

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN PUBLIC LIBRARY  
9151 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*\*  
TUESDAY, SEPTEMBER 6, 2016 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
  - 1. Regular Common Council Meeting of August 16, 2016.
  - 2. Special Common Council Meeting of August 23, 2016.
- D. Hearings.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
  - 1. Consent Agenda:
    - (a) Donation from Sandra Hay to the Fire Department in the amount of \$3,000.
    - (b) Donation from Dean and Elaine Schultzbank to the Police Department in the amount of \$100.
    - (c) Donation from Daniel and Sandra Hay to the Police Department in the amount of \$3,000.
  - 2. A Resolution Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 5.
  - 3. Ballpark Commons Project Status-Value Engineering Efforts.
  - 4. Update on Waukesha Water Diversion Project.
  - 5. Update on a Business Appreciation Event Organized by the Franklin Economic Development Commission.
  - 6. A Resolution Conditionally Approving a Preliminary Plat for Evergreen Park Estates Subdivision (at Approximately 7501 South 49<sup>th</sup> Street) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).
  - 7. 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 South 49<sup>th</sup> Street) (Approximately 1.867 Acres) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).
  - 8. Construction Bids for Historical Barn Reconstruction (South Legend Drive and S. Schlueter Parkway).
  - 9. A Resolution Authorizing a Professional Services Contract with RA Smith National for Study of Root River at W. Oakwood Road.

10. Authorization to Approve and Execute an Intergovernmental Agreement with the Village of Greendale for the Purchase of Half-share Ownership in a 1994 Pierce Saber Fire Engine and for Storage of and Shared Access to Fire Engine.
11. Appointment of Auditor for the City of Franklin Financial Reports for 2016 thru 2020.
12. July 2016 Financial Report.
13. Trick or Treat Schedule for 2016.
14. City Purchase of Property for Sale (Tax Key Nos. 866-9985-000, 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) and (g), Wis. Stats., to Consider City Purchase of Property for Sale (Tax Key Nos. 866-9985-000, 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 September 6, 2016.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

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

REMINDERS:

September 8	Plan Commission Meeting	7:00 p.m.
September 20	Common Council Meeting	6:30 p.m.
September 22	Plan Commission Meeting	7:00 p.m.
October 4	Common Council Meeting	6:30 p.m.

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
AUGUST 16, 2016  
MINUTES

ROLL CALL

A. The regular meeting of the Common Council was held on August 16, 2016 and called to order at 6:30 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, Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Excused was Alderman D. Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 6:32 p.m. and closed at 6:32 p.m.

APPROVAL OF MINUTES

C. Alderman Dandrea moved to approve the minutes of the regular Common Council Meeting of August 2, 2016 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

DONATION

G.1. Alderman Taylor moved to accept the following donations:  
(a) From Franklin Lioness Club in the amount of \$150 to the Fire Department for fire prevention activities and/or equipment.  
(b) From Franklin Lioness Club in the amount of \$150 to the Police Department for community program funding.  
(c) From Seton Catholic Schools (St. Martin of Tours) in the amount of \$100 to the Police Department for the National Night Out Event.  
(d) From Robert Jester, in memory of Sheila Jester, in the amount of \$100 to the Police Department in appreciation of the Franklin Police Force.  
(e) From the Franklin Lions Club in the amount of \$250 to the Fair Commission for advertising.  
(f) From the Franklin Lioness Club in the amount of \$150 to the Health Department for community program funding.  
(g) From Midwest Speleo Cave in the amount of \$200.16 for Franklin food pantries.  
Seconded by Alderman Barber. All voted Aye; motion carried.

OVERTIME AND PERSONNEL  
POLICE AND FIRE DEPTS.

G.2. Alderman Taylor moved to receive and place on file a summary of Police and Fire Departments overtime and

personnel services expenditures from the Director of Administration. Seconded by Alderman Barber. All voted Aye; motion carried.

- SHARED PURCHASE WITH TESS CORNERS VOLUNTEER FIRE DEPT. G.3. Alderman Taylor moved to designate up to \$2,100 of Fire Department Capital Outlay appropriations to pay Tess Corners Volunteer Fire Department in order to participate in the shared purchase of a forcible entry training prop. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- 2016 CITY OF FRANKLIN REVALUATION UPDATE G.4. Alderman Taylor moved to receive the update on the 2016 Revaluation Process for the purposes of general property taxation for properties in the City of Franklin and place on file. Alderman Taylor withdrew his motion. Following an update, Alderman Taylor moved to receive the update on the 2016 Revaluation Process for the purposes of general property taxation for properties in the City of Franklin and place on file. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- TRAFFIC IMPACT ANALYSIS AGREEMENT WITH ZIMMERMAN VENTURES, LLC G.5. Alderman Taylor moved to approve the traffic impact analysis payment agreement with Zimmerman Ventures, LLC. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- TRAFFIC IMPACT ANALYSIS CONTRACT EXTENSION WITH GRAEF-USA G.6. Alderman Taylor moved to approve the traffic impact analysis contract extension with Graef-USA for up to \$12,000 to be covered by General Fund Unrestricted Contingency appropriations and funded by payment from Zimmerman Ventures, LLC by a separate agreement. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- PRELIMINARY PLAT FOR EVERGREEN PARK ESTATES (7501 S. 49TH ST.) G.7. Alderwoman Wilhelm moved to table to the Common Council meeting of September 6, 2016, A Resolution Conditionally Approving a Preliminary Plat for Evergreen Park Estates Subdivision (At Approximately 7501 South 49th Street)(Rick J. Przybyla, President of Creative Homes, Inc., Applicant). Seconded by Alderman Taylor. All voted Aye; motion carried.
- AMEND UDO TO REZONE PORTION OF 7501 S. 49TH ST. G.8. Alderwoman Wilhelm moved to table to the Common Council meeting of September 6, 2016, and direct staff to review and correct the 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 South 49th Street)(Approximately 1.867 Acres)(Rick J. Przybyla, President of Creative Homes, Inc., Applicant). Seconded by Alderman Taylor. All voted Aye; motion carried.

PROPOSED REZONING AND AMENDING UDO OF S. 27TH ST. CORRIDOR PLAN FOR MIXED USE BUSINESS PARK (CITY OF FRANKLIN)

G.9. Alderman Taylor moved to direct staff 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. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PROPOSED UDO AMENDMENT TO REMOVE STANDARD IND. CLASS. MAJOR GROUP 86 FROM CERTAIN ZONING DIST. (CITY OF FRANKLIN)

G.10. Alderman Barber 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.

REPORT ON SENIOR TRAVEL PROGRAM

G.11. Alderman Taylor moved to receive and place on file a report on the Program Structure, Service Alternatives, and Risk Management Components of the Senior Travel Program. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

LIMITED TERM CONSERVATION EASEMENT TO MMSD FOR FRANKLIN WOODS PARK (3723 W. PUETZ RD.)

G.12. Alderman Taylor moved to authorize signing the limited term conservation easement to Milwaukee Metropolitan Sewerage District at 3723 West Puetz Road. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2016-7219  
AWARDING CONTRACT TO

G.13. Alderwoman S. Mayer moved to designate the Robinwood Trail Project within the Capital Improvement Fund as an

MUSSON BROTHERS, INC FOR  
ROBINWOOD TRAIL

approved project and to repurpose \$30,900 of appropriations from the Market Square bathroom project to this project. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderman S. Mayer moved to adopt Resolution No. 2016-7219, A RESOLUTION AWARDED CONTRACT TO THE LOW BIDDER, MUSSON BROTHERS, INC. IN THE AMOUNT OF \$99,999.99 FOR THE ROBINWOOD TRAIL. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2016-2228  
CREATE MUN. CODE §183-44K  
ENGINE COMPRESSION  
BRAKING PROHIBITED

G.14 Alderman Wilhelm moved to adopt Ordinance No. 2016-2228, AN ORDINANCE TO CREATE §183-44.K. OF THE MUNICIPAL CODE, "ENGINE COMPRESSION BRAKING PROHIBITED" IN ACCORDANCE WITH WIS. STAT. § 62.11(5), as amended. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2016-7220  
AWARDING CONTRACT FOR  
2016 PAVEMENT MARKING  
PROGRAM

G.15 Alderman Barber moved to adopt Resolution No. 2016-7220, A RESOLUTION AWARDED CONTRACT TO THE LOW BIDDER, CROWLEY CONSTRUCTION CORPORATION IN THE AMOUNT OF \$34,170 FOR THE 2016 PAVEMENT MARKING PROGRAM. Seconded by Alderman S. Mayer. All voted Aye; motion carried.

RES. 2016-7221  
JURISDICTIONAL TRANSFER OF  
S. NORTH CAPE RD. FROM  
MILW. CO.

G.16 Alderman Taylor moved to adopt Resolution No. 2016-7221, A RESOLUTION TO ACCEPT JURISDICTIONAL TRANSFER OF S. NORTH CAPE ROAD (CTH OO) FROM MILWAUKEE COUNTY FROM 870 FEET NORTH OF HI-VIEW DRIVE TO W. FOREST HOME AVENUE. Seconded by Alderman S. Mayer. All voted Aye; motion carried.

ORD. 2016-2229  
AMEND MUN. CODE  
PERTAINING TO ALL NIGHT  
PARKING FROM NOV. 1ST TO  
DEC. 1ST

G.17 Alderman Barber moved to adopt Ordinance No. 2016-2229, AN ORDINANCE TO MODIFY § 245.5.C. OF THE MUNICIPAL CODE PERTAINING TO ALL-NIGHT PARKING TO CHANGE THE NOVEMBER 1 OVERNIGHT PARKING PROHIBITION DATE TO DECEMBER 1. Seconded by Alderman Taylor. All voted Aye; motion carried.

AGREEMENT WITH PARAGON  
DEV. SYSTEMS FOR COMPUTER

G.18 Alderman Taylor moved to authorize the Director of Administration to execute a Letter of Agreement with

NETWORK "LAYER 3  
SWITCHES" PROJECT

Paragon Development Systems for services and computer commodity purchases for \$66,958.60 for services generally as set forth and in a final form as he shall determine is in the best interest of the City and that the project may use up to an additional \$5,000 of the Information Services Capital Outlay appropriations as a project contingency. Seconded by Alderman Barber. All voted Aye; motion carried.

AGREEMENTS WITH  
GOVERNMENT PAYMENT  
SERVICE, INC IN THE POLICE  
DEPARTMENT

G.19 Alderman Taylor moved to authorize the Director of Finance & Treasurer to execute Participation Agreements with Government Payment Service, Inc. for the Municipal Court and Franklin Police Department. Seconded by Alderman Barber. All voted Aye; motion carried.

