

ORDINANCE NO. 2024-2624

AN ORDINANCE TO AMEND §15-3.0433 OF THE UNIFIED
DEVELOPMENT ORDINANCE, PLANNED DEVELOPMENT DISTRICT
NO. 28 (POLISH FESTIVALS, INC. – POLISH COMMUNITY CENTER)
TO ALLOW FOR A WELCOME CENTER AND CHANGES
TO THE HEALING GARDEN AND NATURE TRAILS AT
THE CONSERVANCY FOR HEALING AND HERITAGE
(CONSERVANCY FOR HEALING AND HERITAGE, INC., SUSAN A. RABE, CEO AND
EXECUTIVE DIRECTOR, APPLICANT) (6941 S. 68TH STREET)

WHEREAS, §15-3.0433 of the Unified Development Ordinance provides for and regulates Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center), same having been created by Ordinance No. 99-1552 and later amended by Ordinance Nos. 04-1825; 13-2122, 19-2378, 19-2382, and 20-2441, such District being located at 6941 S. 68th Street, bearing TKN 743-8978-006; and

WHEREAS, Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) includes those lands legally described as follows:

Outlot 1 of Certified Survey Map numbered 7544 recorded in the office of the Register of Deeds for Milwaukee County, more particularly described as follows; That part of the Northwest 1/4, Southeast 1/4, Southwest 1/4, and Northwest 1/4 all in the Southwest 1/4 of Section 3, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee and the State of Wisconsin.

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 3; ALONG THE WEST LINE OF THE SOUTHWEST 1/4; THENCE S 00°25'13" E 1954.77 FEET; THENCE N 89°26'56" E 150.00 FEET TO THE POINT OF BEGINNING; THENCE N 30°53'12" E 72.99 FEET; THENCE N 49°45'23" E 660.73 FEET; THENCE S 40°14'37" E 273.00 FEET; THENCE N 49°45'23" E 745.30 FEET; THENCE N 28°52'15" E 169.64 FEET; THENCE N 38°44'29" E 694.82 FEET; THENCE N 69°05'25" E 159.08 FEET; THENCE N 89°43'14" E 314.16 FEET; THENCE N 53°59'48" E 250.00 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTH 68TH STREET; THENCE S 00°16'46" E ALONG SAID RIGHT OF WAY LINE 344.91 FEET TO THE NORTH LINE OF SAINT PETER'S CEMETERY; THENCE S 89°43'14" W ALONG SAID NORTH LINE 217.80 FEET TO THE WEST LINE OF SAINT PETER'S CEMETERY; THENCE S 13°41'01" E ALONG SAID WEST LINE 449.83 FEET TO THE SOUTH LINE OF SAINT PETER'S CEMETERY; THENCE S 89°43'14" E ALONG SAID SOUTH LINE 113.52 FEET TO THE WEST RIGHT OF WAY LINE OF SOUTH 68TH STREET; THENCE S 00°16'46" E ALONG SAID RIGHT OF WAY LINE 911.03 FEET; THENCE S 89°26'56" W 283.60 FEET; THENCE N 00°16'46"

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WEST 60.00 FEET; THENCE S 89°26'56" W 855.17 FEET; THENCE S 00°21'00" E 622.34 FEET TO THE NORTH RIGHT OF WAY LINE OF RAWSON AVENUE; THENCE S 89°26'56" W ALONG SAID RIGHT OF WAY LINE 63.32 FEET; THENCE N 00°21'00" W 622.34 FEET; THENCE S 89°26'56" W 94.88 FEET TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 3; THENCE S 00°21'00" E ALONG SAID WEST LINE 1.06 FEET; THENCE S 89°26'56" W 1179.95 FEET TO THE POINT OF BEGINNING; EXCEPTING THEREFROM LOT 1 AND LOT 2 AS SHOWN ON SAID CERTIFIED SURVEY MAP NUMBERED 7544. SAID PARCEL CONTAINS 1587764 SQUARE FEET, 36.450 ACRES, MORE OR LESS; and

WHEREAS, Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, having petitioned for a further amendment to Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center), to allow for construction of a proposed accessory structure to include office and additional event space, new trail segments, and other additions to the Conservancy development, resulting in resulting in Site Plan changes and an application for a Site Plan for consideration by the Plan Commission concurrent herewith, upon property located at 6941 S. 68th Street and adjoining area(s); and

WHEREAS, the City of Franklin Plan Commission having considered the application on the 20th day of June, 2024, and the Plan Commission having determined that the proposed amendment was a minor amendment and having recommended to the Common Council that the proposed amendment to Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) be approved; and

WHEREAS, the Common Council having considered the application and having concurred with the recommendation of the Plan Commission and having determined that the proposed amendment to Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and that it will promote the health, safety and welfare of the Community.

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

SECTION 1: §15-3.0433B.1.b. of Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center), of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to read as follows:

b. A bell tower, gazebo, improved pedestrian path around Koepmier Lake, soccer field, picnic areas and other landscaped passive recreational

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amenities, and as approved by the City in 2024, office and additional event space, new trail segments, and other additions to the Conservancy development, which shall be located and constructed, and appear as respectively depicted upon and pursuant to those plans and site plan City date-stamped June 7, 2024 on file in the Office of the City Planning Department, all accessory to the use permitted under subsection B.1.a above, all subject to prior Site Plan Approval by the Plan Commission, and additional minor site changes to the Healing Garden may be allowed pursuant to the Site Plan Amendment provisions set forth in §15-7.0100 of the City of Franklin Unified Development Ordinance.

SECTION 2: The proposed Welcome Center at the Conservancy for Healing and Heritage shall be completed within one year from the date of adoption of this Ordinance, or this Ordinance and all rights and approvals resulting therefrom shall be null and void without any further action by the City of Franklin.

SECTION 3: Conservancy for Healing and Heritage, Inc., Susan A. Rabe, CEO and Executive Director, successors and assigns and any developer of the Healing Garden and the Lake and Nature Trails at the Conservancy for Healing and Heritage project, 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 Healing Garden and the Lake and Nature Trails at the Conservancy for Healing and Heritage project, 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.

SECTION 4: All other applicable terms and provisions of §15-3.0433 Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) not inconsistent with the terms of this Ordinance, and the Unified Development Ordinance of the City of Franklin, as amended from time to time, shall apply to the Welcome Center at the Conservancy for Healing and Heritage project, and all terms and provisions of §15-3.0433 Planned Development District No. 28 (Polish Festivals, Inc. – Polish Community Center) as existing immediately prior to the adoption of this Ordinance and not amended by this Ordinance, shall remain in full force and effect.

SECTION 5: 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

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jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 6: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 7: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of July, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 2nd day of July, 2024.

APPROVED:



John R. Nelson, Mayor

ATTEST:



Shirley J. Roberts, City Clerk

AYES 4 NOES 0 ABSENT 1 (Ald Day)