

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, DECEMBER 3, 2015, 7:00 P.M.

A. **Call to Order and Roll Call**

B. **Approval of Minutes**

1. Approval of regular meeting of November 19, 2015.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

1. **CREATIVE HOMES, INC. SUBDIVISION DEVELOPMENT.** Rezoning and Comprehensive Master Plan Amendment applications by Rick J. Przybyla, President of Creative Homes, Inc., to rezone a portion of the property located at 7700 West Faith Drive (0.3875 acres) from I-1 Institutional District to R-6 Suburban Single-Family Residence District and to amend the Future Land Use Map for a portion of the property located at 7700 West Faith Drive from Institutional Use to Residential Use; Tax Key No. a part of 792-9984-001. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE REZONING APPLICATION OF THIS MATTER.**
2. **STRAUSS BRANDS INCORPORATED BUILDING ADDITIONS.** Special Use Amendment application by Randal Strauss, President, Strauss Brands Incorporated, for construction of a 24 foot by 36 foot metal building addition on the north side of the existing building, a 25 foot by 26 foot rail building addition on the north side of the existing building and an 18 foot 9 inch wide by 46 foot 8 inch long by 16 foot 8 1/2 inch high pump room addition above the existing first floor of the building, upon property zoned M-1 Limited Industrial District, located at 9775 South 60th Street; Tax Key No. 898-9997-004. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

E. **Adjournment**

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

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

[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:

Next Regular Plan Commission Meeting: December 17, 2015

City of Franklin
Plan Commission Meeting
November 19, 2015
Minutes

unapproved

Call to Order and Roll Call

- A. Mayor Steve Olson called the November 19, 2015 Regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderman Mark Dandrea and Commissioners Patricia Hogan, Scott Thinnies and City Engineer Glen Morrow. Excused were Commissioners David Fowler and Kevin Haley. Also present were City Attorney Jesse Wesolowski, Planning Manager Joel Dietl and Senior Planner Nick Fuchs.

Approval of Minutes

Regular Meeting of November 5, 2015.

- B.
1. Commissioner Hogan moved and Commissioner Thinnies seconded approval of the November 5, 2015 minutes of the Regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried.

Public Hearing Business Matters

- C. (None).

Business Matters

- D.
1. Planning Manager Dietl updated the Plan Commission on the request by Greenlin Boarding & Grooming, Inc. for Special Use within a B-3 Community Business District under Standard Industrial Classification Title No. 752 "Animal specialty services" to allow for a dogs and other pet animals day care services (including overnight boarding, grooming, vet services, training and retail area) business use.

GREENLIN BOARDING & GROOMING, INC. DOGS AND OTHER PET ANIMALS DAY CARE BUSINESS. Special Use application by Greenlin Boarding & Grooming, Inc., Monica Polchert, COO, to operate a dog day care services business including overnight boarding, grooming, vet services, training and a retail area upon property zoned B-3 Community Business District, located at 7140 South 76th Street (Orchard View Shopping Center); Tax Key No. 756-9993-021.

Commissioner Hogan moved to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a dogs and other pet animal's day care services business use upon property located at 7140 South 76th Street. Seconded by Commissioner Morrow. On voice vote, Commissioners Hogan, Thinnies, and Morrow, and Mayor Olson voted 'aye'. Alderman Dandrea voted 'no'. Therefore with a vote of 4-1-2 (Fowler/Haley), the motion carried.

CLIFDEN COURT ASSISTED LIVING FACILITY SIGNAGE. Unified Development Ordinance §15-3.0420 Planned Development District No. 15 (Parkwood Lakes Apartments & Lake Terrace Seniorminiums) Minor

2. Planning Manager Dietl presented the application by Robert J. Bach on behalf of Clifden Court Assisted Living for minor amendment to Planned Development District No. 15 (Parkwood Lakes Apartments & Lake Terrace Seniorminiums), property located at 6751 and 6771 South 68th Street.

Item D.2. (continued)

Amendment application by Robert J. Bach, to allow for the installation of an approximately 58 square foot monument sign and electronic message board (112 square feet overall size, including brick base and columns), adjacent to West Loomis Road at 6751 and 6771 South 68th Street, property zoned Planned Development District No. 15 (Parkwood Lakes Apartments & Lake Terrace Seniorminiums) and FW Floodway District; Tax Key No. 743-8978-001.

Commissioner Morrow motioned to determine the proposed amendment to be a minor amendment. Seconded by Alderman Dandrea. On voice vote, all voted 'aye'. Motion carried.

Motion by Commissioner Morrow to recommend approval of an ordinance to amend Section 15-3.0420 of the Unified Development Ordinance Planned Development District No. 15 (Parkwood Lakes Apartments & Lake Terrace Seniorminiums) to allow for the installation of a monument sign and electronic message board. Seconded by Commissioner Hogan. On voice vote, all voted 'aye'. Motion carried.

AUTUMN LEAVES OF FRANKLIN STATE LICENSED COMMUNITY BASED RESIDENTIAL FACILITIES MEMORY CARE RESIDENCE FACILITY DEVELOPMENT.

Amendment to Special Use to extend the time for obtaining an occupancy permit to February 17, 2018, The LaSalle Group, Inc., applicant, for property located at approximately 9201 West Drexel Avenue, zoned R-8 Multiple-Family Residence District and C-1 Conservancy District; Tax Key No. 794-9994-003.

3. Planning Manager Dietl presented the request by The LaSalle Group, Inc. for an amendment to Special Use to extend the time to two years for the obtaining of the issuance of an Occupancy Permit for the development of Autumn Leaves of Franklin State licensed Community Based Residential Facility.

Commissioner Thinnies moved to recommend approval of a resolution to amend Resolution No. 2015-7064, a resolution imposing conditions and restrictions for a 46 unit Community Based Residential Facilities multi-family memory care residence facility use upon property located at approximately 9201 West Drexel Avenue, to extend the time for the obtaining of the issuance of an Occupancy Permit. Seconded by Alderman Dandrea. On voice vote, all voted 'aye'. Motion carried.

Adjournment

- E. Commissioner Thinnies moved and Commissioner Hogan seconded to adjourn the Plan Commission meeting of November 19, 2015 at 7:28 p.m. All voted 'aye'; motion carried.



REPORT TO THE PLAN COMMISSION

Meeting of December 3, 2015

Rezoning and Comprehensive Master Plan Amendment

RECOMMENDATION: City Development Staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment Applications, subject to the conditions as noted in the attached draft resolution and ordinance.

Project Name:	Creative Homes Rezoning and Comprehensive Master Plan Amendment
Project Address:	7700 West Faith Drive
Applicant:	Rick Przybyla, Creative Homes, Inc.
Owners (property):	Creative Homes, Inc.
Current Zoning:	I-1 Institutional District
Proposed Zoning:	R-6 Suburban Single-Family Residence District
Use of Surrounding Properties:	Faith Community Church to the north and west, West Faith Drive to the east and single-family residential to the south
Applicant Action Requested:	Recommendation of approval of the Rezoning and Comprehensive Master Plan Amendment Applications

Introduction:

On October 20, 2015, the applicant submitted a Rezoning Application to rezone a portion of the property located at 7700 West Faith Drive from I-1 Institutional District to R-6 Suburban Single-Family Residence District. The applicant is proposing to rezone the subject land and combine it with a future single-family residential development with the properties located on the south side of West Faith Drive.

The applicant subsequently submitted a Comprehensive Master Plan Amendment Application on October 27, 2015 to amend the Future Land Use Map from Institutional to Residential to be consistent with the Rezoning request and future residential development.

The applicant previously submitted a Preliminary Plat involving the properties south of West Faith Drive, 7725 West Faith Drive and 7711 South 76th Street. The applicant is currently revising those plans and intends to bring that application forward at a future date, following approval of the subject Rezoning and Comprehensive Master Plan Amendment. A preliminary site plan is attached for reference.

The proposed Rezoning request will create split zoning on the existing Faith Community Church property, until and unless the Preliminary Plat is approved and recorded with Milwaukee County. Section 15-3.0103A.3. of the Unified Development Ordinance (below) prohibits split lot zoning on a newly created lot. Although, the applicant is not proposing a new lot at this time, staff

believes this would create the same situation the UDO is trying to avoid. In addition, split lot zoning is contrary to sound planning practices; therefore, staff is recommending that the Rezoning and Comprehensive Master Plan requests shall be contingent upon, and not take affect until, Common Council approval and recording of the proposed Preliminary Plat Application.

Split Zoning of Newly Created Lots Not Allowed. The split zoning of any newly created lot or parcel into more than one (1) zoning district shall not be allowed except for the AO, FW, FC, FFO, and SW Districts.

Project Description

The area to be rezoned and planned for residential development is approximately 16,879 square feet. The preliminary site plan illustrates a potential wetland that would be partly located on the future proposed lot. The 30-foot wetland buffer and 50-foot wetland setback extend onto the property, which may not allow sufficient area to construct a home.

The applicant has noted on the plan that the wetland is associated with a permitted drainage structure and has requested an exemption from the Wisconsin Department of Natural Resources. If the DNR does not exempt the wetland, the applicant must determine if a home could be constructed on the proposed lot (which would come under review with the Preliminary Plat Application) or apply for a Natural Resource Special Exception. If this area is determined to be a protected resource, staff recommends submittal of a Conservation Easement, protecting all natural resource features within 100-feet of the area to be rezoned, for Common Council review and approval.

Additional protected natural resource features exist on the Faith Community Church property, which are further away from the area to be rezoned. Staff suggests that the Conservation Easement include all protected natural resource features onsite, as shown on the Preliminary Site Plan.

Staff Recommendation:

City Development Staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment Applications, subject to the conditions as noted in the attached draft resolution and ordinance.

RESOLUTION NO. 2015-____

A RESOLUTION RECOMMENDING THE ADOPTION OF AN
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY
7700 WEST FAITH DRIVE FROM INSTITUTIONAL USE TO RESIDENTIAL USE,
PURSUANT TO WIS. STAT. § 66.1001(4)(b)

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

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

WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive, from Institutional Use to Residential Use, such property bearing Tax Key No. (a part of) 792-9984-001, more particularly described as follows:

Part of Parcel 1, CERTIFIED SURVEY MAP NO. 7051, being a part of the lands in the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4, Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Southeast corner of said Southeast 1/4; thence N 00°15'07" W along the East line of said Southeast 1/4, a distance of 1322.07 feet; thence S 88°38'56" W, 442.01 feet along the South line of West Faith Drive to the Point of Beginning; thence; N 01°21'04" W along the West line of West Faith Drive, a distance of 45.23 feet; thence Southwesterly 8.22 feet along the arc of a curve with a 130.00 foot radius to the South and a Chord Bearing S 59°15'35" W, 8.22 feet; thence N 32°33'05" W, 30.00 feet; thence N 50°40'49" W, 69.52 feet; thence S 88°29'34" W, 60.35 feet; thence S 33°12'16" W, 75.87 feet; thence S 30°46'43" W, 58.47 feet to the South line of said Parcel 1; thence N 88°38'56" E along the South line of Parcel 1 of Certified Survey Map No. 7051, a distance of 209.91 feet to the Point of Beginning. Said lands containing 16,879 square feet, 0.3875 acres; and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on December 3, 2015, in conjunction with an application to rezone the subject property as is more particularly described within the ordinance draft presented to the Commission for such purpose, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive, from Institutional Use to Residential Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council, subject to: i) 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 Resolution; and ii) Common Council approval of and the recording of a Conservation Easement protecting all natural resource features within 100-feet of the area described above.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2015.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 11-24-15]

ORDINANCE NO. 2015-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL
OF LAND FROM I-1 INSTITUTIONAL DISTRICT TO
R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT
(7700 WEST FAITH DRIVE)
(APPROXIMATELY 0.3875 ACRES)
(CREATIVE HOMES, INC., APPLICANT)

WHEREAS, Creative Homes, Inc. having petitioned for the rezoning of a certain parcel of land from I-1 Institutional District to R-6 Suburban Single-Family Residence District, such land being located at 7700 West Faith Drive; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 3rd day of December, 2015, 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 I-1 Institutional District to R-6 Suburban Single-Family Residence District:

Part of Parcel 1, CERTIFIED SURVEY MAP NO. 7051, being a part of the lands in the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4, Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Southeast corner of said Southeast 1/4; thence N 00°15'07" W along the East line of said Southeast 1/4, a distance of 1322.07 feet; thence S 88°38'56" W,

442.01 feet along the South line of West Faith Drive to the Point of Beginning; thence; N 01°21'04" W along the West line of West Faith Drive, a distance of 45.23 feet; thence Southwesterly 8.22 feet along the arc of a curve with a 130.00 foot radius to the South and a Chord Bearing S 59°15'35" W, 8.22 feet; thence N 32°33'05" W, 30.00 feet; thence N 50°40'49" W, 69.52 feet; thence S 88°29'34" W, 60.35 feet; thence S 33°12'16" W, 75.87 feet; thence S 30°46'43" W, 58.47 feet to the South line of said Parcel 1; thence N 88°38'56" E along the South line of Parcel 1 of Certified Survey Map No. 7051, a distance of 209.91 feet to the Point of Beginning. Said lands containing 16,879 square feet, 0.3875 acres. Tax Key No. a part of 792-9984-001.

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; 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; and iii) Common Council approval of and the recording of a Conservation Easement protecting all natural resource features within 100-feet of the area described in Section 1 of this Ordinance.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 11-24-15]

ORDINANCE NO. 2015-____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY 7700
WEST FAITH DRIVE FROM INSTITUTIONAL USE TO RESIDENTIAL USE
(APPROXIMATELY 0.3875 ACRES)
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

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

WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive from Institutional Use to Residential Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on December 3, 2015, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 7700 West Faith Drive, bearing Tax Key No. (a part of) 792-9984-001, consisting of approximately 0.3875 total acres of vacant land, from Institutional Use to Residential Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on December 15, 2015; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive from Institutional Use to Residential Use. Such property is more particularly described within Ordinance No. 2015- ____ of even-date herewith.

