CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*

6:30 P.M. OR SUCH LATER TIME AS REQUIRED TO IMMEDIATELY FOLLOW THE SPECIAL COMMITTEE OF THE WHOLE MEETING SCHEDULED TO BEGIN AT 6:30 P.M.
ALL ON TUESDAY, OCTOBER 18, 2016

A. Call to Order and Roll Call.

B. Citizen Comment Period.

C. Approval of Minutes:
   1. Committee of the Whole Meeting of October 3, 2016.
   2. Regular Common Council Meeting of October 4, 2016.

D. 1. Hearings - 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).

Tax Key #	Current Land Use Designation	Proposed Land Use Designation
9509998001	Mixed Use, Recreational & Areas of Natural Resource Features	Recreational & Areas of Natural Resource Features
9509997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519994001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996005	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996008	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519995000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519998000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996007	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996017	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996016	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996015	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features

9519996013	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996009	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996002	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519999001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9799997000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9789996007	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996008	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996006	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789993001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789991001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789994000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789995000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799999000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789997000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789999001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features

(properties totaling approximately 605 acres)

This Public Hearing is Being Held Pursuant to the Requirements of §236.45(4) of the Wisconsin Statutes, and Section 15-9.0201 of the City of Franklin Unified Development Ordinance as it Applies to Amendments to the Land Division Provisions of the Unified Development Ordinance.

2. Public Hearing: Special Assessment for the Cost of Non-Decorative Street Lights on S. 27th Street from W. Rawson Avenue to W. Villa Drive.

E. Organizational Business.

F. Letters and Petitions:

1. Letter from The Ballpark Commons Development Team Regarding the Warrior Dash Event Held on August 13, 2016.
2. Letter from Baker Tilly Virchow Krause, LLP Regarding Communications to Elected Officials.

G. Reports and Recommendations:

1. 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 to Recreational Use and Areas of Natural Resource Features (Tax Key No. 950-9998-001), and 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, Application).
2. 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).
3. A Final Resolution Directing Payment and Levy of Special Assessment for the Cost of Non-Decorative Street Lights on S. 27th Street from W. Rawson Avenue to W. Villa Drive.
4. Standards, Findings and Decision of the City of Franklin Common Council Upon the Application of Tom and Carole Donovan, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance.
5. 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).
6. 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).
7. An Ordinance to Amend Ordinance 2015-2198 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.
8. An Ordinance to Create § 133-6.L.(7) of the Municipal Code for Reporting Water Used in Testing of Equipment in Accordance with Wis. Stat. § 62.11(5).

9. Status of Appeal of Noxious Weed Determination (Max Fonsing) for Property Located at 7730 W. Terrace Drive (Alderman D. Mayer).
10. Health and Dental Insurance Plan and Claim Administration Services, Stop-Loss Coverage, and Broker Services for 2017.
11. Employee Share of Monthly Health Insurance Premium for 2017.
12. Committee of the Whole Recommendation: Review of Mayor's Recommended 2017 Budget (Including all Funds, Departments, Revenues, Expenditures and Activities).
13. 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. The Common Council may enter closed session 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.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of October 18, 2016.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

*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:

October 20	Plan Commission	7:00 p.m.
October 30	Trick or Treat Observance	4:00-7:00 p.m.
October 31	Committee of the Whole	6:30 p.m.
November 1	Common Council	6:30 p.m.
November 3	Plan Commission	7:00 p.m.
November 8	General Election	7:00 a.m. to 8:00 p.m.

C.1.

CITY OF FRANKLIN
COMMITTEE OF THE WHOLE MEETING
OCTOBER 3, 2016
MINUTES

ROLL CALL	1.	The regular meeting of the Committee of the Whole was held on October 3, 2016 and called to order at 6:31 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 Wilhelm. Also present were Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
REVIEW OF MAYOR'S 2017 RECOMMENDED BUDGET	2.	It was the consensus of the Common Council that the Mayor's 2017 Recommended Budget be referred to October 18, 2016.
CLOSED SESSION PURCHASE OF PUBLIC PARK	3.	Alderman Taylor moved to enter closed session at 8:05 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 Dandrea. On roll call, all voted Aye. Motion carried. The Committee of the Whole reentered open session at 8:11 p.m.
ADJOURNMENT	4.	Alderman Taylor moved to adjourn the meeting at 8:12 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

C, 2.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 4, 2016
MINUTES

ROLL CALL	A.	The regular meeting of the Common Council was held on October 4, 2016 and called to order at 6:31 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 Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Excused were Alderman Dan Mayer and 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 6:33 p.m. and closed at 6:43 p.m.
APPROVAL OF MINUTES	C.	Alderman Dandrea moved to approve the minutes of the regular Common Council meeting of September 20, 2016 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.
BD./COMM. APPOINTMENTS	E.	Alderman Dandrea moved to confirm the following Mayoral appointments: (1) Luther Graef, 8503 S. Country Club Dr., Ald. Dist. 1, 5-year term to the Board of Water Commissioners expiring 9/30/2021. (2) Timothy Solomon, 8026 S. Mission Dr., Ald. Dist. 2, 4-year term to the Community Development Authority expiring 8/30/2020. (3) Marilyn Bolton, 8035 W. Imperial Dr., Ald. Dist. 2, 2-year term to the Board of Health expiring 4/30/2018. (4) Steve Patz, 8722 W. Cascade Dr., Ald. Dist. 2, 3-year term to the Library Board expiring 6/30/2019. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
AGREEMENT WITH TOWNE REALTY, INC.	G.1.	Alderman Taylor moved to approve a financial services agreement with Towne Realty, Inc. related to their proposed mixed-use development at 7333 S. 27th St. Seconded by Alderman Dandrea. On roll call, Alderman Barber, Alderman Taylor, and Alderman Dandrea voted Aye; Alderwoman S. Mayer voted No. Motion carried.
PROPOSAL FROM EHLERS FOR FINANCIAL SERVICES TOWNE REALTY, INC.	G.2.	Alderman Taylor moved to approve the financial services proposal from Ehlers related to the Towne Realty, Inc. development proposal at 7333 S. 27th St. up to $7,500. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea,

Alderman Taylor, and Alderman Barber voted Aye; Alderwoman S. Mayer voted No. Motion carried.

