

ORDINANCE NO. 2016-2211

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP USE DESIGNATIONS FOR PROPERTIES LOCATED AT APPROXIMATELY 7900 WEST CRYSTAL RIDGE DRIVE, AND ALONG WEST RAWSON AVENUE AND WEST LOOMIS ROAD AND WEST OLD LOOMIS ROAD, INCLUDING, BUT NOT LIMITED TO 8220, 8240, 8316 AND 8490 WEST OLD LOOMIS ROAD, FROM RESIDENTIAL USE AND TRANSPORTATION USE TO MIXED-USE (LANDS SOUTH OF RAWSON AVENUE), AND TO RECLASSIFY CERTAIN EXISTING ROAD RIGHT-OF-WAYS FROM TRANSPORTATION USE TO MIXED-USE (LANDS NORTH OF RAWSON AVENUE) WITH REGARD TO THE PROPOSED BALLPARK COMMONS SPORTS ANCHORED MIXED-USE DEVELOPMENT (APPROXIMATELY 14.964 ACRES (NORTH OF WEST RAWSON AVENUE) AND APROXIMATELY 39.419 ACRES (SOUTH OF WEST RAWSON AVENUE)) (GREG MARSO, ZIM-MAR PROPERTIES, LLC, 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, Greg Marso, Zim-Mar Properties, LLC having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue) with regard to the proposed Ballpark Commons sports anchored mixed-use development; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on March 17, 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 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson

Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue), such properties bearing addresses/Tax Key Nos. / current zoning designations as follows: 8220 West Old Loomis Road / 755-9995-002 / R-3E Suburban/Estate Single-Family Residence District, 8240 West Old Loomis Road / 755-9995-001 / R-3E Suburban/Estate Single-Family Residence District, 8316 West Old Loomis Road / 755-9996-000 / R-3E Suburban/Estate Single-Family Residence District, [no address] West Rawson Avenue / 754-9988-001 / R-3E Suburban/Estate Single-Family Residence District, 8490 West Old Loomis Road / 754-9988-002 / R-3E Suburban/Estate Single-Family Residence District, and one parcel, located between West Crystal Ridge Drive on the north and West Loomis Road on the south, immediately south of the existing The Rock Sports Complex, currently zoned B-1 Neighborhood Shopping District, does not bear a tax key number or an address, consisting of approximately 14.964 total acres of land (north of West Rawson Avenue) and 39.419 total acres of land (south of West Rawson Avenue); 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 April 4, 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 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designations for properties located at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue and West Loomis Road and West Old Loomis Road, including, but not limited to 8220, 8240, 8316 and 8490 West Old Loomis Road, from Residential Use and Transportation Use to Mixed-Use (lands south of West Rawson Avenue), and to reclassify certain existing road right-of-ways from Transportation Use to Mixed-Use (lands north of West Rawson Avenue) with regard to the proposed Ballpark Commons sports anchored mixed-use development. Such property is more particularly described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North 88°42'47" East along the North line of said 1/4 section, 699.09 feet; thence South 01°17'14" East 73.05 feet to the point of beginning; Thence South 01°14'08" West, 19.34 feet to the start of a curve to the right; thence southwesterly 671.94 feet along the arc of said curve to the right, whose radius is 1098.00 feet and whose chord bears South 18°46'02" West, 661.51 feet to a point of

tangency; thence South $36^{\circ}17'56''$ West, 831.29 feet; thence South $32^{\circ}41'55''$ West, 34.02 feet; thence South $36^{\circ}22'12''$ West, 477.95 feet; thence South $30^{\circ}51'06''$ West, 565.23 feet; thence North $59^{\circ}43'06''$ West, 66.12 feet to the Southeast corner of Stone Hedge Subdivision Addition No. 1; thence North $00^{\circ}11'17''$ West along the east line of said Subdivision Addition, 1800.99 to the northeast corner of said Subdivision Addition; thence North $00^{\circ}12'52''$ West, 345.10 feet; thence North $88^{\circ}31'09''$ East along the south right of way line of West Rawson Avenue, 661.30 feet to the West line of said 1/4 section; thence North $88^{\circ}32'20''$ East along said south right of way line, 700.47 feet to the point of beginning. Containing in all 1,717,090 square feet (39.419 acres) of land, more or less [south of West Rawson Avenue]; and

Commencing at the Southwest corner of the Southeast 1/4 of Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; thence North $88^{\circ}42'47''$ East along the South line of said 1/4 section, 454.48 feet; thence North $01^{\circ}17'13''$ West 62.42 feet to the point of beginning; Thence North $00^{\circ}56'52''$ West, 3.29 feet to the start of a curve to the right; thence northeasterly 207.60 feet along the arc of said curve to the right, whose radius is 133.00 feet and whose chord bears North $44^{\circ}01'06''$ East, 187.16 feet to a point of tangency; thence North $88^{\circ}44'07''$ East, 77.42 feet; thence North $88^{\circ}44'03''$ East 391.17 feet to the start of a curve to the left; thence northeasterly 220.37 feet along the arc of said curve to the left, whose radius is 260.00 feet and whose chord bears North $64^{\circ}27'12''$ East, 213.83 feet to a point of tangency; thence North $40^{\circ}10'21''$ East, 503.34 feet; thence North $40^{\circ}10'59''$ East, 1220.68 feet to the start of a curve to the right; thence northeasterly 204.57 feet along the arc of said curve to the right, whose radius bears 240.00 feet and whose chord bears North $64^{\circ}36'06''$ East, 198.43 feet to a point of tangency; thence North $89^{\circ}01'13''$ East, 43.20 feet to the west right of way line of South 76th Street; thence South $00^{\circ}23'35''$ East along said west line, 341.37 feet; thence North $89^{\circ}08'21''$ West, 82.45 feet; thence South $39^{\circ}53'09''$ West, 1670.03 feet; thence South $88^{\circ}42'47''$ West parallel to and at a right angle distance of 62.42 feet Northerly of the South line of the said Southeast 1/4, 975.39 feet to the point of beginning. Containing in all 651,826 square feet (14.964 acres) of land, more or less [north of West Rawson Avenue].

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 4th day of April, 2016, by Alderman Taylor.

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 4th day of April, 2016.

APPROVED:



Stephen R. Olson, Mayor

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 5 NOES 1 (D. Mayer) ABSENT 0