POPULATION ESTIMATE AS OF  
JANUARY 1, 2016

G.20 Alderman Taylor moved to place on file the Wisconsin Department of Administration January 1, 2016 population estimate of 35,741. Seconded by Alderman Barber. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Taylor moved to approve the following:  
Grant 2016-2017 Operator's license to Ernie Allen, Jr., 514 W. Luebbe Ln., Glendale; Thomas Cane, 5432 Olympia Dr., Greendale; Kristen Fenninger, 9750 S. 31st St., Franklin; Diane Holytz, 7325 W. Holt Ave., Milwaukee; Pamela LeHouillier, 6456 W. River Pointe Dr., Franklin; Andrew Hushek, 5315 W. Arizona St., Milwaukee; Tracy Kukla-Lewis, 7640 S. Mission Ct., Franklin; Alexis Steltz, 12045 W. St. Martins Rd., Franklin;  
Grant Extraordinary Entertainment & Special Event license and Temporary Class B Beer and Wine license to Knights of Columbus Trinity Council #4580 (David Kunze) for their 30<sup>th</sup> Annual Labor Day Arts & Crafts Fair on September 4, 2016;  
Grant Temporary Entertainment & Amusement license to American Legion Willey-Herda Post 192 (Gretchen Davies) for Raffle Game at the St. Martins Fair on September 4, 2016; and  
Grant Temporary Class B Beer license and Temporary Entertainment & Amusement license to VFW Post #10394 (Andrew Hushek) for live music at St. Martins Fair on September 4 & 5, 2016.  
Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Dandrea moved to approve net general checking account City vouchers in the range of Nos. 161734 through 161909 in the amount of \$1,443,378.11 dated August 2, 2016 through August 11, 2016. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Alderman Barber moved to approve net payroll dated August 5, 2016 in the amount of \$367,030.54 and payments of the various payroll deductions in the amount of \$205,726.27 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderwoman S. Mayer moved to approve estimated net payroll dated August 19, 2016 in the amount of \$369,000.00 and payments of the various payroll deductions in the amount of \$370,000.00 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderman Dandrea moved to approve estimated net payroll dated September 2, 2016 in the amount of \$364,000.00 and payments of the various payroll deductions in the amount of \$208,000.00 plus any City matching payments where required. Seconded by Alderman Barber. On roll call, all voted Aye; motion carried.

Alderman Dandrea moved to approve property tax refunds and settlements Nos. 16408 and EFT Nos. 112 through Nos. 118 in amount of \$8,835,544.12 dated July 29, 2016 through August 11, 2016. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 7:24 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CITY OF FRANKLIN  
SPECIAL COMMON COUNCIL MEETING  
AUGUST 23, 2016  
MINUTES

ROLL CALL

A. The special meeting of the Common Council was held on August 23, 2016 and called to order at 5:50 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 D. Mayer, Alderwoman Kristen Wilhelm, Alderman Steve Taylor and Alderman Mike Barber. Excused was Alderwoman Susanne Mayer. Also present were City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 5:51 p.m. and closed at 5:51 p.m.

LICENSES

C. Alderman Taylor moved to grant a Temporary Entertainment and Amusement License and a request for a change in premise description for the Class B License issued to Root Group, LLC., David J. Church, Agent (Root River Center, 7220 W. Rawson Avenue) for an event on August 26 and 27, 2016, subject to satisfaction with all department requirements and comments. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

ADJOURNMENT

D. Alderman Taylor moved to adjourn the meeting at 5:56 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>9/6/16</b></p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p><b>Donation from Franklin Resident Sandra Hay to the Fire Department in the amount of \$3000.00</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.I.A.</i></p>

The Franklin Fire Department has received a donation from Franklin Resident Sandra Hay in the amount of \$3000.00. The department intends to use the funds towards the purchase of an additional cardiac monitor/defibrillator, and other necessary equipment which will allow the Department to put a fourth ALS (paramedic) ambulance in service in early 2017.

**COUNCIL ACTION REQUESTED**

Request approval to accept \$3000.00 donation from Sandra Hay, to be used towards funding a future additional cardiac monitor/defibrillator and other lifesaving equipment.

<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>9/06/2016</b></p>
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<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>Police Department Donation of \$100 from Dean &amp; Elaine Schultzbank</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.I.B.</i></p>
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The City of Franklin Police Department has received a \$100.00 donation from Dean & Elaine Schultzbank.

**COUNCIL ACTION REQUESTED**

Motion to accept this donation of \$100.00 from Dean & Elaine Schultzbank to be deposited into the Police Donations Account.

<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  <b>9/06/2016</b>
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<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Police Department Donation of \$3,000 from Daniel &amp; Sandra Hay</b>	<b>ITEM NUMBER</b>  <i>G.I.C.</i>
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The City of Franklin Police Department has received a \$3,000 donation from Daniel & Sandra Hay.

**COUNCIL ACTION REQUESTED**

Motion to accept this donation of \$3,000 from Daniel & Sandra Hay to be deposited into the Police Donations Account.

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Approval <i>Slw</i>	Council Action Sheet	MEETING DATE 9/6/16
REPORTS & RECOMMENDATIONS	A Resolution approving the project plan and establishing the boundaries for and the creation of Tax Incremental District No. 5	ITEM NUMBER <i>G.2.</i>

**Introduction:**

Enclosed is the project plan for proposed Tax Increment Finance (TIF) District #5, which includes the Ballpark Commons development proposal. For reference, an update on the status of the project has been provided by the Ballpark Commons development team. Ehlers & Associates will offer a presentation at the time of the council meeting to further explain and answer questions related to the project plan and TIF districts in general.

Following a public hearing, the Plan Commission recommended approval of the project plan at their August 18, 2016 meeting. The Joint Review Board (JRB), made up of the impacted taxing authorities, held an organizational meeting regarding the proposed district on August 18, 2016. If the Common Council approves the project plan, the JRB will consider the plan at 2 P.M. on September 21, 2016 at Franklin City Hall.

**Project Plan Summary:**

The project plan outlines the structure, project revenues and expenditures and terms of the proposed tax increment finance (TIF) district. The project plan creates the framework under which the TIF district can operate. The project plan was informed by the TIF District #5 Feasibility Analysis from Ehlers & Associates and an independent Market Study Review from Melaniphy & Associates which both suggested viability of the Ballpark Commons project. Those analyses were presented to the Common Council on June 28, 2016 and are available on the City's website at [www.franklinwi.gov/Home/Business/BallparkCommons.htm](http://www.franklinwi.gov/Home/Business/BallparkCommons.htm).

The project plan assumes creation of the district in 2016 and closing in 2034. The increment from the \$101M development (estimated assessed value post-construction) would support the \$26.8 in proposed expenditures. Expenditures include infrastructure costs, a developer incentive and the City's costs to create and oversee the district. \$4.7 M in infrastructure expenditures for sanitary sewer, water mains and streets are expected to be specially assessed to the benefiting property owners and are not eligible TIF district project costs.

The development is expected to create roughly \$2M a year in increment by 2021. During the life of the TIF district, the increment from the district would pay off \$11.6M in general obligation (GO) bonds plus approximately \$2.5M in interest. Development incentives of \$9,290,000 would be subordinate to the City's GO bonds and contingent on the availability of additional increment funds (Pay-as-You-Go). A \$1.8M Pay-as-you-go payment to Milwaukee County to repay methane remediation costs at the site would also be subordinate to the City's GO bonds. The two-tiered structure of using both GO bonds and Pay-As-You-Go helps reduce risk and borrowing costs for the upfront infrastructure of the development, while helping to fill a financial gap and incentivize the remaining phases of the project.

The proposed TIF district boundaries include the entire Ballpark Commons project area as well as nine smaller parcels between the development and the City boundary with Greendale to the north

and east of the project. Those nine parcels are slated for mixed-use and commercial development in the future land use plan.

**Background:**

In 2015, the City worked with GRAEF to complete plans that explored a larger TIF district area around 76<sup>th</sup> and Rawson, known as Area A. While interest remains in redeveloping the larger area, a TIF district more narrowly defined to the Ballpark Commons development is proposed. In consultation with the City's financial consultant, Ehlers, a concern exists that if the larger area was included and development on land east of West Loomis Road did not occur in the immediate future, it could negatively impact the limited life of the TIF district. Under the current proposal, the TIF district boundary could be amended to accommodate larger portions of Area A or a separate TIF district could be formed when specific development plans for the land east of West Loomis road are proposed. Furthermore, the more narrowly defined district more closely associates proposed TIF district expenditures with increment generated by the Ballpark Commons development.

As previously communicated to the Common Council, staff has worked to position the Council to take action on the TIF district prior to September 30, 2016. According to Wisconsin Law, if the Council approves the district prior to September 30th, current year assessments are used as the baseline (1/1/16). If the TIF district is created after September 30th, the following year assessments are used (1/1/17). In the case of the Ballpark Commons development, the former Wisconsin Department of Transportation land that has been acquired by the development team will go from having zero to some assessed value. This increase in increment along any increases from revaluation will be included in the TIF district, if created prior to September 30, 2016.

**Next Steps:**

As noted, the JRB will consider the project plan on September 21<sup>st</sup> if it is approved by the Council on September 6<sup>th</sup>. Staff is working with the City Attorney and the Ballpark Commons development team on a development agreement for the project. This is a required step for any TIF district which includes a development incentive and outlines the project phasing, developer and City obligations and financial arrangements, including any payments-in-lieu-of-taxes (PILOTs), of development.

**COUNCIL ACTION REQUESTED**

A motion to adopt a resolution approving the project plan and establishing the boundaries for and the creation of Tax Incremental District No. 5, City of Franklin, Wisconsin.

## RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION APPROVING THE PROJECT PLAN AND ESTABLISHING THE  
BOUNDARIES FOR AND THE CREATION OF  
TAX INCREMENTAL DISTRICT NO. 5,  
CITY OF FRANKLIN, WISCONSIN

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WHEREAS, the City of Franklin (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") is proposed to be created by the City as a mixed-use district in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Franklin Public School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on August 18, 2016 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the District, adopted the Project Plan, and recommended to the Common Council that it create such District and approve the Project Plan and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, Wisconsin, that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 5, City of Franklin, Wisconsin", are hereby established as specified in Exhibit A of this Resolution.
2. The District is created effective as of January 1, 2016.
3. The Common Council finds and declares that:
  - (a) Not less than 50% by area of the real property within the District is suitable for a combination of commercial and residential uses, defined as "mixed-use development" within the meaning of Wisconsin Statutes Section 66.1105(2)(cm).
  - (b) Based upon the findings, as stated in 3.(a) above, the District is declared to be a mixed-use district based on the identification and classification of the property included within the District.
  - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
  - (d) The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
  - (e) The City estimates that approximately 10 - 15% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).

(f) The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.

(g) Lands proposed for newly platted residential development comprise no more than 35% of the real property area within the District.

(h) Costs related to newly platted residential development may be incurred based on the proposed development having a density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.

- 4. The Project Plan for "Tax Incremental District No. 5, City of Franklin, Wisconsin" (attached as Exhibit B) is approved, and the City further finds the Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2016, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED, that pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

APPROVED:

ATTEST:

\_\_\_\_\_  
Stephen R. Olson, Mayor

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

**Exhibit A**

**LEGAL BOUNDARY MAP OF  
TAX INCREMENTAL DISTRICT NO. 5, CITY OF FRANKLIN, WISCONSIN**

*[see page 8 of the Project Plan]*

**Exhibit B**  
**PROJECT PLAN**

*[to be handed out separately]*

## Exhibit C

### CONSERVATION SUBDIVISION ORDINANCE OR TRADITIONAL NEIGHBORHOOD DEVELOPMENT DESIGNATION

**66.1027 Traditional neighborhood developments and conservation subdivisions. (1) DEFINITIONS.** In this section:

(a) "Conservation subdivision" means a housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of land are maintained to the greatest extent possible.