2015 TAX ROLL LATE SETTLEMENT – MILWAUKEE COUNTY

G.3. Alderman Dandrea moved to direct the Director of Finance & Treasurer to waive the interest and penalty due from Milwaukee County on late settlement of the 2015 tax roll. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2016-2233 AMEND UDO TO REZONE A PORTION OF PROPERTY AT 7501 S. 49TH ST. (RICK J. PRZYBYLA)

G.4. Alderman Barber moved to adopt Ordinance No. 2016-2233, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A PORTION OF A CERTAIN PARCEL OF LAND FROM C-1 CONSERVANCY DISTRICT TO R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT (A PORTION OF THE PROPERTY AT 7501 S. 49TH ST.) (APPROXIMATELY 1.867 ACRES) (RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT). Seconded by Alderman Dandrea. On roll call, Alderman Barber, Alderman Taylor, and Alderman Dandrea voted Aye; Alderwoman S. Mayer voted No. Motion carried.

RES. 2016-7227 AUTHORIZING SHED WITHIN PLAT RESTRICTION (4089 W. WHISPERING RIDGE PASS)

G.5. Alderman Taylor moved to adopt Resolution No. 2016-7227, A RESOLUTION AUTHORIZING THE INSTALLATION OF A SHED WITHIN THE 40 FOOT LANDSCAPE PLANTING BUFFER PLAT RESTRICTION, UPON LOT 9 IN VICTORY CREEK ESTATES SUBDIVISION (4089 W. WHISPERING RIDGE PASS)(WILLIAM GEBHERD AND MELISSA BANIA (GEBHERD), APPLICANTS). Seconded by Alderman Barber. All voted Aye; motion carried.

CITY HALL AND POLICE DEPT. SERVERS AND DISK STORAGE

G.12. Alderman Taylor moved to approve the plan to install new HP DL380 VMWare servers and 3PAR SAN disk storage at City Hall and the Police Department as being consistent with and satisfying the "Virtual Server & Storage Project" contemplated by the budget and to authorize the Director of Administration to execute the necessary proposal and/or purchase order/service contract with PDS, in a form as acceptable to the City Attorney, to carry out the project, in an amount not to exceed $113,527, which includes the contingency. Seconded by Alderman Dandrea. All voted Aye; motion carried.

STAFF TO PREPARE ORD. AMENDING UDO

G.6. Alderman Taylor moved to direct staff to prepare an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Major Group No. 86 for all zoning districts as recommended by the Department of City Development. Seconded by Alderman Dandrea. All voted Aye; motion carried.

REIMBURSE VICTORY OF LAMB CHURCH FOR OVERSIZE WATER MAIN

G.7. Alderman Taylor moved to reimburse Victory of the Lamb Church for oversizing water main constructed as part of its development in the amount of $25,878 to be paid in five (5) annual payments, consistent with City reimbursement policy. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2016-7228 SANITARY SEWER CONNECTION AGREEMENT WITH GUENDEL (7160 S. WOELFEL RD.)

G.8. Alderman Taylor moved to adopt Resolution No. 2016-7228, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE A SANITARY SEWER CONNECTION AGREEMENT WITH CHRISTOPHER AND REBECCA GUENDEL FOR PROPERTY LOCATED AT 7160 S. WOELFEL RD., subject to technical/format changes approved by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PAYMENT TO RA SMITH FOR MATT TALBOT DEV.

G.9. Alderman Dandrea moved to approve payment for R.A. Smith National LLC for services related to Matt Talbot Development in the amount of $28,478.18. Seconded by Alderman Taylor. All voted Aye; motion carried.

NOXIOUS WEED APPEAL

G.10. Alderman Taylor moved to table to the October 18, 2016 Common Council meeting, the appeal from Max Fonsing for the noxious weed determination at 7730 West Terrace Drive. Seconded by Alderman Dandrea. All voted Aye; motion carried.

AUGUST FINANCIAL REPORT

G.11. Alderman Taylor moved to receive and place the August, 2016 Financial Report on file. Seconded by Alderman Dandrea. All voted Aye; motion carried.

MAYOR'S RECOMMENDED BUDGET AND PUBLIC PARK PROPERTY

G.13. (a) Alderman Taylor moved to refer the recommended 2017 budget to the October 18, 2016 Common Council meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

(b) Alderman Taylor refer to staff the 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, as discussed in closed session at the Committee of the Whole meeting held October 3, 2016. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES

H.1. Alderman Taylor moved to approve the following:
Grant Operators' Licenses to Theresa Comp, S70W14894 Cornell Cir., Muskego; and Jennifer Martinez, 8725 Wood Creek Dr., Oak Creek.
Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of October 3, 2016 in the amount of $999,717.35; Payroll dated September 30, 2016 in the amount of $392,089.68 and payments of the various payroll deductions in the amount of $388,341.31, plus city matching payments; Estimated payroll dated October 14, 2016 in the amount of $376,000.00 and payments of the various payroll deductions in the amount of $212,000.00, plus City matching payments; and Property tax payments with an ending date of September 29, 2016 in the amount of $118.19. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the Common Council meeting at 7:20 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

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D.1.

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, October 18, 2016, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding 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).

Tax Key #	**Current Land Use Designation**	**Proposed Land Use Designation**
9509998001	Mixed Use, Recreational & Areas of Natural Resource Features	Recreational & Areas of Natural Resource Features
9509997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519994001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996005	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996008	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519995000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519998000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996007	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996017	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996016	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996015	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996013	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996009	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996002	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519999001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9799997000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9789996007	Mixed Use & Areas of Natural	Mixed Use Business Park & Areas

	Resource Feature	of Natural Resource Features
9789996008	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996006	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789993001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789991001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789994000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789995000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799999000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789997000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789999001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features

(properties totaling approximately 605 acres)

The total area of the above properties is more particularly described as follows: (Description of the first above listed parcel Tax Key No. 950 9998 001) That part of the Northeast 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: The West 110 acres of the Northwest 1/4 of Section 36, except the West 800.00 feet of the North 400.00 feet containing 102.71 acres ±; and

(Description of the twenty-nine other above listed parcels) 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.

A map of the area described above is annexed hereto.

This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at www.franklinwi.gov. Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 8th day of September, 2016.

Sandra L. Wesolowski
City Clerk

N.B. Class I

Publish: September 15th

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D. 2.

CITY OF FRANKLIN
OFFICIAL NOTICE

NOTICE OF PUBLIC HEARING ON SPECIAL ASSESSMENT FOR
THE COST OF NON-DECORATIVE
STREET LIGHTING ON S. 27TH STREET (USH 241) FROM
W. RAWSON AVENUE TO W. VILLA DRIVE

NOTICE IS HEREBY GIVEN that the Common Council of the City of Franklin has declared its intention to exercise its police powers under Section 66.0701, Wisconsin Statutes, and Section 207-15, Franklin Municipal Code, to levy special assessments for the cost of non-decorative street lighting, in the following location:

"S. 27th Street (USH 241) from W. Rawson Avenue (CTH BB) to W. Villa Drive"

A report showing proposed plans and proposed assessments and other data is on file in the Clerk's Office at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin, 53132.