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; 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; and iii) Common Council approval of and the recording of a Conservation Easement protecting all natural resource features within 100-feet of the area described in Section 1 of this Ordinance.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015, by Alderman _____.

Passed and adopted by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Mayor

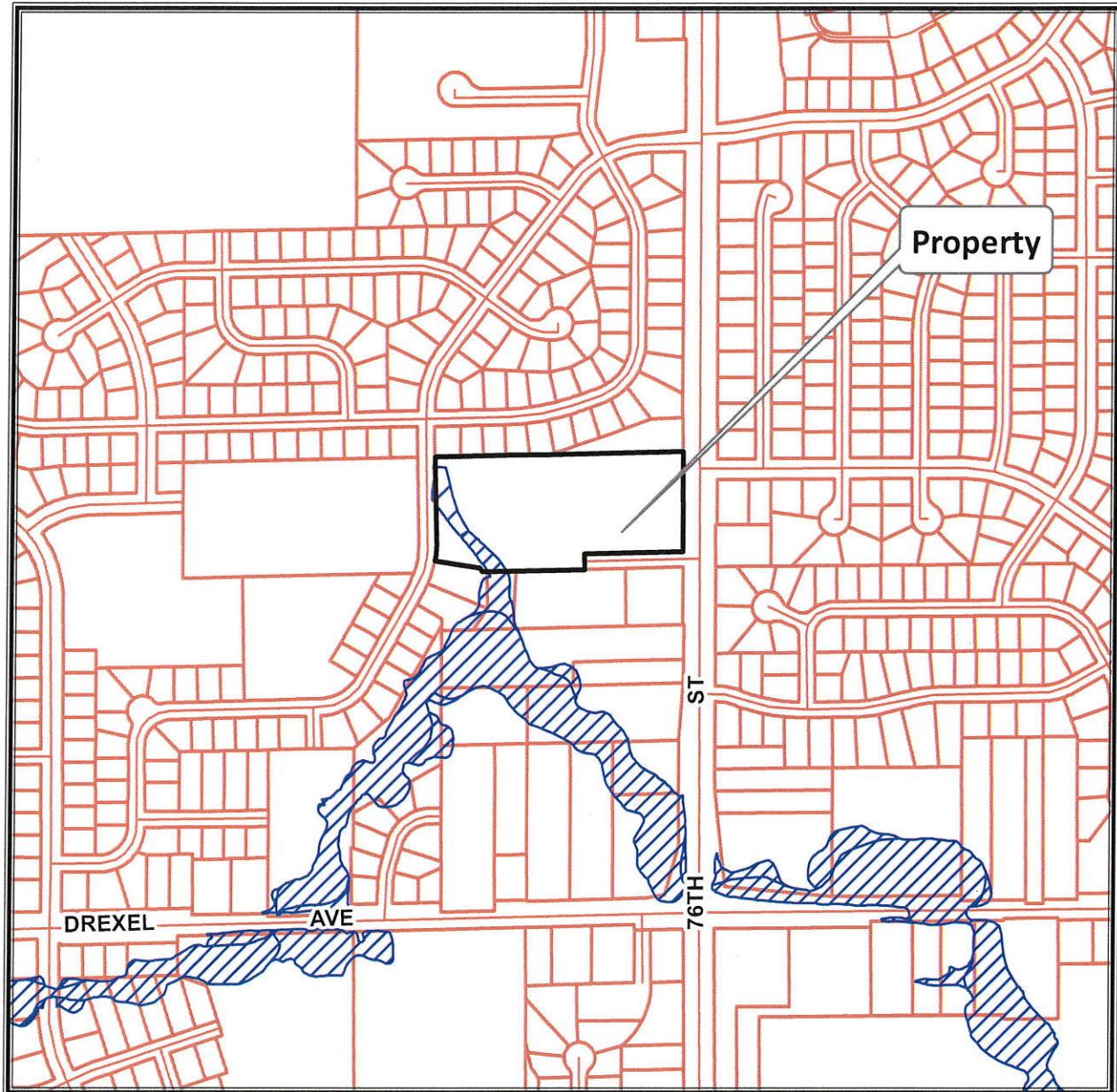
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



a part of 7700 W. Faith Drive
Creative Homes Rezoning/CMP amendment



Planning Department
(414) 425-4024

0 370 740 1,480 Feet

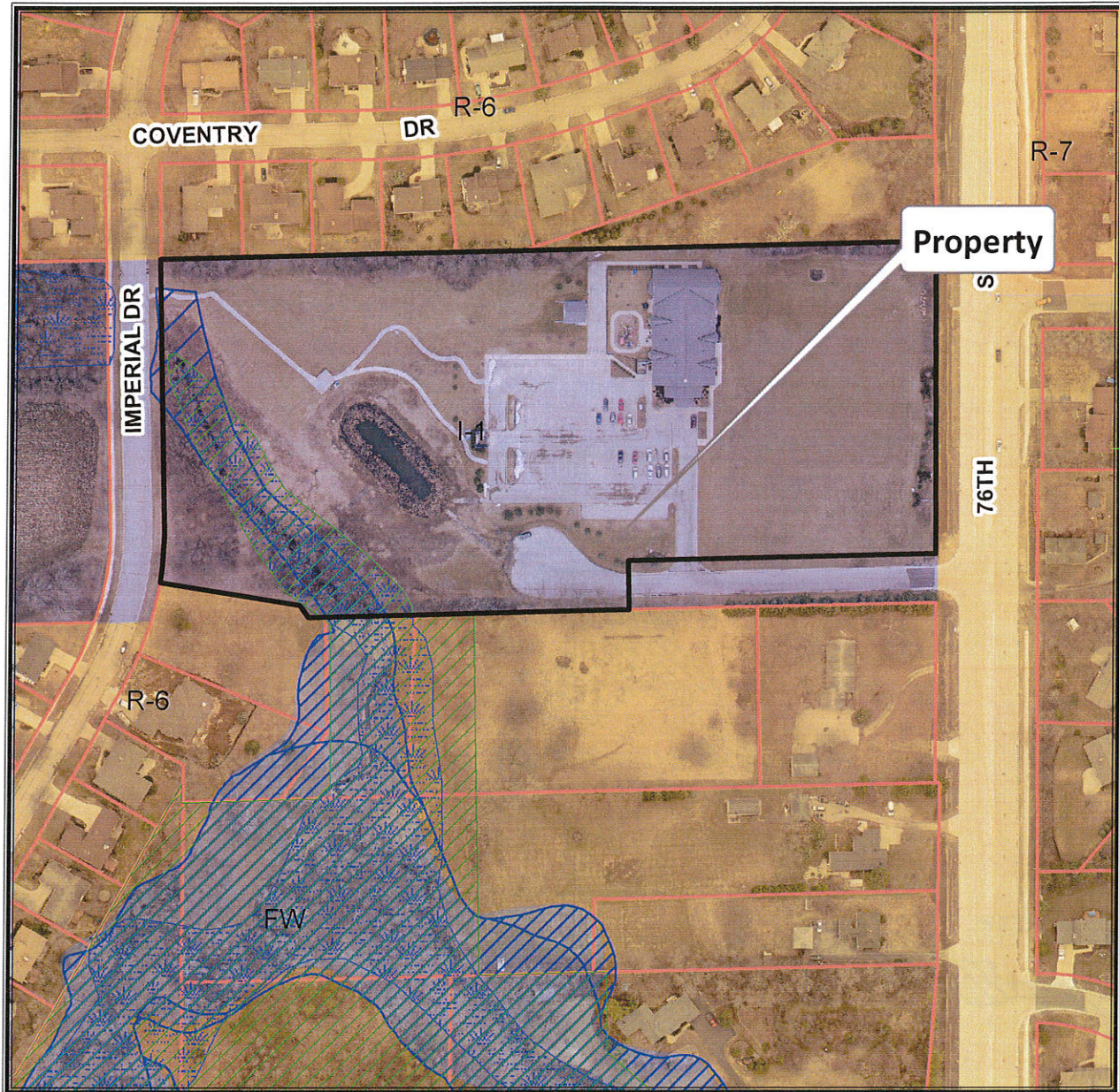
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2015 Aerial Photo