(b) "Extension" has the meaning given in s. 36.05 (7).

(c) "Traditional neighborhood development" means a compact, mixed-use neighborhood where residential, commercial and civic buildings are within close proximity to each other.

### MAP OF HOUSING DENSITY

3. Notwithstanding subd. 1., project costs may include any expenditures made or estimated to be made or monetary obligations incurred or estimated to be incurred by the city for newly platted residential development only for any tax incremental district for which a project plan is approved before September 30, 1995, or for a mixed-use development tax incremental district to which one of the following applies:

a. The density of the residential housing is at least 3 units per acre.

b. The residential housing is located in a conservation subdivision, as defined in s. 66.1027 (1) (a).

c. The residential housing is located in a traditional neighborhood development, as defined in s. 66.1027 (1) (c).

*[to be handed out separately]*

WESOLOWSKI, REIDENBACH & SAJDAK, S.C.  
ATTORNEYS AT LAW  
11402 WEST CHURCH STREET  
FRANKLIN, WISCONSIN 53132

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TELEPHONE (414) 529-8900  
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JANE C. KASSIS,  
LEGAL SECRETARY

August 21, 2016

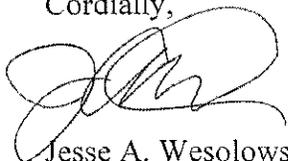
Mayor Stephen R. Olson  
City of Franklin  
9229 West Loomis Road  
Franklin, Wisconsin 53132

re: Tax Incremental District No. 5, City of Franklin, Wisconsin

Dear Mayor Olson:

I have reviewed the Project Plan for Tax Incremental District No. 5, City of Franklin, Wisconsin. It is my opinion that the Project Plan is complete and in compliance with Wis. Stat. § 66.1105. The Project Plan, additionally, was informed by the Tax Increment District #5 Feasibility Analysis prepared by Ehlers & Associates, Inc. and by the Market Feasibility Study prepared by Melaniphy & Associates, Inc. This opinion is provided as required pursuant to Wis. Stat. § 66.1105(4)(f).

Cordially,



Jesse A. Wesolowski  
City Attorney  
City of Franklin



**EHLERS**  
LEADERS IN PUBLIC FINANCE

August 12, 2016

# Project Plan for the Creation of Tax Incremental District No. 5



Organizational Joint Review Board Meeting Held:	Scheduled for: August 18, 2016
Public Hearing Held:	Scheduled for: August 18, 2016
Adoption by CDA OR Plan Commission:	Scheduled for: August 18, 2016
Consideration for Adoption by Common Council:	Scheduled for: September 6, 2016
Approval by the Joint Review Board:	Scheduled for: TBD



# SECTION 1: Executive Summary

---

## Description of District

### Type of District, Size and Location

Tax Incremental District (“TID”) No. 5 (the “TID” or “District”) is proposed to be created by the City of Franklin (“City”) as a mixed-use district. A map of the proposed District boundaries is located in Section 3 of this plan.

### Estimated Total Project Expenditures.

The City anticipates making total project expenditures of up to approximately \$22 million to undertake the projects listed in this Project Plan. The City anticipates completing the projects in six phases. The Expenditure Period of this District is 15 years from the date of adoption of the authorizing Resolution of the Common Council (the “Creation Resolution”). The projects to be undertaken pursuant to this Project Plan are expected to be financed with General Obligation bonds and Municipal Revenue (PAYGO) bonds issued by the City, however, the City may use other alternative financing methods which may provide overall lower costs of financing, preserve debt capacity, mitigate risk to the City, or provide other advantages as determined by the Common Council. A discussion and listing of other possible financing mechanisms, as well as a summary of total project financing, is located in Section 10 of this plan.

### Economic Development

As a result of the creation of this District, the City projects that additional land and improvements value of approximately \$101 million will be created as a result of new development, redevelopment, and appreciation in the value of existing properties. This additional value will be a result of the improvements made and projects undertaken within the District. A table detailing assumptions as to the timing of new development and redevelopment and associated values is located in Section 10 of this Plan. In addition, creation of the District is expected to result in other economic benefits as detailed in the Summary of Findings hereafter.

### Expected Termination of District

Based on the Economic Feasibility Study located in Section 10 of this plan, this District would be expected to generate sufficient tax increments to recover all project costs by the year 2034; 3 years earlier than the 20 year maximum life of this District.

## Summary of Findings

As required by Wisconsin Statutes Section 66.1105 , and as documented in this Project Plan and the exhibits contained and referenced herein, the following findings are made:

1. **That “but for” the creation of this District, the development projected to occur as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City.** In making this determination, the City has considered the following information:

# Tax Incremental District No. 5 Creation Project Plan

## City of Franklin Officials

### Common Council

Steve Olson

Mark A. Dandrea

Daniel M. Mayer

Kristen Wilhelm

Steve F. Taylor

Mike Barber

Susanne M. Mayer

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

### City Staff

Sandra L. Wesolowski

Paul Rotzenberg

Mark Luberda

Aaron Hertzberg

Jesse Wesolowski

City Clerk

Director of Finance & Treasurer

Director of Administration

Economic Development Director

City Attorney

### Plan Commission

Mayor Steve Olson, Chair

Alderman Mark Dandrea

Kevin Haley

Dave Fowler

Patricia Hogan

Patrick Leon

Glen Morrow

### Joint Review Board

City Representative

Milwaukee County

Milwaukee Area Technical College District

Franklin Public School District

Public Member



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- The City has conducted an independent review of the intended developer's sources and uses proforma for the initial proposed development project. This review has concluded that a public investment of approximately \$9.2 million is required to enable the development to occur in the manner desired by the City, while providing the developer a fair and reasonable return on their investment.
  - Some of the sites proposed for development have remained vacant for several years due to lack of adequate infrastructure, environmental contamination, obsolete platting and ownership by multiple parties. Given that the sites have not developed as would have been expected under normal market conditions, it is the judgment of the City that the use of Tax Incremental Financing ("TIF") will be required to provide the necessary infrastructure and inducements to encourage development on the sites consistent with that desired by the City.
  - In order to make the areas included within the District suitable for development, the City will need to make a substantial investment to pay for the costs of: right-of-way and easement acquisition, site preparation, installation of utilities; installation of streets and related streetscape items; development incentive payments, and other associated costs. Due to the extensive initial investment in public infrastructure and/or rehabilitation that is required in order to allow development to occur, the City has determined that development of the area will not occur solely as a result of private investment. Accordingly, the City finds that absent the use of TIF, development of the area is unlikely to occur.
  - GRAEF USA, Inc., who was engaged by the City in 2015, conducted a Planning and Engineering Analysis for a larger area encompassing 76<sup>th</sup> Street and Rawson. This larger area was referred to as Redevelopment Area A and included the property proposed within this District. The study and analysis performed by GRAEF recognizes the use of Tax Increment Financing as a tool for financing the costs necessary to prepare the area for development and/or redevelopment.
2. **The economic benefits of the Tax Incremental District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.** In making this determination, the City has considered the following information:
- As demonstrated in the Economic Feasibility Section of this Project Plan, the tax increments projected to be collected are more than sufficient to pay for the proposed project costs. On this basis alone, the finding is supported.
  - The development expected to occur is likely to generate approximately 550 to 600 construction jobs paying \$15 to \$45 per hour during construction. When fully developed, the Ballpark Commons will provide approximately 150-175 full time permanent jobs and approximately 350-400 seasonal and part time employment opportunities (225-250 FTEs). Wages will vary widely from seasonal and part time hourly employees to highly compensated full time professionals. (source: Ballpark Commons Developer).
  - The development expected to occur within the District would create approximately 403 residential units, providing housing opportunities for workers.
3. **The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.**

- If approved, the District's creation would become effective for valuation purposes as of January 1, 2016. As of this date, the values of all existing development would be frozen and the property taxes collected on this base value would continue to be distributed amongst the various taxing entities as they currently are now. Taxes levied on any additional value established within the District due to new construction, renovation, conversion from public to private ownership or appreciation of property values occurring after January 1, 2016 would be collected by the TID and used to repay the costs of TIF-eligible projects undertaken within the District.
  - Since the development expected to occur is unlikely to take place or in the same manner without the use of TIF (see Finding #1) and since the District will generate economic benefits that are more than sufficient to compensate for the cost of the improvements (see Finding #2), the City reasonably concludes that the overall benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the "but for" test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the District is not created. As required by Section 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been made and can be found in Exhibit A of this plan.
4. Not less than 50% by area of the real property within the District is suitable for a combination of commercial and residential uses, defined as "mixed-use development" within the meaning of Wisconsin Statutes Section 66.1105(2)(cm). Lands proposed for newly platted residential development comprise 20% by area of the real property within the District. Any project costs related to newly platted residential development are eligible expenditures based on the finding that the development has a residential housing density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.
  5. Based upon the findings, as stated above, the District is declared to be a mixed-use District based on the identification and classification of the property included within the District.
  6. The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
  7. The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
  8. The equalized value of taxable property of the District, plus the value increment of all existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
  9. The City estimates that approximately 10-15% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Sections 66.1105(5)(b) and 66.1105(6)(am)1.
  10. The Project Plan for the District in the City is feasible, and is in conformity with the master plan of the City.