NOTICE IS HEREBY GIVEN that such report is open for review and inspection from Monday through Friday, between the hours of 9:00 a.m. and 12 noon and 1:00 p.m. and 4:30 p.m. and will be so continued for the period of ten (10) days after the date of publication of this notice.

NOTICE IS ALSO HEREBY FURTHER GIVEN that on **TUESDAY, OCTOBER 18, 2016 at 6:30 p.m.** the Common Council will be in session in their chambers at Franklin City Hall, 9229 W. Loomis Rd., Franklin, WI, 53132 to hear all persons interested, their agents or attorneys, concerning the matter contained in the preliminary resolution and report, including proposed assessments.

If you have any questions contact City Engineer Glen Morrow at 425-7510.

By order of the Common Council of the City of Franklin, Wisconsin, the 22nd day of September, 2016.

Sandra L. Wesolowski
City Clerk

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F. 1.

Dear Alderman Mayer,

We appreciate your bringing to our attention the concerns of our neighbors regarding the Warrior Dash event that was held at The Rock this summer.

The event itself was quite a success. It attracted runners and their families from the entire Midwest, and it made a positive impact on local businesses. And, as you may have seen in photos from the event, it was a *lot* of fun for people of all ages. The Warrior Dash has raised over $12.5 million for St. Jude Children's Hospital, and, frankly, we were quite proud to host an event that has done such a demonstrably great job for a great cause.

Regarding the concerns you've fielded regarding possible "exposure to contaminants" – evidently triggered by photos of participants traversing the Warrior Dash mud trench – we can likely ascribe a great deal of that energy to Ballpark Commons development concerns that we've heard from a few homeowners in proximity to The Rock. Still, we'd like to lay to rest worries of "seeping contaminants," etc.

Landfill reclamation is a common and useful practice that occurs all over the country. There is nothing "cutting edge" or "experimental" in the steps that Milwaukee County took in order to keep the Crystal Ridge site safe and stable. Millions of dollars have been spent to cap the landfill and to monitor and control methane produced by the contents. These methods have helped to produce many reusable, useful land parcels across the United States.

> **Example:** Here's a case study much, much larger than ours - - At 2,200 acres, Freshkills Park in New York's Staten Island will be almost three times the size of Central Park and the largest park developed in New York City in over 100 years. Formerly the world's largest landfill, this enormous park will one day hold a variety of public spaces and recreational facilities, including playgrounds, athletic fields, kayak launches, horseback riding trails, large-scale art installations, and much more.

The contents of the landfill consist largely of building materials and trees/brush. Contrary to the shorthand image of "garbage" that comes to mind when contemplating landfills, the Crystal Ridge landfill consists mainly of construction debris and trees harvested during the Dutch Elm disease era. These materials produce methane as they decompose, which is controlled via an extraction and monitoring process that was put in place *after* the last report of any sort of methane-related incident.

The site is capped. That is, a layer of clay, 3-4 feet deep at its absolute *thinnest* points, covers all areas where landfill exists. To penetrate – or, indeed, merely *reach* – the clay cap would represent a significant dig; the knee-high trench created for the Warrior Dash did not penetrate the cap.

Contaminants that are found literally everywhere are highlighted in complaints. The Crystal Ridge landfill does not contain any landfill-produced "dangerous chemicals or substances" that are within reach of persons at ground level. Any chemicals currently below the cap will stay there, away from human contact risks.

Furthermore, "substances existing at Crystal Ridge" cited in citizen letters are listed without context. Many of these substances do not exceed "background levels," meaning they exist to no greater extent than they could exist in the majority of backyards across the area. It's not a stretch to say that a great deal of the lawn-care chemicals measurable on Franklin residents' lawns present a potentially greater danger to human physiology than anything cited in a citizen-complaint letter after being extracted from a DNR document without context.

One of our goals at The Rock is to create entertaining opportunities for the community to gather and share positive experiences. Certainly, safety is first and foremost in our minds at all times, and we take very seriously any concerns voiced by our neighbors and guests. In the case of the Warrior Dash – a successful event that provided great entertainment, local economic stimulation, charitable contributions to a great cause, and regional recognition for Franklin – our neighbors and local officials can rest assured that participants and attendees were most likely not exposed to anything more dangerous than deep-fried cheese curds.

Again, thanks for sharing the concerns you've heard, and please do not hesitate to follow up if you need any more information or clarification.

Regards,
The Ballpark Commons Development Team

F. 2.

BAKER TILLY

Baker Tilly Virchow Krause, LLP
777 E. Wisconsin Ave., 32nd Floor
Milwaukee, WI 53202-5313
tel 414 777 5500
fax 414 777 5555
bakertilly.com

October 7, 2016

To the Mayor and Common Council
City of Franklin
9229 W Loomis Road
Franklin, WI 53132

Thank you for using Baker Tilly Virchow Krause, LLP as your auditor. There are auditing standards that are intended to provide communication to you as the people charged with governing the city.

Specifically, we are required to communicate certain things during the planning and completion phases of the audit. The following items are presented to you for your consideration. You do not need to take any action on this letter unless you wish to contact us with relevant information as noted later in this document.

a. The auditor is responsible for forming and expressing an opinion about whether the financial statements that have been prepared by management with the oversight of those charged with governance are presented fairly, in all material respects, in conformity with generally accepted accounting principles.
b. The audit does not relieve management or those charged with governance of their responsibilities.
c. An audit performed in accordance with generally accepted auditing standards is designed to obtain reasonable but not absolute assurance that the statements are free of material misstatement.
d. Our consideration of Internal Control is to determine a basis for designing audit procedures and not for the purpose of expressing an opinion on internal control.
e. The auditor is responsible for communicating significant financial statement related matters to those charged with governance; however, the auditor is not required to design procedures to find such matters.
f. The financial statement document may also contain other information for which we have the following responsibility:

    1) Supplementary Information – "In relation to" audit coverage
    2) Required Supplementary Information – Limited procedures
    3) Other Information – No audit coverage

With regard to the audit of your December 31, 2016 financial statements, the following points are an overview of our scope and timing:

a. We address the significant risks of material misstatement, whether due to fraud or error, through our detailed audit procedures.

b. We will obtain an understanding of the five components of internal control sufficient to assess the risk of material misstatement of the financial statements whether due to error or fraud, and to design the nature, timing, and extent of further audit procedures. We will obtain a sufficient understanding by performing risk assessment procedures to evaluate the design of controls relevant to an audit of financial statements and to determine whether they have been implemented. We will use such knowledge to:

   > Identify types of potential misstatements.
   > Consider factors that affect the risks of material misstatement.
   > Design tests of controls, when applicable, and substantive procedures.

