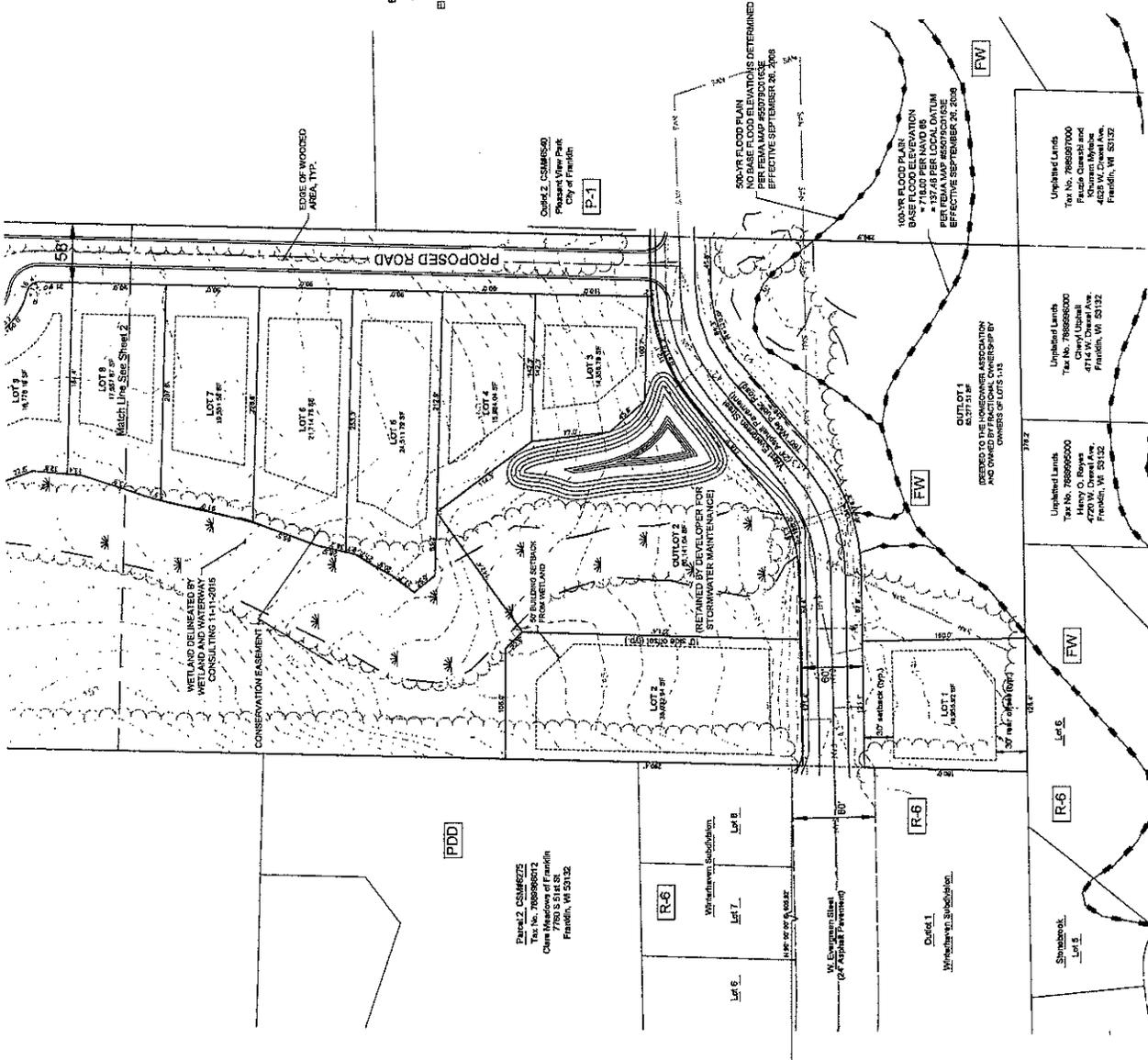
LEGEND

- EXISTING RESERVE FORESTAL
- EXISTING CULVERT
- EXISTING STORM SEWER MAINLINE
- EXISTING CONTOURS
- EXISTING ZONING

The Southeast Corner of the Southwest 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin

MAP PREPARED BY:
Kenneth B. Meinert, PLS
5482 S. Wisconsin Dr.
New Berlin, WI 53151

ENGINEERING CONSULTANTS, LLC
5482 S. Wisconsin Dr.
New Berlin, WI 53151



LOCATION DRAWING



Bearings refer to Grid North of the Wisconsin State Plane Coordinate System Grid, South Zone per N.A.D. 27. The West line of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East has a reference bearing of N 01°32'24" W. Elevations based on North American Vertical Datum of 1988 (NAVD-88)



I have reviewed the above-described plat and the accompanying map to be a true and correct representation of the actual location, location, system, dimensions, and other information of the above-described plat and map. I am a duly licensed Professional Engineer in the State of Wisconsin, and I am not providing any warranty or representation of any kind, either express or implied, for the accuracy or completeness of the information provided on this plat and map. The engineer's seal is provided for the purpose of certifying that the engineer has reviewed the plat and map and that the engineer is not providing any warranty or representation of any kind, either express or implied, for the accuracy or completeness of the information provided on this plat and map.

UNION A. ASSOCIATES
Sheet 1 of 3
Project No. 15-047
Date: July 13, 2016
Revised: October 5, 2016

BLANK PAGE

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/01/2016
REPORTS & RECOMMENDATIONS	RAWSON HOMES DRAINAGE SURVEY	ITEM NUMBER <i>G, 4,</i>

BACKGROUND

Rawson Homes is a neighborhood roughly bounded by W. Rawson Avenue, W. Marquette Avenue, S. 35th Street, and S. 37th Street. The storm drainage in this neighborhood is generally open front yard swales at minimal slopes. These swales are generally difficult to maintain by property owners and it is not uncommon to see overgrown vegetation with standing water in various states of water quality.

Common Council directed staff to survey the neighborhood regarding interest in a drainage solution. After a well-attended neighborhood meeting, Staff sent out a survey on September 26, 2016.

ANALYSIS

Staff was interested to learn how much of a drainage problem exists in the neighborhood and identify:

1. Which owners are concerned enough to pay an assessment for a City solution,
2. How much are owners willing to pay for a drainage solution,
3. Are there properties that are clustered to facilitate a drainage solution, and
4. Are there properties that may be removed from any further discussion on a drainage solution?

An exhibit showing the responses is attached. Overall, there were:

- 117 property owners representing 119 properties
- 56 property owners did not respond to the survey (48% of all owners)
- 41 property owners are not willing to spend any money (35% of all owners and 67% of respondents)
- 20 property owners are willing to spend some money (17% of all owners and 33% of respondents). Of these properties:
 - 5 are willing to spend up to \$1,000;
 - 6 are willing to spend up to \$2,000;
 - 8 are willing to spend up to \$5,000;
 - 1 is willing to spend up to \$10,000; and
 - 0 were willing to spend over \$10,000.

Performing a windshield survey, Staff is puzzled at the responses. Many yards that have noticeable issues with poor drainage either did not respond or voted "NO." Some of the yards that appear to have no noticeable issues with drainage were willing to spend money to address drainage issues. It does not appear that there is a cluster of properties that would benefit from a neighborhood solution without affecting the majority of properties that apparently do not want to participate in a drainage project.

As with any resident who has drainage issues, Staff will follow up with the individual property owners regarding their issues. Staff will follow up with the 20 owners on an individual basis and discuss their situation and possible solutions that they can implement- if any.

Returned surveys included the following 33 comments:

- *I feel in most areas a little fill and some sod would do the trick.*

- *Rawson Homes Summary of events: [total 3-page letter included several examples of how the City Staff did not conduct this process well] ... Digging deep ditches would be difficult for elderly.... Older people being saddled with a 12 year loan who are 65-80 is deplorable!... If choosing "To Pay Nothing" is truly an option, are we excluded from any project approved? Or are we going to receive a letter from Franklin telling us what their decision is and how much we are going to be paying?*
- *I was understanding you were getting a grant and there would be no cost to the homeowner.*
- *I don't mind the standing water in my front yard. What the ground doesn't soak up evaporation takes care of.*
- *We are on a fixed income and need to keep the cost as low as possible I prefer option #2.*
- *I am not willing to spend any money to address drainage issues.*
- *(Do) not use my tax money that's why I pay it. We pay more taxes due to the high school that we said no to all 3.*
- *We've owned this property for more than 4 years. Never any issues with drainage. Save the tax payers money to leave things alone.*
- *I don't have a water issue. I don't want anything to do with this insanity.*
- *Minimum shallow sewer system.*
- *I would like to have my ditch lined with blocks at the minimum.*
- *Cannot make a decision until I am given an estimate – My ditch is not an issue but if you make changes that may change.*
- *Shallow storm sewer project.*
- *I am interested in complete storm sewer. I am the 1st one on 37th Pl. I have the deepest ditch and the water just sits there.*
- *We have lived in this house for 26 years. One of the causes of drainage issues is that some homeowners have filled in their ditches on their own. If something needs to be done tax payer dollars should be used.*
- *#2 Shallow storm sewer project is what I'd like.*
- *I have been here 16 years no drainage problems.*
- *I think the City should clean the culverts so the water would flow better.*
- *We are onboard to fix the ditches but it's hard to select when we don't know what action will result in what cost?*
- *I was really surprised and disappointed when I got the survey! In my opinion, it is set up to FAIL! It is a one question ballot of what I want to spend. Nobody in their right mind is going to say spend anything unless they have an idea what it will cover. You would better serve this issue by having dollar estimate ranges for each type of drainage project so people know and have something to think about.*
- *The only good option is #1 and as I said before that won't come to fruition because it will cost too much and certainly not everyone will agree to participate. So I guess that leaves this project on the horns of a dilemma! Please look up the dictionary definition of that wording.*
- *The only option I would want is #2 shallow storm, but only if it comes in under \$4,000.00.*
- *We have lived in our house for 35 years. We have never seen the City do any ditch cleaning at all since we moved in. That is all our property needs for now.*
- *We currently have no drainage issues. I see no reason for this project in this block.*
- *Unbelievable you want to charge 6% interest. I have no problem with the loan but charging interest is wrong. City should and or bank should not make money off of this.*
- *There are no drainage issues at this residence.*
- *I don't have a problem with the current flow/drainage – my big fear is you will create a problem on my street once you are involved!*
- *I prefer a long term and aesthetically pleasing solution.*

- *Option 5 – No change/do nothing.*
- *We do not have a problem. We are not willing to have an additional tax imposed on us for a problem that does not exist for us and which will provide no benefit for the present or the future.*
- *Option #1 is preferred. #2 is the second choice.*
- *This issue has been let go for years – we have lived on Missouri Ave. since 1996, we built on Missouri Ave. in 2007-08 offered to put in a culvert, covered, owners expense and Franklin came out measured and said “No” we can't. We also own 3602 W. Missouri Ave. The committee should drag the issue, let those people that desire to fix their culverts, fix'em – culverts were filled in years ago.*
- *The drainage problem does not affect my property I am at the end of 37TH Pl. and I do not have a ditch in front of my house.*

OPTIONS

Direct Staff to follow up with the 20 property owners who may benefit from drainage guidance; and/or

Direct Staff to return to the main area where the complaints were initiated to seek solutions and/or guidance with property owners and to also send letters to the remaining-willing participants, those non-36th St. stating the city is available for direction and approval for work homeowners may be interested in paying for; and/or

Direct Staff to meet with MMSD specific to the open drainage and standing water concerns for the larger Rawson Homes area and more specifically the 36th St. area, for possible funding, comments and/or suggestions that would improve conditions and address residents ditch drainage concerns; or

Table

FISCAL NOTES

None based on recommendation.

RECOMMENDATIONS

Direct Staff to follow up with the 20 property owners who responded that they would like to have a neighborhood drainage solution.

Engineering: GEM



September 26, 2016

«PARCEL_ID»
«OWNER_NAME1» «OWNER_NAME2»
«OMAIL_STRE»
«OMAIL_CITY», «OMAIL_STAT» «OMAIL_ZIP»

Re: Survey for Storm Drainage Improvements

Dear Property Owner;

The City of Franklin has been asked to consider improving the storm drainage system in the Rawson Homes neighborhood. The options have been explained at various neighborhood meetings, including the most recent, held August 31, 2016.

As explained, the overall project and related costs can vary significantly. They will depend on the number of property owners that wish to participate and are willing to fund the project. To help determine who wishes to participate and derive a more precise budget for available options, please return the questionnaire on the last page of this packet to the City Engineering Department in the enclosed self addressed stamped envelope.

Keep in mind that any project must be funded by the Common Council and subsequently reimbursed by the impacted property owners. A Common Council decision will be made to decide if and how property owners will make this reimbursement. Traditionally, property owners have been given an option of a 12-year repayment plan at interest rates of approximately 6%. These payments were added to annual Property Tax bills. The questionnaire includes approximate annual payments based on this past practice.

Sincerely,

A handwritten signature in black ink that reads "Glen E. Morrow".