## SECTION 2: Type and General Description of District

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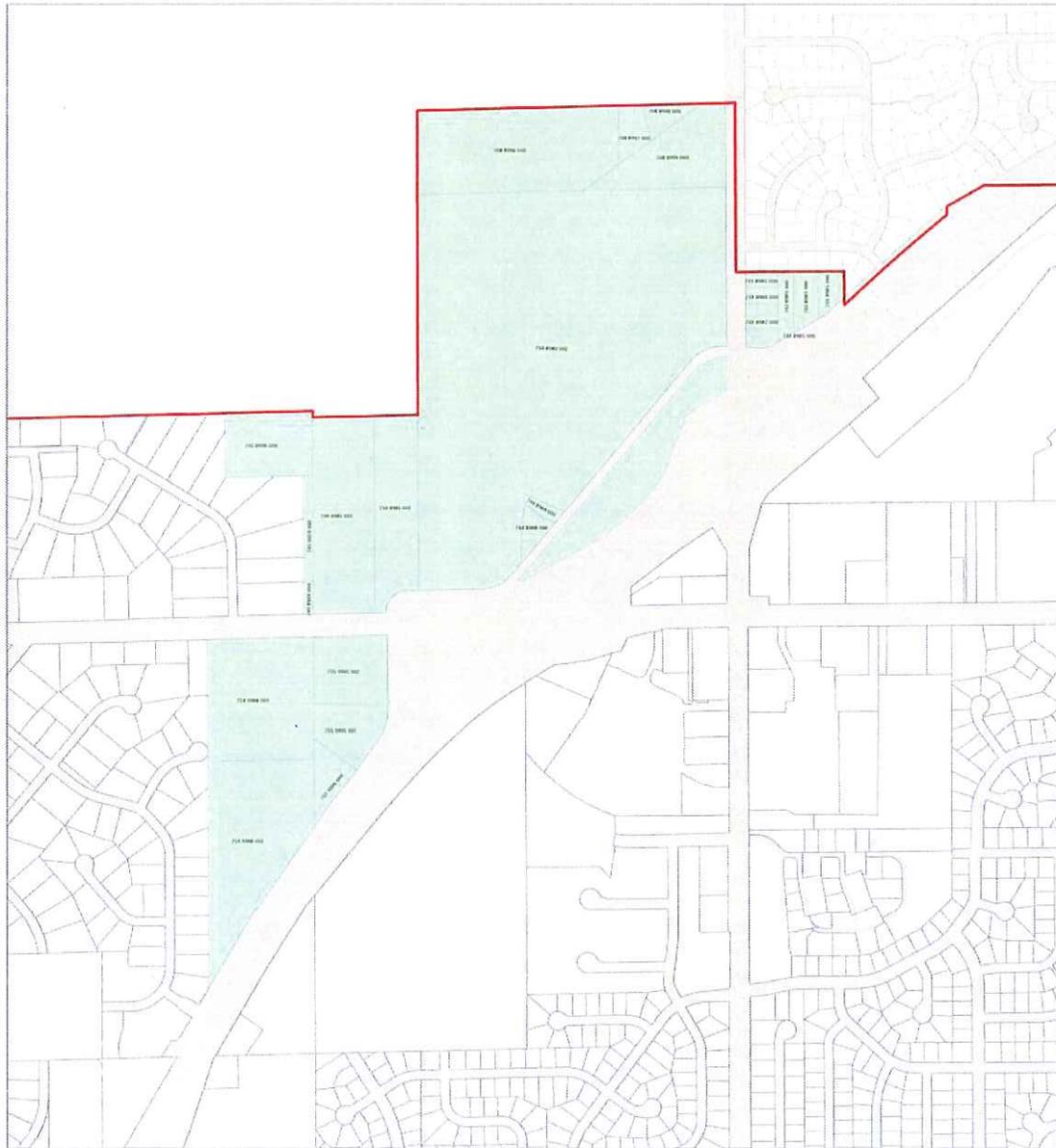
The District is being created by the City under the authority provided by Wisconsin Statutes Section 66.1105. The District is created as a "Mixed Use District" based upon a finding that at least 50%, by area, of the real property within the District is suitable for a combination of commercial and residential uses as defined within the meaning of Wisconsin Statutes Section 66.1105(2)(cm) (See Section 5 of this plan for a breakdown of District parcels by class and calculation of compliance with the 50% test). Lands proposed for newly platted residential development comprise 20% of the area of the District. To the extent that project costs will be incurred by the City for newly platted residential development, the residential development will have a density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.

A map depicting the boundaries of the District is found in Section 3 of this Plan. A map depicting the proposed uses of the District is found in Section 8 of this plan. The City intends that TIF will be used to assure that a combination of private commercial and residential development occurs within the District consistent with the City's development objectives. This will be accomplished by installing public improvements and making necessary related expenditures to induce and promote development within the District. The goal is to increase the tax base and to provide for and preserve employment opportunities within the City. The project costs included in the Plan relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.

Based upon the findings, as stated within this Plan, the District is declared to be a mixed-use District based on the identification and classification of the property included within the district.

# SECTION 3: Preliminary Map of Proposed District Boundary

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**Ball Park Commons TIF Map**



City of Franklin  
GIS Department  
9228 W. Lorain Rd.  
Franklin, OH 43120  
www.franklinohio.gov



SECTION 4:  
Map Showing Existing Uses and Conditions

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**Ball Park Commons TIF Map**

 City of Franklin  
City of Franklin  
GIS Department  
322 NW Lawrence St.  
Franklin, WI 53132  
www.franklin.gov



SECTION 5:  
Preliminary Parcel List and Analysis

City of Franklin, Wisconsin Tax Increment District # 5 Base Property Information				Assessment Information				Equalized Value				District Classification								
Parcel Number	Street Address	Owner	Acreage	Annexed Post 1/1/04? ...indicate acre	Part of Existing TID? ...indicate TID #	Land	Imp	PP	Total	Equalized Value Ratio	Land	Imp	PP	Total	Industrial (Zoned and Suitable)	Commercial/Business	Existing Residential	Newly Platted Residential	Suitable for Mixed Use	
744 8980 001	7900 W CRYSTAL RIDGE DR	MILWAUKEE COUNTY	80.41			0	0	0	0	92.74%	0	0	0	0	0	0	0	0	0.00	
744 8985 001	0 W RAWSON AVE	MILWAUKEE COUNTY	7.14			0	0	0	0	92.74%	0	0	0	0	0	7.14	0	0	7.14	
744 8985 002	0 W RAWSON AVE	MILWAUKEE COUNTY	10.76			0	0	0	0	92.74%	0	0	0	0	0	10.76	0	0	10.76	
755 9995 002	8200 W OLD LOOMIS RD	FF&E LLC	4.50			99,800	114,100	0	213,900	92.74%	107,610	123,029	0	230,638	0	0	0	4.50	4.50	
755 9995 001	8240 W OLD LOOMIS RD	STANZER, FRANK JR & S	3.02			93,600	98,800	0	192,400	92.74%	100,924	106,531	0	207,456	0	0	0	3.02	3.02	
708 8998 000		MILWAUKEE COUNTY	6.16			0	0	0	0	92.74%	0	0	0	0	0	6.16	0	0	6.16	
745 8028 000		MILWAUKEE COUNTY	0.90			0	0	0	0	92.74%	0	0	0	0	0	0.90	0	0	0.90	
744 8989 000	0 W OLD LOOMIS RD	MILWAUKEE COUNTY	0.43			0	0	0	0	92.74%	0	0	0	0	0	0.43	0	0	0.43	
755 9996 000	8316 W OLD LOOMIS RD	SAVAGE, BRADLEY	1.61			84,500	117,700	0	202,200	92.74%	91,112	126,910	0	218,023	0	0	0	1.61	1.61	
754 9988 001	0 W RAWSON AVE	ZIM-MAR PROPERTIES L	11.37			2,200	0	0	2,200	92.74%	2,372	0	0	2,372	0	0	0	11.37	11.37	
754 9988 002	8490 W OLD LOOMIS RD	ZIM-MAR PROPERTIES L	13.42			85,300	418,700	0	504,000	92.74%	91,975	451,464	0	543,439	0	0	0	13.42	13.42	
745 8998 004	0 W RAWSON AVE	MILWAUKEE COUNTY	0.28			0	0	0	0	92.74%	0	0	0	0	0	0.28	0	0	0.28	
708 8996 000		MILWAUKEE COUNTY	14.63			0	0	0	0	92.74%	0	0	0	0	0	14.63	0	0	14.63	
745 8998 000	0 W RAWSON AVE	MILWAUKEE COUNTY	5.00			0	0	0	0	92.74%	0	0	0	0	0	5.00	0	0	5.00	
744 8988 000	0 W OLD LOOMIS RD	MILWAUKEE COUNTY	0.83			0	0	0	0	92.74%	0	0	0	0	0	0.83	0	0	0.83	
743 8985 000	6776 S 76TH ST	KAISHAN PETER J	0.45			63,700	66,100	0	129,800	92.74%	68,685	71,272	0	139,957	0	0.00	0.45	0	0.45	
743 8986 000	0 S 76TH ST	KAISHAN PETER J	0.46			49,300	0	0	49,300	92.74%	53,158	0	0	53,158	0	0.46	0	0	0.46	
743 8987 000	7520 W LOOMIS RD	KAISHAN PETER J	1.17			81,600	9,100	0	90,700	92.74%	87,985	9,812	0	97,797	0	1.17	0	0	1.17	
743 8984 000	7488 W OLD LOOMIS RD	TRETOW, VERNINA L/L/I	0.72			68,800	100,200	0	169,000	92.74%	74,184	108,041	0	182,225	0	0.72	0	0	0.72	
743 8982 000	7432 W OLD LOOMIS RD	TRETOW, VERNINA L/L/I	1.19			81,800	0	0	81,800	92.74%	86,201	0	0	86,201	0	1.19	0	0	1.19	
743 8983 000	7450 W OLD LOOMIS RD	TRETOW INVESTMENTS	0.19			33,900	97,400	0	131,300	92.74%	36,553	105,022	0	141,575	0	0.19	0	0	0.19	
743 8984 000	7412 W OLD LOOMIS RD	CATALANELLO, MICHAEL	0.84			69,600	46,300	0	115,900	92.74%	75,046	49,923	0	124,969	0	0.84	0	0	0.84	
708 8998 000	6659 S 76TH ST	STEVES #14 LLC	0.96			72,100	76,000	0	148,100	92.74%	77,742	81,947	0	159,689	0	0.96	0	0	0.96	
708 8997 000	6659 S 76TH ST	STEVES #14 LLC	1.24			18,500	0	0	18,500	92.74%	19,948	0	0	19,948	0	1.24	0	0	1.24	
No Tax Key 'et		WISDOT						799,300	799,300	92.74%	0	0	0	861,847	0	0.00	0	0	0.00	
						904,700	1,144,400	799,300	2,848,400	92.74%	975,495	1,233,952	861,847			0.00%	53.35%	0	33.92%	87.27%
			<b>Total Acreage</b>																	<b>Estimated Base Value 3,071,294</b>

# SECTION 6: Equalized Value Test

The following calculations demonstrate that the City is in compliance with Wisconsin Statutes Section.66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property in the proposed District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

The equalized value of the increment of existing tax incremental districts within the City, plus the base value of the proposed District, totals \$130,175,494. This value is less than the maximum of \$437,902,308 in equalized value that is permitted for the City of Franklin. The City is therefore in compliance with the statutory equalized valuation test and may proceed with creation of this District.

City of Franklin, Wisconsin				
Tax Increment District # 5				
Valuation Test Compliance Calculation				
District Creation Date	9/6/2016			
	Valuation Data Currently Available 2015	Dollar Charge	Percent Change	Valuation Data Est. Creation Date
Total EV (TID In)	3,649,185,900			3,649,185,900
12% Test	437,902,308			437,902,308
Increment of Existing TIDs				
TID #3	72,829,900			72,829,900
TID #4	54,274,300			54,274,300
				0
				0
				0
				0
Total Existing Increment	127,104,200			127,104,200
Projected Base of New or Amended District	3,071,294			3,071,294
Total Value Subject to 12% Test	130,175,494			130,175,494
Compliance	<b>PASS</b>			<b>PASS</b>

## SECTION 7: Statement of Kind, Number and Location of Proposed Public Works and Other Projects

---

The following is a list of public works and other TIF-eligible projects that the City expects to implement in conjunction with this District. Any costs necessary or convenient to the creation of the District or directly or indirectly related to the public works and other projects are considered "Project Costs" and eligible to be paid with tax increment revenues of the District.