a part of 7700 W. Faith Drive
Creative Homes Rezoning/CMP amendment



Planning Department
(414) 425-4024

0 120 240 480 Feet



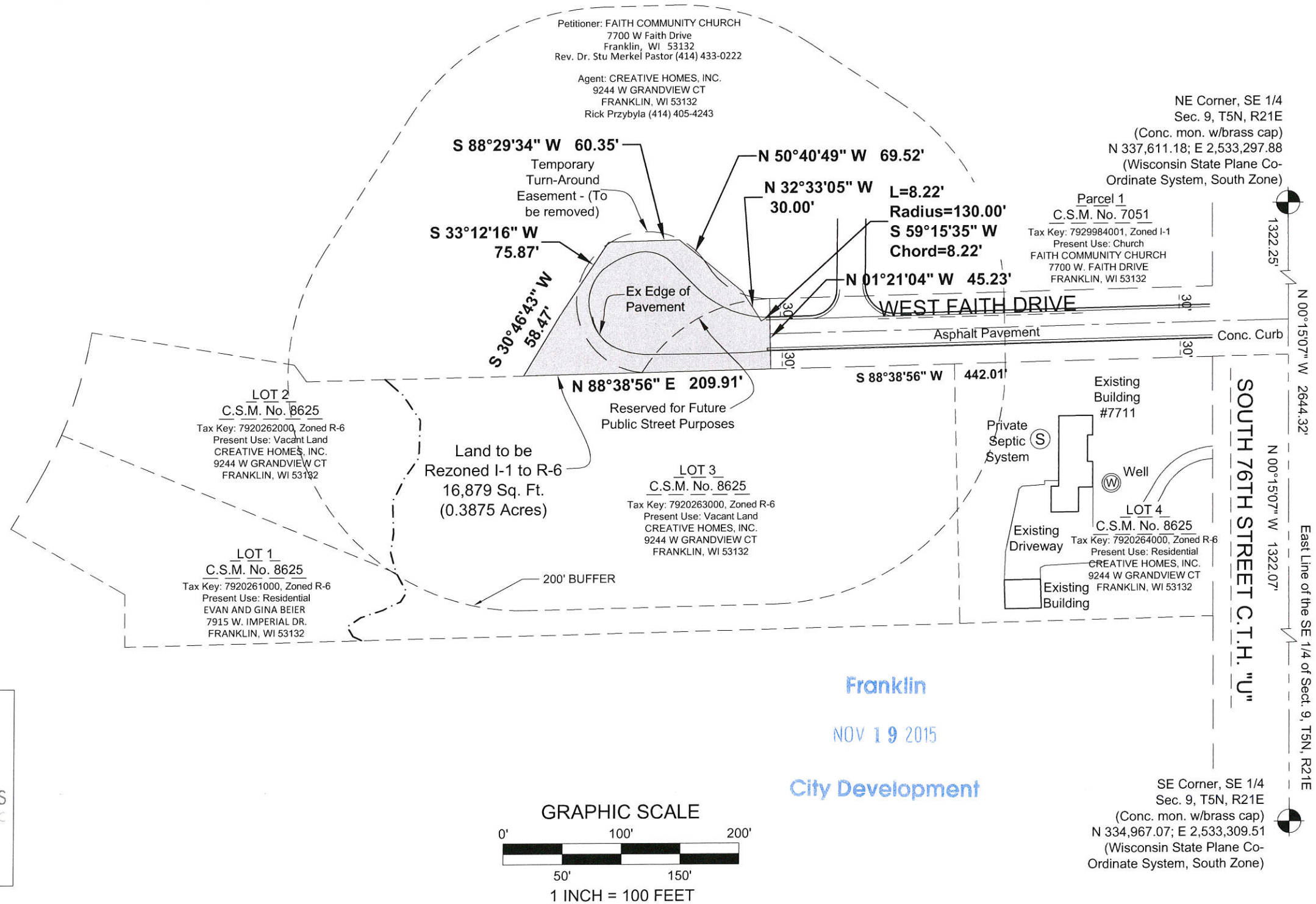
2015 Aerial Photo

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

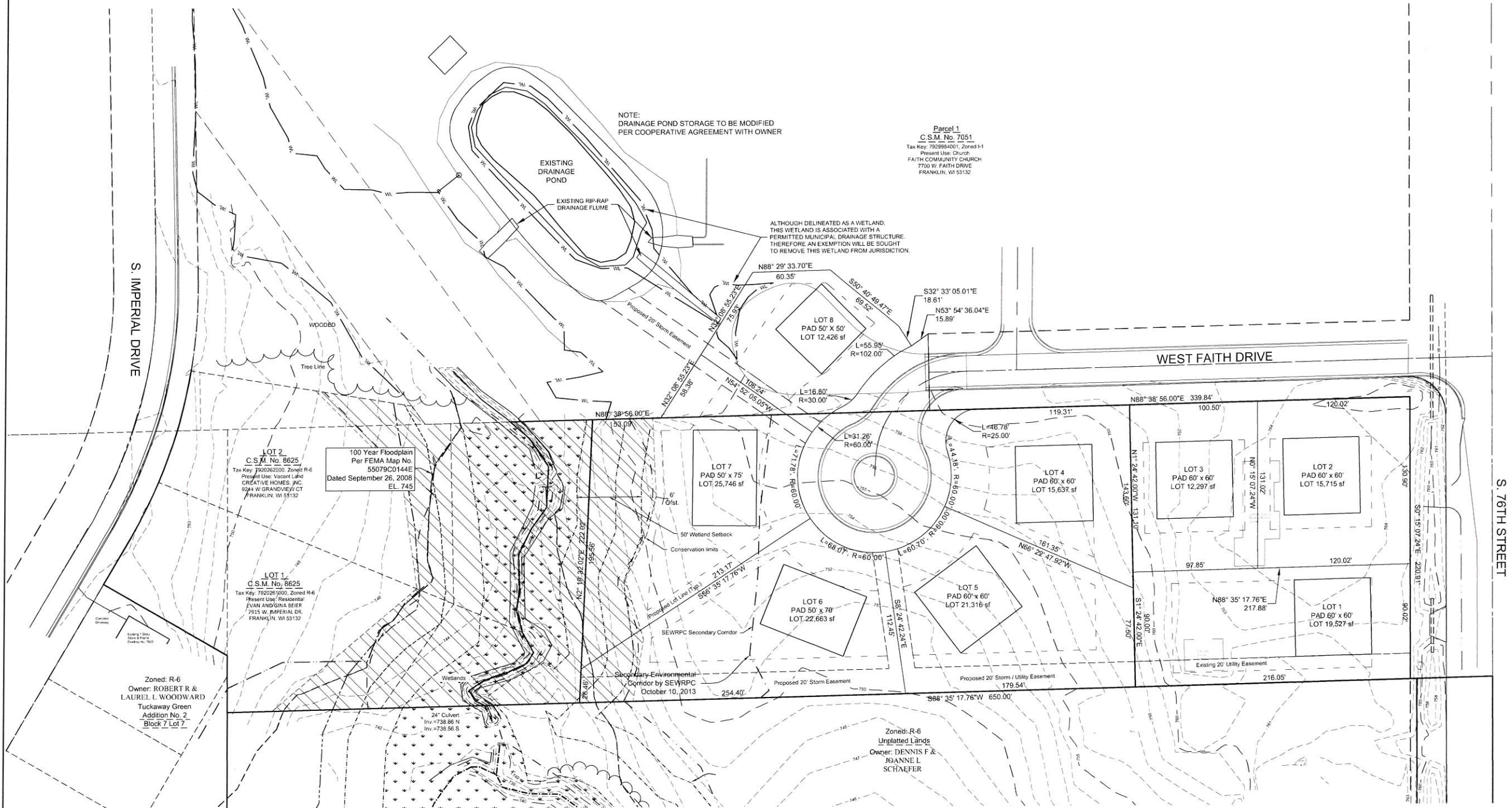
November 16, 2015

LEGAL DESCRIPTION:

Part of Parcel 1, CERTIFIED SURVEY MAP NO. 7051, being a part of the lands in the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4, Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Southeast corner of said Southeast 1/4; thence N 00°15'07" W along the East line of said Southeast 1/4, a distance of 1322.07 feet; thence S 88°38'56" W, 442.01 feet along the South line of West Faith Drive to the Point of Beginning; thence N 01°21'04" W along the West line of West Faith Drive, a distance of 45.23 feet; thence Southwesterly 8.22 feet along the arc of a curve with a 130.00 foot radius to the South and a Chord Bearing S 59°15'35" W, 8.22 feet; thence N 32°33'05" W, 30.00 feet; thence N 50°40'49" W, 69.52 feet; thence S 88°29'34" W, 60.35 feet; thence S 33°12'16" W, 75.87 feet; thence S 30°46'43" W, 58.47 feet to the South line of said Parcel 1; thence N 88°38'56" E along the South line of Parcel 1 of Certified Survey Map No. 7051, a distance of 209.91 feet to the Point of Beginning. Said lands containing 16,879 square feet, 0.3875 acres.



DISCLAIMER:
DAAR ENGINEERING, INC. ASSUMES NO LIABILITY FOR ALTERATIONS AND/OR CONSTRUCTION THAT DOES NOT CONFORM TO THE DESIGN DEPICTED ON THIS PLAN. NO
CHANGES MAY BE MADE TO THIS PLAN WITHOUT EXPRESS WRITTEN CONSENT OF DAAR ENGINEERING, INC. IF ANY DEVIATIONS ARE REQUIRED FOR ANY REASON, IT IS THE
CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT MANAGER IMMEDIATELY.



Franklin
NOV 19 2015
City Development

PRELIMINARY SITE PLAN
FAITHWAY PRESERVE SUBDIVISION
WEST FAITH DRIVE
FRANKLIN, WISCONSIN

CLIENT
RICK PRZYBYLA
CREATIVE HOMES, INC.
9244 W GRANDVIEW CT
FRANKLIN, WI 53132

Revisions:		
No.	Date	Description
1	9/11/15	Addendum No. 1

SEAL

ISSUE DATE
Sep 11, 2015
ISSUED FOR
PRELIMINARY
PROJECT MANAGER
WRH
PROJECT NUMBER
130108
SCALE
1" = 40'
SHEET



REPORT TO THE PLAN COMMISSION

Meeting of December 3, 2015

Special Use Amendment

RECOMMENDATION: Department of City Development staff recommends approval of the Special Use Amendment, subject to the conditions in the draft resolution.

Project Name:	Strauss Brands, Inc. Special Use Amendment
Project Address:	9775 South 60 th Street
Applicant:	Randy Strauss, Strauss Brands Incorporated
Property Owner:	Strauss Investments, LLC
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan	Industrial
Use of Surrounding Properties:	Industrial to the north and east and vacant Milwaukee County land to the south and west
Applicant Action Requested:	Approval of the Special Use Amendment Application for the proposed building additions

Introduction

Please note:

- Staff recommendations are underlined, in italics and are included in the draft ordinance.

On October 26, 2015, the applicant submitted a Special Use Amendment Application for three separate additions to the Strauss Brands building located at 9775 S. 60th Street.

The property is zoned M-1 Limited Industrial District. Strauss Brothers Packing Company received Special Use approval in 1971 via Resolution No. 477. Strauss has amended the site and building several times, receiving Plan Commission Site Plan Amendment approval in 1998 for two separate building additions, in 2000 for a building addition, in 2003 for a two-story building addition and in 2004 for a building addition and parking lot expansion. Additionally, in 2014, a Site Plan Amendment was approved for a two-story building addition; however, the applicant did not move forward with the project.

The applicant recently received Minor Site Plan Amendment approval to:

1. Construct a loading dock on the north side of the existing building, including a new poured concrete dock ramp, new guardrails and balusters and relocating an existing overhead loading dock door to the new dock location.
2. Construct a new parking area, including addition of a greenspace area directly south of the new parking lot addition. The parking lot will be paved and include parking spaces

that are a minimum of 9-feet wide and 180 square feet. The drive aisle will be at least 24-feet wide. The applicant has also agreed to provide additional landscaping per Table 15-5.0302 of the UDO.

The applicant is currently working with staff to address the conditions of approval associated with the Minor Site Plan Amendment.

Project Description/Analysis

Site Plan:

The property is approximately 6.44 acres. Site improvements currently include the existing 46,114 square foot principal building, a 2,176 1-story metal accessory building, an approximately 118 square foot wood shed and associated parking areas and drives.

The proposed additions are all within areas of existing impervious surface.

Metal Building Addition:

The metal building addition has an area of 864 square feet. It will include facebrick on the north and west elevations to match the front and side of the existing building as requested by staff. The west elevation will be constructed of steel panels. Two steel overhead garage doors are located on the north elevation and a steel service door on the east elevation.

Rail Building (Grade) Addition:

The Rail or Grade addition is located on the north side of the building, constructed within an existing recessed area of the existing building. The north elevation includes concrete block, an overhead garage door and a service door

Pump Room Addition:

The pump room addition has an area of approximately 875 square feet and will extend above the first floor of the central portion of the main building. The addition consists of metal panels with a steel door on the south elevation, and will extend approximately 18-feet above the current roof height. Although numerous roof-top mechanicals are present nearby, the proposed pump room addition will extend higher than all of them, except possibly the HVAC system located toward the back of the roof.

As the proposed pump room addition will extend significantly above the roof and will be highly visible, *staff recommends that the metal panels be replaced with a more decorative building material, such as a brick veneer or Exterior Insulation Finishing System to match or complement the brick on the front of the building.*

Parking:

There is no parking proposed as part of this project. As noted above, the applicant received approval of a Minor Site Plan Amendment Application on October 19, 2015 for a parking lot addition. The parking lot addition was similar to the parking lot addition proposed and approved by the Plan Commission in 2014.

Landscaping:

As stated above, staff is working with the applicant on a separate Landscape Plan as part of the Minor Site Plan Amendment Application for the parking lot addition. Staff anticipates that the Landscape Plan will substantially conform to the landscape plan provided in 2014.

The applicant is not adding parking as part of the subject building additions. The UDO requires landscaping based upon the number of parking spaces; therefore, landscaping is not required as part of the building additions.

Lighting:

The applicant has not submitted any proposed lighting changes.

Natural Resource Protection Plan:

A Natural Resource Protection Plan was completed in 2014. The site contains protected wetlands, wetland buffers and wetland setbacks and steep slopes. A Southeastern Wisconsin Regional Planning Commission Isolated Natural Resource Area (encompassing a Natural Area) is also located onsite, along the south property line.

R.A. Smith National delineated the wetlands on April 22, 2014. The applicant is not proposing any encroachments within these areas. A Conservation Easement document was submitted in 2014 as part of a building addition request. It was approved by the Common Council at their August 19, 2014 meeting. That building addition did not proceed and the Conservation Easement document was never recorded.

Staff is currently working with the applicant to record the Conservation Easement document with the Milwaukee County Register of Deeds.

Signage:

No signage is proposed.

Storm water management:

The building additions are proposed within an area of the site that is already impervious surface, so storm water management is not required as part of these projects. It can be noted that the Engineering Department reviewed and approved a storm water management plan as part of the Minor Site Plan Amendment for the parking lot addition.

Staff Recommendation

Department of City Development staff recommends approval of the Special Use Amendment, subject to the conditions in the draft resolution.

RESOLUTION NO. 2015-_____

A RESOLUTION TO AMEND RESOLUTION NO. 477 IMPOSING
CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A
SPECIAL USE AND SITE PLAN AMENDMENT RESOLUTION NOS. 2000-10,
2003-001, 2004-001 AND 2014-008, AND ANY OTHER AMENDMENTS TO DATE,
FOR PROPERTY LOCATED AT 9775 SOUTH 60TH STREET, TO ALLOW FOR THE
CONSTRUCTION OF A METAL BUILDING ADDITION, RAIL BUILDING ADDITION
AND PUMP ROOM ADDITION TO THE EXISTING STRAUSS BRANDS
INCORPORATED BUILDING
(RANDAL STRAUSS, PRESIDENT, STRAUSS BRANDS
INCORPORATED, APPLICANT)

WHEREAS, Strauss Brands Incorporated having petitioned the City of Franklin for the approval of an amendment to Resolution No. 477, conditionally approving a Special Use, such prior Resolution authorizing the construction and operation of a meat packing business, and to amend Site Plan Amendment Resolution Nos. 2000-10, 2003-001, 2004-001 and 2014-008 thereafter, and any other amendments to date, upon property located at 9775 South 60th Street, such property being zoned M-1 Limited Industrial District, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 1500, being a part of the Northeast 1/4 of Section 27, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; Tax Key Number: 898-9997-004; and

WHEREAS, such proposed amendment being for the purpose of constructing a 24 foot by 36 foot metal building addition on the north side of the existing building, a 25 foot by 26 foot rail building addition on the north side of the existing building and an 18 foot 9 inch wide by 46 foot 8 inch long by 16 foot 8 1/2 inch high pump room addition above the existing first floor of the Strauss Brands Incorporated building; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 3rd day of December, 2015, and the Plan Commission thereafter having determined to recommend that the proposed amendment to Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed amendment to Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not

STRAUSS BRANDS INCORPORATED – AMENDMENT TO SPECIAL USE
RESOLUTION NO. 2015-_____

Page 2

cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendations and also having found that the proposed amendment to Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Strauss Brands Incorporated for the approval of an amendment to Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this amendment to Special Use is approved only for the use of the subject property by Strauss Brands Incorporated, successors and assigns, for the Strauss Brands Incorporated building additions construction project, which shall be developed in substantial compliance with and constructed, operated and maintained by Strauss Brands Incorporated, pursuant to those plans City file-stamped November 23, 2015 and annexed hereto and incorporated herein as Exhibit A.
2. Strauss Brands Incorporated, successors and assigns, 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 consultants to the City of Franklin, for the the Strauss Brands Incorporated building additions construction 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.
3. The approval granted hereunder is conditional upon Strauss Brands Incorporated and the Strauss Brands Incorporated building additions construction project for the property located at 9775 South 60th 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.
4. The metal panels on the Pump Room addition shall be replaced with a more decorative building material, such as a brick veneer or Exterior Insulation Finishing System to match or complement the brick on the front of the building.
5. [other conditions, etc.]