   We will not express an opinion on the effectiveness of internal control over financial reporting or compliance with laws, regulations, and provisions of contracts or grant programs.

c. The concept of materiality recognizes that some matters, either individually or in the aggregate, are important for fair presentation of financial statements in conformity with generally accepted accounting principles while other matters are not important. In performing the audit, we are concerned with matters that, either individually or in the aggregate, could be material to the financial statements. Our responsibility is to plan and perform the audit to obtain reasonable assurance that material misstatements, whether caused by errors or fraud, are detected.

We are very interested in your views regarding certain matters. Those matters are listed here:

a. We typically will communicate with your top level of management unless you tell us otherwise.
b. We understand that the governing body has the responsibility to oversee the strategic direction of your organization, as well as the overall accountability of the entity. Management has the responsibility for achieving the objectives of the entity.
c. We need to know your views about your organization's objectives and strategies, and the related business risks that may result in material misstatements.
d. Which matters do you consider warrant particular attention during the audit, and are there any areas where you request additional procedures to be undertaken?
e. Have you had any significant communications with regulators or grantor agencies?
f. Are there other matters that you believe are relevant to the audit of the financial statements?

Also, is there anything that we need to know about the attitudes, awareness, and actions of the governing body concerning:

a. The entity's internal control and its importance in the entity, including how those charged with governance oversee the effectiveness of internal control?
b. The detection or the possibility of fraud?

We also need to know if you have taken actions in response to developments in financial reporting, laws, accounting standards, governance practices, or other related matters, or in response to previous communications with us.

With regard to the timing of our audit, here are some general observations. If necessary, we may do preliminary audit work during the months of December or January. Our final fieldwork is scheduled during March to best coincide with your readiness and report deadlines. After fieldwork, we wrap up our audit procedures at our office and may issue drafts of our report for your review. Final copies of our report and other communications are issued after approval by your staff and the finance committee. This is typically 4-6 weeks after final fieldwork, but may vary depending on a number of factors.

Keep in mind that while this communication may assist us with planning the scope and timing of the audit, it does not change the auditor's sole responsibility to determine the overall audit strategy and the audit plan, including the nature, timing, and extent of procedures necessary to obtain sufficient appropriate audit evidence.

We realize that you may have questions on what it means, or wish to provide other feedback. We welcome the opportunity to hear from you. Please contact your engagement partner, John A, Knepel, at 414 777 5359 or email at John.Knepel@bakertilly.com. We look forward to hearing from you.

Sincerely,

BAKER TILLY VIRCHOW KRAUSE, LLP

John A. Knepel

John A. Knepel, CPA, Partner

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APPROVAL Slw	REQUEST FOR COUNCIL ACTION	MEETING DATE 10/18/16
REPORTS AND RECOMMENDATIONS	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 TO RECREATIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES (TAX KEY NO. 950-9998-001), AND 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)	ITEM NUMBER G.1.

At their meeting on October 6, 2016, the Plan Commission recommended approval of an ordinance to amend the City of Franklin South 27th Street Corridor Plan/City of Franklin 2025 Comprehensive Master Plan for lands within the 27th Street Corridor lying south of Oakwood Road to change the 2025 Future Land Use Map from mixed use, recreational use, and areas of natural resource features use to recreational use and areas of natural resource features use (parcel 950-9998-001) and 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.

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2016-_____, 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), and 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).

Department of City Development: JD

STATE OF WISCONSIN CITY OF FRANKLIN MILWAUKEE COUNTY

[Draft 9-14-16]

ORDINANCE NO. 2016-____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN SOUTH 27TH STREET CORRIDOR PLAN/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 NO. 950-9998-001) AND 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)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, the City of Franklin has applied for an amendment to the City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation of the lands within the 27th Street Corridor lying south of Oakwood Road, for the property bearing Tax Key No. 950-9998-001 from Mixed Use, Recreational Use and Area of Natural Resource Features Use to Recreational Use and Areas of Natural Resource Features Use, and for the balance of the lands within the 27th Street Corridor Plan bearing Tax Key Nos. as specified in the Table within Section 1 below, 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; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on October 6, 2016, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation of the lands within the 27th Street Corridor lying south of Oakwood Road, for the property bearing Tax Key No. 950-9998-001 from Mixed Use, Recreational Use and Area of Natural Resource Features Use to Recreational Use and Areas of Natural Resource Features Use, and for the balance of the lands within the 27th Street Corridor Plan bearing Tax Key Nos. as specified in the Table within Section 1 below, 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; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on October 18, 2016; and

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: The City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation of the lands within the 27th Street Corridor lying south of Oakwood Road, for the property bearing Tax Key No. 950-9998-001, from Mixed Use, Recreational Use and Area of Natural Resource Features Use to Recreational Use and Areas of Natural Resource Features Use, and for the balance of the lands within the 27th Street Corridor Plan bearing Tax Key Nos. as specified in the Table below, 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:

Tax Key #	**Current Land Use Designation**	**Proposed Land Use Designation**
9509998001	Mixed Use, Recreational & Areas of Natural Resource Features	Recreational & Areas of Natural Resource Features
9509997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519994001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996005	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996008	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519995000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519998000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996007	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996017	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996016	Mixed Use & Areas of Natural	Mixed Use Business Park & Areas of

	Resource Features	Natural Resource Features
9519996015	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996013	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996009	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519996002	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9519999001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9799997000	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
9789996007	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996008	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996006	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789996001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789993001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789991001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789994000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789995000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799999000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789997000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789999001	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features

(properties totaling approximately 605 acres)

Such properties are more particularly described as follows:

The total area of the above properties is more particularly described as follows:

(Description of the first above listed parcel Tax Key No. 950 9998 001) That part of the Northeast 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: The West 110 acres of the Northwest 1/4 of Section 36, except the West 800.00 feet of the North 400.00 feet containing 102.71 acres ±; and

(Description of the twenty-nine other above listed parcels) 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.

SECTION 2: 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 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: 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 by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2016.