Glen E. Morrow, PE
City Engineer / Director of Public Works

Copy: Mayor Steve Olson
Alderman Kristen Wilhelm

TKN: «PARCEL_ID»
SURVEY – RAWSON HOMES STORM DRAINAGE PROJECT

Complete and return this page by Friday, October 21, 2016

Mail or drop off:

City of Franklin Engineering Department
9229 W. Loomis Road
Franklin, WI 53132

Please mark the box that most accurately reflects your position, and return on or before Friday, October 21, 2016. You may return to the engineering office at City Hall in person, via mail in the enclosed envelope, via email (dengineering@franklinwi.gov), or fax to 414-425-3106.

Costs of each project vary by a number of different factors that can't be determined until an option is selected and project timing is established. To help the City in determining the scope and type of project, I agree to consider the amount indicated below for the Rawson Homes Storm Drainage Project to address drainage issues in my front yard. I understand if this project is approved using one of the selected options, I would be responsible for paying for these improvements. If assessed by the City at 6% interest over 12 years, the approximate annual payment is identified. I also understand that is only a survey meant to guide the Common Council toward a neighborhood solution and that I have the right to change my mind based on additional cost information.

- I am NOT willing to spend any money to address drainage issues
- Up to \$1,000 or up to \$120/year* (*using the assessed payment method with interest.)
- Up to \$2,000 or up to \$239/year*
- Up to \$5,000 or up to \$597/year*
- Up to \$10,000 or up to \$1,193/year*
- More than \$10,000 as needed

Comments:

Name: _____

Address: _____

City, State, ZIP Code: _____

Thank you for your input. We will mail the results to you when they are tabulated.

Typical Types Of Drainage Projects Previously Discussed

1. Complete Storm Sewer Project

Install storm sewers sized to handle a 10-year storm for the entire street. Yard inlets would be approximately every third property.

Pros:

- This approach is considered a permanent fix to drainage problems.
- Less expensive than a full curb and gutter project, which is not being proposed at this time.
- Adaptable to adding curb and gutter in the future.
- Water has ability to filter sediments through grass before flowing to inlet.

Cons:

- All properties along each street would need to participate in project.

2. Shallow Storm Sewer Project

Similar to neighborhoods in Greenfield. Matching size pipes would be placed in ditches with area inlets above. No curb and gutters would be provided.

Pros:

- Aesthetically pleasing, improved curb appeal.
- Natural grass look remains
- Not all properties would need to participate.
- Less expensive than the complete storm sewer project (outlined above).
- Pipe sizes would match existing driveway culvert sizes.
- Water has ability to filter sediments through grass before flowing downhill.

Cons:

- This approach *could* result in deeper ditches for houses that do not participate to compensate for pipe cover
- Uphill houses not participating could have additional water storage in their ditches after a storm event.
- Some driveway culverts may need to be adjusted if downhill driveway is higher than uphill driveway.
- Not everyone could participate as this approach would not provide adequate storage in ditches, and potentially cause damage to pavement and/or create icing conditions.

3. Paved Swale/Ditch

Existing ditch swales would be cleaned and a 3-foot wide reinforced concrete bottom would be installed.

Pros:

- Not everyone has to participate.
- No work on non-participating property is needed.
- Concrete provides a better surface to clean than wet turf.
- Detains water storage in ditches during rains.
- Greatly reduce stagnant water for long periods of time.
- Least costly of all options (except do nothing)

Cons:

- Still has water storage in ditch.
- Downstream issues can cause water to back up on paved swale.
- Not as aesthetically desirable as enclosed ditch for curb appeal.
- Water has minimal ability to filter sediments before flowing downhill.

4. Subsurface Trench

Install level perforated tile in a gravel trench beneath the ditch to outlet at the downstream side of the yard. Shallow to no ditch.

Pros:

- Natural grass look in ditch.
- Resemble current ditches with less standing water.
- Ability to filter sediments through grass before flowing downhill.

Cons:

- Franklin Board of Public Works does not like because of ongoing maintenance issues.
- Still has potential water storage in ditch
- Downstream issues can cause water to back up on grass swale.
- Not as aesthetically desirable as enclosed ditch for curb appeal..

5. No Change/Do Nothing

Do not do any project except occasional City funded ditch cleaning per current practice.

Pros:

- No assessments for improvements.
- Work does not disturb the neighborhood.

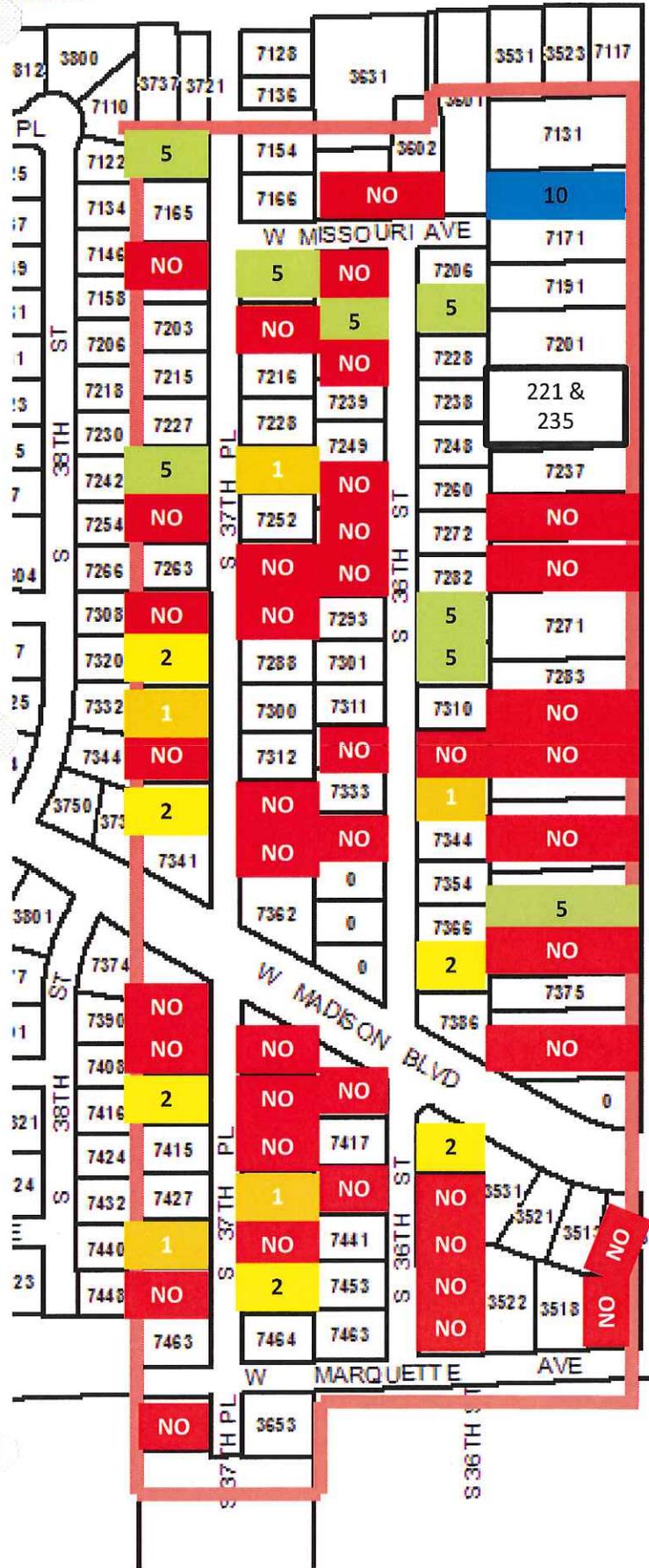
Cons:

- Current standing water situation would continue

BLANK PAGE

3624 3564 3524 3526 3522 3566
3552 3546

RAWSON AVE



7124	3411	3341
7130		
7140		
7154		
7170		
7200		
7220		
7210		
7226		
7236		
7236		
7250		
7280		

Rawson Homes
Survey for Storm Drainage
Improvements
 Distributed September 26, 2016

LEGEND

- = No Response (56)
- NO = \$0.00 NOT willing to spend any money (41)
- 1 = Up to \$1,000 (5)
- 2 = Up to \$2,000 (6)
- 5 = Up to \$5,000 (8)
- 10 = Up to \$10,000 (1)
- 10+ = More than \$10,000 as needed (0)

TOTAL = 117 Surveys Distributed

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/01/16
REPORTS AND RECOMMENDATIONS	<p align="center"> ORDINANCE TO CREATE SECTION 15-3.0444 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED-USE BUSINESS PARK) AND TO REZONE PROPERTY FROM B-7 SOUTH 27TH STREET MIXED-USE OFFICE DISTRICT, RC-1 CONSERVATION RESIDENCE DISTRICT, FW FLOODWAY DISTRICT, FC FLOODPLAIN CONSERVANCY DISTRICT, C-1 CONSERVANCY DISTRICT, AND SOUTH 27TH STREET DESIGN OVERLAY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 39, FW FLOODWAY DISTRICT, AND FC FLOODPLAIN CONSERVANCY DISTRICT (WITHIN THE SOUTH 27TH STREET CORRIDOR AREA LYING SOUTH OF WEST OAKWOOD ROAD) (CITY OF FRANKLIN, APPLICANT) </p>	ITEM NUMBER <i>6.5.</i>

INTRODUCTION

At its October 18, 2016 meeting, the Common Council tabled this item to its next meeting, in order for staff to discuss these proposed changes with the Alderman of the District, Alderman Taylor. See the attached Common Council Action Sheet from the previous meeting.

Staff has subsequently discussed the proposed Flex Space special use with Alderman Taylor and is now proposing the following changes to that definition.

- Commercial Office/Light Industrial Flex Space. Staff is recommending the addition of a new category of Special Use within PDD No. 39, Commercial Office/Light Industrial Flex Space, which would be defined as follows,

“A building within which each tenant must have a combination of office and any one or more of the following uses: commercial, light industrial, warehouse, distribution, and/or storage (such uses consisting of any permitted/accessory/special use office, commercial, light industrial, warehouse, distribution, and storage uses as may otherwise be allowed within the pertinent Gateway Area and Business Park Area portions of PDD No. 39), provided these uses are compatible with the office use of the building. The uses within a Commercial Office/Light Industrial Flex Space building may be interchangeable based on market demand and owner/tenant needs, provided that an office component is retained by each tenant at all times, and shall be subject to Zoning Compliance and/or Minor Site Plan Amendment review and approval by the Department of City Development. The following additional standard shall apply to any Office/Light Industrial Flex Space building located within the Gateway Area, and within all parcels immediately adjacent to Oakwood Road: If at any time should the total amount of space within the entire building devoted to warehouse, distribution, and/or storage uses increase by more than 25 percent over those amounts approved by the Common Council, a Special Use amendment shall be required.”

ADDITIONAL REVISION

As noted in the October 18, 2016 Council Action Sheet, Department of City Development staff and the Economic Development Director, are also recommending the following change to further clarify one of the standards/definitions within Planned Development District No. 39.

- Corporate Headquarters. Staff is recommending the following highlighted changes to the definition of Corporate Headquarters, which is proposed as a permitted use within PDD No. 39,
“a place facility consisting of one or more multi-story buildings in close proximity to one another where a company’s executive offices, direct support staff, and key facilities and operations (consisting of any permitted, accessory, or special uses otherwise allowed within PDD No. 39) are located and which is specifically designed with numerous centralized and shared support facilities, internal functions, and amenities—such as parking, collaborative office spaces and research facilities, conference centers, data centers, high speed communication systems—specifically intended to sustain and support the principal Gateway Area allowed (permitted and special) use(s) be related to, and used in conjunction with, a regional, national, or international headquarters or facility.”

ADDITIONAL COMMENTS

As also noted in the October 18, 2016 Council Action Sheet, it is important to note:

- Residential Uses. The Alderman of the District, Alderman Taylor, has indicated that he and the subject property owner of the 49 acre parcel located at 3617 W. Oakwood Road support single-family residential development for at least a portion of that property. However, as recommended by the Plan Commission and staff, residential uses are currently not allowed within the proposed PDD No. 39.
- Warehouse, Distribution, and Storage Uses. Staff is continuing to review possible further changes to warehouse, distribution and storage uses, such as requiring additional high-quality design standards and/or form based zoning standards, which could potentially be utilized to allow such uses more often and/or to allow such uses as permitted uses. However, such review will be completed sometime after the Council’s October 18th meeting. Therefore, should the Common Council concur with any such future changes, a subsequent PDD amendment would be required at that time.

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2016-_____, an ordinance to create Section 15-3.0444 of the City of Franklin Unified Development Ordinance establishing Planned Development District No. 39 (Mixed-Use Business Park) and to rezone property from B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District, and South 27th Street Design Overlay District, to Planned Development District No. 39, FW Floodway District, and FC Floodplain Conservancy District (within the South 27th Street Corridor Area lying south of West Oakwood Road).