STRAUSS BRANDS INCORPORATED – AMENDMENT TO SPECIAL USE
RESOLUTION NO. 2015-_____

Page 3

BE IT FURTHER RESOLVED, that in the event Strauss Brands Incorporated, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this amendment to Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the additional Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be an amendment to such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance, and that all of the terms and conditions of Resolution Nos. 477, 2000-10, 2003-001, 2004-001 and 2014-008, and any other amendments to date, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of completion of the construction of the Strauss Brands Incorporated building additions.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

STRAUSS BRANDS INCORPORATED – AMENDMENT TO SPECIAL USE
RESOLUTION NO. 2015-_____

Page 4

APPROVED:

Stephen R. Olson, Mayor

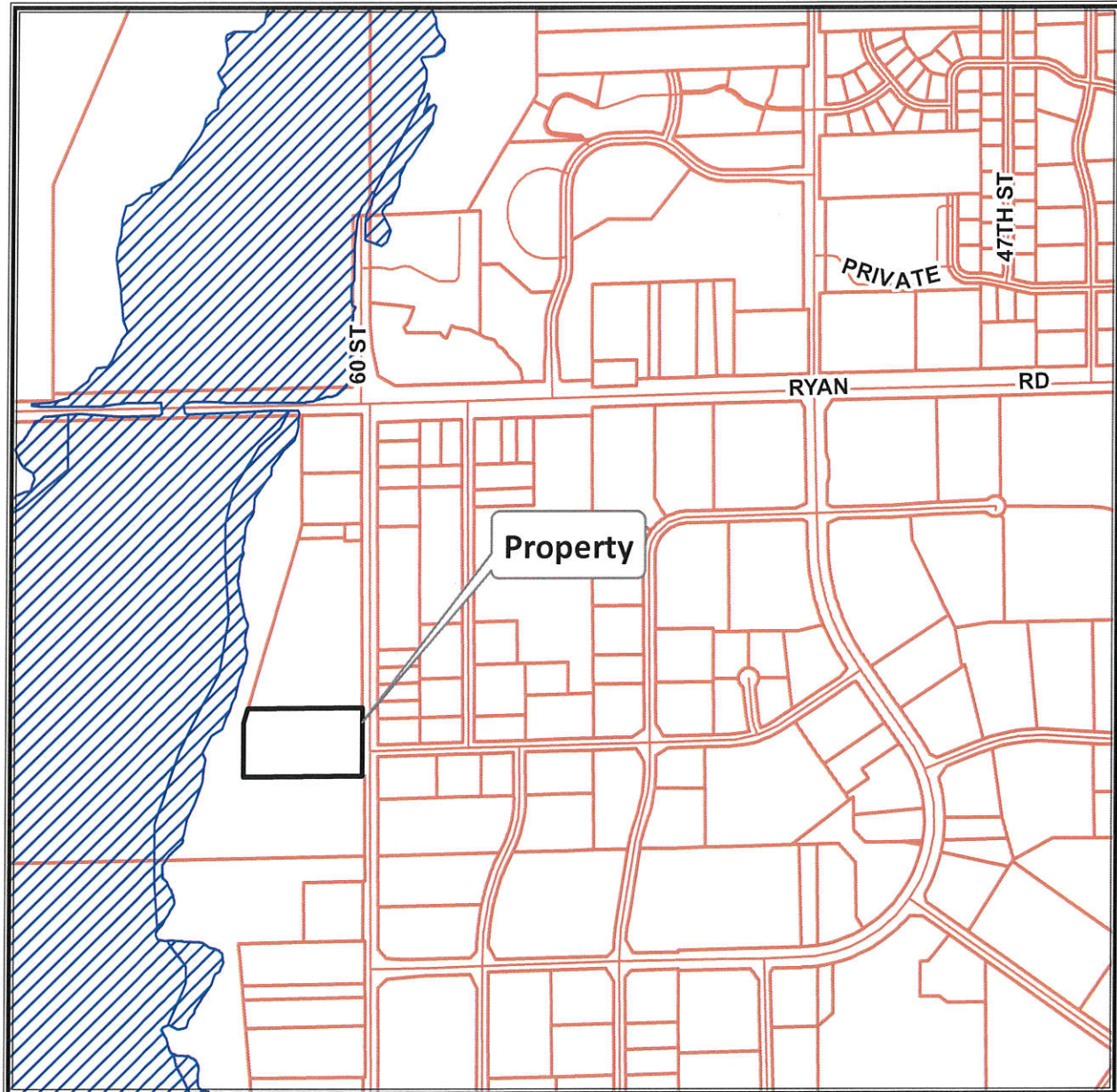
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



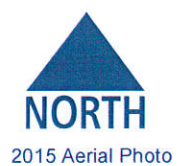
9775 S. 60th Street
TKN 898-9997-004



Planning Department
(414) 425-4024

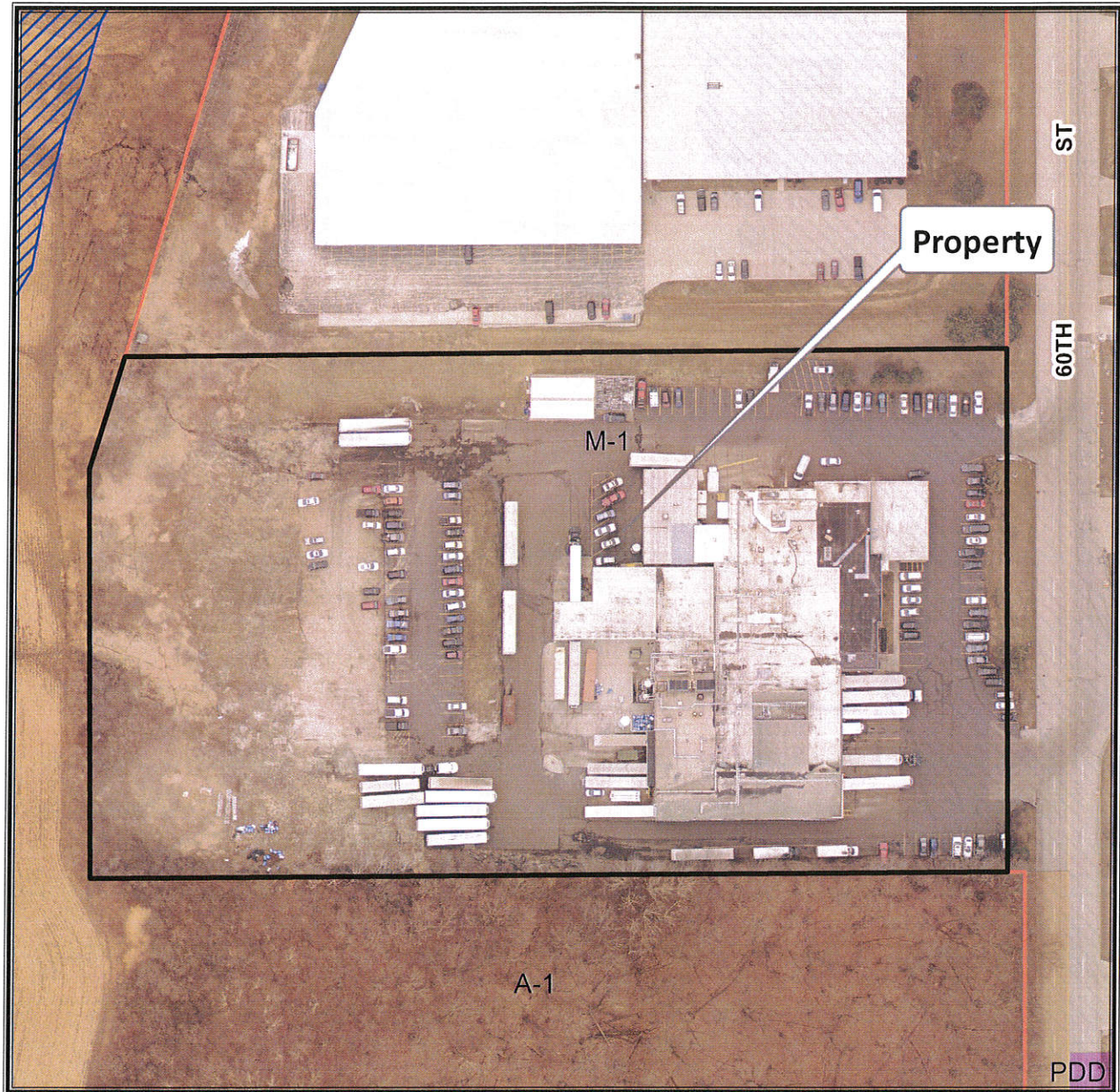
0 550 1,100 2,200 Feet

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





9775 S. 60th Street
TKN 898-9997-004



Planning Department
(414) 425-4024

0 75 150 300 Feet

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



2015 Aerial Photo

November 20, 2015

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

Franklin

NOV 23 2015

City Development

To Staff:

In response to Staff Comments issued on November 10, 2015 regarding the Special Use Amendment Application, here are our responses:

Planning Department

General

- 1) These are the conditions of approval for the recently approved Minor Site Plan Amendment Applications for the parking lot & loading dock that we will continue to follow up on:
 - The parking lot will be paved with either asphalt or concrete.
 - Storm water management plan will be discussed with the Engineering Dept for approval of the final plan prior to commencement of work.
 - Parking spaces will measure 9'-0" x 18'-0" with the drive aisle at 24'-0".
 - The previously approved 2014 Landscape Plan is included.
 - Conservation Easement will be recorded with the Milwaukee County Register of Deeds after it is approved by Staff.
 - Existing pavement within the wetlands will be removed.
 - The following information will be submitted to the Engineering Dept. for Review:
 - Revised plan showing the layout of the storm drain from the dock.
 - Detail of the catch basin by the dock and the clean-out location along the drain pipe.
 - Detail of the rip-rap at the discharge.

- Space between the dock/trailers and any adjacent parking will be kept clear to allow fire apparatus access to the west side of the building and the rear parking lot.
- 2) A detailed Site Plan will be provided as outlined on the checklist with all existing and proposed improvements shown.
 - 3) A lighting plan will be provided if any additional lighting is proposed.

Metal Building Addition

- 4) The metal building addition has been revised to show brick on the east and north sides. Plans are included with this package.

Pump Room Addition

- 5) While the staff is recommending adding rooftop screening, we feel that this is not feasible as the roof will be unable to support the loads of the screening.

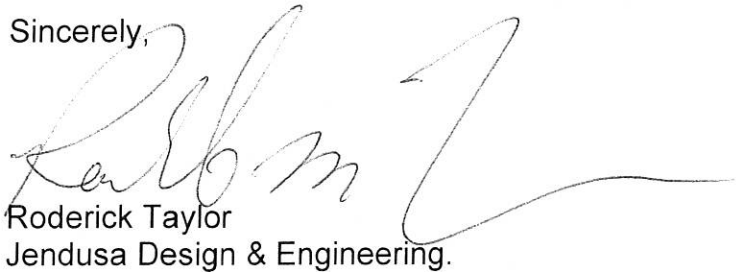
Rail Building (Grade) Addition

- 6) Not Applicable.

Engineering Department

A Plat of Survey will be submitted because of the Metal Building Addition.

Sincerely,



Roderick Taylor
Jendusa Design & Engineering.

RMT:rmt

EXHIBIT "A"

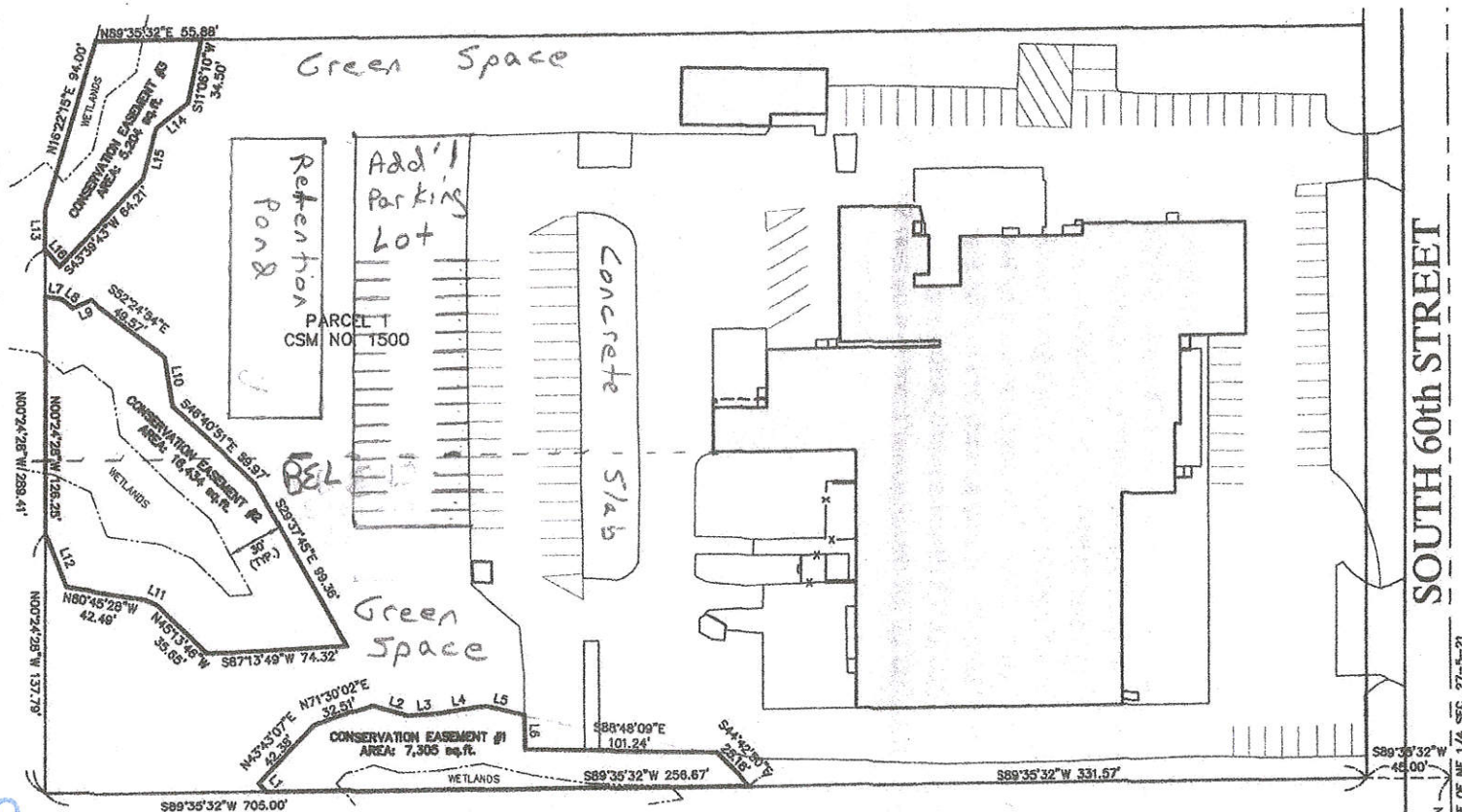
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Known as 9775 South 60th Street, in the City of Franklin, Milwaukee County, Wisconsin.