### Property, Right-of-Way and Easement Acquisition

#### Property Acquisition for Development

In order to promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred in order to make the property suitable for development and/or redevelopment. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development and/or redevelopment exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as defined in Wisconsin Statutes Section 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

#### Property Acquisition for Conservancy

In order to promote the objectives of this Plan, the City intends to acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

#### Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, the extension of the Oakleaf Trail system, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

#### Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

#### Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include, but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation

benefits as required by Wisconsin Statutes Sections 32.19 and 32.195.

## Site Preparation Activities

### Environmental Audits and Remediation

Land owned by Milwaukee County north of Rawson Avenue is a former landfill that has undergone extensive environmental testing and monitoring. The County-owned land is considered a “closed” landfill by the Wisconsin Department of Natural Resources. There have been no known environmental studies performed on other parcels within the proposed District. If, however, it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediations are eligible Project Costs.

### Demolition

In order to make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

### Site Grading

Land within the District may require grading to make it suitable for development and/or redevelopment, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

### Relocation and improvement to Landfill Gas System

Land within the proposed District is a former landfill site and contains a landfill gas system. In order to make the site suitable for development, the City may incur costs related to the relocation and improvements to the methane gas system. Expenses incurred by the City for these costs are eligible Project Costs.

## Utilities

### Sanitary Sewer System Improvements

There are inadequate sanitary sewer facilities serving areas of the District. To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs. The improvements to the wastewater treatment facilities, although not within the ½ mile radius, is an eligible project cost under Section 66.1105(2)(f)1 k.

### Water System Improvements

There are inadequate water distribution facilities serving areas of the District. To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or

expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

### **Stormwater Management System Improvements**

Development within the District will cause stormwater runoff and pollution. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

### **Electric Service**

In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

### **Gas Service**

In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

### **Methane Landfill Gas system**

In order to create sites suitable for development, the City may incur costs to relocate or upgrade the methane gas system. Costs incurred by the City to undertake this work are eligible Project Costs.

### **Communications Infrastructure**

In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

## **Streets and Streetscape**

### **Street Improvements**

There are inadequate street improvements serving areas of the District. To allow development to occur, the City may need to construct and/or reconstruct streets, highways, alleys, access drives and parking

areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

### **Streetscaping and Landscaping**

In order to attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include, but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

### **CDA Type Activities**

#### **Contribution to Community Development**

As provided for in Wisconsin Statutes Sections 66.1105(2)(f)1.h and 66.1333(13), the City may provide funds to its CDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the CDA for this purpose are eligible Project Costs.

### **Miscellaneous**

#### **Cash Grants (Development Incentives)**

The City may enter into agreements with property owners, lessees, or developers of land located within the District for the purpose of sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover project costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

#### **Projects Outside the Tax Increment District**

Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District: Street improvements, streetscaping, trails landfill gas control systems.

#### **Professional Service and Organizational Costs**

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include, but are not limited to: architectural; environmental; planning; engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

### Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Plan.

### Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

With all projects the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs.

In the event any of the public works project expenditures are not reimbursable out of the special TIF fund under Wisconsin Statutes Section 66.1105, in the written opinion of counsel retained by the City for such purpose or a court of record so rules in a final order, then such project or projects shall be deleted herefrom and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of this Project Plan.

**The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.**

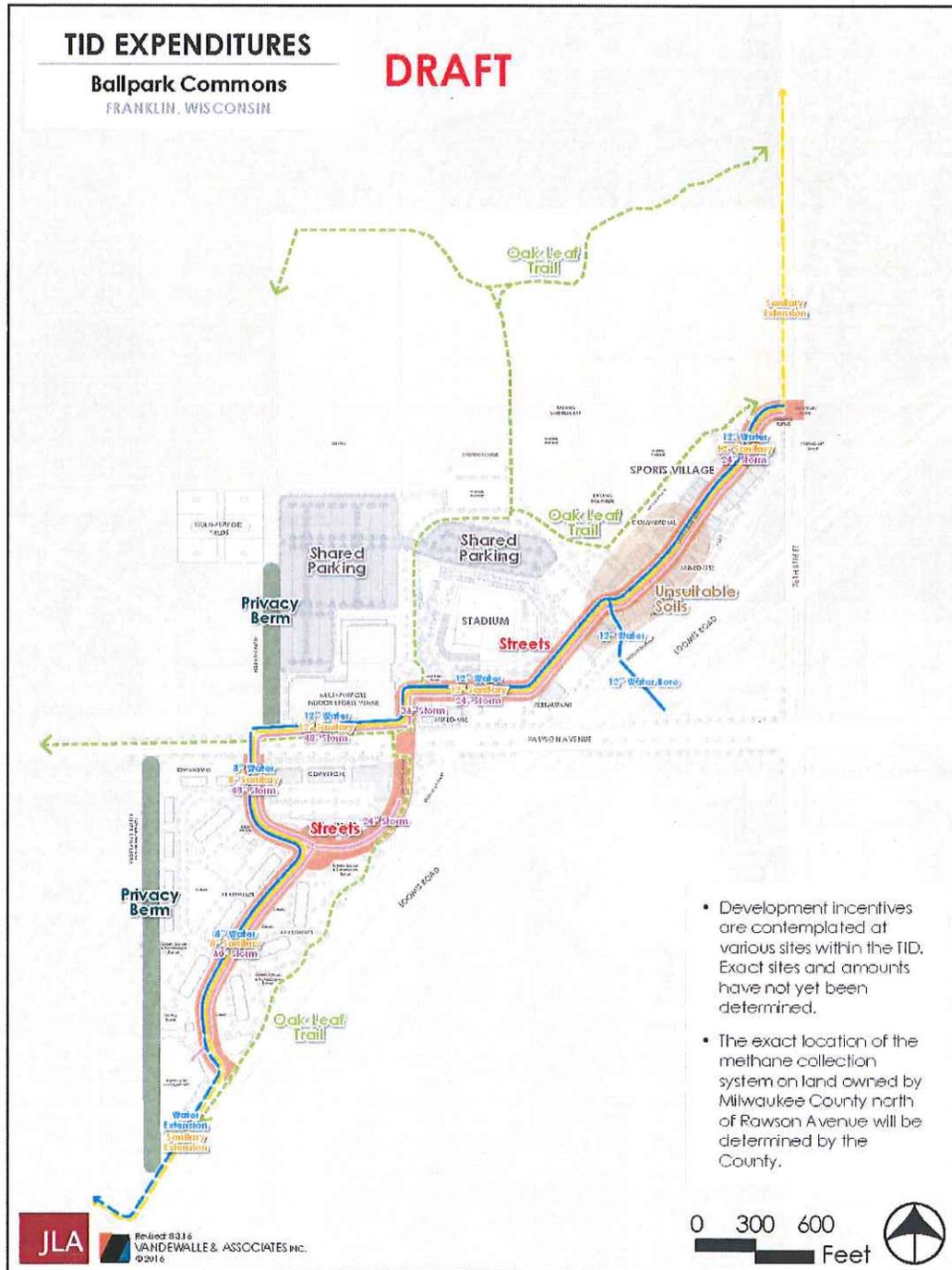
Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred, by the City and as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges. To the extent the costs benefit the municipality outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed. Prorations of costs in the Plan are also estimates and subject to change based upon implementation, future assessment policies and user fee adjustments.

SECTION 8:  
Map Showing Proposed Uses

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# Map Showing Proposed Improvements



- Development incentives are contemplated at various sites within the TID. Exact sites and amounts have not yet been determined.
- The exact location of the methane collection system on land owned by Milwaukee County north of Rawson Avenue will be determined by the County.

## SECTION 9: Detailed List of Project Costs

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All costs are based on 2016 prices and are preliminary estimates. The City reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2016 and the time of construction. However, for increases in excess of 25% over the cost of inflation of total project costs, the City would pursue an amendment to the Plan in accordance with the amendment procedures specified in Wisconsin Statutes Section 66.1105(4)(h), which include review by the Joint Review Board. The City also reserves the right to increase certain project costs to the extent others are reduced or not implemented, without amending the Plan. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

**This Plan is not meant to be a budget nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on best information available. The City retains the right to delete projects or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without amending the Plan.**

# Proposed TIF Project Cost Estimates

## City of Franklin, Wisconsin

### Tax Increment District # 5

#### Estimated Project List

Project ID	Project Name/Type	Phase I 2017	Phase II 2017	Phase III 2017	Phase IV 2017	Phase V 2020	Phase VI 2031	Total (Note 1)
<b>North of Rawson</b>								
1	Sanitary Sewer (with 75% Special Assessed)	523,500 *	523,500 *					1,047,000 *
2	Storm Sewer	263,250	263,250					526,500
3	Water (with 75% Special Assessed)	609,250 *	609,250 *					1,218,500 *
4	Streets (with 75% Special Assessed)	900,000 *	900,000 *					1,800,000 *
5	Shared Parking	1,500,000	1,500,000					3,000,000
6	County Methane Collection System						1,530,000	1,530,000
7	Relocate Methane Gas Line	125,000	125,000					250,000
8	Excavate Unsuitable soils	1,225,000	1,225,000					2,450,000
9	Oak Leaf Trail		120,000					120,000
10	Privacy Berms			160,000				160,000
11	Contingency @ 15%	771,900	783,900	24,000			229,500	1,809,300
<b>South of Rawson</b>								
12	Sanitary Sewer (with 75% Special Assessed)	104,500 *	104,500 *					209,000 *
13	Storm Sewer	208,250	208,250					416,500
14	Water (with 75% Special Assessed)	147,500 *	147,500 *					295,000 *
15	Streets (with 75% Special Assessed)	875,000 *	875,000 *					1,750,000 *
16	Oak Leaf Trail		50,000					50,000
17	Privacy Berms			400,000				400,000
18	Contingency @ 15%	200,288	206,288	60,000				466,575
<b>Overall TIF Area</b>								
19	TIF Creation and Administration	30,000						30,000
20	Developer Incentive for delivery of additional development				8,240,000	1,050,000		9,290,000
<b>Total Projects</b>		<b>7,483,438</b>	<b>7,641,438</b>	<b>644,000</b>	<b>8,240,000</b>	<b>1,050,000</b>	<b>1,759,500</b>	<b>26,818,375</b>

**Notes:**

Note 1  
Project costs are estimates and are subject to modification  
Infrastructure Costs Provided by Developer  
\* 75% of Sewer, Water and Streets costs identified above are anticipated to be Special Assessed to the benefiting properties and would not be costs to the District (Estimated at \$4,739,625)

## SECTION 10: Economic Feasibility Study, Financing Methods, and the Time When Costs or Monetary Obligations Related are to be Incurred

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The information and exhibits contained within this Section demonstrate that the proposed District is economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the projects contained within this Plan. A listing of “Available Financing Methods” follows.
- The City expects to complete the projects in one or multiple phases, and can adjust the timing of implementation as needed to coincide with the pace of private development. A discussion of the phasing and projected timeline for project completion is discussed under “Plan Implementation” within this Section. A table identifying the financing method for each phase and the time at which that financing is expected to be incurred is included.
- The development anticipated to occur as a result of the implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects. Within this Section are tables identifying: 1) the development expected to occur, 2) a projection of tax increments to be collected resulting from that development and other economic growth within the District, and 3) a cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all Project Costs.