Department of City Development: JD

ORDINANCE NO. 2016-_____

AN ORDINANCE TO CREATE SECTION 15-3.0444 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED USE BUSINESS PARK) AND TO REZONE PROPERTY FROM B-7 SOUTH 27TH STREET MIXED USE OFFICE DISTRICT, RC-1 CONSERVATION RESIDENCE DISTRICT, FW FLOODWAY DISTRICT, FC FLOODPLAIN CONSERVANCY DISTRICT, C-1 CONSERVANCY DISTRICT, AND SOUTH 27TH STREET DESIGN OVERLAY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 39, FW FLOODWAY DISTRICT AND FC FLOODPLAIN CONSERVANCY DISTRICT (WITHIN THE SOUTH 27TH STREET CORRIDOR AREA LYING SOUTH OF WEST OAKWOOD ROAD)

WHEREAS, a petition for zoning change having been filed to change the zoning on 29 properties from B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District and South 27th Street Design Overlay District to a Planned Development District, FW Floodway District and FC Floodplain Conservancy District, such parcels being located within the South 27th Street Corridor Area lying south of West Oakwood Road, and such lands being specifically located as listed in Table 1 in Section 1 below; and

WHEREAS, a Public Hearing was held before the Plan Commission on the 6th day of October, 2016, and the Plan Commission having reviewed the Planned Development District No. 39 petition and having found that the proposed Planned Development District conforms to the standards for adoption of a Planned Development District, and having recommended to the Common Council that the creation of Planned Development District No. 39 (Mixed Use Business Park) be approved; 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 Planned Development District No. 39 is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and contains more than 3 acres; and

WHEREAS, the Common Council having reviewed the petition and recommendation following the Public Hearing and having determined that the adoption of an ordinance to create Planned Development District No. 39 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: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district

designation for the properties described below be changed from B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District and South 27th Street Design Overlay District to Planned Development District No. 39 (Mixed Use Business Park), FW Floodway District and FC Floodplain Conservancy District, Planned Development District No. 39 being as is created under SECTION 2 of this Ordinance:

That part of the Northeast 1/4, Southeast 1/4 and all that part of Northeast 1/4, Southeast 1/4, and the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of Northeast 1/4 of Section 36 also the place of beginning of the land to be described; thence S 00° 11' 55" E, along the East line of said 1/4 Section, 2658.94 feet to the East 1/4 corner section monument; thence S 00° 25' 34" E, along the East section line of the Southeast 1/4 of said Section, 2655.53 to the Southeast corner section monument; thence S 88° 57' 44" W along the South section line of Southeast 1/4 of said Section, 2619.46 to the South 1/4 corner section monument; thence S 88° 35' 08" W along the South section line of the Southwest 1/4 of said Section, 42.90 feet to the section corner monument; thence S 88° 35' 08" W along the South line of the Southwest 1/4 of said Section, 2588.10 feet to the Southwest corner section monument; thence N 00° 21' 45" W along the West section line of the Southwest 1/4 of said Section, 2644.21 feet to the West 1/4 corner section monument; thence N 88° 36' 18" E, along the North section line of the Southwest 1/4 of said Section, 1808.39 feet to West line of the East fifty (50) acres of the Northwest 1/4 of said Section; thence N 00° 20' 45" W, along the West line of the East fifty (50) acres of the Northwest 1/4 of said Section, 2651.28 feet to the North section line of the Northwest 1/4 of said Section; thence N 88° 27' 28" E along the North section line of the Northwest 1/4 of said Section, 821.90 feet to the North 1/4 corner section monument; thence N 88° 34' 33" E, along the North section line of the Northeast 1/4 of said Section, 2624.35 feet to the point of beginning.

Containing in all 504 acres of land, more or less.

Taxkey Number	Address	Property Owner	Current Zoning	Proposed Zoning	Acreage
950 9997 001	3617 W OAKWOOD RD	WENDT LORRAINE C SURVIVOR'S TRUST 10%	South 27 th Street Design Overlay District, B-7, C-1	PDD 39	48.90
951 9994 001	0 W OAKWOOD RD	JAMS-4 LLC	South 27 th Street Design Overlay District, B-7, C-1	PDD 39	73.30

951 9996 005	0 S 27TH ST	JAMS-4 LLC	South 27 th Street Design Overlay District, B-7	PDD 39	10.62
951 9996 008	10601 S 27TH ST	CON-WAY CENTRAL EXPRESS	South 27 th Street Design Overlay District, B-7	PDD 39	28.86
951 9995 000	10467 S 27TH ST	SPENCER, MARILYN REVOCABLE TRUST OF 2007	South 27 th Street Design Overlay District, B-7	PDD 39	0.71
951 9997 001	10511 S 27TH ST	JAMS-4 LLC	South 27 th Street Design Overlay District, B-7	PDD 39	0.83
951 9998 000	10521 S 27TH ST	JAMS-4 LLC	South 27 th Street Design Overlay District, B-7	PDD 39	0.71
951 9996 007	10563 S 27TH ST	ACKER, DELORES M	South 27 th Street Design Overlay District, B-7	PDD 39	1.40
951 9996 017	0	WISCONSIN ELECTRIC POWER CO,	South 27 th Street Design Overlay District, B-7	PDD 39	3.41
951 9996 016	3400 W ELM RD	WISCONSIN ELECTRIC POWER CO,	South 27 th Street Design Overlay District, B-7	PDD 39	2.15
951 9996 015	3310 W ELM RD	BTL HOLDINGS, LLC	South 27 th Street Design Overlay District, B-7	PDD 39	4.27
951 9996 013	3240 W ELM RD	WEST PROPERTIES INC	South 27 th Street Design Overlay District, B-7	PDD 39	4.26
951 9996 009	10613 S 27TH ST	AMERICAN FREIGHTWAYS CORP	South 27 th Street Design Overlay District, B-7	PDD 39	13.48
951 9996 002	10627 S 27TH ST	BEST DISPOSAL SYSTEMS	South 27 th Street Design Overlay District, B-7	PDD 39	4.72
951 9999 001	10627 S 27TH ST	WASTE MANAGMENT OF WIS INC	South 27 th Street Design Overlay District, B-7	PDD 39	1.29
979 9997 000	3617 W ELM RD	BILLER HAROLD B	South 27 th Street Design Overlay District, RC-1, C-1	PDD 39	79.79
978 9996 007	3151 W ELM RD	BORCHARDT, KAREN E	South 27 th Street Design Overlay District, B-7	PDD 39	15.66
978 9996 008	3131 W ELM RD	SRM FRANKLIN, LLC	South 27 th Street Design Overlay District, B-7	PDD 39	11.38
978 9996 006	3001 W ELM RD	WASTE MGMT OF WIS INC	South 27 th Street Design Overlay District, B-7	PDD 39	2.76
978 9996 001	2901 W ELM RD	KUHN, DONALD & GAIL	South 27 th Street Design Overlay District, B-7	PDD 39	2.76
978 9993 001	10741 S 27TH ST	H A & H HOLDINGS LLC	South 27 th Street Design Overlay District, B-7, C-1	PDD 39	5.92
978 9991 001	2731 W ELM RD	H A & H HOLDINGS LLC	South 27 th Street Design Overlay District, B-7	PDD 39	1.05

978 9994 000	10771 S 27TH ST	H A & H HOLDINGS LLC	South 27 th Street Design Overlay District, B-7	PDD 39	0.55
978 9995 000	10791 S 27TH ST	10791 SOUTH 27TH STREET LLC	South 27 th Street Design Overlay District, B-7	PDD 39	0.69
979 9998 000	0 W SOUTH COUNTY LINE RD	GERASOPOULOS, PETER & JUDITH	South 27 th Street Design Overlay District, RC-1	PDD 39	43.63
979 9999 000	3548 W SOUTH COUNTY LINE RD	MLG INVESTMENTS 2002 LLC A WIS LMTD LIAB	South 27 th Street Design Overlay District, RC-1	PDD 39	34.86
978 9997 000	10885 S 27TH ST	FOX GLEN CORPORATE CENTRE LLC	South 27 th Street Design Overlay District, B-7, C-1, FC	PDD 39, FC	57.94
978 9998 000	11027 S 27TH ST	FOX GLEN CORPORATE CENTRE LLC	South 27 th Street Design Overlay District, B-7, C-1, FC, FW	PDD 39, FC, FW	25.64
978 9999 001	0 W SOUTH COUNTY LINE RD	FOX GLEN CORPORATE CENTRE LLC	South 27 th Street Design Overlay District, B-7, C-1, FC, FW	PDD 39, FC, FW	22.43

SECTION 2: §15-3.0444 of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby created to read as follows:

**Section 15-3.0444 PLANNED DEVELOPMENT DISTRICT NO. 39
(Mixed-use Business Park)**

A. **Mixed-use Business Park 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 and Division 15-8.0600 Stormwater Management.

The plans contained in the following listed Exhibits are only of sufficient detail as to satisfy the Plan Commission and the Common Council as to the general character, scope, and appearance of the District, pursuant to the general approval requirements of §15-9.0208E.7.b.(1) of the Unified Development Ordinance. Such preliminary plans conceptually designate the pattern of the proposed streets, and the size and arrangement of individual building sites. All development within the District is subject to and conditioned upon the submittal and approval of more specific and detailed plans as each stage of development progresses, pursuant to §15-9.0208E.7.b.(2) and all other applicable

terms and provisions of the Unified Development Ordinance, all other applicable rules, laws, codes and regulations, and the terms and provisions of this Ordinance.

1. **Exhibit A:** PDD No. 39 Site Figure.
2. **Exhibit B:** Wetlands Map (northern portion).
3. **Exhibit C:** Wetlands Map (southern portion).
4. **Exhibit D:** Conceptual Development Plan.

B. Mixed-use Business Park District Intent. It is the intent of the Planned Development District No. 39 to facilitate the development of a high-quality office, light industrial, and commercial mixed use area and:

1. All development within Planned Development District No. 39 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 15-3.1100 Hazard Abatement Performance Standards, Division 15-4.0100 Natural Resources, Division 15-5.0100 Design Standards for Land Divisions, Division 15-5.0200 Traffic, Off-Street Parking and Loading, and Highway Access, Division 15-5.0300 Required Landscaping, Division 15-5.0400 Lighting Standards, and Division 15-7.0100 Site Plan, except as otherwise specifically set forth within this Ordinance.
2. Accommodate the clustering of buildings on parcels of land under individual or multiple ownership.
3. Provide for an arrangement of business, administrative, research and development, technology, office, medical, commercial, and light industrial uses that are compatible in function, form and operation.
4. Apply high-quality architectural and site design considerations whenever new principal and/or accessory structures are constructed.
5. Provide a safe, interconnected, and pedestrian-friendly network of public streets, private roads, sidewalks and trails throughout the District, and through this network, with the surrounding community.
6. Provide sufficient off-street parking for all uses and properties which allows and encourages shared parking arrangements through the use of easements and other similar agreements.
7. Be served by public sanitary sewer and water supply facilities.

8. Encourage redevelopment of the existing businesses along West Elm Road through the implementation of greater flexibility toward allowed uses and design standards determinations.
9. A Permitted Use lawfully existing and established with an existing principal building within the area of this Mixed-use Business Park District prior to and upon the effective date of this Ordinance, October __, 2016, shall remain as such Permitted Use and a conforming use; provided, however, that any future addition, expansion and/or enlargement to the use and/or amendment to any site plan for the use, may 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 Mixed-use Business Park District Intent and District Standards in this Section.
10. A Special Use lawfully existing and established within the area of this Mixed-use Business Park District prior to and upon the effective date of this Ordinance, October __, 2016, shall remain as such Special Use and a conforming use; provided, however, that any future amendment to the Special Use Permission, may be granted only upon the consideration of all applicable standards for the review and approval of Special Uses, and the Mixed-use Business Park District Intent and District Standards in this Section.

Section 15-3.0444A Gateway Area

- A. **Gateway Area Intent.** It is the intent of Planned Development District No. 39 to establish a Gateway Area along South 27th Street as part of the Mixed-use Business Park. The Gateway area excludes most light industrial uses but allows research and development and technology uses, and encourages administrative, office, medical, and commercial uses which would service and enhance the overall Mixed-use Business Park as well as the surrounding community. This area would:
1. Encompass all lots and parcels within approximately 1,000 feet of South 27th Street as may exist at the time of subsequent land division and/or development/redevelopment approvals.
 2. Require that future land divisions be limited, such that no new lots are created that are smaller than 40,000 square feet in size.
 3. Require two-story buildings, and encourage taller buildings.
 4. Encourage multi-tenant mixed use buildings and sites.
 5. Require special use approval for all new buildings greater than 40,000 square feet in area and/or taller than three stories, whether single-tenant or multi-tenant spaces.

6. Require cross-access for both pedestrian and vehicular circulation 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.

B. Gateway Area Permitted, Accessory, Special and Prohibited Uses.

1. **Gateway Area Permitted Uses.** The following are permitted uses in the Gateway Area portion of Planned Development District No. 39:
 - a. Office/light industrial corporate headquarters, herein defined as a place facility consisting of one or more multi-story buildings in close proximity to one another where a company's executive offices, direct support staff, and key facilities and operations (consisting of any permitted, accessory, or special uses otherwise allowed within PDD No. 39) are located and which is specifically designed with numerous centralized and shared support facilities, internal functions, and amenities--such as parking, collaborative office spaces and research facilities, conference centers, data centers, high speed communication systems--specifically intended to sustain and support the principal Gateway Area allowed (permitted and special) use(s) be related to, and used in conjunction with, a regional, national, or international headquarters or facility.
 - b. Administrative, professional, business and general offices.
 - c. Medical, dental and animal offices and clinics including physical, occupational, and massage therapy.
 - d. Commercial, convenience uses such as insurance and financial institutions (not including payday loan, title loan, check cashing, etc. agencies), eating and drinking establishments, travel agencies, automobile rental and leasing agencies, dry cleaners (not including on-site dry cleaning), etc.
 - e. Commercial, retail uses such as clothing stores, grocery stores, furniture stores, garden centers, greenhouses, nurseries, sporting goods stores, retail sales of goods (not including dollar stores, variety stores, pawn shops, resale shops, cash into gold stores, adult oriented businesses, etc.), etc.
 - f. Business service uses, such as employment agencies, photocopy centers, photography studios, mailing services, publishing services, etc.
 - g. Hotels.
 - h. Passive park and recreation facilities such as trails, picnic areas, playfields, etc.