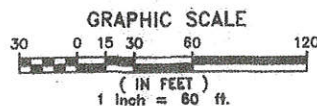
June 24, 2014

Beeler Construction, Inc.

Survey No. 150130-BMJ



Line Table		
Line #	Direction	Length
L1	N42°19'33\"W	5.94
L2	S73°28'33\"E	19.24
L3	N86°46'11\"E	15.78
L4	N81°12'01\"E	27.04
L5	S76°30'50\"E	20.82
L6	S1°22'05\"E	18.21
L7	S80°25'47\"E	8.93
L8	S51°18'04\"E	7.50
L9	N67°05'49\"E	10.63
L10	S9°20'33\"E	26.87
L11	N64°16'05\"W	7.99
L12	N21°45'48\"W	30.41
L13	N0°24'28\"W	20.59
L14	S51°36'58\"W	21.39
L15	S14°03'48\"W	27.68
L16	N39°59'01\"W	12.08



R.A. Smith National, Inc.

Beyond Surveying
and Engineering

16745 W. Bluemound Road, Brookfield WI 53005
262-781-1000 Fax 262-797-7373 www.rasmithnational.com
Appleton, WI Orange County, CA Pittsburgh, PA

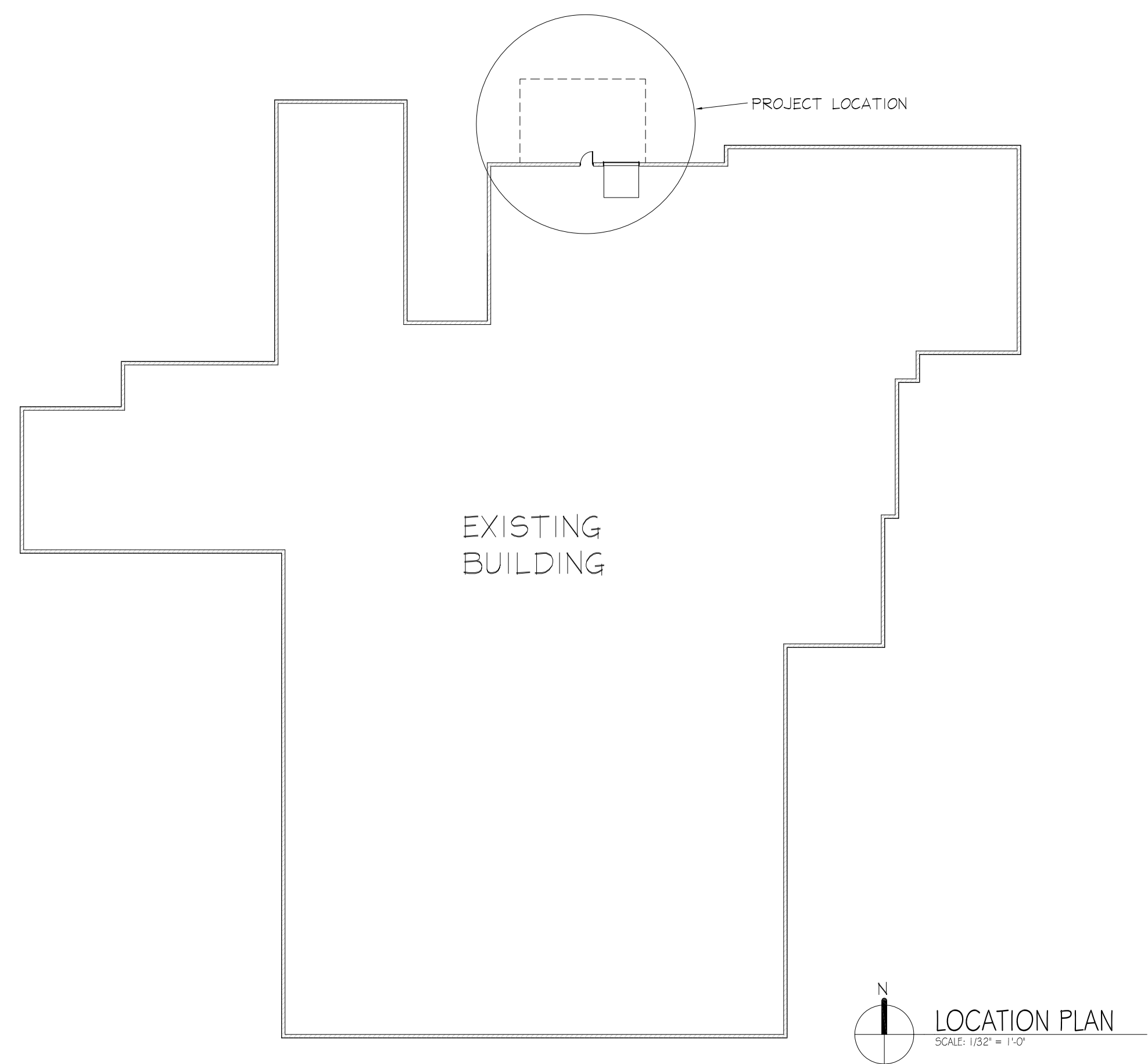
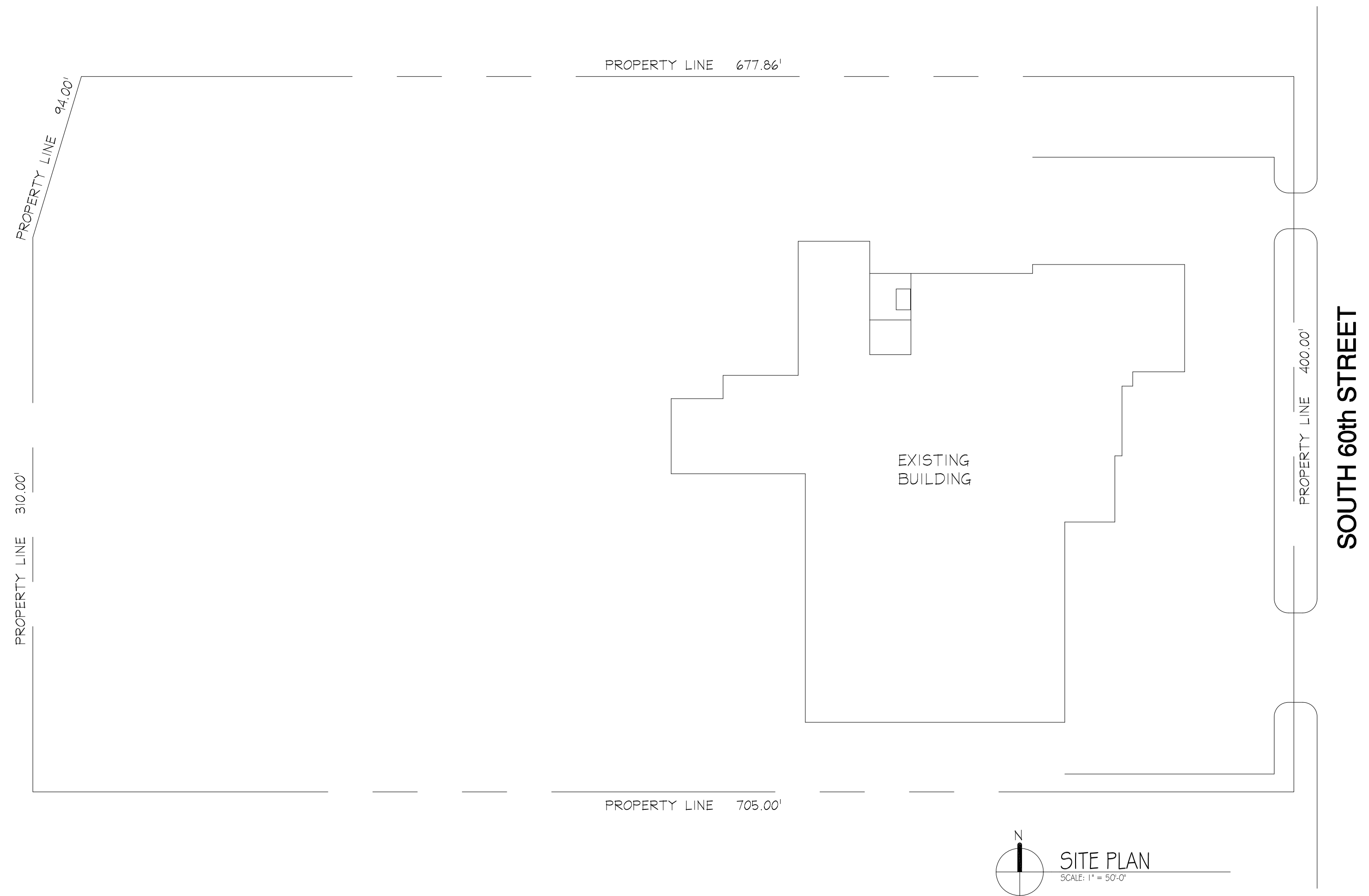
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RX211100.dwg CONSERVATION ESMT

SHEET 1 OF 2

SE. COR. OF
NE 1/4 SEC.
27-5-21

City Development
NOV 23 2015
Franklin

R.A. Smith National, Inc.