APPROVED:

_____

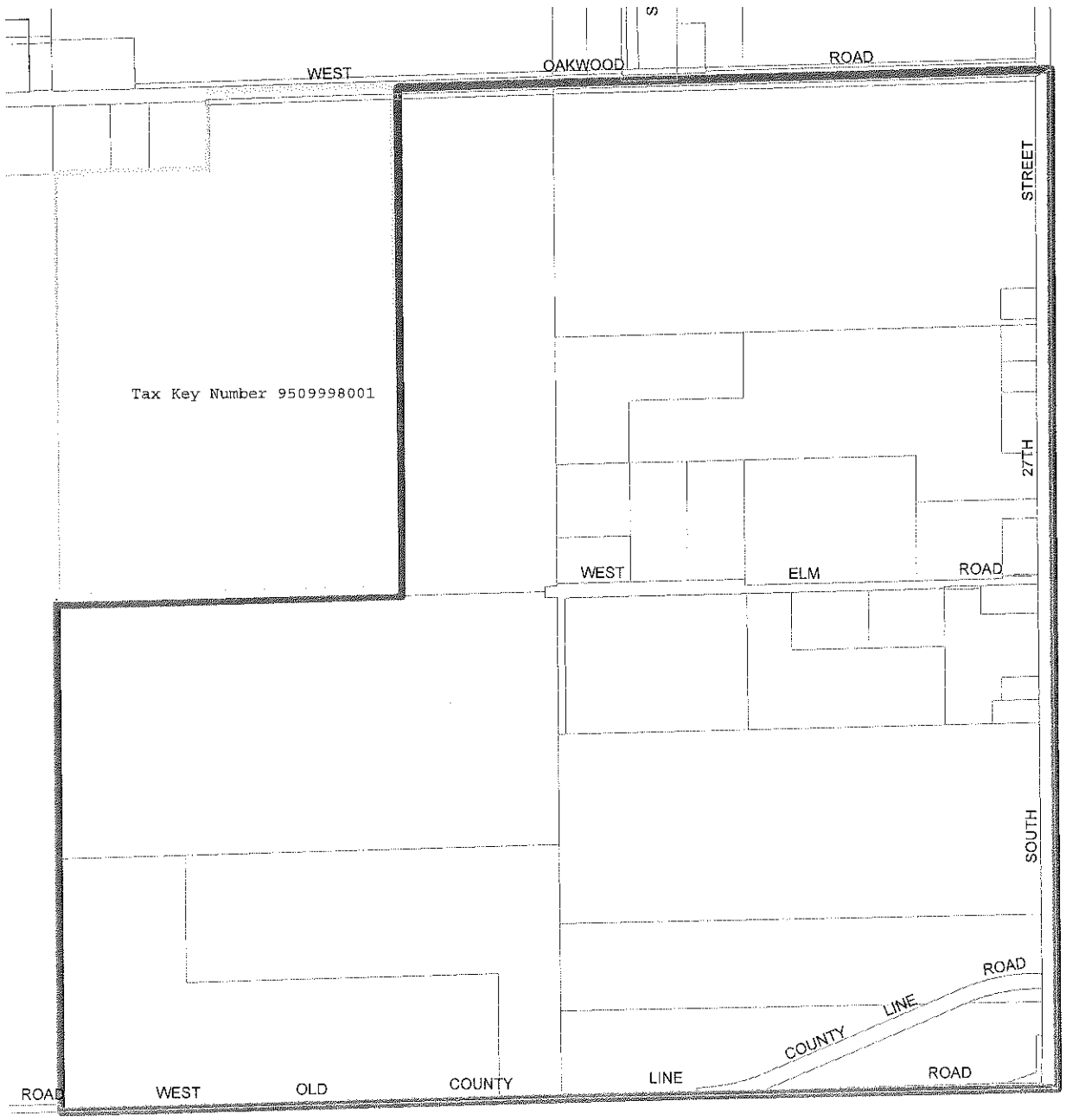
Stephen R. Olson, Mayor

ATTEST:

_____

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



South 27th Street Corridor Plan/2025 Comprehensive Master Plan Amendment

PDD 39

City of Franklin

City of Franklin
GIS Department
9229 W. Loomis Rd.
Franklin, WI 53132
www.franklinwi.gov

Boundary
Outparcel

N
W
E
S

0 125 250 375 500 Feet

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

STATE OF WISCONSIN | CITY OF FRANKLIN PLAN COMMISSION | MILWAUKEE COUNTY *[Draft 9-29-16]*

RESOLUTION NO. 2016-____

A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN SOUTH 27TH STREET CORRIDOR PLAN/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 NO. 950-9998-001) AND FROM MIXED USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO MIXED USE BUSINESS PARK USE AND AREAS OF NATURAL RESOURCE FEATURES USE (BALANCE OF LANDS WITHIN THE 27TH STREET CORRIDOR PLAN), AND TO REMOVE THE DESIGN GUIDELINES AS THEY MAY PERTAIN TO THIS AREA, PURSUANT TO WIS. STAT. § 66.1001(4)(b)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, the City of Franklin having applied for an amendment to the City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation of the lands within the 27th Street Corridor lying south of Oakwood Road, for the property bearing Tax Key No. 950-9998-001 from Mixed Use, Recreational Use and Area of Natural Resource Features Use to Recreational Use and Areas of Natural Resource Features Use, and for the balance of the lands within the 27th Street Corridor Plan bearing Tax Key Nos. as specified in the Table below, 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:

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9519997001	Mixed Use & Areas of Natural Resource Features	Mixed Use Business Park & Areas of Natural Resource Features
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9789995000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features

9799998000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9799999000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
9789997000	Mixed Use & Areas of Natural Resource Feature	Mixed Use Business Park & Areas of Natural Resource Features
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(properties totaling approximately 605 acres)

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The total area of the above properties is more particularly described as follows: (Description of the first above listed parcel Tax Key No. 950 9998 001) That part of the Northeast 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: The West 110 acres of the Northwest 1/4 of Section 36, except the West 800.00 feet of the North 400.00 feet containing 102.71 acres ±; and

(Description of the twenty-nine other above listed parcels) 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; and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on October 6, 2016, in conjunction with an application to rezone the subject properties as are more particularly described within the ordinance draft presented to the Commission for such purpose, is consistent with the South 27th Street Corridor Plan/Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the South 27th Street Corridor Plan/2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin South 27th Street Corridor Plan/2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation of the lands within the 27th Street Corridor lying south of Oakwood Road, for the property bearing Tax Key No. 950-9998-001 from Mixed Use, Recreational Use and Area of Natural Resource Features Use to Recreational Use and Areas of Natural Resource Features Use, and for the balance of the lands within the 27th Street Corridor Plan bearing Tax Key Nos. as specified in the Table above, 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, be and the same is hereby recommended for adoption and incorporation into the South 27th Street Corridor Plan/2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2016.