- i. Temporary Uses/Extraordinary Entertainment & Special Events as permitted by the Unified Development Ordinance and Municipal Code.
- j. Those uses found to be similar to the above permitted uses under the terms of §15-2.0210 of the Unified Development Ordinance.

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

2. **Gateway Area Accessory Uses.** The following are accessory uses in the Gateway Area portion of Planned Development District No. 39.

- a. The following uses, when incidental and subordinate in area, extent, and purpose to a permitted use:
 - i. Fitness and child care facilities.
 - ii. Retail stores and showrooms.
 - iii. Indoor recreation and entertainment (not including adult oriented businesses).
 - iv. Vehicle service and/or wash stations.
 - v. Indoor warehouse, distribution, and storage.
 - vi. Truck docks and loading/unloading areas.
 - vii. Accessory structures such as storage tanks, storage buildings, electric vehicle charging stations, etc.
- b. Those general accessory uses allowed within Section 15-3.0803 of the Unified Development Ordinance except for agricultural equipment storage, open storage, and stables.
- c. Those uses found to be similar to the above accessory uses under the terms of Section 15-2.0210 of the Unified Development Ordinance.

Review and Approval required. Accessory uses are subject to zoning compliance permit review and approval under the terms of Section 15-9.0102 of the Unified Development Ordinance.

3. **Gateway Area Special Uses.** The following are special uses in the Gateway Area portion of Planned Development District No. 39:

- a. Office/Light Industrial Flex Space, herein defined as a building within which each tenant must have a combination of office and any one or more of the following uses: commercial, light industrial, warehouse, distribution, and/or storage (such uses consisting of any permitted/accessory/special use office, commercial, light industrial, warehouse, distribution, and storage uses as may otherwise be allowed within the pertinent Gateway Area portion of PDD No. 39), provided these uses are compatible with the office use of the building. The uses within an Office/Light Industrial Flex Space building may be interchangeable based on market demand and owner/tenant needs, provided that an office component is retained by each tenant at all times, and

shall be subject to Zoning Compliance and/or Minor Site Plan Amendment review and approval by the Department of City Development. The following additional standard shall apply to any Office/Light Industrial Flex Space building located within the Gateway Area, and within all parcels immediately adjacent to Oakwood Road: If at any time should the total amount of space within the entire building devoted to warehouse, distribution, and/or storage uses increase by more than 25 percent over those amounts approved by the Common Council, a Special Use amendment shall be required.

a.b. Nonhazardous and nonpolluting technology facilities and operations including but not limited to:

- i. Research and development facilities.
- ii. Analytical, scientific, testing and medical laboratories and facilities.

b.c. Custom manufacturing such as small craft distilleries/wineries/breweries (with required associated eating and/or drinking service), artisan studios such as custom jewelry and woodworking shops, bakery, etc. (with associated retail sales), etc.

e.d. Hospitals, surgical and medical (not including nursing homes, assisted living facilities, community living arrangements, etc.)

d.e. Animal grooming and daycare (not including boarding facilities, kennels, or overnight stays).

e.f. Libraries, museums, parks.

f.g. Drive through facilities.

g.h. Business, professional, technical, and trade schools.

h.i. Active park and recreation facilities such as playgrounds, ballfields, ball courts, etc

i.j. Small scale public and private services and utilities such as communication antennas and towers, satellite dishes, solar energy systems, wind energy systems.

j.k. Those uses found to be similar to the above special uses under the terms of §15-2.0210 of the Unified Development 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 the Unified Development Ordinance.

4. **Gateway Area Prohibited Uses.** The following uses shall be prohibited in the Gateway Area portion of Planned Development District No. 39, including when proposed as accessory to a Permitted or a Special Use:

a. Commercial, heavy uses such as wholesale and retail sale of home and building supplies and/or construction equipment, wholesale clubs, warehouse outlets, etc.

- b. Mini-warehousing.
- c. Hazardous and potentially hazardous and/or polluting industrial, manufacturing, technology operations and facilities.
- d. Truck terminals and freight transfer facilities.
- e. Junk and salvage facilities.
- f. Animal processing operations and facilities.
- g. Recycling and incineration operations and facilities.
- h. Outdoor manufacturing, testing, processing, or similar activities.
- i. Outdoor storage.
- j. Residential uses.
- k. Hazardous materials processing, handling, treatment and storage operations and facilities.
- l. All other uses not listed as a permitted use, special use or accessory use within this Ordinance.

C. **Gateway Area Development Standards.** The Gateway Area portion of Planned Development District No. 39 is further intended to have the following development standards:

**Table 15-3.0444A
GATEWAY AREA DEVELOPMENT STANDARDS**

Type of Standard	Standard
Landscape Surface Ratio and Floor Area	
Minimum Landscape Surface Ratio (LSR)	0.25
Lot Dimensional Requirements	
Minimum Lot Area (s.f.)	40,000
Minimum Lot Width at Setback Line (feet)	150
Minimum Front Yard (feet)	40
Minimum Side Yard (feet)	15
Minimum Side Yard on Corner Lot (feet)	30
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 within the Gateway Area zoned PDD No. 39 when abutting another property zoned PDD No. 39. The Plan Commission shall consider the applicable standards for Site Plans, Special Uses, Land Combinations, and Land Division applications in making such determinations.	
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.	

D. **Gateway Area Design Standards.** The Gateway Area portion of Planned Development District No. 39 is further intended to have the Design Standards as set forth in the separate document entitled "Planned Development District No. 39: Design Standards". The purpose of said "Planned Development District No. 39: Design Standards" shall be to create a high-quality office, light industrial, and commercial mixed-use development. Planned Development District No. 39: Design Standards is hereby adopted by reference, and as may hereinafter be amended from time to time, and shall be given the same force and effect as if set forth herein in full. A copy of the Planned Development District No. 39: Design Standards is on file in the Department of City Development.

Section 15-3.0444B Business Park Area

A. **Business Park Area Intent.** It is the intent of the Planned Development District No. 39 to establish a Business Park extending from Oakwood Road southward to South County Line Road and from South 27th Street westward to the Root River Parkway (excluding the Gateway area along South 27th Street) which generally excludes commercial uses, allows certain nonhazardous and nonpolluting light manufacturing and light industrial uses, and encourages research and development, technology, administrative, office, and medical uses.

B. Business Park Area Permitted, Accessory, Special and Prohibited Uses.

1. **Business Park Area Permitted Uses.** The following are permitted uses in the Business Park Area of Planned Development District No. 39:
 - a. Office/light industrial corporate headquarters, herein defined as a place facility consisting of one or more multi-story buildings in close proximity to one another where a company's executive offices, direct support staff, and key facilities and operations (consisting of any permitted, accessory, or special uses otherwise allowed within PDD No. 39) are located and which is specifically designed with numerous centralized and shared support facilities, internal functions, and amenities--such as parking, collaborative office spaces and research facilities, conference centers, data centers, high speed

communication systems--specifically intended to sustain and support the principal Business Park Area allowed (permitted and special) use(s) be related to, and used in conjunction with, a regional, national, or international headquarters or facility.

- b. Administrative, professional, business, and general offices.
- c. Nonhazardous and nonpolluting industrial, manufacturing, and technology facilities and operations including but not limited to:
 - i. Research and development facilities.
 - ii. Testing laboratories and facilities.
 - iii. Light manufacturing, assembly, testing, and repair of component devices, equipment, and systems.
 - iv. Pharmaceutical and medical laboratories and facilities.
 - v. Printing, blueprinting, photocopying, film processing.
 - vi. Food and beverage processing.
- d. Passive park and recreation facilities such as trails, picnic areas, playfields, etc.
- e. Public and private utility facilities such as fire and police stations, sewage and water facilities, communication facilities, park and trail facilities.
- f. Small scale public services and utilities such as communication antennas and towers, satellite dishes, solar energy systems, wind energy systems.
- g. Temporary Uses/Extraordinary Entertainment & Special Events as permitted by the Unified Development Ordinance and Municipal Code.
- h. Those uses found to be similar to the above permitted uses under the terms of §15-2.0210 of the Unified Development Ordinance.

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

- 2. **Business Park Area Accessory Uses.** The following uses, when incidental and subordinate in area, extent, and purpose to a permitted use, shall be accessory uses in the Business Park Area of Planned Development District No. 39.
 - a. Indoor warehouse, distribution, and storage.
 - b. Truck docks and loading/unloading areas.
 - c. Vehicle service and/or wash stations.
 - d. Fitness and child care facilities.
 - e. Retail stores and showrooms.
 - f. Accessory structures such as storage tanks, storage buildings, electric vehicle charging stations.

- g. Those uses found to be similar to the above accessory uses under the terms of Section 15-2.0210 of the Unified Development Ordinance.

Review and Approval required. Accessory uses are subject to zoning compliance permit review and approval under the terms of Section 15-9.0102 of the Unified Development Ordinance.

3. **Business Park Area Special Uses.** The following are special uses in the Business Park Area of Planned Development District No. 39:

- a. Office/Light Industrial Flex Space, herein defined as a building within which each tenant must have a combination of office and any one or more of the following uses: commercial, light industrial, warehouse, distribution, and/or storage (such uses consisting of any permitted/accessory/special use office, commercial, light industrial, warehouse, distribution, and storage uses as may otherwise be allowed within the pertinent Business Park Area portion of PDD No. 39), provided these uses are compatible with the office use of the building. The uses within a Office/Light Industrial Flex Space building may be interchangeable based on market demand and owner/tenant needs, provided that an office component is retained by each tenant at all times, and shall be subject to Zoning Compliance and/or Minor Site Plan Amendment review and approval by the Department of City Development. The following additional standard shall apply to any Office/Light Industrial Flex Space building located within the Gateway Area, and within all parcels immediately adjacent to Oakwood Road: If at any time should the total amount of space within the entire building devoted to warehouse, distribution, and/or storage uses increase by more than 25 percent over those amounts approved by the Common Council, a Special Use amendment shall be required.
- a.b. Medical, dental and animal offices and clinics including physical, occupational, and massage therapy.
- b.c. Custom manufacturing such as small craft breweries/wineries/distilleries, creation of prototypes, testing equipment, ceramic studios, custom jewelry and wood working shops, light assembly of prefabricated components, etc.
- e.d. Other light manufacturing and light industrial uses with low levels of noise, odors, vibrations, particulate emissions, etc.
- d.e. Warehouse, distribution and storage.
- e.f. Drive through facilities.
- f.g. Business, professional, technical, and trade schools.
- g.h. Active park and recreation facilities such as playgrounds, ballfields, ball courts, etc.
- h.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 the Unified Development Ordinance.

4. **Business Park Area Prohibited Uses.** The following uses shall be prohibited in the Business Park Area of Planned Development District No. 39 (including when proposed as accessory to a Permitted or a Special Use unless otherwise stated in this Ordinance):
- a. Mini-warehousing.
 - b. Gasoline service station, car wash.
 - c. Hazardous and/or potentially hazardous or polluting industrial, manufacturing, technology operations and facilities.
 - d. Truck terminals and freight transfer facilities.
 - e. Junk and salvage facilities.
 - f. Animal processing operations and facilities.
 - g. Recycling and incineration operations and facilities.
 - h. Automobile sales, service, and repair.
 - i. Outdoor manufacturing, testing, processing, or similar activities.
 - j. Outdoor storage.
 - k. Residential uses.
 - l. Hazardous materials processing, handling, treatment and storage operations and facilities.
 - m. All other uses not listed as a permitted use, special use or accessory use within this Ordinance.

C. **Business Park Area Development Standards.** The Business Park Area of Planned Development District No. 39 is further intended to have the following development standards:

**Table 15-3.0444B
BUSINESS PARK AREA DEVELOPMENT STANDARDS**

Type of Standard	Standard
------------------	----------

Landscape Surface Ratio and Floor Area	
Minimum Landscape Surface Ratio (LSR)	0.25
Lot Dimensional Requirements	
Minimum Lot Area (s.f.)	43,560
Minimum Lot Width at Setback Line (feet)	150
Minimum Front Yard (feet)	30
Minimum Side Yard (feet)	10
Minimum Side Yard on Corner Lot (feet)	25
Minimum Rear Yard (feet)	25
Parking and Driveway Setbacks	
Abutting any public right-of-way (feet)	15
Not abutting a public right-of-way (feet) Note: one side yard may be at least 10 feet if both site yards are at least 30 feet	10
Maximum Building Height	
Office Principal Structure (stories/ft.)	4.0/60
Other Principal Structure (stories/ft.)	Not appl./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.	

D. Business Park Area Design Standards. The Business Park Area portion of Planned Development District No. 39 is further intended to have the Design Standards as set forth in the separate document entitled "Planned Development District No. 39: Design Standards". The purpose of said "Planned Development District No. 39: Design Standards" shall be to create a high-quality office, light industrial, and commercial mixed-use development. Planned Development District No. 39: Design Standards is hereby adopted by reference as currently enacted, and as hereinafter amended from time to time, and shall be given the same force and effect as if set forth herein in full. A copy of the Planned Development District No. 39: Design Standards is on file in the Department of City Development.