### Available Financing Methods

The following is a list of the types of obligations the City may choose to utilize.

#### General Obligation (G.O.) Bonds or Notes

The City may issue G.O. Bonds or Notes to finance the cost of projects included within this Plan. The Wisconsin State Constitution limits the principal amount of G.O. debt that the community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (TID IN). As of the date of this plan, the City has a G.O. debt limit of \$182,459,295, of which \$146,547,019 is currently unused and could be made available to finance Project Costs.

#### Bonds Issued to Developers (“Pay as You Go” Financing)

The City may issue a bond or other obligation to one or more developers who provide financing for projects included in this Plan. Repayment of the amounts due to the developer under the bonds or other obligations are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the District, the City’s obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds or other obligations issued to developers in this fashion are not general obligations of the City and, therefore, do not count against the City’s statutory borrowing capacity.

### Tax Increment Revenue Bonds

The City has the authority to issue revenue bonds secured by the tax increments to be collected. These bonds may be issued directly by the City, or as a form of lease revenue bond by a Community Development Authority (CDA). Tax Increment Revenue Bonds and Lease Revenue Bonds are not general obligations of the City and therefore do not count against the City's statutory borrowing capacity. To the extent tax increments collected are insufficient to meet the annual debt service requirements of the revenue bonds, the City may be subject to either a permissive or mandatory requirement to appropriate on an annual basis a sum equal to the actual or projected shortfall.

### Utility Revenue Bonds

The City can issue revenue bonds to be repaid from revenues of the its various systems, including revenues paid by the City that represent service of the system to the City. There is neither a statutory nor constitutional limitation on the amount of revenue bonds that can be issued, however, water rates are controlled by the Wisconsin Public Service Commission and the City must demonstrate to bond purchasers its ability to repay revenue debt with the assigned rates. To the extent the City utilizes utility revenues other than tax increments to repay a portion of the bonds, the City must reduce the total eligible Project Costs in an equal amount.

### Special Assessment "B" Bonds

The City has the ability to levy special assessments against benefited properties to pay part of the costs for street, curb, gutter, sewer, water, storm sewers and other infrastructure. In the event the City determines that special assessments are appropriate, the City can issue Special Assessment B bonds pledging revenues from special assessment installments to the extent assessment payments are outstanding. These bonds are not counted against the City's statutory borrowing capacity. If special assessments are levied, the City must reduce the total eligible Project Costs under this Plan in an amount equal to the total collected.

## Plan Implementation

Projects identified will provide the necessary anticipated governmental services to the area. A reasonable and orderly sequence is outlined on the following page. However, public debt and expenditures should be made at the pace private development occurs to assure increment is sufficient to cover expenses.

It is anticipated developer agreements between the City and property owners will be in place prior to major public expenditures. These agreements can provide for development guarantees or a payment in lieu of development. To further assure contract enforcement, these agreements might include levying of special assessments against benefited properties.

The order in which public improvements are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Plan to accomplish this objective.

Interest rates projected are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.

**If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented, including interfund advances.**

# Implementation and Financing Timeline

City of Franklin, Wisconsin					
Tax Increment District # 5					
Estimated Financing Plan					
	G.O. Bond 2017	Municipal Revenue Obligation (MRO) 2017	Municipal Revenue Obligation (MRO) 2020	TIF Revenue Note 2031	Totals
Projects					
Phase I	5,113,625				5,113,625
Phase II	5,271,625				5,271,625
Phase III	644,000				644,000
Phase IV		8,240,000			8,240,000
Phase V			1,050,000		1,050,000
Phase VI				1,759,500	1,759,500
<b>Total Project Funds</b>	<b>11,029,250</b>	<b>8,240,000</b>	<b>1,050,000</b>	<b>1,759,500</b>	<b>20,319,250</b>
Estimated Finance Related Expenses					
Municipal Advisor	32,900				
Bond Counsel	17,500				
Disclosure Counsel ( if engaged)	10,500				
Rating Agency Fee	18,000				
Paying Agent	675				
Underwriter Discount	12.50	145,313	0.00	0	0.00
Debt Service Reserve			0	0	0.00
Capitalized Interest	381,694				
Capitalized Carrying Costs		1,018,427			
<b>Total Financing Required</b>	<b>11,635,831</b>	<b>9,258,427</b>	<b>1,050,000</b>	<b>1,759,500</b>	
Estimated Interest	0.25%	(13,787)	0.00%	0	0.00%
Assumed spend down (months)	6	6	6	6	6
Rounding	2,955	0	0	0	0
<b>Net Issue Size</b>	<b>11,625,000</b>	<b>9,258,427</b>	<b>1,050,000</b>	<b>1,759,500</b>	<b>23,692,927</b>

Notes: Project costs proposed to be finance above are net of the amount anticipated to be special assessed to benefitting property

# Development Assumptions

City of Franklin, Wisconsin Tax Increment District # 5 Development Assumptions		North of Rawson					South of Rawson					Total	Construction Year		
		Actual	Stadium	Indoor Sports Venue	Sports Village	Commercial	Hotel	Garden Apartments							
1	2016											0	2016	1	
2	2017			6,375,000	6,426,000							12,007,950	24,808,950	2017	2
3	2018			3,825,000	4,069,375	4,462,500						24,709,500	37,066,375	2018	3
4	2019				12,835,000					5,312,500		7,066,050	25,213,550	2019	4
5	2020				8,765,625					5,312,500			14,078,125	2020	5
6	2021												0	2021	6
7	2022												0	2022	7
8	2023												0	2023	8
9	2024												0	2024	9
10	2025												0	2025	10
11	2026												0	2026	11
12	2027												0	2027	12
13	2028												0	2028	13
14	2029												0	2029	14
15	2030												0	2030	15
16	2031												0	2031	16
17	2032												0	2032	17
18	2033												0	2033	18
19	2034												0	2034	19
20	2035												0	2035	20
Totals		0	0	10,200,000	32,096,000	4,462,500	10,625,000	43,783,500	101,167,000						

Notes: Development Values provided by Developer based upon 85% of construction costs  
 Indoor Sports Venue value reflected assumed to be taxable for this analysis, if tax exempt due to location on County owned land, a comparable PILOT will be necessary to meet the cash flow projections in this analysis  
 No taxable value has been identified for the Developer's improvements to the Stadium

# Increment Revenue Projections

City of Franklin, Wisconsin									
Tax Increment District # 5									
Tax Increment Projection Worksheet									
Type of District	Mixed Use		Base Value	3,071,294					
District Creation Date	September 6, 2016		Appreciation Factor	0.00%		<input checked="" type="checkbox"/> Apply to Base Value			
Valuation Date	Jan 1,	2016	Base Tax Rate	\$23.76					
Max Life (Years)	20		Rate Adjustment Factor	-1.00%					
Expenditure Period/Termination	15	9/6/2031	Tax Exempt Discount Rate						
Revenue Periods/Final Year	20	2037	Taxable Discount Rate	1.50%					
Extension Eligibility/Years	Yes 3								
Recipient District	No								

Construction Year	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment	Tax Exempt NPV Calculation	Taxable NPV Calculation
1 2016	0	2017	0	0	2018	\$23.53	0	0
2 2017	24,808,950	2018	0	24,808,950	2019	\$23.29	577,798	560,847
3 2018	37,066,375	2019	0	61,875,325	2020	\$23.06	1,426,660	1,925,186
4 2019	25,213,550	2020	0	87,088,875	2021	\$22.83	1,987,929	3,798,181
5 2020	14,078,125	2021	0	101,167,000	2022	\$22.60	2,286,189	5,920,359
6 2021	0	2022	0	101,167,000	2023	\$22.37	2,263,327	7,990,268
7 2022	0	2023	0	101,167,000	2024	\$22.15	2,240,694	10,009,193
8 2023	0	2024	0	101,167,000	2025	\$21.93	2,218,287	11,978,391
9 2024	0	2025	0	101,167,000	2026	\$21.71	2,196,104	13,899,087
10 2025	0	2026	0	101,167,000	2027	\$21.49	2,174,143	15,772,475
11 2026	0	2027	0	101,167,000	2028	\$21.28	2,152,402	17,599,721
12 2027	0	2028	0	101,167,000	2029	\$21.06	2,130,878	19,381,960
13 2028	0	2029	0	101,167,000	2030	\$20.85	2,109,569	21,120,302
14 2029	0	2030	0	101,167,000	2031	\$20.64	2,088,473	22,815,827
15 2030	0	2031	0	101,167,000	2032	\$20.44	2,067,589	24,469,591
16 2031	0	2032	0	101,167,000	2033	\$20.23	2,046,913	26,082,622
17 2032	0	2033	0	101,167,000	2034	\$20.03	2,026,444	27,655,923
18 2033	0	2034	0	101,167,000	2035	\$19.83	2,006,179	29,190,473
19 2034	0	2035	0	101,167,000	2036	\$19.63	1,986,117	30,687,226
20 2035	0	2036	0	101,167,000	2037	\$19.44	1,966,256	32,147,113
<b>Totals</b>	<b>101,167,000</b>		<b>0</b>		<b>Future Value of Increment</b>	<b>37,951,952</b>		

Notes:  
 Actual results will vary depending on development, inflation of overall tax rates.  
 NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