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

APPROVED:

_____
Stephen R. Olson, Chairman

ATTEST:

_____
Sandra L. Wesolowski, City Clerk
AYES _____ NOES _____ ABSENT _____

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 27th Street Corridor located south of Oakwood Road
Applicant:	City of Franklin
Property Owners:	See separate agenda notice
Current Zoning:	B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, South 27th 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 Oakwaood 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 proximaty to major transportation cooridors. 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 absorbsion 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.

APPROVAL Slw	REQUEST FOR COUNCIL ACTION	MEETING DATE 10/18/16
REPORTS AND RECOMMENDATIONS	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)	ITEM NUMBER G. 2.

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).

STATE OF WISCONSIN CITY OF FRANKLIN MILWAUKEE COUNTY

[Draft 10-13-16]

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.

Table 1: Planned Development District No. 39

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 27th Street Design Overlay District, B-7, C-1	PDD 39	48.90
951 9994 001	0 W OAKWOOD RD	JAMS-4 LLC	South 27th Street Design Overlay District, B-7, C-1	PDD 39	73.30

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

978 9994 000	10771 S 27TH ST	H A & H HOLDINGS LLC	South 27th Street Design Overlay District, B-7	PDD 39	0.55
978 9995 000	10791 S 27TH ST	10791 SOUTH 27TH STREET LLC	South 27th Street Design Overlay District, B-7	PDD 39	0.69
979 9998 000	0 W SOUTH COUNTY LINE RD	GERASOPOULOS, PETER & JUDITH	South 27th 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 27th Street Design Overlay District, RC-1	PDD 39	34.86
978 9997 000	10885 S 27TH ST	FOX GLEN CORPORATE CENTRE LLC	South 27th 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 27th 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 27th 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 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 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).

   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 Section15-9.0102 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. 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. 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.

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

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

e. Libraries, museums, parks.

f. Drive through facilities.

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

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

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

j. 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.

1. 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 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 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).

   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 Section15-9.0102 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. Medical, dental and animal offices and clinics including physical, occupational, and massage therapy.

b. 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.

c. Other light manufacturing and light industrial uses with low levels of noise, odors, vibrations, particulate emissions, etc.

d. Warehouse, distribution and storage.

e. Drive through facilities.

f. Business, professional, technical, and trade schools.

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

h. 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.) Other Principal Structure (stories/ft)	4.0/60 Not appli./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 _____

Planned Development District No. 39: Mixed Use Business Park

Draft 9-29-16

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.

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 27th Street Corridor located south of Oakwood Road
Applicant:	City of Franklin
Property Owners:	See separate agenda notice
Current Zoning:	B-7 South 27th Street Mixed Use Office District, RC-1 Conservation Residence District, South 27th 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 Oakwaood 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 proximaty to major transportation cooridors. 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 absorbsion 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.