SECTION 3: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

SECTION 5: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2016, by Alderman _____.

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Design Standards

Purpose. The Mixed Use Business Park Design Standards are intended to create a high quality, attractive, office/light industrial/commercial mixed use development, and are adopted by reference in Ordinance No. 2016-____ Planned Development District No. 39 (Mixed Use Business Park). These Design Standards are intended to:

- apply whenever new principal and/or accessory buildings are constructed in the District;
- apply whenever building additions in the District result in an increase in floor area of 50 percent or more;
- allow existing structures to otherwise remain conforming with regard to this Ordinance;
- incorporate the design standards as set forth within the Unified Development Ordinance Part 5 as mandatory standards;
- incorporate certain additional design standards as herein set forth; and
- allow the Plan Commission to waive any of the additional design standards as herein set forth provided that supplemental design elements or improvements (as set forth below in the Supplemental Design Guidelines) are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard.

SECTION 15-3.0444A.D. Gateway Area Design Standards. The Gateway Area Design Standards are intended to create a high quality, attractive, primarily office and commercial mixed use development adjacent to South 27th Street. Mixed use buildings with commercial and office uses layered vertically, horizontally, or among multiple buildings are encouraged. Efficient land use is also encouraged by facilitating developments that minimize the amount of land needed for surface parking through creative design, lessened setbacks, and shared parking among complimentary uses.

1. PARKING STANDARDS

Off-street parking, loading, and unloading shall be provided as set forth in Division 15-5.0200 of the Unified Development Ordinance. The following additional standards also 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, and/or additional enhanced landscaping or decorative fencing is used to screen such parking. Such additional buildings and/or landscaping or fencing must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot.

2. GENERAL SITE DESIGN STANDARDS

The following additional site furnishings and bicycle and pedestrian amenities standards apply:

- a. Site furnishings required and coordination regulated
Lighting and site furnishings (benches, trash receptacles, bicycle racks, etc.) shall complement the character of the building, and provide an attractive and strong relationship with adjoining properties and the public sidewalk.
- b. Bicycle and pedestrian amenities required
 - i. New streets proposed as part of new developments shall provide “bicycle and pedestrian 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. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities.

3. LANDSCAPE STANDARDS

Landscaping shall be provided as set forth in Division 15-5.0300 of the Unified Development Ordinance. The following additional standards also apply:

- a. Landscaping required and location regulated
 - i. Each development which contains a building over forty-thousand (40,000) square feet in area shall provide extensive building foundation landscaping for all building frontages facing public streets or parking lots to provide visual breaks in the mass of the building.
- b. Central Areas/Features required
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.

4. ARCHITECTURAL STANDARDS

The following additional building character and design standards apply:

- a. Building Character and Design regulated
 - i. All principal buildings shall be multi-story and exhibit quality architectural design. Corner buildings shall also serve as landmarks with distinctive architectural character, including such features as towers, rounded walls, recessed entries, or other unique features.
 - 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 and stone are preferred primary materials for the solid (non-window) portion of new buildings or additions.
 - iv. Precast concrete, cast stone, concrete masonry units, terra cotta, stucco, and wood siding are acceptable accent and secondary materials for the solid portion of new buildings or additions.
 - v. Other materials may be allowed subject to Plan Commission approval.
 - vi. Color choice shall complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings.
 - vii. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.
 - viii. Roof mounted equipment shall be so located and/or screened to minimize visibility from adjacent streets and sites.
 - ix. 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.
 - x. For each building more than 40,000 square feet in area, building massing that creates modulation and articulation is required.
 - xi. Commercial buildings shall have at least 60% of their ground floor front elevation with transparent windows.

5. SIGNAGE STANDARDS

All signs must be in accordance with the Municipal Code, as amended, approved by the Plan Commission, and be 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 Department of City Development.

6. LIGHTING STANDARDS

All exterior lighting shall be provided as set forth in Division 15-5.0400 of the Unified Development Ordinance.

7. SUPPLEMENTAL DESIGN GUIDELINES

It is intended that the applicable design guidelines set forth in the South 27th Street Corridor Plan, and the applicable design standards in the South 27th Street Design Overlay District, be utilized—as a supplemental guide-- to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Gateway Area portion of Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is encouraged that the design standards set forth in Section 15-3.0355B. and Section 15-3.0355C. of the South 27th Street Design Overlay District be considered.

SECTION 15-3.0444B.D. Business Park Area Design Standards. The Business Park Area Design Standards are intended to create a high quality, attractive, primarily office and light industrial business park development (excluding the Gateway Area adjacent to South 27th Street).

1. PARKING STANDARDS

Off-street parking, loading and unloading shall be provided as set forth in Division 15-5.0200 of the Unified Development Ordinance. The following additional standards also apply:

- a. Parking required and location regulated
 - i. No parking will be permitted on any street, driveway, or any place in the District other than in approved parking spaces.
 - ii. Overnight parking of campers, mobile homes, boats, trailers, and similar vehicles is prohibited.
 - iii. Overnight parking of trucks and service vehicles over 8,000 pounds manufactured Gross Vehicle Weight shall be allowed only with a Special Use. Overnight parking of trucks and service vehicles under 8,000 pounds Gross Vehicle Weight shall be behind landscape screening so as to minimize visibility from adjacent roadways.

- iv. Parking in front of buildings shall be designed primarily for visitors and high turnover usage, with employee parking to be located to the side-yard or rear-yard.
- v. Loading and unloading areas shall be located to the side-yard or rear-yard and screened so as to minimize their view from adjacent streets and sites.
- vi. All parking, loading, and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms, and/or decorative fences.

2. GENERAL SITE DESIGN STANDARDS

The following additional open space, site maintenance, and bicycle and pedestrian amenities standards apply:

- a. Open Spaces required and location regulated
 - i. Not less than one-half of the required building setback area from any dedicated street shall be devoted solely to lawns, trees, shrubs, and other landscaping.
 - ii. Significant woodlands, wetlands, and other protected natural resource features, as defined by the Unified Development Ordinance, exist within the District. All such resources shall be protected as set forth in Division 15-4.0100 of the Unified Development Ordinance.
- b. General Site Maintenance required
 - i. The owner of any site shall have the duty and responsibility for keeping the buildings, paving, landscaping, lighting, and other improvements on the site in a well-maintained, safe, clean, and attractive condition at all times.
 - ii. Each owner shall be responsible for removal of any weeds, rubbish, or trash of any character which may accumulate on the site.
 - iii. Damaged or cracked areas of parking lots, sidewalks, and other hard surfaces shall be promptly repaired or replaced.
- c. Bicycle and pedestrian amenities required
 - i. New streets proposed as part of new developments shall provide "bicycle and pedestrian 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.
 - iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities.

3. LANDSCAPE STANDARDS

Landscaping shall be provided as set forth in Division 15-5.0300 of the Unified Development Ordinance. The following additional standards also apply:

- a. Landscaping required and location regulated
 - i. Each development which contains a building over forty-thousand (40,000) square feet in area shall provide extensive building foundation landscaping for all building frontages facing public streets or parking lots to provide visual breaks in the mass of the building.
 - ii. A minimum landscape buffer of 10 feet is required between paved areas and all sides of the building except at entrances and loading areas.

4. ARCHITECTURAL STANDARDS

The following additional building character and design standards apply:

- a. Building Character and Design regulated
 - i. All buildings shall incorporate the design principles of composition, detail, proportion, rhythm, scale and unity within the architectural design of all exterior facades, to achieve design integrity and coherence.
 - 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, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions.
 - iv. Precast concrete, cast stone, plain/smooth concrete masonry units, and EIFS are acceptable accent and secondary materials for the solid portion of new buildings or additions.
 - v. Aluminum framed doors, windows and skylights are preferred.
 - vi. Metal copings, fascia, soffits, exposed structural elements, and architectural canopies are only permitted as an accent material.
 - vii. Other materials may be allowed subject to Plan Commission approval.
 - viii. Color choice shall complement the style and materials of the building's facade and provide a pleasing relationship with adjoining buildings.
 - ix. Trash, service, and mechanical areas shall be entirely screened from view and located on the side or rear of properties.
 - x. Roof mounted equipment shall be so located and/or screened to minimize visibility from adjacent streets and sites.

- xi. Outside loading docks shall be located to the side-yard or rear-yard and screened from view from adjacent streets and sites by extended building walls, berms, decorative fencing, and/or landscaping.
- xii. All utility connections, including all electrical and telephone connections and other installation of wires to buildings, shall be made underground from the nearest available source. No transformer, electric, gas, or other meter of any type or other apparatus shall be located on any power pole nor hung on the outside of any building. All transformers and meters shall be placed on or below the surface of the property and where placed on the surface shall be screened and/or landscaped so as to minimize visibility from adjacent streets and sites. No electric utility boxes or transformers shall be located between a building and an abutting street.
- xiii. All visible sides of the building shall be designed with details that complement the front facade.

5. SIGNAGE STANDARDS

All signs must be in accordance with the Municipal Code, as amended, approved by the Plan Commission, and be 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 Department of City Development. The following additional standards also apply:

- a. Wall signs are prohibited.

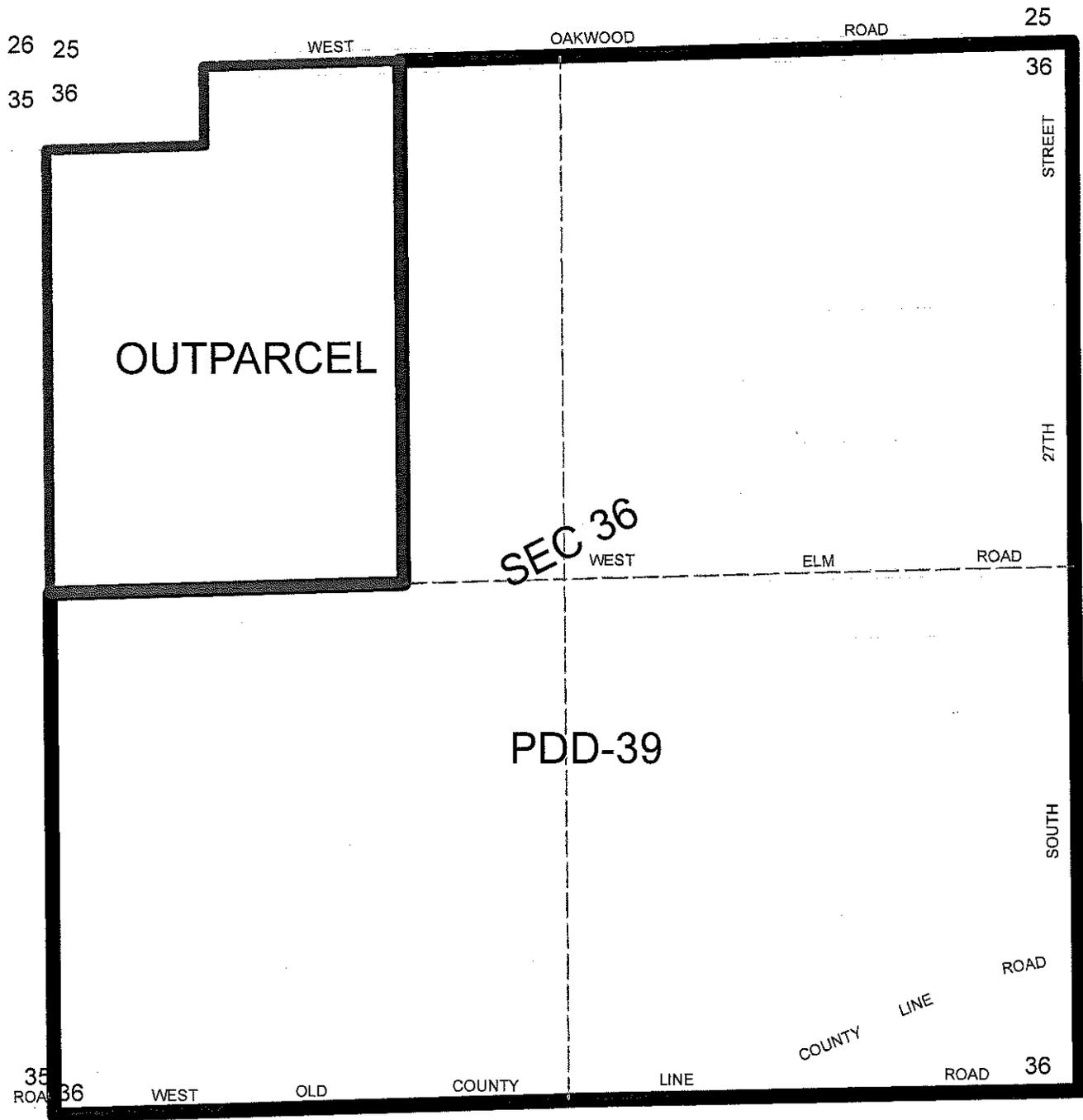
6. LIGHTING STANDARDS

All exterior lighting shall be provided as set forth in Division 15-5.0400 of the Unified Development Ordinance.