# Cash Flow

## City of Franklin, Wisconsin

### Tax Increment District # 5

#### Cash Flow Projection

Year	Projected Revenues				Expenditures					Balances						
	Tax Increments	Interest Earnings/ (Cost)	Capitalized Interest	PILOT	Total Revenues	Dated Date: Principal	G.O. Bond Est. Rate	05/01/17 Interest	Municipal Revenue Obligation (MRO)	TIF Revenue Note	Admin.	Total Expenditures	Annual	Cumulative	Principal Outstanding	Year
2016		0.25%			0							0	0	0		2016
2017			381,694		381,694	625,000	1.70%	241,400	1,041,338		30,000	1,937,738	254,463	254,463	20,119,607	2017
2018	0	636			636	775,000	1.40%	254,463	1,235,401		30,000	2,269,513	(253,826)	636	20,628,820	2018
2019	577,798	2			577,800	900,000	1.45%	250,588	254,607	254,607	30,000	539,069	38,730	39,367	20,883,427	2019
2020	1,426,660	98			1,426,758	500,000	1.55%	250,588	656,463		30,000	1,437,051	(10,293)	29,074	21,283,427	2020
2021	1,987,929	73			1,988,001	625,000	1.70%	241,400	1,041,338		30,000	1,937,738	50,263	79,337	20,108,427	2021
2022	2,286,189	198			2,286,388	775,000	1.80%	229,113	1,235,401		30,000	2,269,513	16,874	96,211	18,558,427	2022
2023	2,263,327	241			2,263,568	825,000	1.85%	214,506	1,173,963		25,000	2,238,470	25,098	121,309	16,983,427	2023
2024	2,240,694	303			2,240,997	900,000	1.95%	198,100	1,113,901		25,000	2,237,001	3,996	125,305	15,358,427	2024
2025	2,218,287	313			2,218,600	1,000,000	2.05%	179,075	1,006,588		25,000	2,210,663	7,937	133,242	13,708,427	2025
2026	2,196,104	333			2,196,437	1,050,000	2.15%	157,538	952,026		20,000	2,179,563	16,874	150,116	12,033,427	2026
2027	2,174,143	375			2,174,519	1,100,000	2.25%	133,875	918,288		20,000	2,172,163	2,355	152,471	10,313,427	2027
2028	2,152,402	381			2,152,783	1,150,000	2.35%	107,988	797,301		15,000	2,070,288	82,495	234,966	8,638,427	2028
2029	2,130,878	587			2,131,465	1,175,000	2.45%	80,081	759,338		15,000	2,029,420	102,045	337,011	6,953,427	2029
2030	2,109,569	843			2,110,412	1,225,000	2.55%	50,069	727,063		10,000	2,012,132	98,279	435,291	5,228,427	2030
2031	2,088,473	1,088			2,089,562	1,300,000	2.65%	17,225	605,063		10,000	1,932,288	157,273	592,564	3,528,427	2031
2032	2,067,589	1,481			2,069,070		2.75%	0	1,895,938	400,000	10,000	2,305,938	(236,868)	355,695	1,778,427	2032
2033	2,046,913	889			2,047,802		2.85%	0	1,827,334	400,000	10,000	2,237,334	(189,532)	166,163	(0)	2033
2034	2,026,444	415			2,026,859		2.95%	0	0	959,500		959,500	1,067,359	1,233,522	(0)	2034
2035	2,006,179	3,084			2,009,263		3.00%	0	0			0	2,009,263	3,242,785	(0)	2035
2036	1,986,117	8,107			1,994,224		3.05%	0	0			0	1,994,224	5,237,010	(0)	2036
2037	1,966,256	13,093			1,979,349		3.10%	0	0			0	1,979,349	7,216,358	(0)	2037
Total	37,951,952	32,541	381,694	0	38,366,187	11,625,000		2,495,713	14,954,616	1,759,500	305,000	31,149,828				Total

Notes: Interest estimates based upon June, 2016 Aa1 sale plus .60%  
MRO includes carrying costs  
TIF Revenue Note for County Methane Collection System

Projected TID Closure

## SECTION 11: Annexed Property

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There are no lands proposed for inclusion within the District that were annexed by the City on or after January 1, 2004.

## SECTION 12: Estimate of Property to be Devoted to Retail Business

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Pursuant to Wisconsin Statutes Sections 66.1105(5)(b) and 66.1105(6)(am)1, the City estimates that approximately 10-15% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

## SECTION 13: Proposed Zoning Ordinance Changes

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The City anticipates that a portion of the District will be rezoned prior to development.

## SECTION 14: Proposed Changes in Master Plan, Map, Building Codes and City of Franklin Ordinances

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It is expected that this Plan will be complementary to the City's Master Plan. The City does not anticipate changes to the Master Plan, map, building codes or other City ordinances for the implementation of this Plan.

## SECTION 15: Relocation

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It is not anticipated there will be a need to relocate persons or businesses in conjunction with this Plan. In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable Wisconsin Statutes Section chapter 32.

## SECTION 16: Orderly Development of the City of Franklin

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The District contributes to the orderly development of the City by providing the opportunity for continued growth in tax base, job opportunities and general economic activity.

## SECTION 17: List of Estimated Non-Project Costs

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Non-Project costs are public works projects that only partly benefit the District or are not eligible to be paid with tax increments, or costs not eligible to be paid with TIF funds.

### Examples would include:

A public improvement made within the District that also benefits property outside the District. That portion of the total project costs allocable to properties outside of the District would be a non-project cost.

A public improvement made outside the District that only partially benefits property within the District. That portion of the total project costs allocable to properties outside of the District would be a non-project cost.

Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

The City expects to special assessment approximately 75% of the Streets, sewer and water costs necessary to prepare the area for Development. This is estimated to be approximately \$4.7 million and would be non-project costs in the implementation of this Project Plan.

SECTION 18:  
Opinion of Attorney for the City of Franklin Advising  
Whether the Plan is Complete and Complies with  
Wisconsin Statutes 66.1105

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August 12, 2016

**SAMPLE**

Mayor Steve Olson  
City of Franklin  
9229 West Loomis Road  
Franklin, Wisconsin 53132

**RE: City of Franklin, Wisconsin Tax Incremental District No. 5**

Dear Mayor:

As City Attorney for the City of Franklin, I have reviewed the Project Plan and, in my opinion, have determined that it is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).

Sincerely,

Attorney Jesse Wesolowski  
City of Franklin

Exhibit A:  
**Calculation of the Share of Projected Tax Increments  
 Estimated to be Paid by the Owners of Property in the  
 Overlying Taxing Jurisdictions**

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlying district would pay by jurisdiction.							
Statement of Taxes Data Year:		2015		Percentage			
County	18,083,210			21.13%			
Special District	6,145,125			7.18%			
Municipality	23,529,350			27.49%			
School District	33,404,871			39.03%			
School District				0.00%			
Technical College	4,428,322			5.17%			
Total	<u>85,590,878</u>						
Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2018	0	0	0	0	0	0	2018
2019	122,074	41,484	158,840	225,506	29,894	577,798	2019
2020	301,417	102,429	392,196	556,804	73,813	1,426,660	2020
2021	420,000	142,726	546,491	775,860	102,852	1,987,929	2021
2022	483,015	164,140	628,485	892,266	118,283	2,286,189	2022
2023	478,184	162,499	622,200	883,344	117,101	2,263,327	2023
2024	473,403	160,874	615,978	874,510	115,930	2,240,694	2024
2025	468,669	159,265	609,818	865,765	114,770	2,218,287	2025
2026	463,982	157,673	603,720	857,107	113,623	2,196,104	2026
2027	459,342	156,096	597,683	848,536	112,486	2,174,143	2027
2028	454,749	154,535	591,706	840,051	111,362	2,152,402	2028
2029	450,201	152,990	585,789	831,651	110,248	2,130,878	2029
2030	445,699	151,460	579,931	823,334	109,145	2,109,569	2030
2031	441,242	149,945	574,132	815,101	108,054	2,088,473	2031
2032	436,830	148,446	568,390	806,950	106,973	2,067,589	2032
2033	432,461	146,961	562,706	798,880	105,904	2,046,913	2033
2034	428,137	145,492	557,079	790,891	104,845	2,026,444	2034
2035	423,855	144,037	551,508	782,982	103,796	2,006,179	2035
2036	419,617	142,596	545,993	775,153	102,758	1,986,117	2036
2037	415,421	141,170	540,533	767,401	101,731	1,966,256	2037
<u>8,018,297</u>		<u>2,724,817</u>	<u>10,433,177</u>	<u>14,812,093</u>	<u>1,963,568</u>	<u>37,951,952</u>	
Notes:							
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.							

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9/02/2016

Update BPC:

Mr. Hertzberg, Please accept this summary of bullet points as an update on the Ball Park Commons Teams progress toward meeting the Conditions required, and Developing a successful project in Franklin.

Wetland delineation –Wisconsin DNR has confirmed the Developers wetland report. See attached correspondence. **Completed, Shared report with City**

Geotechnical Borings- **Completed, Shared report with City** We generated a Boring Plan for the initial Geotechnical investigation. We received approvals for plan from Milwaukee County and the DNR for the plan. The plan has been executed, along with a post Bore meeting with Milwaukee County and the DNR. Geotechnical reports are currently being put together. This report helps identify building and foundation types necessary for the project.

Topographic survey- **Completed** Crews have walked and shot the entire proposed development. Information on the land contours has been recorded and mapped.

Boundary Survey- **Completed** Crews surveyed, identified and marked the boundaries for the entire proposed development.

Waste Delineation- **Completed, Shared report with City.** We have developed a plan and process to determine the location of landfill waste with respect to the buildings, roads and features projected. This plan has been approved by the DNR and is pending Milwaukee County approval. This plan should be executed with in the next three weeks.

Milwaukee County- Milwaukee Cty and the Developer are continuing to work thru the concerns and issues that surround the proposed development. The Developer has engaged a Consultant with expertise in Environmental Engineering to help provide engineered solutions to any perceived challenges.

Traffic Impact and WIDOT- The Development Team, City Officials and Consultants met with the State DOT. A review of the plan was conducted. Developer has offered to collect additional information and Traffic Impact studies to support the plans intent.

Stadium Design- Conceptual Design has been forwarded to project Architects and Engineers for development of Design Development Documents, to be followed by Construction Documents.

Continued Master Site Planning – Master Planning has seen a lot of activity. As we continue to work with our neighbors in the Stonehenge development-

South of Rawson:

- The townhouses have been removed and we have a full 150' landscaping and green space buffer. In addition, only the B-1 building along Rawson touches that 150' line. The next closest building is B-3 which is 200' from the property line
- The former A-4 building was removed entirely
- Things likely to change going forward include the specifics of the road grid and solving for wetlands and other site engineering issues



Interviewing and Qualifying Design Consultants- The Development Team has narrowed down their search for Consultants Professional Services to Five (5) Architectural Firms and Three (3) Engineering Firms. The goal for the development is to have made the final choices by the end of September.

Neighbor Meetings- Continued meetings and discussions with the surrounding neighbors to design the project.

Tenant search- Strong responses to the development have continued by retailers.

Respectfully Submitted,

Jeff Marek

<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MTG. DATE</b> 09/06/2016
Reports & Recommendations	BALLPARK COMMONS PROJECT STATUS- VALUE ENGINEERING EFFORTS	<b>ITEM NO.</b> <i>G.3.</i>

**BACKGROUND**

On May 17, 2016, the Common Council authorized execution of a time and materials, not to exceed \$20,000 GRAEF on-call professional service contract for miscellaneous services related to the Ballpark Commons development. Staff affirmed that when used, a status would be provided to Common Council.

**ANALYSIS**

It is not uncommon for large scale projects to be subjected to a value engineering (VE) exercise in which experts unrelated to the project take a few days to challenge assumptions and conclusions for a project and offer alternative solutions for a better, and often less expensive project.

Staff has asked GRAEF to provide senior engineers (up to 72 hours) to participate in a value engineering process and the development team provided additional senior engineers to join the team. In addition, staff requested for GRAEF to provide another engineer or technician to provide a third party detailed cost estimate for the project components.

This process is expected to occur the week of September 19-23, 2016 at GRAEF's office. It is anticipated that the development team will provide additional VE Team members from Stantech and JSD Professional Services at their expense.

**OPTIONS**

N/A

**FISCAL NOTE**

The value engineering process is expected to cost the City \$10,000-\$12,000 depending on billable rates for the 72 hours. The efforts to provide a third party cost estimate is expected to cost approximately \$3,500.

The motion on May 17, 2016 included up to \$20,000 for these miscellaneous services.

**RECOMMENDATION**

Place on file.