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

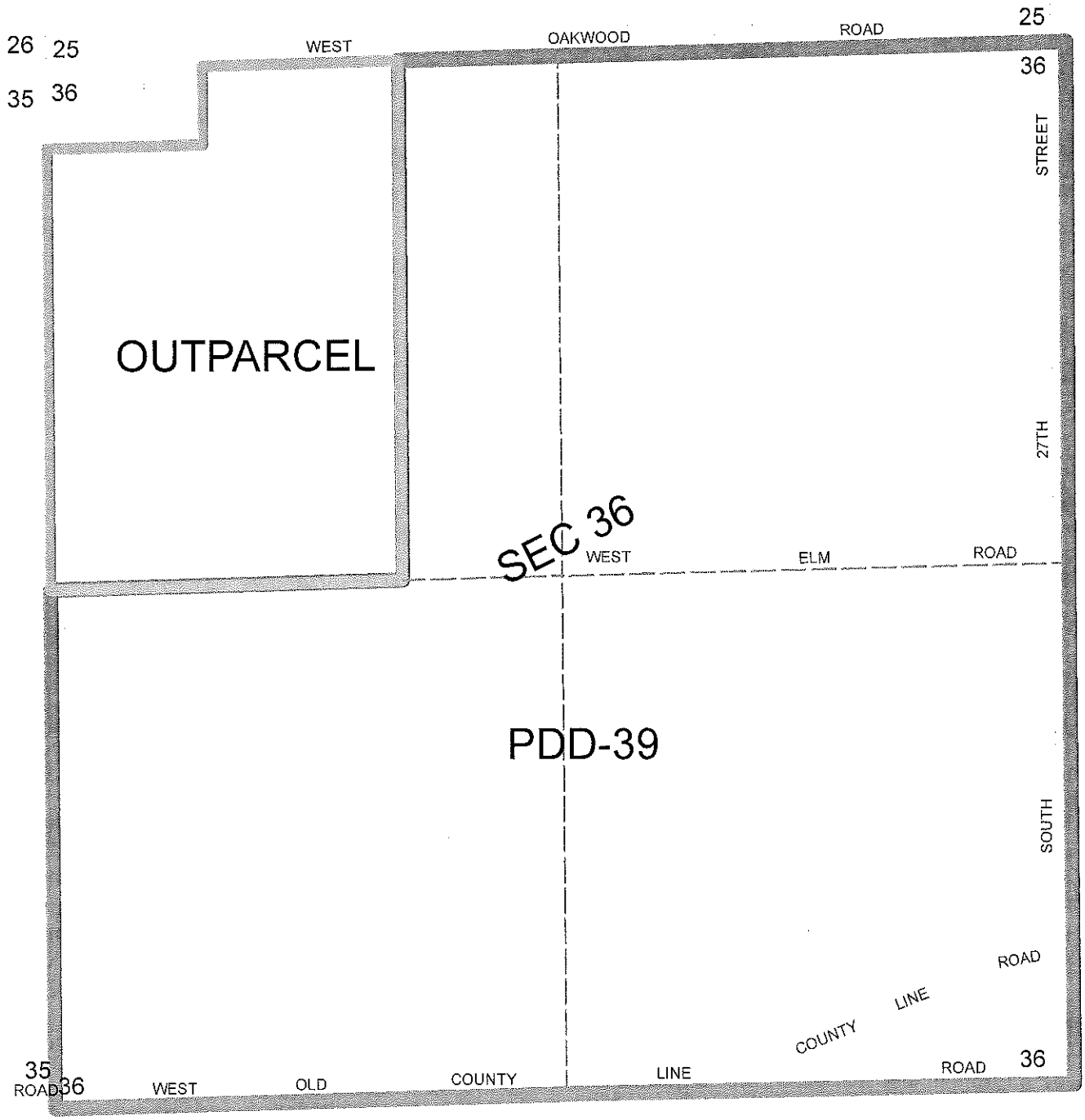


Exhibit A: PDD No. 39 Site Figure

Legend

OUTPARCEL

PDD-39

N

800 400 0 800 Feet

L:_GRAPHIC_FILES\Zoning_Dept\PDD39.mxd

RMA
8/31/16

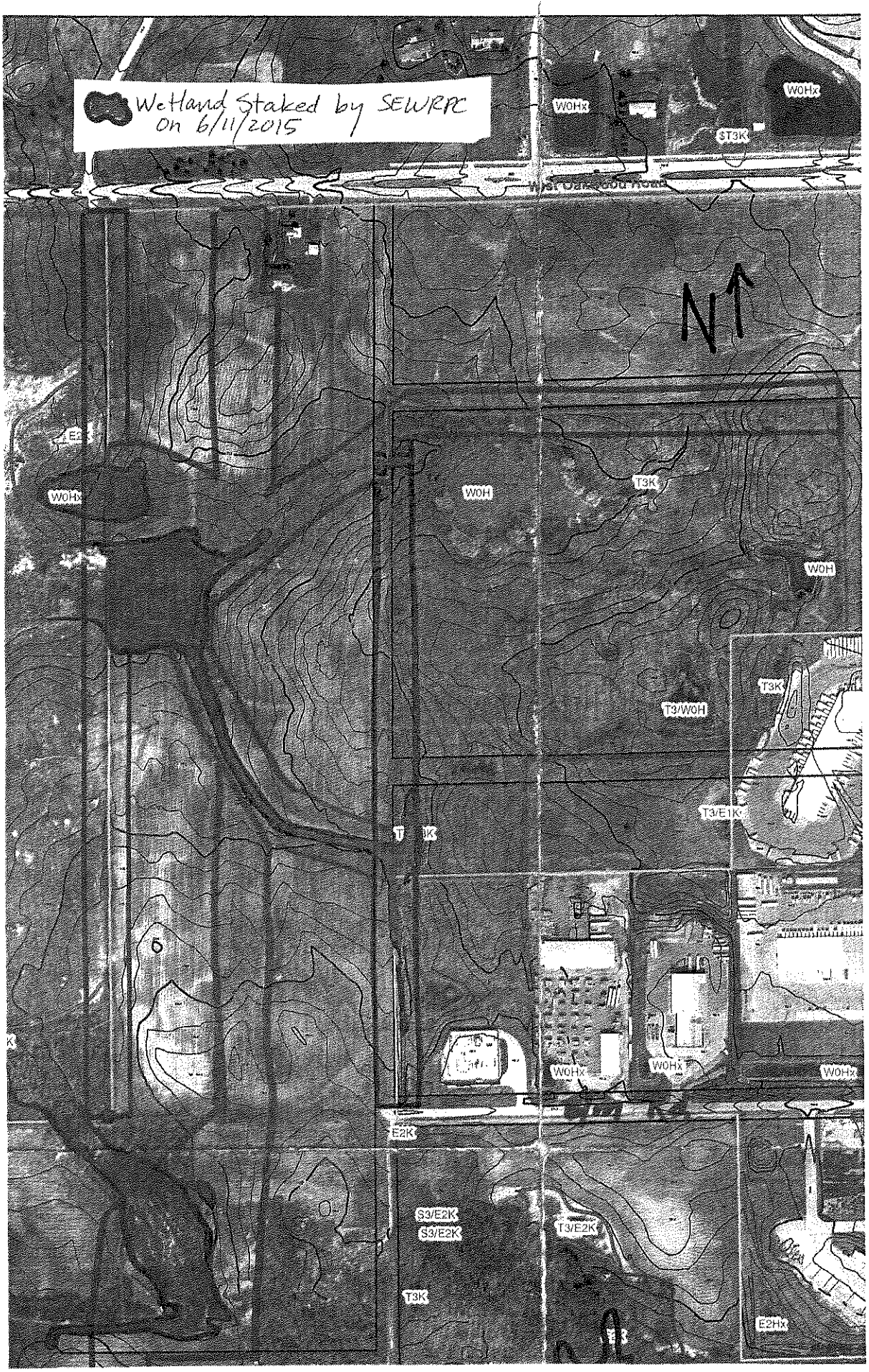


Exhibit B: Wetlands Map (northern portion)