7. SUPPLEMENTAL DESIGN GUIDELINES

It is intended that the applicable design guidelines set forth in the South 27th Street Corridor Plan, and the applicable design standards in the South 27th Street Design Overlay District, be utilized—as a supplemental guide—to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Business Park Area portion of Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is encouraged that the design standards set forth in Section 15-3.0355B. and Section 15-3.0355C. of the South 27th Street Design Overlay District be considered.

SECTION 36, TOWNSHIP 5 NORTH, RANGE 21 EAST,
 IN THE CITY OF FRANKLIN,
 MILWAUKEE COUNTY, WISCONSIN



Legend

-  OUTPARCEL
-  PDD-39

Exhibit A: PDD No. 39 Site Figure



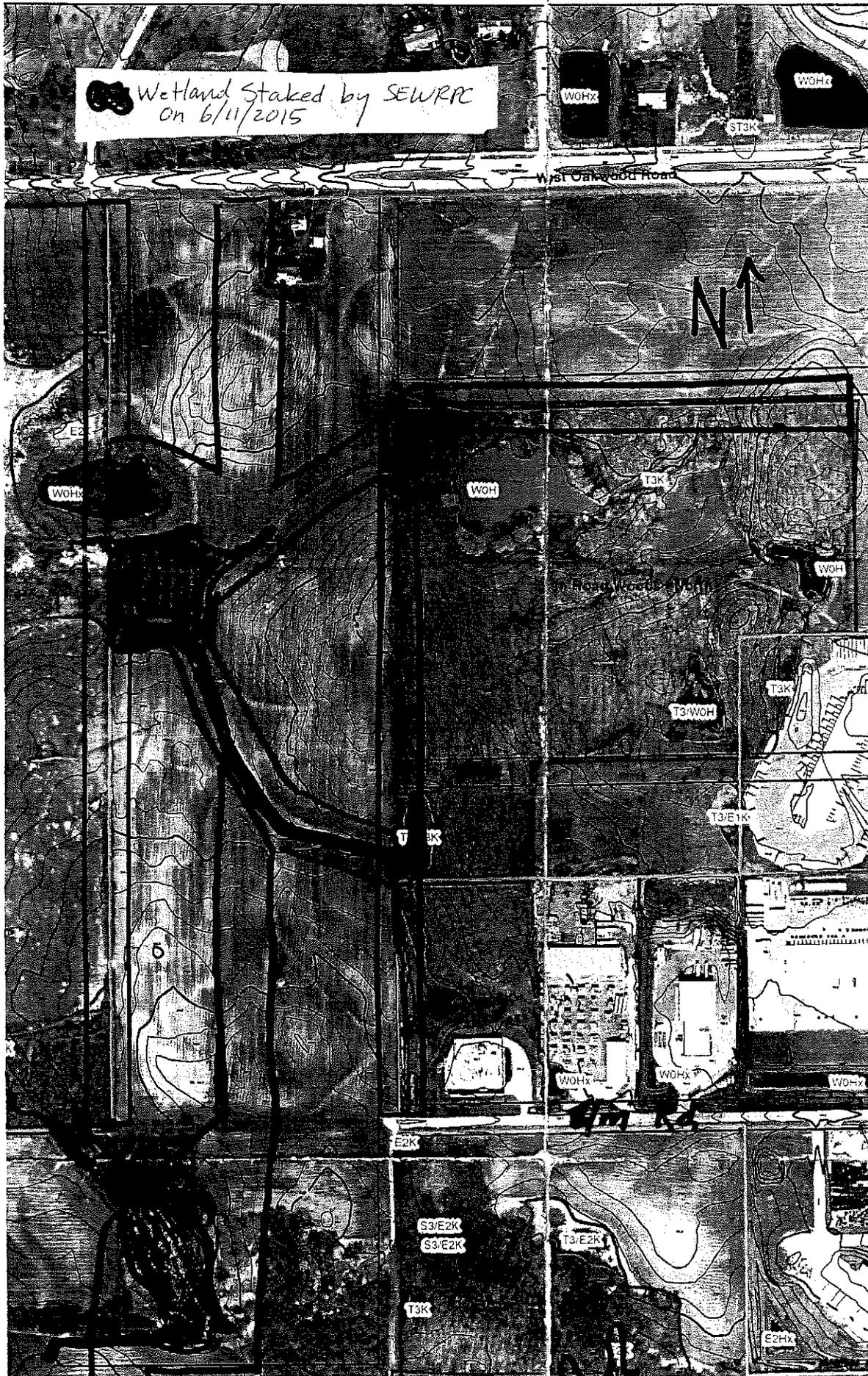


Exhibit B: Wetlands Map (northern portion)



E02005
 Area D Proposed TIF District
 (SW corner of Oakwood Road and South 27th Street)
 Section 36, T5N-R21E
 City of Franklin, Milwaukee County

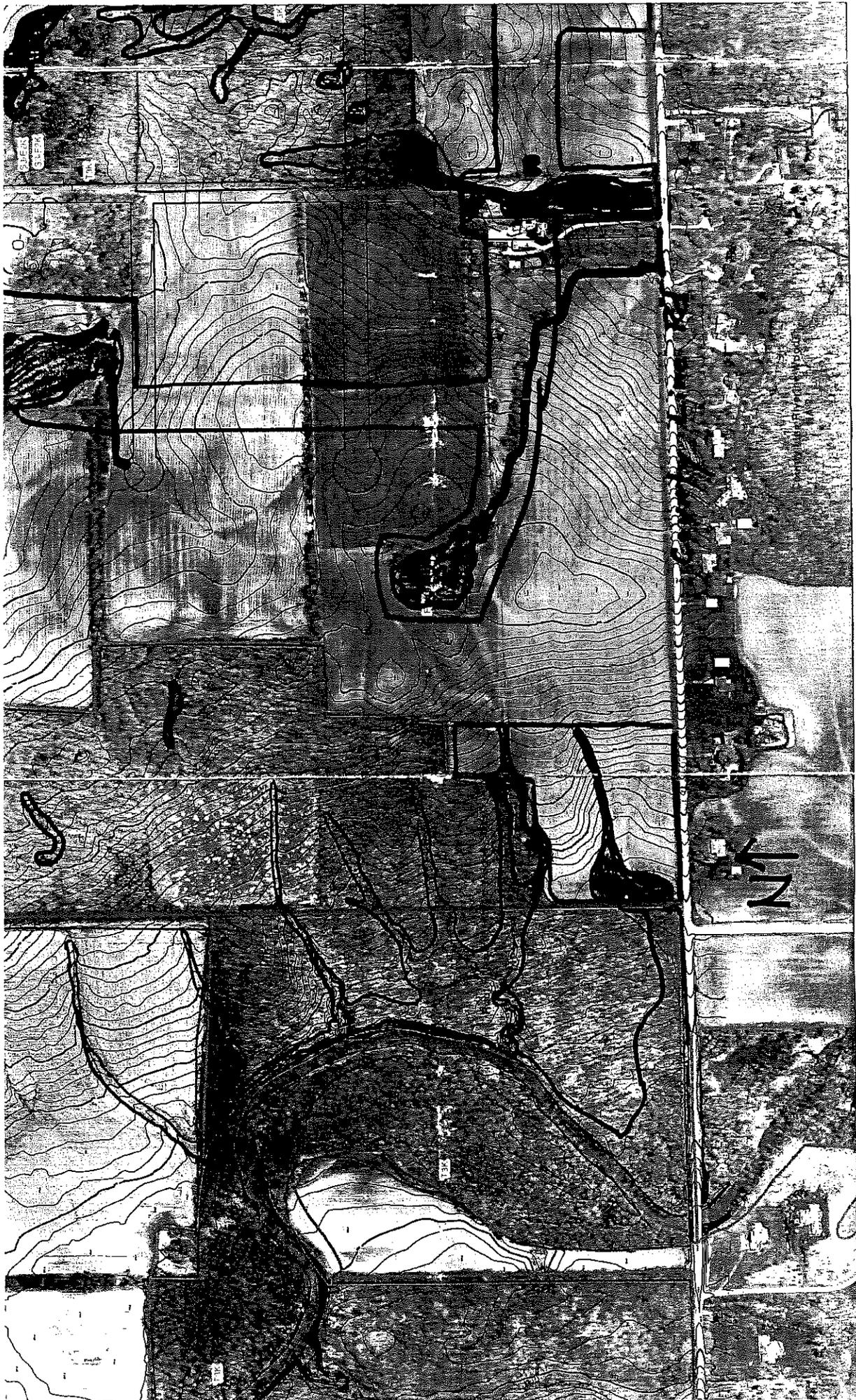
Legend

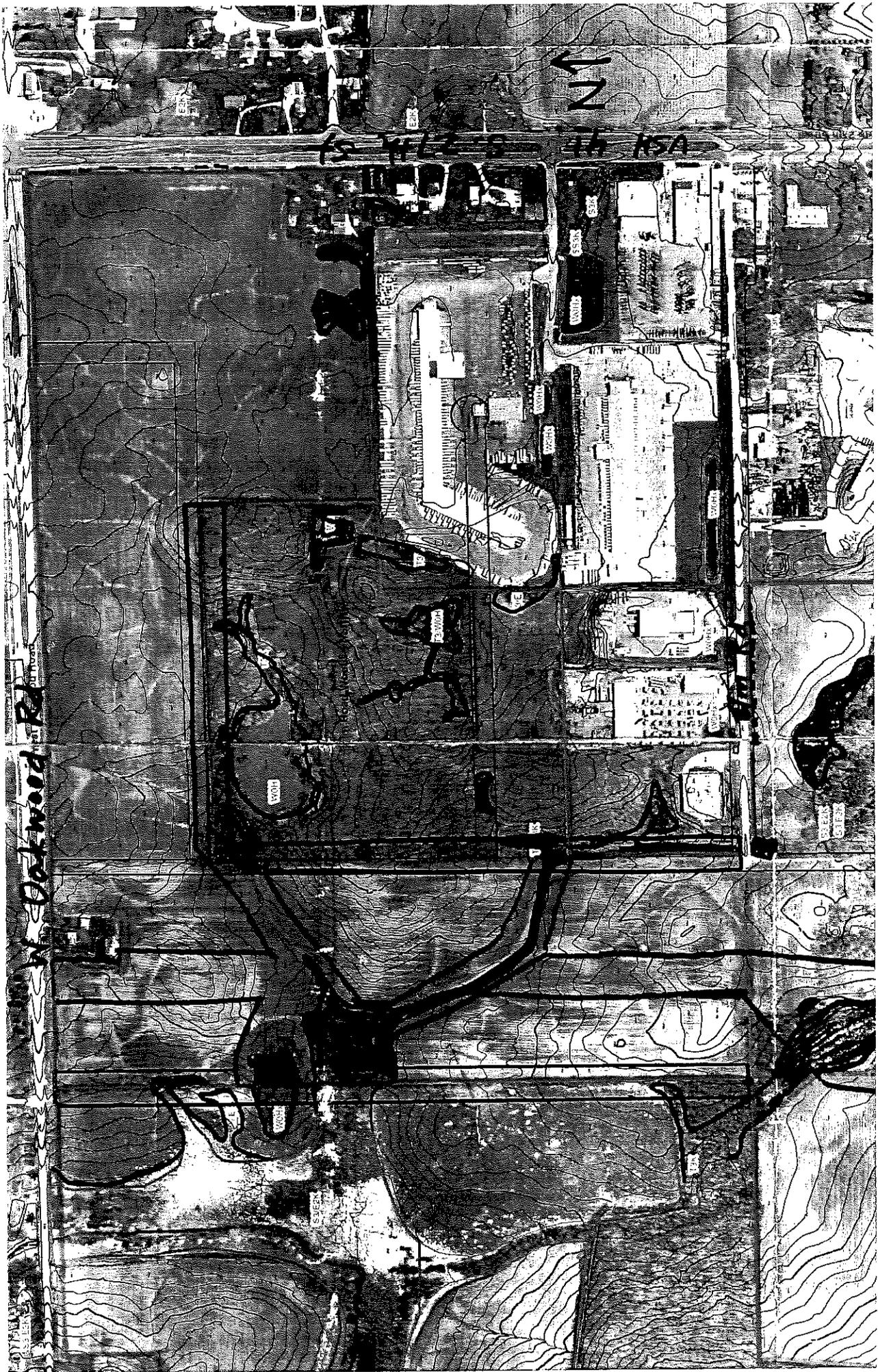
- Project Area
- Proposed Right of Way
- Primary Environmental Corridor
- Isolated Natural Resource Area
- Natural Area
- Critical Species Habitat Sites
- Wetland WWI
- Wetland Boundary