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<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MTG. DATE</b> 09/06/2016
Reports & Recommendations	UPDATE ON WAUKESHA WATER DIVERSION PROJECT	<b>ITEM NO.</b> <i>G.4.</i>

**BACKGROUND**

The City of Waukesha sought an exception from the prohibition of diversions under the Great Lakes – St. Lawrence River Basin Water Resources Compact. The Compact prohibits diversions of Great Lakes water, with limited exceptions. One exception allows a “community within a straddling county,” such as Waukesha, to apply for a diversion of Great Lakes water.

The Great Lakes-St. Lawrence River Basin Water Resources Council (Compact Council) unanimously approved, with conditions, the City of Waukesha’s Great Lakes diversion application on June 21, 2016. Staff has met with Waukesha Water personnel and an update was give to the Franklin Board of Water Commissioners on July 19, 2016.

An updated status report to the Common Council will be presented by Mr. Dan Duchniak, General Manager of the Waukesha Water Utility. Mr. Duchniak will discuss the history and timing of the proposed project, potential routing of the pipeline, and water quality and volume related to the return of water via the Root River.

**ANALYSIS**

N/A

**OPTIONS**

N/A

**FISCAL NOTE**

N/A

**RECOMMENDATION**

Place on File

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<b>Approval</b> <i>Slw</i>	<b>Council Action Sheet</b>	<b>MEETING DATE</b> 9/6/16
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Update on a business appreciation event organized by the Franklin Economic Development Commission</b>	<b>ITEM NUMBER</b> <i>B.5.</i>

**Background**

Prior Development Directors in the City of Franklin have organized and hosted annual business appreciation events. The last such event was hosted by the Economic Development Commission in 2012. In recent meetings, the Economic Development Commission has expressed interest in again hosting such events and has organized an event planning committee. The intent to host such an event was noted by the Economic Development Director during an economic development presentation to the Common Council on August 2, 2016. Council members expressed interest in the event at that time.

**Update**

The Franklin Economic Development Commission is working in collaboration with the Franklin Business Park Association to host a business appreciation event on October 13, 2016 from 5 to 8 P.M. at Allis-Roller, 5801 W. Franklin Drive. The intent of the event is to network with business leaders in the community and to showcase local businesses and recognize the many contributions of businesses to the community. The budget for the event is estimated at \$5,000. Funds are available in the Other Professional Services section of the Economic Development budget (01-0641-5219).

**COUNCIL ACTION REQUESTED**

Motion to receive and file the update on business appreciation event organized by the Franklin Economic Development Commission.

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">09/06/16</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY PLAT FOR EVERGREEN PARK ESTATES SUBDIVISION (AT APPROXIMATELY 7501 SOUTH 49TH STREET) (RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.6.</i></p>

At its July 21, 2016 meeting the Plan Commission recommended approval of a resolution conditionally approving a Preliminary Plat for Evergreen Park Estates Subdivision (at approximately 7501 South 49<sup>th</sup> Street) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).

It should be noted that the Plan Commission expressed concerns related to the lack of detail within the submittal. The applicant indicated that additional information would be provided to the Common Council for review. At this time, staff has not received any new information from the applicant, except for the draft subdivision covenants and declarations of restrictions, which would be required as part of the Final Plat submittal.

At the August 16, 2016 meeting, the Common Council passed a motion to table the item to their September 6, 2016 meeting. In subsequent discussions with the applicant, staff and the applicant agree and recommend that the item be tabled again, to the September 20, 2016 Council meeting, to allow additional time for all natural resource information to be finalized. The applicant is awaiting a navigability determination from the Wisconsin Department of Natural Resources. It is anticipated that the WDNR will conduct a site inspection and determination the week of September 5<sup>th</sup>.

Please note that the applicant has granted an extension to the City for the review of the Preliminary Plat Application.

**COUNCIL ACTION REQUESTED**

A motion to table.

or

A motion as the Common Council deems appropriate.

## RESOLUTION NO. 2016-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A  
PRELIMINARY PLAT FOR EVERGREEN PARK ESTATES SUBDIVISION  
(AT APPROXIMATELY 7501 SOUTH 49TH STREET)  
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a preliminary plat for Evergreen Park Estates Subdivision [contingent upon rezoning approval for the property located at 7501 South 49th Street], such plat being a part of lands in the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at approximately 7501 South 49th Street [The Preliminary Plat includes one lot south of West Evergreen Street (Lot 1), three lots north of West Evergreen Street (Lots 2, 3 and 4) and two lots east of South 51st Street (Lots 5 and 6), and five outlots, which are reserved for future single-family residential lots, future storm water management facilities and/or consist of protected natural resource features.], bearing Tax Key No. 788-9981-001, Rick J. Przybyla, President of Creative Homes, Inc., applicant; said preliminary plat having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof at its meeting on July 21, 2016, pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed preliminary plat is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Preliminary Plat of Evergreen Park Estates Subdivision, as submitted by Rick J. Przybyla, President of Creative Homes, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Franklin Oasis, LLC, successors and assigns and any developer of the Evergreen Park Estates 6 lot single-family residential subdivision development shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Evergreen Park Estates 6 lot single-family residential subdivision development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
4. The approval granted hereunder is conditional upon Rick J. Przybyla, President of Creative Homes, Inc. and the Evergreen Park Estates 6 lot single-family residential subdivision development project for the property located at approximately 7501 South 49th Street [contingent upon rezoning approval for the property located at 7501 South 49th Street]: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
5. The Evergreen Park Estates 6 lot single-family residential subdivision development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
6. Any land disturbance and impervious surface within Lots 5 and 6 shall be made part of, and included in, the storm water calculations for any future phase of development upon the subject property.
7. The applicant shall submit a revised Preliminary Plat application for Department of City Development review and approval, prior to submittal of a Final Plat, which includes:
  - a. Delineation, on a revised preliminary plat, of all 30-foot wetland buffers, all protected woodlands, all floodplain and floodway, and the conservation easement boundary.
  - b. Site Intensity and Capacity worksheets.
  - c. A draft copy of the declaration of deed restrictions and protective covenants.
  - d. A Grading and Drainage Plan.
  - e. A draft Subdivision Development Agreement.

- f. Storm water management calculations.
8. The applicant shall submit a revised project narrative or supplemental letter that lists all natural resource features that are located within the subject property that require protection pursuant to Table 15-4.0100 of the Unified Development Ordinance, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
9. The applicant shall submit a separate Natural Resource Protection Plan map exhibit that illustrates the entire site, and the delineations and areas (square footage) of all natural resource features onsite, pursuant to the requirements of Section 15-7.0201 of the Unified Development Ordinance, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
10. The applicant shall obtain a navigability determination from the Wisconsin Department of Natural Resources as part of a revised Preliminary Plat application. If determined to be navigable, the applicant shall revise the Preliminary Plat, Natural Resource Protection Plan, and Conservation Easement accordingly, including but not limited to, illustrating the 75-foot shore buffer.
11. The applicant shall clearly and accurately identify on the Preliminary Plat, the Natural Resource Protection Plan, and the Conservation Easement, all woodlands required for protection as defined by the Unified Development Ordinance, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
12. The applicant shall identify all significant mature or specimen trees and indicate the proposed method for preserving such trees, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
13. The applicant shall revise all building setback lines to be a minimum of six feet from the conservation easement when protected groves or woodlands are present, for Department of City Development review and approval, as part of the revised Preliminary Plat application.
14. The applicant shall prepare a written conservation easement document for submittal as part of the Final Plat Application for Common Council review and approval.
15. Any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.

RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC. – PRELIMINARY  
PLAT  
RESOLUTION NO. 2016-\_\_\_\_\_  
Page 4

Introduced at a regular meeting of the Common Council of the City of Franklin this  
\_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

APPROVED:

ATTEST:

\_\_\_\_\_  
Stephen R. Olson, Mayor

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">09/06/16</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>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 SOUTH 49TH STREET) (APPROXIMATELY 1.867 ACRES) (RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.7.</i></p>

At their July 21, 2016 meeting, following a properly noticed public hearing, the Plan Commission recommended approval of 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 South 49<sup>th</sup> Street) (approximately 1.867 acres) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).

At the August 16, 2016 meeting, the Common Council passed a motion to table the subject Rezoning Application to their September 6, 2016 meeting. The applicant has not yet received a navigability determination from the Wisconsin Department of Natural Resources, so the applicant is not able to bring forth all natural resource information at this time. As such, the applicant has requested that the item be tabled to the September 20, 2016 Common Council meeting.

**COUNCIL ACTION REQUESTED**

A motion to table.

or

A motion as the Common Council deems appropriate.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 9-1-16]

ORDINANCE NO. 2016-\_\_\_\_\_

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 SOUTH 49TH STREET)  
(APPROXIMATELY 1.867 ACRES)  
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

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WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having petitioned for the rezoning of a portion of a certain parcel of land from C-1 Conservancy District to R-6 Suburban Single-Family Residence District, such land being located at 7501 South 49th Street; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 21st day of July, 2016, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; 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 rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would 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 property described below be changed from C-1 Conservancy District to R-6 Suburban Single-Family Residence District:

Part of the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 11, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the southwest corner of said Southeast 1/4 of Section 11, thence N 1° 31' 23.74" E, 666.07' along the west line of said 1/4 Section, thence N 90° 00' 00" E, 805.92' to a point on the north right-of-way line of Evergreen Drive, thence N

88° 50' 50.04" E, 185.72' along said right-of-way, thence 12.80' along a curve on said right-of-way with a chord bearing of N 85° 58' 15.14" E and radius of 125.04', to the point of beginning of the lands to be described: N 1° 25' 31.05" W, 185.37' thence; N 23° 34' 09.50" W, 56.87' thence; N 48° 19' 21.01" W, 127.24' thence; N 1° 30' 31.15" W, 50.80' thence; N 24° 17' 36.81" E, 271.62' thence; N 8° 51' 54.18" E, 104.16' thence; N 3° 20' 22.82" E, 103.49' thence; N 12° 00' 34.31" E, 238.00' thence; N 20° 23' 56.45" E, 142.07' thence; N 38° 58' 43.10" E, 40.40' thence; S 63° 55', 22.59" E, 36.49' thence; S 3° 04' 08.17" W, 37.48' thence; S 19° 43' 53.47" W, 122.82' thence; S 12° 01' 21.00" W, 154.05' thence; S 0° 49' 08.88" W, 46.78' thence; S 18° 02' 00.44" W, 58.33' thence; S 8° 09' 00.75" W, 226.56' thence; S 20° 27' 25.27" W, 78.46' thence; S 30° 09' 57.90" W, 155.81' thence; S 3° 22' 09.03" E, 22.76' thence; S 49° 39' 30.33" E, 105.30' thence; S 21° 31' 02.24" E, 94.82' thence; S 1° 48' 18.19" W, 175.43' to a point on the north right-of-way of Evergreen Drive, thence; 48.77' along said right-of-way along a curve with a chord bearing of N 71° 51' 43.53" E and radius of 125.03' to the point of beginning. Said lands containing 1.867 acres more or less. Tax Key No. (a part of) 788-9981-001.

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: i) its passage and publication; and ii) Common Council approval of and the recording of a Preliminary Plat, the application for which is on file and pending upon the date of adoption of this Ordinance.

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.

ORDINANCE NO. 2016-\_\_\_\_  
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APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_