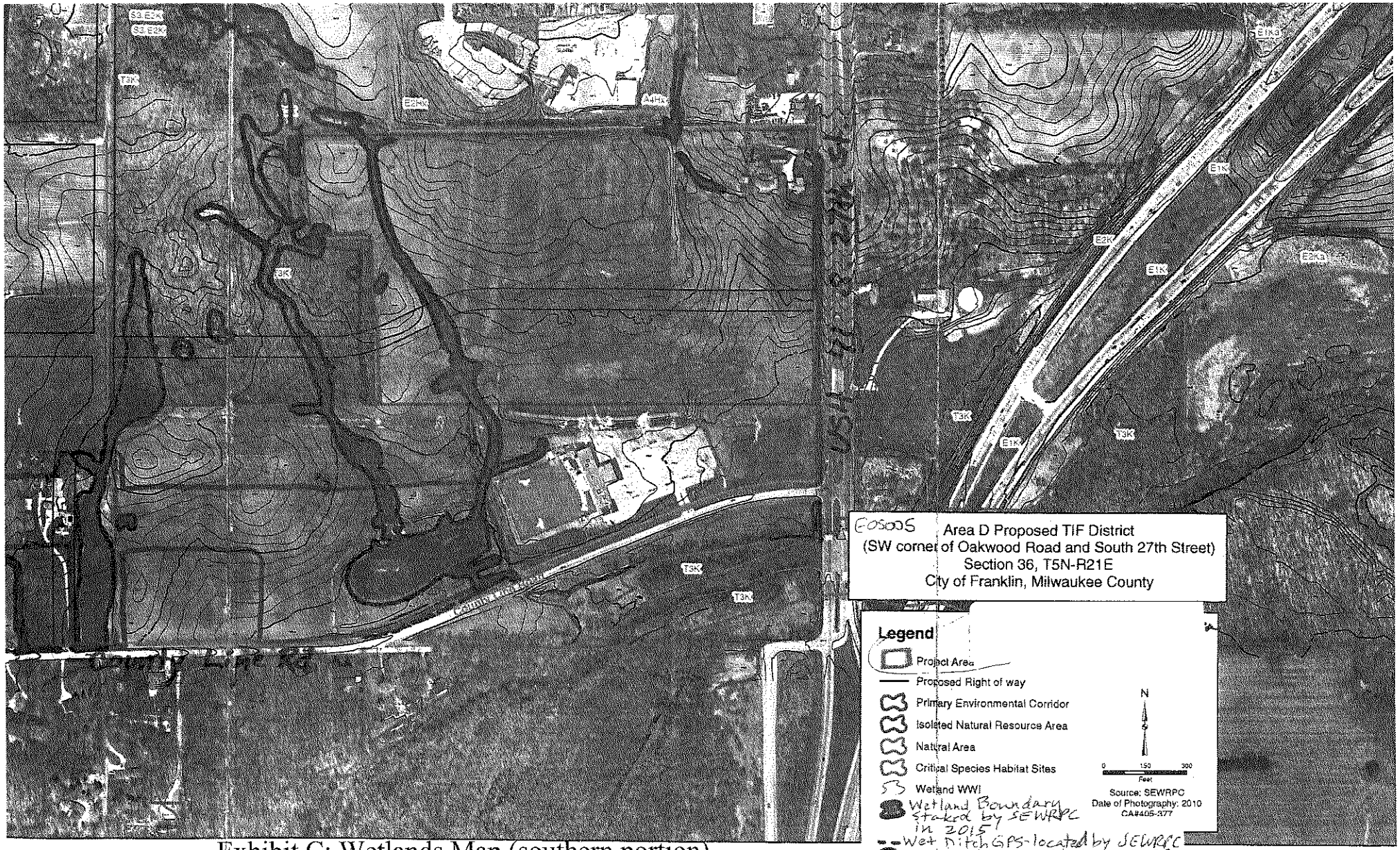
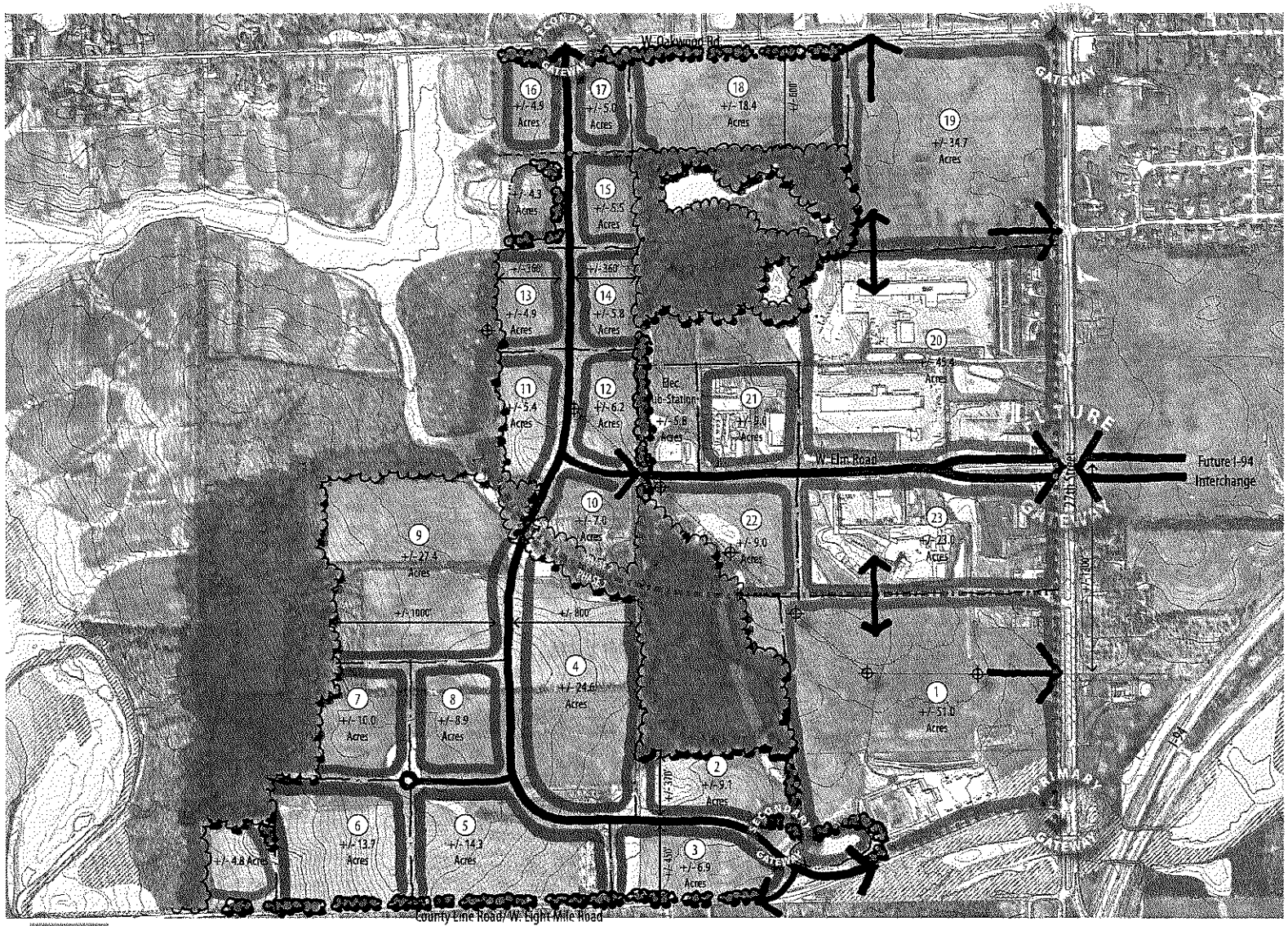


Exhibit C: Wetlands Map (southern portion)



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

HITCHCOCK DESIGN GROUP

Concept Plan - Future Build Out

Franklin Corporate Park

Franklin, Wisconsin

NORTH

0' 150' 300' 600'

ISSUE DATE: May 6 2015

All drawings are preliminary and subject to change.

© 2015 Hitchcock Design Group

PREPARED FOR

City of Franklin

IN ASSOCIATION WITH

Ruekert·Mielke

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