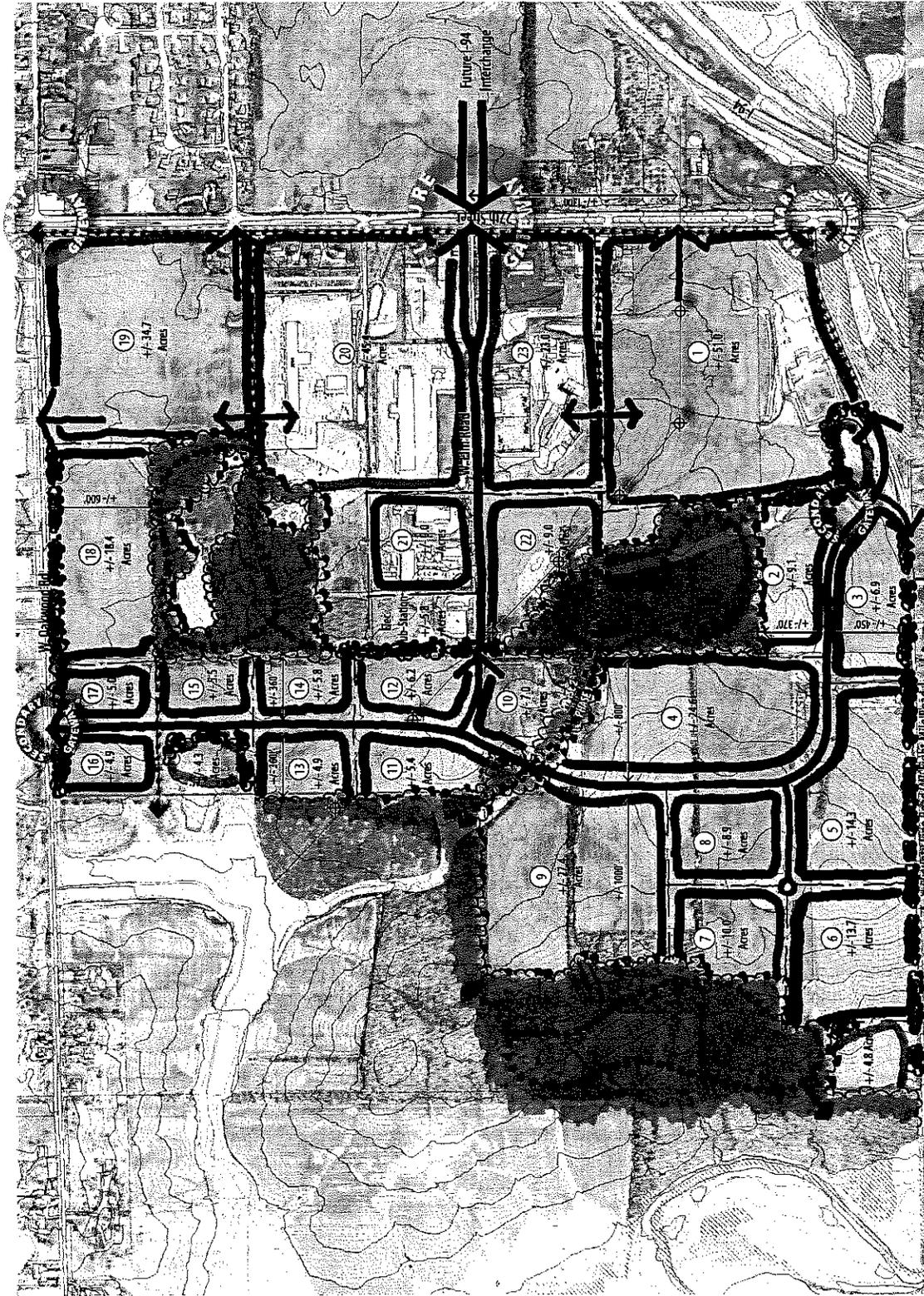
Source: BEWRPC
 Date of Photography: 2010
 CA#405-377

Wetland Boundary STIPULATED by SEWRPC in 2015
Wet Ditch GIS-located by SEWRPC Wetland Mapped by SEWRPC

Exhibit C: Wetlands Map (southern portion)







Development Data:

- 354.6 acres Developable area
 - 12.9 acres Stormwater/Mitigation area
 - 98.5 acres Environmental area
-
- 466.0 acres TOTAL* (excludes ROW area)

LEGEND

- Phase Line
- Roadway
- Stormwater/Mitigation Area
- Business Development
- Environmental Area
- Trails
- Electrical Tower
- Gateways

**Exhibit D:
Conceptual Development
Plan**

NORTH
 0' 150' 300' 600'
 REVISIONS: 4.2015
 APPROVED FOR: [Signature]
 DATE: 04/20/15

PREPARED BY
City of Franklin
 PLANNING DEPARTMENT
Ruekert · Mielke

Concept Plan - Future Build Out
Franklin Corporate Park
 Franklin, Wisconsin



<p style="text-align: center;">APPROVAL</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 10/18/16</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE TO CREATE SECTION 15-3.0444 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED-USE BUSINESS PARK) AND TO REZONE PROPERTY FROM B-7 SOUTH 27TH STREET MIXED-USE OFFICE DISTRICT, RC-1 CONSERVATION RESIDENCE DISTRICT, FW FLOODWAY DISTRICT, FC FLOODPLAIN CONSERVANCY DISTRICT, C-1 CONSERVANCY DISTRICT, AND SOUTH 27TH STREET DESIGN OVERLAY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 39, FW FLOODWAY DISTRICT, AND FC FLOODPLAIN CONSERVANCY DISTRICT (WITHIN THE SOUTH 27TH STREET CORRIDOR AREA LYING SOUTH OF WEST OAKWOOD ROAD) (CITY OF FRANKLIN, APPLICANT)</p>	<p>ITEM NUMBER</p>

INTRODUCTION

At their meeting on October 6, 2016, the Plan Commission recommended approval of an ordinance to create Section 15-3.0444 of the City of Franklin Unified Development Ordinance establishing Planned Development District No. 39 (Mixed-Use Business Park) and to rezone property from B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District, and South 27th Street Design Overlay District, to Planned Development District No. 39, FW Floodway District, and FC Floodplain Conservancy District (within the South 27th Street Corridor Area lying south of West Oakwood Road).

ADDITIONAL REVISIONS

Upon further review and discussion by Department of City Development staff and the Economic Development Director, staff is recommending the following two changes to further clarify some of the standards/definitions within Planned Development District No. 39.

- Commercial/Light Industrial Flex Space. Staff is recommending the addition of a new category of Special Use within PDD No. 39, Commercial/Light Industrial Flex Space, which would be defined as follows,

“A building within which each tenant must have a combination of office and any one or more of the following uses: commercial, light industrial, warehouse, distribution, and/or storage (such uses consisting of any permitted/accessory/special use office, commercial, light industrial, warehouse, distribution, and storage uses as may otherwise be allowed within PDD No. 39), provided these uses are compatible with the office use of the building. The uses within a Commercial/Light Industrial Flex Space building may be interchangeable based on market demand and owner/tenant needs, provided that an office component is retained by each tenant at all times, and shall be subject to Zoning Compliance and/or Minor Site Plan Amendment review and approval by the Department of City Development.”

- Corporate Headquarters. Staff is recommending the following highlighted changes to the definition of Corporate Headquarters, which is proposed as a permitted use within PDD No. 39,
“a place facility consisting of one or more multi-story buildings in close proximity to one another where a company’s executive offices, direct support staff, and key facilities and operations (consisting of any permitted, accessory, or special uses otherwise allowed within PDD No. 39) are located and which is specifically designed with numerous centralized and shared support facilities, internal functions, and amenities—such as parking, collaborative office spaces and research facilities, conference centers, data centers, high speed communication systems—specifically intended to sustain and support the principal Gateway Area allowed (permitted and special-) use(s) be related to, and used in conjunction with, a regional, national, or international headquarters or facility.”

ADDITIONAL COMMENTS

It is also important to note:

- Residential Uses. The Alderman of the District, Alderman Taylor, has indicated that he and the subject property owner of the 49 acre parcel located at 3617 W. Oakwood Road support single-family residential development for at least a portion of that property. However, as recommended by the Plan Commission and staff, residential uses are currently not allowed within the proposed PDD No. 39.
- Warehouse, Distribution, and Storage Uses. Staff is continuing to review possible further changes to warehouse, distribution and storage uses, such as requiring additional high-quality design standards and/or form based zoning standards, which could potentially be utilized to allow such uses more often and/or to allow such uses as permitted uses. However, such review will be completed sometime after the Council’s October 18th meeting. Therefore, should the Common Council concur with any such future changes, a subsequent PDD amendment would be required at that time.

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2016-_____, an ordinance to create Section 15-3.0444 of the City of Franklin Unified Development Ordinance establishing Planned Development District No. 39 (Mixed-Use Business Park) and to rezone property from B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, FW Floodway District, FC Floodplain Conservancy District, C-1 Conservancy District, and South 27th Street Design Overlay District, to Planned Development District No. 39, FW Floodway District, and FC Floodplain Conservancy District (within the South 27th Street Corridor Area lying south of West Oakwood Road).



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of October 6, 2016

**Planned Development District No. 39, Rezoning, and
 Comprehensive Master Plan Amendment**

RECOMMENDATION: Department of City Development staff recommends approval of the creation of Planned Development District No. 39 (Mixed Use Business Park), and of the associated rezoning and Comprehensive Master Plan Amendment, subject to the conditions of approval in attached draft ordinance.

Project Name:	PDD No. 39 (Mixed Use Business Park), rezoning, and Comprehensive Master Plan Amendment
Project Address:	South 27 th Street Corridor located south of Oakwood Road
Applicant:	City of Franklin
Property Owners:	See separate agenda notice
Current Zoning:	B-7 South 27 th Street Mixed Use Office District, RC-1 Conservation Residence District, South 27 th Street Design Overlay District, C-1 Conservancy District, FW Floodway District, and FC Floodplain Conservancy District
2025 Comprehensive Plan:	Mixed Use and Areas of Natural Resource Features
Use of Surrounding Properties:	Root River Parkway to the west; Covenant Healthcare (formerly Wheaton Fransiscan) Hospital and single-family residential development to the north; single-family residential development and vacant developable agricultural lands (City of Oak Creek) to the east; and single-family residential development and areas of natural resources (Town of Raymond) to the south.
Applicant's Action Requested:	Recommendation to the Common Council for approval of the proposed Planned Development District and associated rezoning and Comprehensive Master Plan Amendment

INTRODUCTION:

At the August 16, 2016 Common Council meeting, Department of City Development staff requested, and obtained permission, to:

"...prepare an ordinance to amend the Unified Development Ordinance (zoning map) to rezone certain lands south of Oakwood Road to a Mixed Use/Business Park Planned Development District and to prepare a resolution to amend the South 27th Street Corridor Plan to change the future land use designation of certain lands south of Oakwood Road to Mixed Use Business Park, to schedule a public hearing before the Plan Commission upon the proposed zoning map amendment, to schedule a public hearing before the Common Council upon the proposed South 27th Street Corridor Plan/Comprehensive

Master Plan amendment, to assist the Plan Commission in its deliberations thereon, and to subsequently forward this matter to the Common Council for its consideration and possible action.”

More specifically, the Department of City Development has requested to:

- Undertake a rezoning of the lands within the South 27th Street Corridor Area lying south of Oakwood Road (currently zoned B-7 South 27th Street Mixed-Use Office District, RC-1 Conservation Residence District, South 27th Street Design Overlay District, and C-1 Conservancy District) to a proposed Mixed Use/Business Park Planned Development District.
- Concurrently prepare an amendment of the South 27th Street Corridor Plan/Comprehensive Master Plan, to change the Future Land Use designation of the lands within the 27th Street Corridor lying south of Oakwood Road (currently planned Mixed Use Office) to Mixed Use Business Park, and to remove the design guidelines as they may pertain to this area.

The Department of City Development has not requested any changes to, or use of, the existing Tax Incremental District (TID) No. 4 as part of the proposed rezoning and 27th Street Corridor Plan/Comprehensive Master Plan amendment. Staff envisions that any interest in changes to or use of the TID would be the subject of separate discussions and actions of the Common Council.

It can also be noted that as part of the draft Planned Development District Ordinance:

- the Plan Commission would retain responsibility for review and approval of all Site Plans, and Design Standard waivers, within proposed PDD No. 39;
- the Milwaukee County owned property at the northwest corner of the subject South 27th Street Corridor Area and currently part of the Root River Parkway, would not be included within the proposed PDD No. 39; and
- that residential uses would not be allowed within the proposed PDD No. 39 (however, the Alderman of the subject District, Alderman Taylor, has indicated that he and the subject property owner of the 49 acre parcel located at 3617 W. Oakwood Road support single-family residential development for at least a portion of that property).

BACKGROUND:

With the exception of the South 27th Street Corridor Plan and the City's 2025 Comprehensive Master Plan, the City has long envisioned the lands south of Oakwood Road and west of 27th Street for industrial and/or business park uses.

- From 1959 through 2005, the majority of these lands were zoned for industrial uses.
- The City's 1965 and 1992 Comprehensive Plans envisioned the majority of this area for future industrial uses.
- The City's Franklin First (Tichnor & Associates) Plan in 2000, and the Franklin First (R.A. Smith) Plan in 2001, both envisioned the majority of this area for future business park uses.
- Throughout 2014 and 2015, the City conducted further study of the subject area (commonly referred to as Area D) for business park uses as part of a larger study of three

separate potential Tax Incremental Tax Finance District creation/amendment areas (commonly referred to as Areas A, D, and G).

It can also be noted that the South 27th Street Corridor lands lying south of Oakwood Road:

- are located within TID No. 4, which was created as a “Mixed Use District” suitable for a combination of office, commercial, and residential uses;
- can be served by public sanitary sewers and water mains that were installed along Oakwood Road utilizing TID funding; and
- have been rezoned to mixed use office and residential conservation districts.