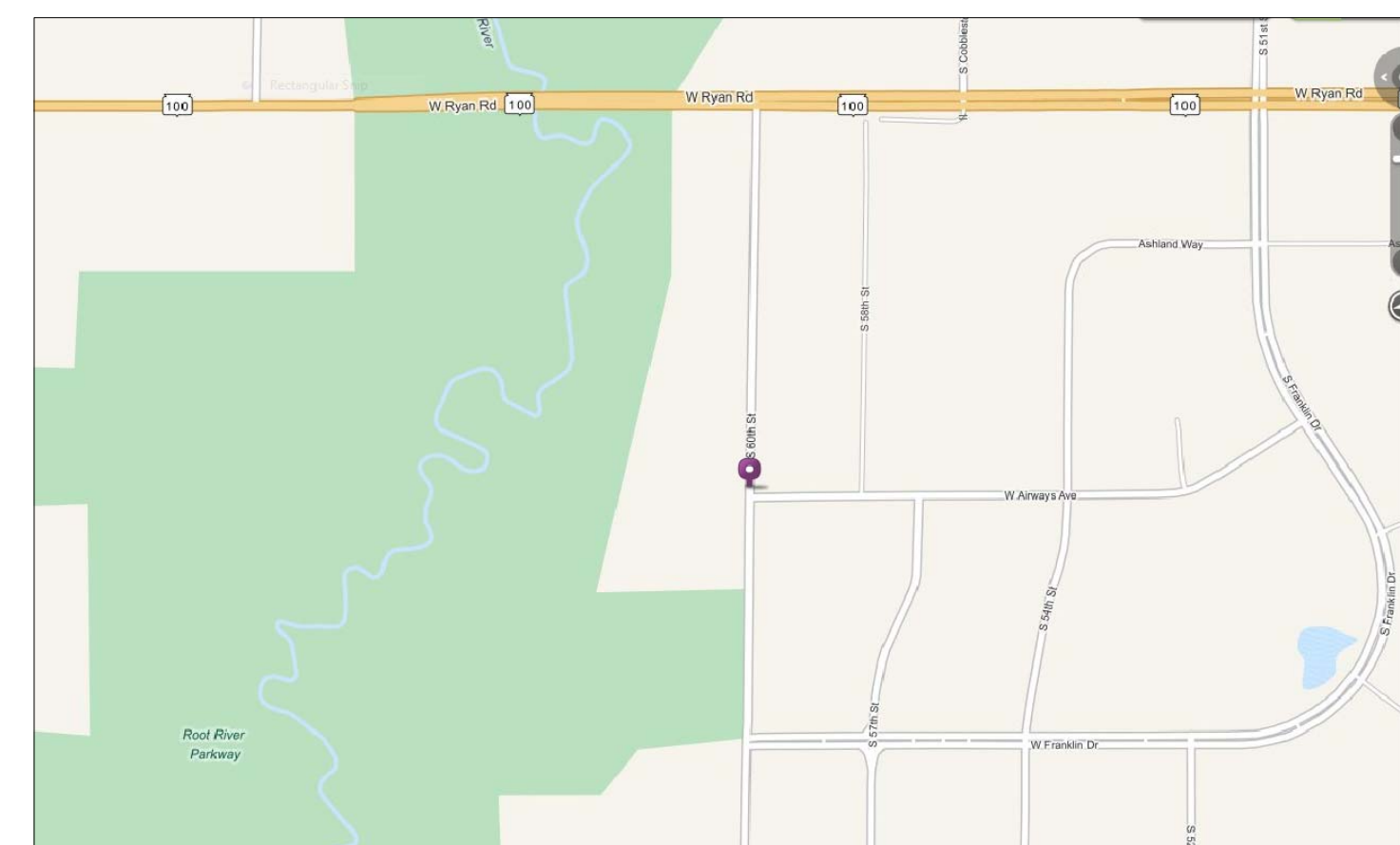


STRAUSS BRANDS - METAL BUILDING ADDITION

9775 SOUTH 60th STREET
FRANKLIN, WI 53132

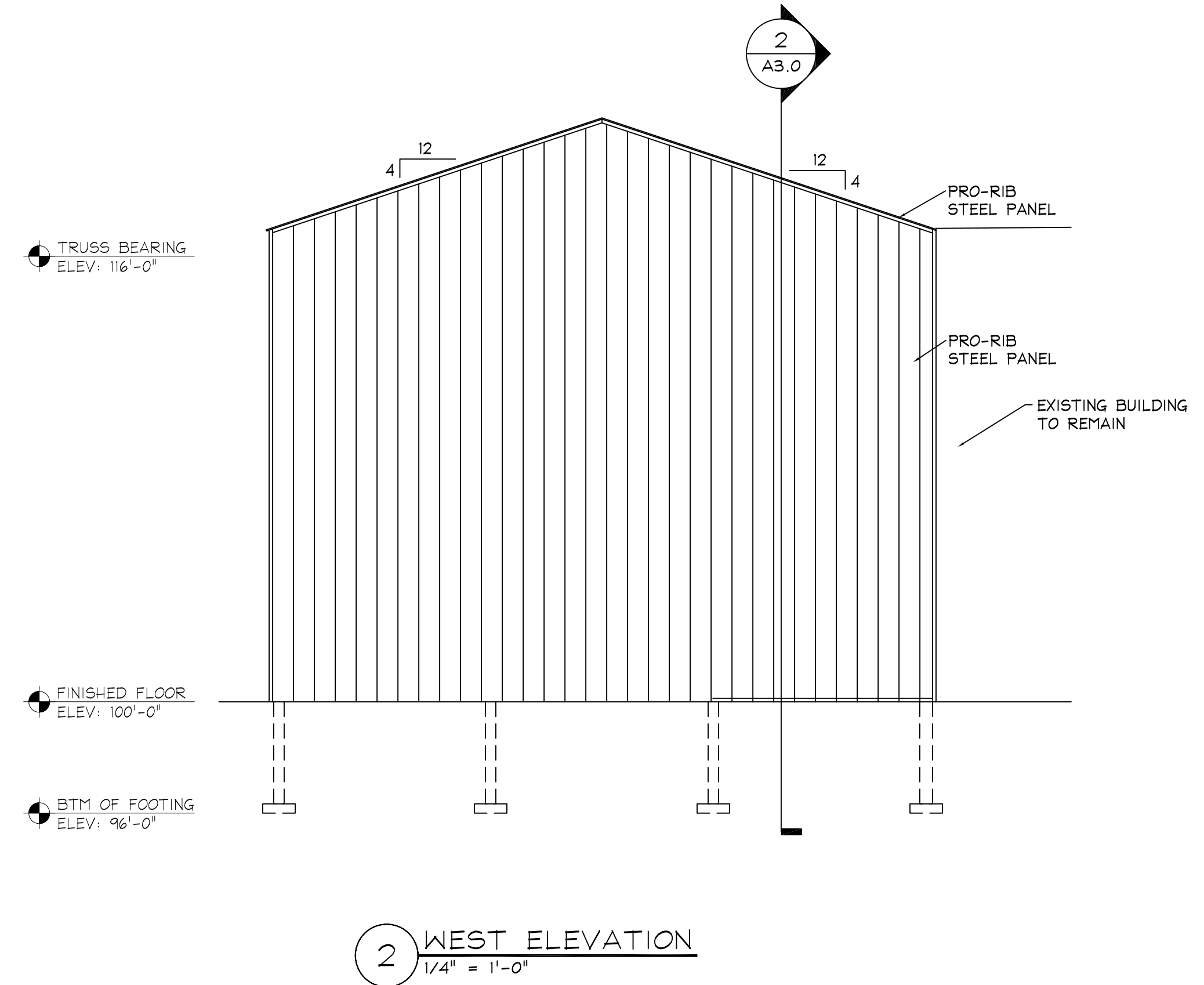
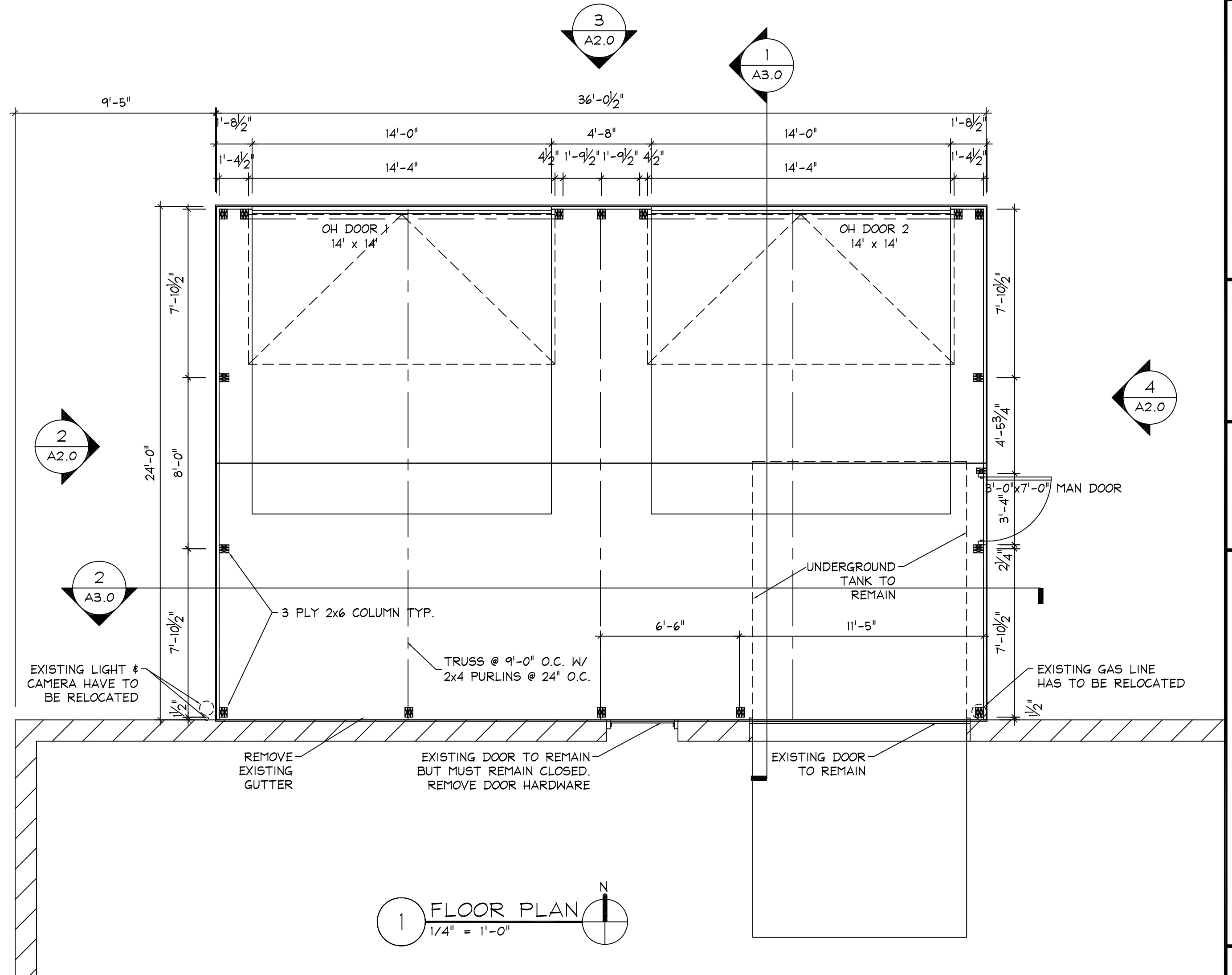
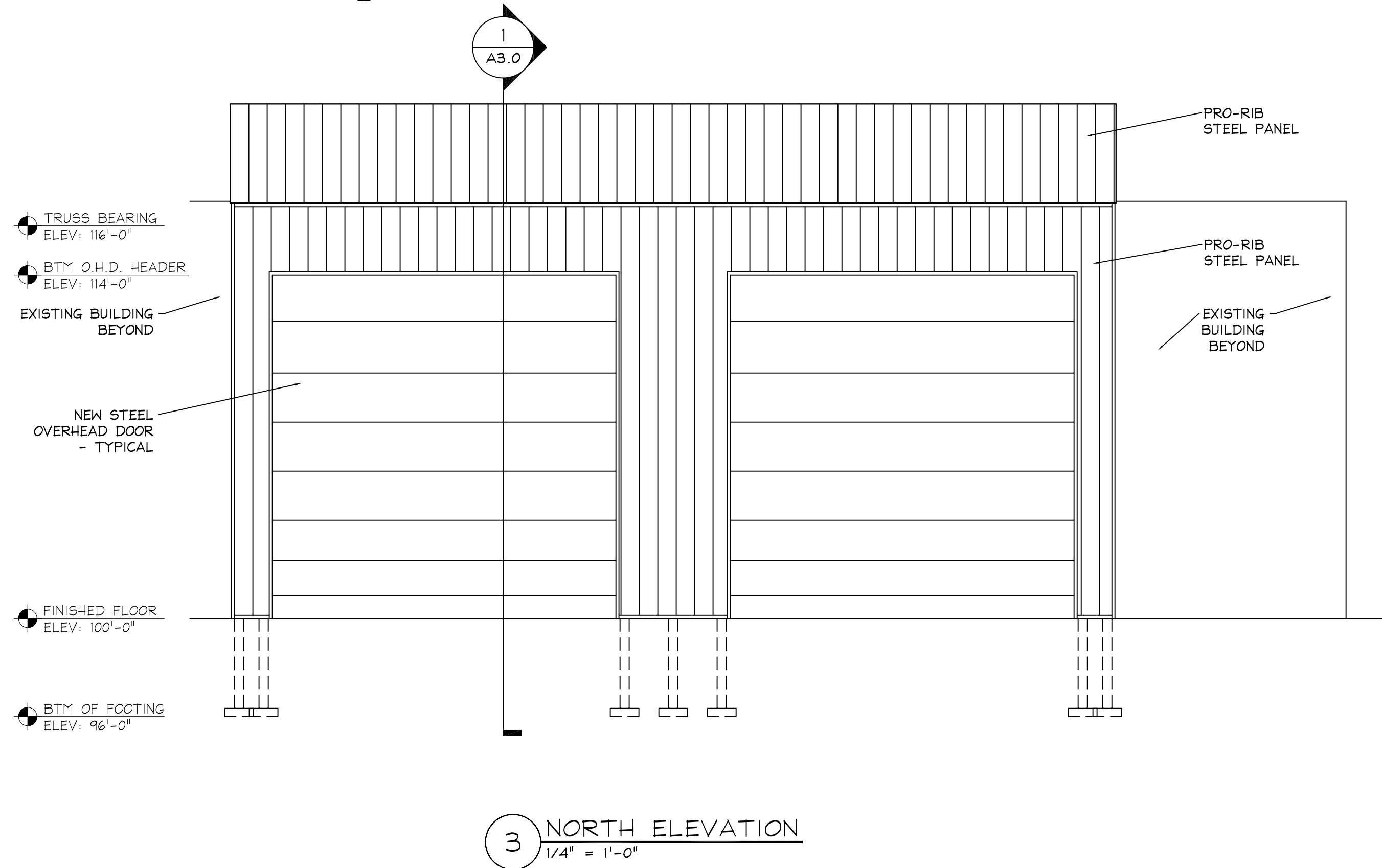
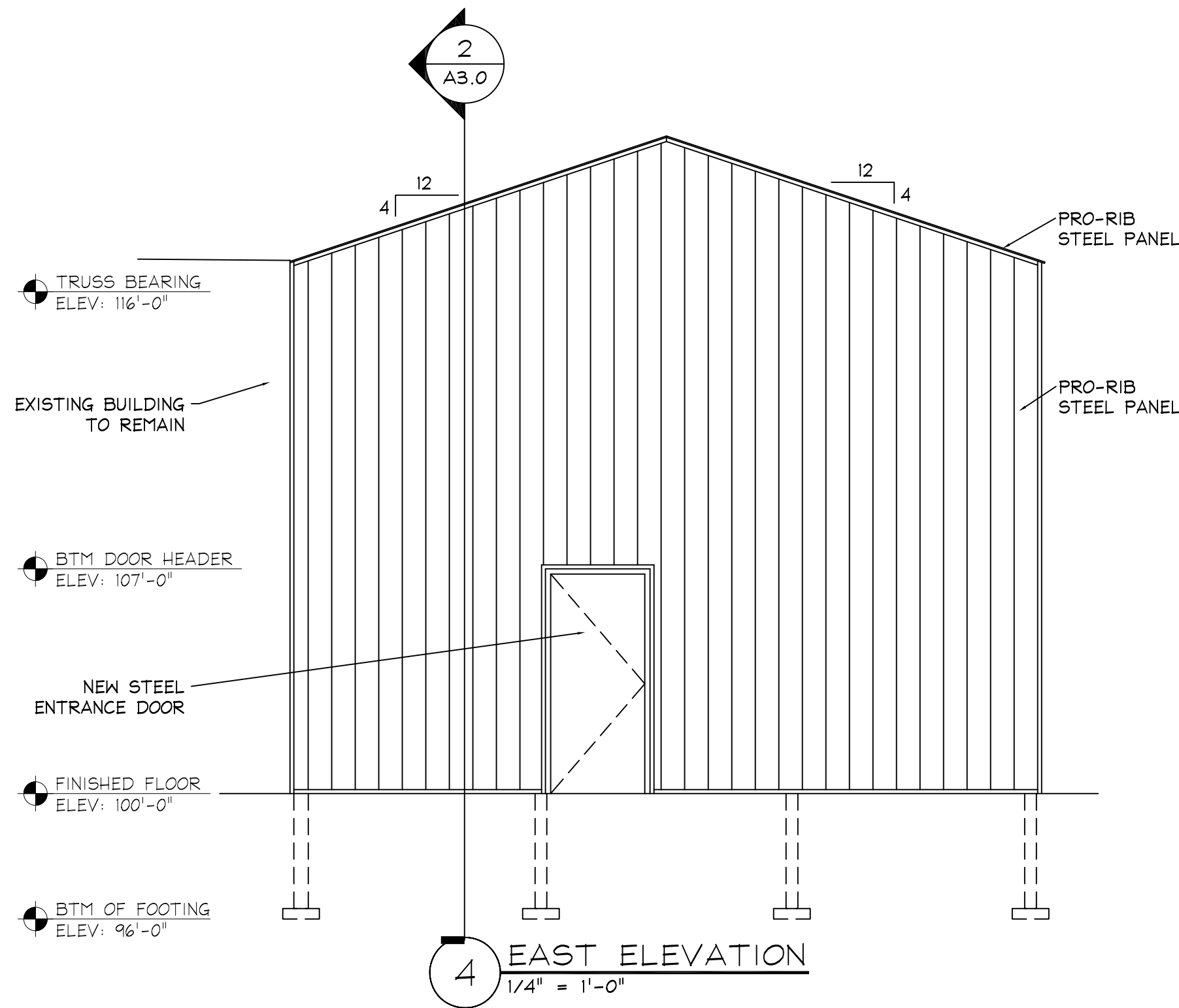
DRAWING INDEX:

- A1.0 SITE LOCATION, & SITE PLAN
- A2.0 METAL BUILDING PLAN & EXTERIOR ELEVATIONS
- A3.0 METAL BUILDING SECTIONS & DETAILS



LOCATION MAP
SCALE: NO SCALE

<div>JENDUSA DESIGN & ENGINEERING ARCHITECTS & ENGINEERS 4615 Vettelson Road Suite 200 Hartland, WI 53029 P 262-264-6340 F 866-326-1552 W jendusaeng.com</div>	
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REVISIONS	
STRAUSS BRANDS Metal Building Addition	
9775 S 60th STREET FRANKLIN, WI	
SHEET TITLE SITE LOCATION, & SITE PLAN	
PROJECT NO.	15-4159
DATE	10-23-15
SCALE	As Noted
CHECKED BY	
DRAWN BY	RMT
SHEET	A1.0



JENDUSA
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ARCHITECTS & ENGINEERS
4615 Vettelson Road
Suite 200
Hartland, WI 53029
P 262-264-6340
F 866-326-1552
W jendusaeng.com

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REVISIONS

STRAUSS BRANDS
Metal Building
Addition

9775 S 60th STREET
FRANKLIN, WI

SHEET TITLE
METAL BUILDING
PLAN & EXTERIOR
ELEVATIONS

PROJECT NO.
15-4159

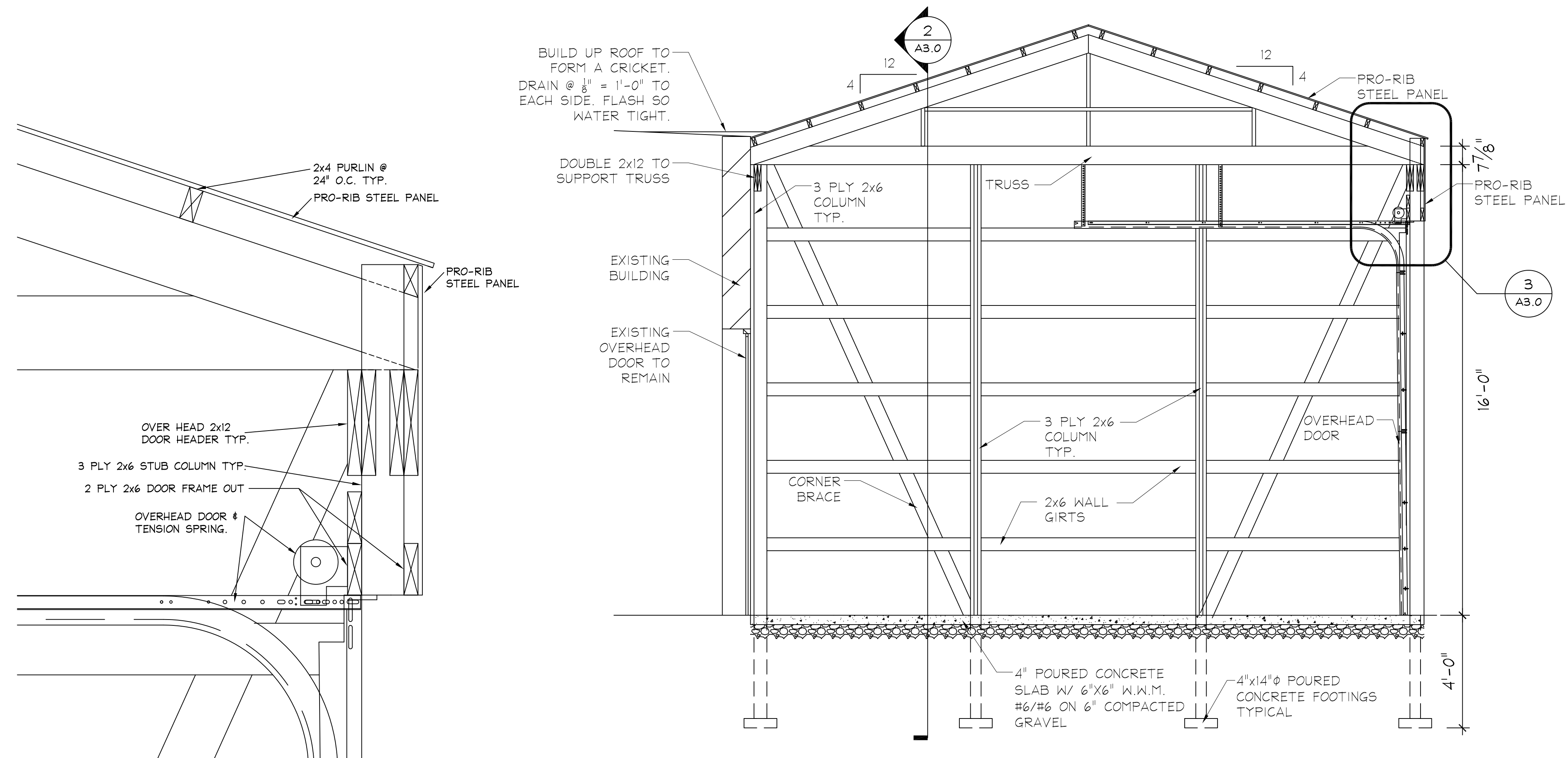
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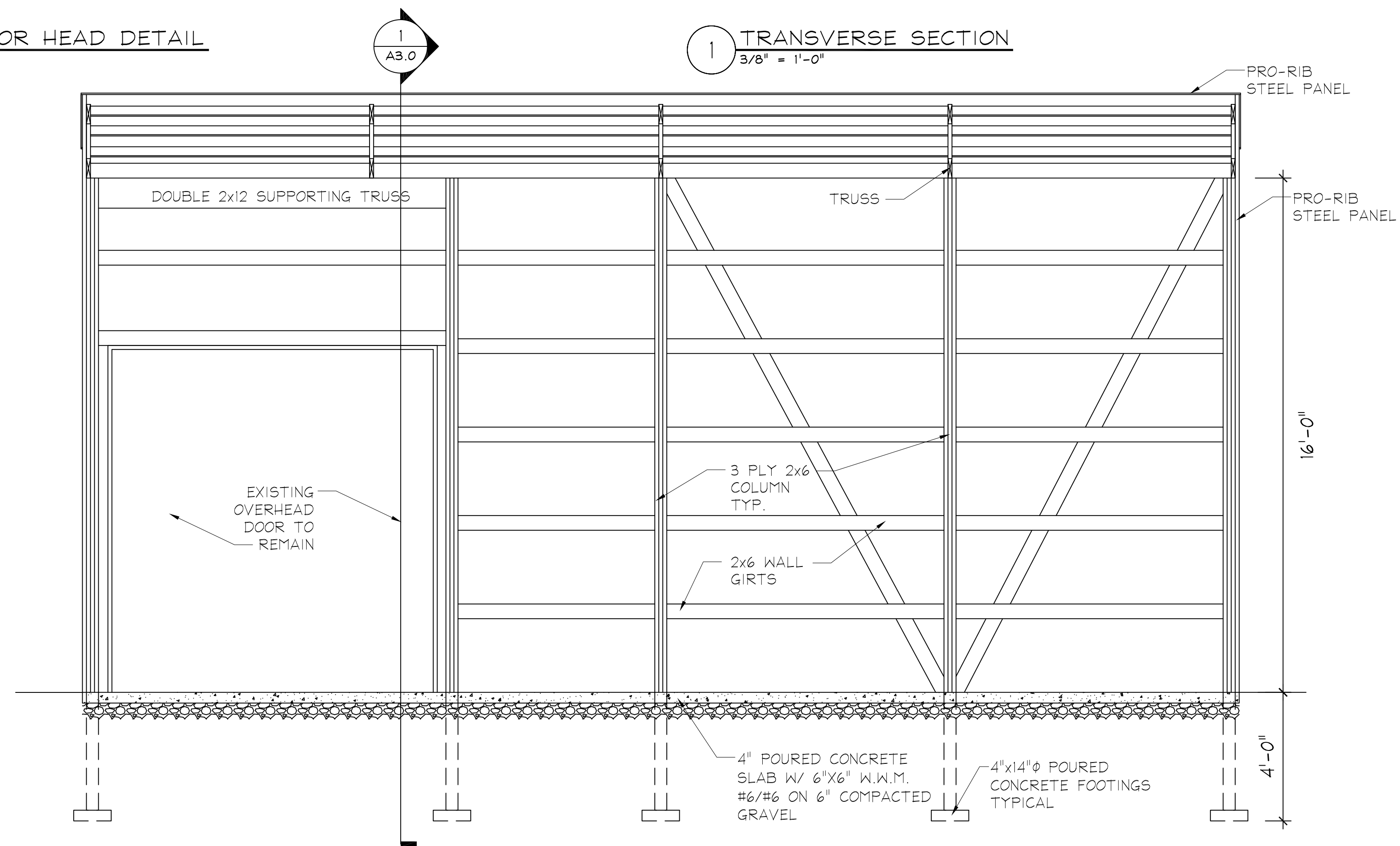
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RMT