However, even though the subject area is located within TID No. 4 (and has been for more than 10 years), is immediately adjacent to existing public sewer and water infrastructure, and is zoned for mixed use office, this area has had no significant development and few if any inquiries for office type development.

In addition, local brokers/developers have indicated that in their professional opinions, the subject area is best suited for, and sufficient market demand exists for, light industrial development.

Furthermore, since 2014, a property owner within this area (the 73 acre Jams-4 LLC property [commonly referred to as the Mahr property] at the southwest corner of 27th Street and Oakwood Road) has been working with a developer (Interstate Partners) in an effort to obtain City support for the construction of two light industrial “spec” buildings on the western portion of the property.

PROJECT ANALYSIS:

Staff can note that a number of characteristics makes this area well suited for development in general, and for mixed use/business park uses in particular, including:

- Proximity to I-94, with some limited visibility from I-94, which would particularly benefit those types of uses (such as businesses with a presence in both the Milwaukee and Chicago areas) which prefer some freeway visibility.
- Planned construction in 2017/2018 of a full interchange at I-94 and Elm Road, about ½ mile east of S. 27th Street, which would benefit those types of uses (such as businesses which need a fairly steady supply of materials and/or have a fairly steady delivery of finished goods or products) which need convenient freeway access but not necessarily freeway frontage.
- Location adjacent to STH 241 (S. 27th Street), a major four lane divided arterial highway, which contributes to a convenient transportation system that most development, not just businesses, finds valuable.
- Public sanitary sewers and water mains present on Oakwood Road sized to serve the entire subject area, which contributes to quality infrastructure that most development, not just businesses, finds valuable.
- The presence of a number of large (40 – 80 acres in size) vacant developable parcels, which tends to facilitate development of larger coordinated projects such as business parks.

- Existing, primarily industrial type uses, on Elm Road, which would tend to be compatible with, and would likely not adversely impact, adjacent business park type uses.
- The presence of attractive and prominent natural resources such as the Root River Parkway, which would particularly benefit those types of uses (such as businesses with a significant office component) which prefer attractive settings.
- The possibility of an eventual regional medical center associated with the Wheaton Franciscan Hospital and its adjacent medical office building --which is envisioned to be the first of four such buildings – which would benefit those types of uses (such as medically related/support businesses) which are often found in conjunction with and in close proximity to such regional centers.

Staff would also note that many (and possibly most) “Cost of Community Services Studies” undertaken in local communities in Wisconsin and around the country have indicated that: residential uses usually have the highest cost of services; agricultural uses usually have the lowest cost of services; and that commercial/industrial uses usually have the highest generation of revenues. In regard to the City of Franklin, it can be noted that the “Assessed Value Per Acre and Property Tax Considerations” memo prepared by the Director of Administration in August 2014 indicated that business and commercial uses generated the most assessed value per acre of all property types within the City.

PROJECT DESCRIPTION:

Please note:

- Significant differences between the standards associated with the proposed new Planned Development District No. 39 and the existing Franklin Business Park (PDD No. 18) are underlined, in italics for ease of comparisons.

As indicated in the attached draft Ordinance and the attached maps, the proposed Planned Development District No. 39 (Mixed Use Business Park) is located south of Oakwood Road and west of S. 27th Street, includes all but one parcel of the area currently identified as the South 27th Street Corridor, and encompasses 29 separate parcels which in total encompass approximately 504 acres of land.

Similar to the existing Franklin Business Park (PDD No. 18), the proposed PDD No. 39 consists of a mixture of primarily office, light industrial, and commercial uses, comprised of two areas (a Gateway Area with more commercial uses) adjacent to S. 27th Street, and (a Business Park Area with more light industrial uses) for the remainder of the subject area. Also similar to the existing Franklin Business Park, the proposed PDD No. 39 includes design standards and guidelines to ensure quality development within this area.

However, a number of differences exist between the proposed new Business Park and the existing Franklin Business Park. A summary of the more important components of the proposed Business Park, and comparisons to the existing Business Park, are provided below.

PDD No. 39, Gateway Area:

The Department of City Development recommends that the proposed Gateway Area generally be based upon a combination of PDD No. 18's Employment Services Area and the current B-7 South 27th Street standards (with the more significant differences from the PDD No. 18 Employment Services Area noted below) and would consist of:

- A district intent and general standards that encourage high quality development and site design.
- Detailed standards that utilize the land division standards as set forth within the Unified Development Ordinance;
 - the proposed Gateway Area also utilizes the zoning, special use, and site plan standards of the UDO, whereas the Employment Services Area utilizes many zoning, special use, and site plan standards that are unique to PDD No. 18, particularly those pertaining to parking, landscaping, fencing, accessory structures, signage, etc.
 - the proposed Gateway Area requires two-story buildings and encourages mixed use buildings and sites.
 - the proposed Gateway Area would require special use approval of all buildings over three-stories in height and/or over 40,000 square feet in size.
 - the proposed Gateway Area would require cross-access between adjacent parcels at the time of development/redevelopment.
 - the proposed Gateway Area allows lawfully existing Permitted Uses and Special Uses to remain permitted and special uses (such as those associated with the existing uses along Elm Road).
- Certain permitted uses, including compatible office, medical clinic, commercial retail, and business services uses;
 - the proposed Gateway Area includes a new category of permitted use termed "Office/Light Industrial Corporate Headquarters, which can include a combination of compatible permitted, special, and accessory uses.
 - the proposed Gateway Area includes additional permitted uses such as hotels, certain additional commercial uses, and passive park and recreation facilities.
- Certain prohibited uses, such as those with a potential for adverse impact upon such permitted uses and/or which do not have a high assessed value per acre (such as miniwarehousing, gas stations, truck terminals, heavy industrial/manufacturing uses, junk yards, etc.);
 - the proposed Gateway Area includes additional prohibited uses such as large commercial uses (i.e. big box retail stores, etc.) and outdoor manufacturing and outdoor storage.
- The proposed Gateway Area includes special uses (which PDD No. 18 does not);
 - the proposed Gateway Area includes such special uses as truck docks, limited outdoor storage, limited warehousing, large accessory structures, light industrial uses, etc. (which PDD No. 18 allows as permitted uses).
 - the proposed Gateway Area includes a new category of special use termed "Custom Manufacturing" which can include such uses as breweries, wineries, distilleries, bakeries, etc. with a retail and/or eating/drinking component.

- the proposed Gateway Area includes additional special uses such as hospitals, libraries/museums, active park and recreation facilities, business/technical/trade schools, etc.
- Design standards incorporating high quality architecture on new building facades; attractive landscaping along public streets; screening of large parking lots/accessory structures; pedestrian and recreation accommodations primarily consisting of sidewalks and trails; etc.
 - the proposed Gateway Area provides that any design standards in addition to those currently set forth within the Unified Development Ordinance (parking, landscaping, lighting, etc.) may be waived by the Plan Commission (whereas PDD No. 18 allows the CDA to waive any/all design standards).

PDD No. 39, Business Park Area:

The Department of City Development recommends that the proposed Business Park Area generally be based upon the standards contained within PDD No. 18 Franklin Business Park (with the more significant differences noted below) and would consist of:

- A district intent and general standards that encourage high quality development and site design.
- Detailed standards that utilize the land division standards as set forth within the Unified Development Ordinance;
 - the proposed Business Park Area also utilizes the zoning, special use, and site plan standards of the UDO, whereas the Franklin Business Park utilizes many zoning, special use, and site plan standards that are unique to PDD No. 18, particularly those pertaining to parking, landscaping, fencing, accessory structures, signage, etc.
 - the proposed Business Park Area also allows lawfully existing Permitted Uses and Special Uses to remain permitted and special uses (such as those associated with the existing uses along Elm Road).
 - the proposed Business Park Area has slightly smaller front yard, side yard, and parking setbacks.
- Certain permitted uses, including common business park compatible light industrial, light manufacturing, research and development, technology, administrative, medical, and office type uses;
 - the proposed Business Park Area moves warehouse, distribution, storage, and truck dock uses from permitted to special uses (and in some instances to accessory uses). **Economic Development input:** This is an important distinction that diminishes the types of uses permitted from those in the City's current business park. Generally, business parks allow warehouse, distribution and storage as permitted uses, particularly in proximity to major transportation corridors. Requiring special use approval in the proposed business park, would set a standard out of line with other area business parks and could adversely impact absorption of parcels.
 - the proposed Business Park Area includes a new category of permitted use termed "Office/Light Industrial Corporate Headquarters, which can include a combination of compatible permitted, special, and accessory uses.

- the proposed Business Park Area includes additional permitted uses such as passive park and recreation facilities.
- Certain prohibited uses, such as those with a potential for adverse impact upon such permitted uses and/or which do not have a high assessed value per acre (such as miniwarehousing, gas stations, truck terminals, heavy industrial/manufacturing uses, junk yards, etc.);
 - the proposed Business Park Area includes additional prohibited uses such as outdoor manufacturing and outdoor storage.
- The proposed Business Park Area includes special uses (which PDD No. 18 does not);
 - the proposed Business Park Area includes such special uses as truck docks, limited outdoor storage, limited warehousing, large accessory structures, light industrial uses, etc. (which PDD No. 18 allows as permitted uses, see Economic Development input above);
 - the proposed Business Park Area includes a new category of special use termed “Custom Manufacturing” which can include such uses as breweries, wineries, distilleries, creation of prototypes, etc.
 - the proposed Business Park Area includes additional special uses such as active park and recreation facilities, business/technical/trade schools, etc.
- Design standards incorporating high quality architecture on new building facades; attractive landscaping along public streets; screening of large parking lots/accessory structures; pedestrian and recreation accommodations primarily consisting of sidewalks and trails; etc.
 - the proposed Business Park Area provides that any design standards in addition to those currently set forth within the Unified Development Ordinance (parking, landscaping, lighting, etc.) may be waived by the Plan Commission (whereas PDD No. 18 allows the CDA to waive any/all design standards).

COMPREHENSIVE MASTER PLAN CONSISTENCY/AMENDMENT:

Comprehensive Master Plan Consistency

Consistent with, as defined by Wisconsin State Statute; means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject area as Mixed Use, with Areas of Natural Resources. The surrounding future land uses are Mixed Use and Residential to the north; and Areas of Natural Resources and Recreational to the west. The CMP anticipates public sanitary sewer and water service will be provided to development within this area.

Based upon the preceding information, the Department of City Development proposes:

- an amendment of the South 27th Street Corridor Plan to change the future land use from mixed use office to mixed use business park for the lands located south of Oakwood Road;
- an amendment of the South 27th Street Corridor Plan to remove the design standards from the lands located south of Oakwood Road;

- an amendment of the 2025 Comprehensive Master Plan to change the Future Land Use designation to Mixed Use/Business Park.

The Department of City Development believes the subject amendment is consistent with a preponderance of the principles, goals, objectives, and policies within the Comprehensive Master Plan, and would particularly note its consistency with the 70/30 Goal. In that regard, the Common Council, at their June 29, 2005 special meeting, approved a motion “that it remain a goal of the Common Council to obtain the 70/30 ratio of residential to commercial assessed valuation.” And further, that the Common Council stated at its September 3, 2013 meeting, “The Common Council concurs with and supports the recommendations of the Community Development Authority and the Plan Commission in regard to the 70/30 Goal which includes the method of calculation as set forth in the June 12, 2013 memo prepared by the Director of Administration.”

CONCLUSION:

It is important to note that while it is the Department of City Development’s intent to propose a new Business Park very similar to the existing Franklin Business Park, there are a number of important differences between the two business parks. Possibly the most significant differences are:

- The proposed new PDD No. 39 does not allow warehouse, distribution, and storage uses as a permitted use. It is understood that local developers and brokers have indicated that there is market desire for light industrial uses with a significant concentration of trucking, warehouse, and distribution and that these uses are allowed in other area business parks. It is also understood that the subject area is located adjacent to I94 and the proposed Elm Road interchange. However, the Department of City Development has proposed a more balanced office/light industrial/commercial mixed use business park for this location, a location that can argued may be one, if not the most, highly valuable location in the entire City. In contrast, the Economic Development Department recommends including these uses as permitted in the business park area, not along 27th Street where visibility is higher and higher value development is expected. Allowing warehouse, distribution, and storage as permitted uses, would align with the existing Franklin Business Park and other area business parks.
- The proposed new PDD No. 39 assigns the review and approval of Site Plans, and waivers of certain design standards, to the Plan Commission rather than to the Community Development Authority.

To guide the provision of a coordinated development showcasing the City of Franklin to travelers along the I-94 corridor and along one of the City’s principal gateways as expressed by STH 241 (S. 27th Street), to facilitate the creation of a high-quality development so as to benefit the City’s non-residential tax base, to facilitate the creation of a high-value/low-cost development so as to minimize impacts upon the City’s ability to provide cost-effective public services, to maximize the use of existing and planned infrastructure and associated public investments in the area, to more closely align with current and foreseeable market conditions and trends in terms of development potential, and to challenge these market factors to help create the best possible outcomes for the residents, property owners, and business owners of the area as

well as for the citizens of the City of Franklin, staff proposes that the subject area be rezoned to a Mixed Use/Business Park Planned Development District and that the City's South 27th Street Corridor Plan/Comprehensive Master Plan be amended accordingly.