SHEET
A2.0



3 OVERHEAD DOOR HEAD DETAIL
1 1/2" = 1'-0"

1 TRANSVERSE SECTION
3/8" = 1'-0"



2 LONGITUDINAL SECTION
3/8" = 1'-0"

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REVISIONS

STRAUSS BRANDS Metal Building Addition

9775 S 60th STREET
FRANKLIN, WI

SHEET TITLE
**METAL BUILDING
SECTIONS &
DETAILS**

PROJECT NO.
15-4159

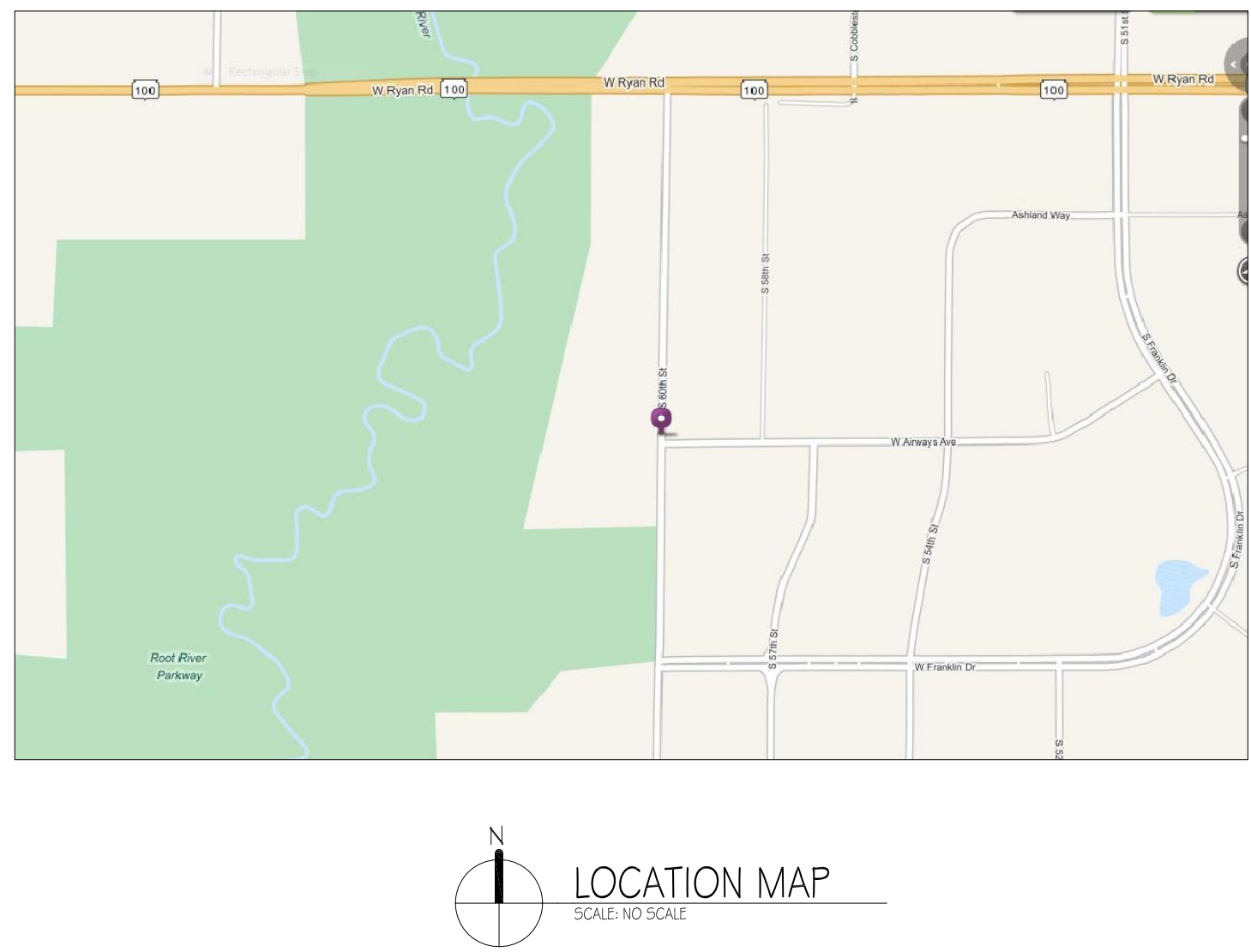
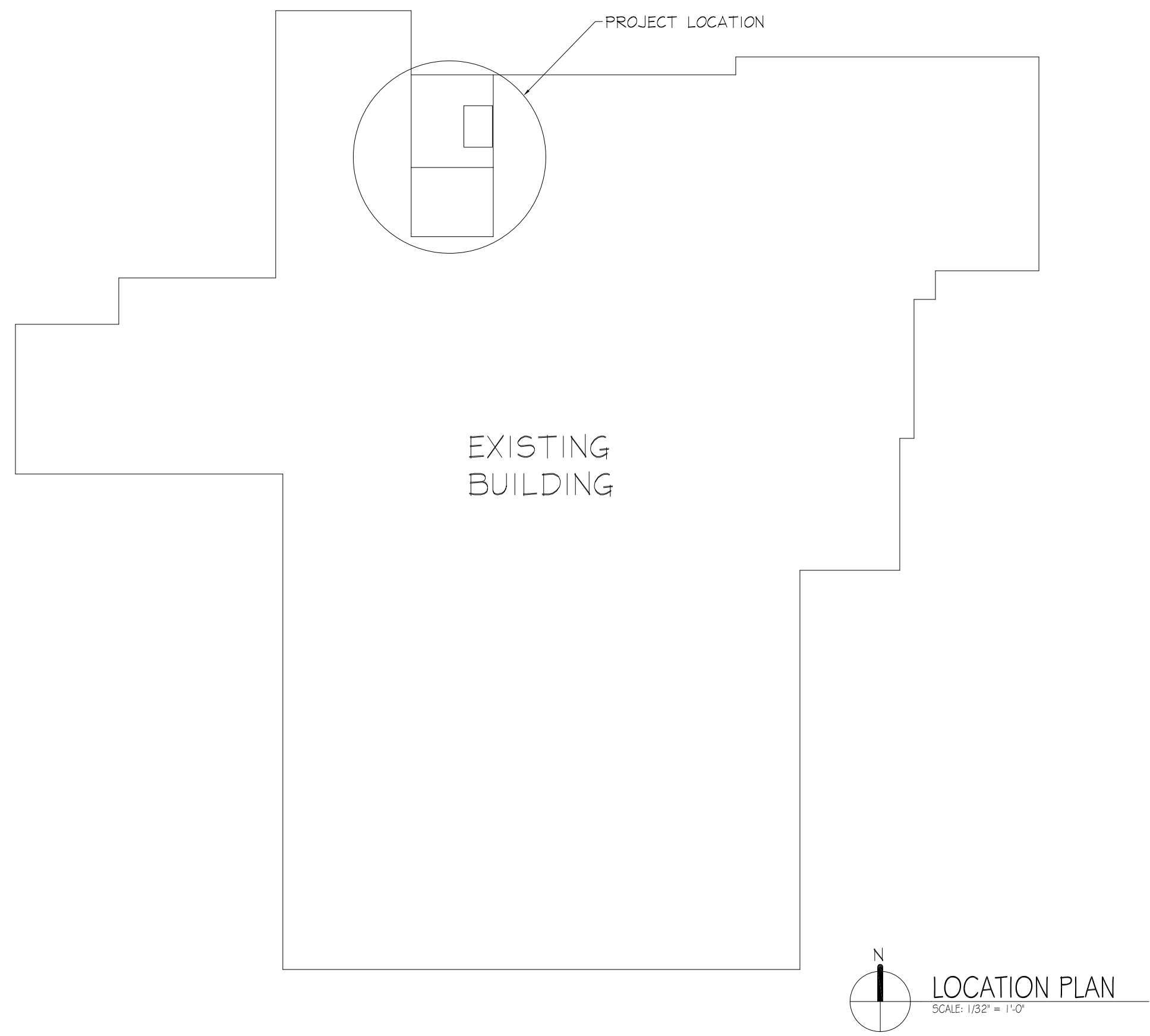
DATE
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SCALE
As Noted

CHECKED BY

DRAWN BY
RMT

SHEET
A3.0



STRAUSS BRANDS - GRADE ADDITION

9775 SOUTH 60th STREET
FRANKLIN, WI 53132

DRAWING INDEX:

- A1.0 SITE PLAN & SITE LOCATION
- A2.0 DEMO & FLOOR PLANS AND STAIR SECTION
- A3.0 NORTH ELEVATION, SECTIONS & DETAIL

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STRAUSS BRANDS
Grade Addition

9775 S 60th Street
Franklin, WI 53132

SHEET TITLE
SITE PLAN &
SITE LOCATION

PROJECT NO.

15-4141

DATE

10-23-15

SCALE

As Noted

CHECKED BY

JBM

DRAWN BY

RMT

SHEET

A1.0



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REVISIONS

STRAUSS BRANDS

Grade Addition

9775 S 60th Street
Franklin, WI 53132

SHEET TITLE

**DEMO & FLOOR
PLANS AND STAIR
SECTION**

PROJECT NO.

5-4141

DATE _____

0-23-15

SCALE

Noted

CHECKED BY

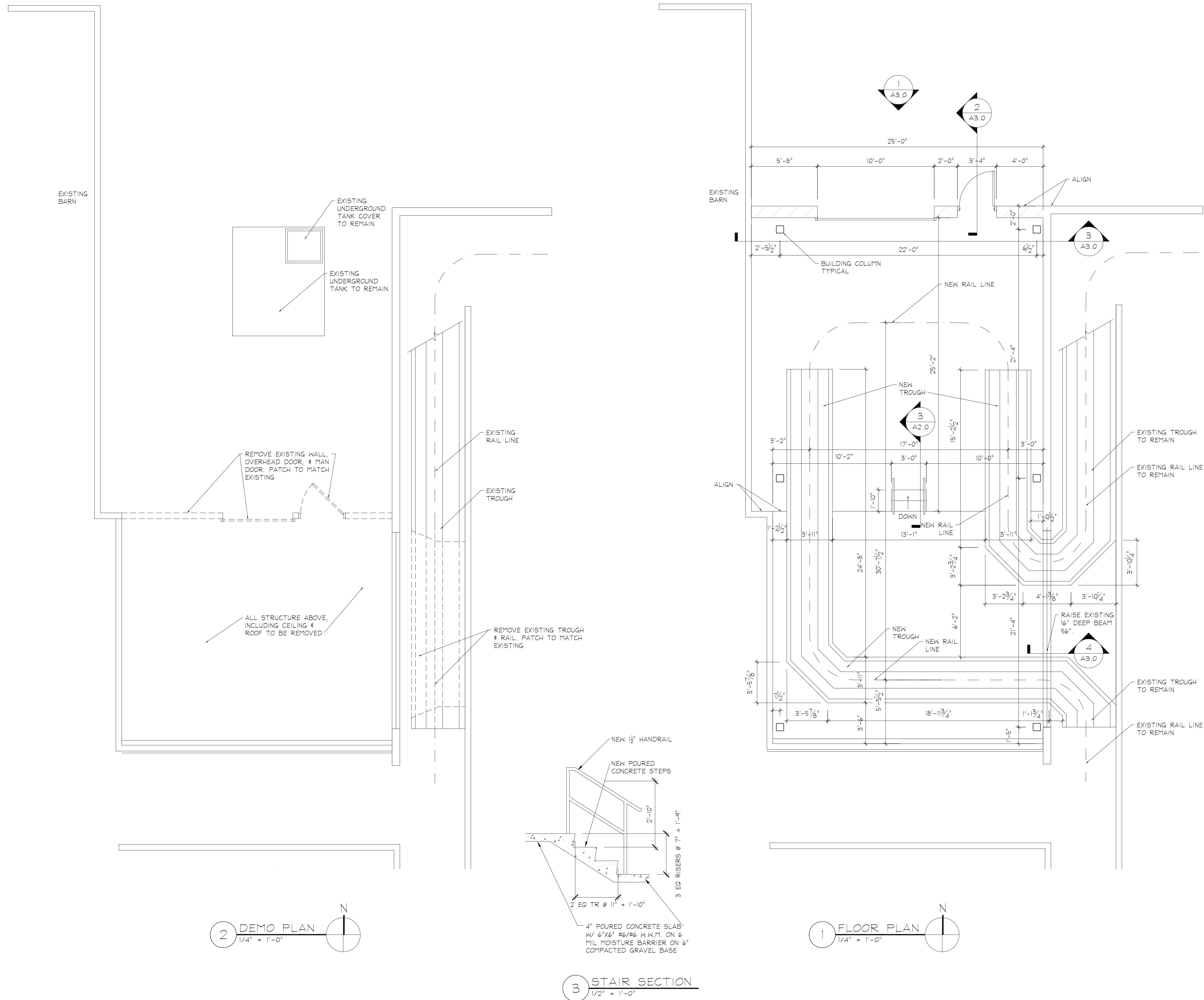
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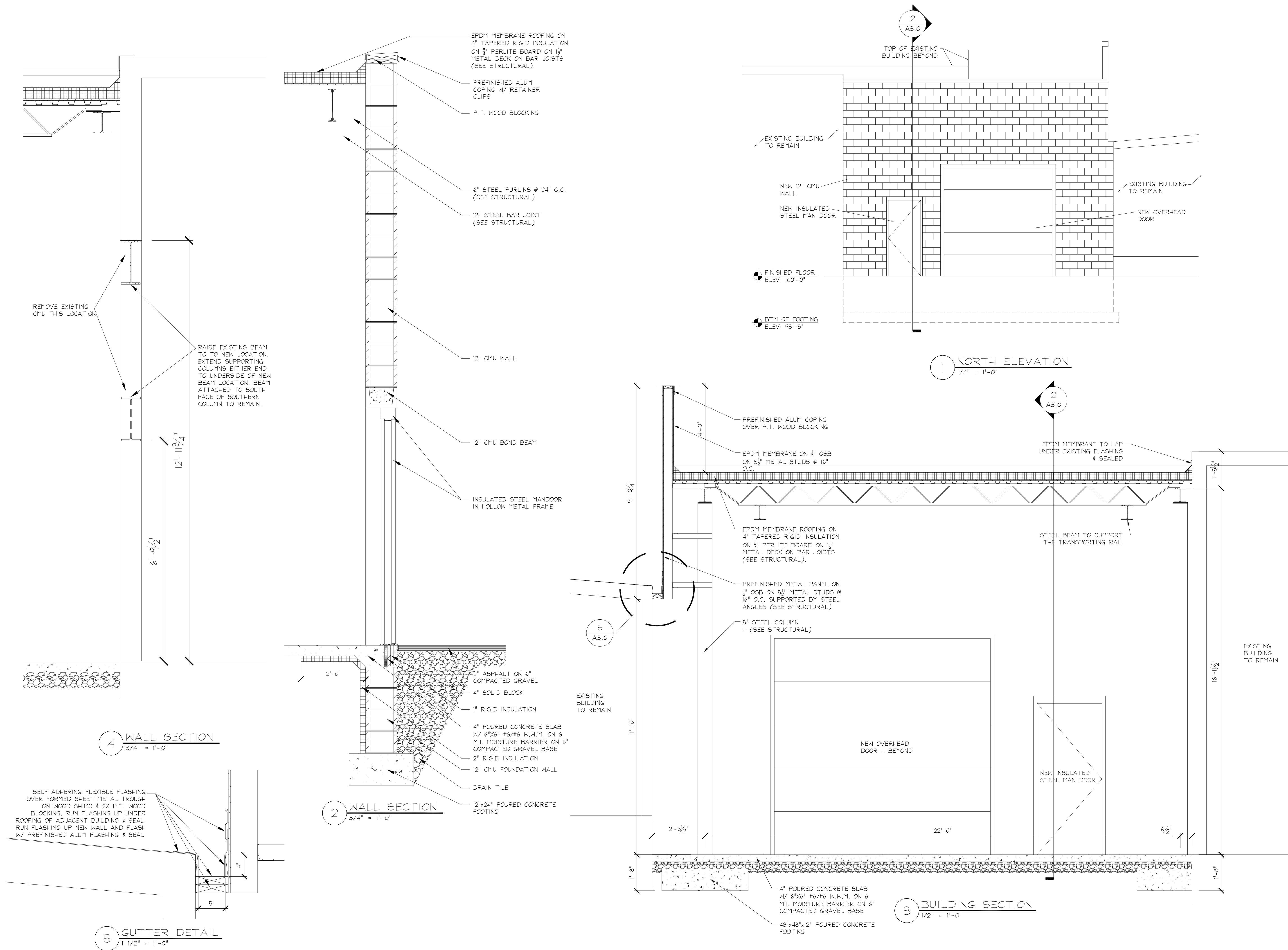
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MT

SHEET

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REVISIONS

STRAUSS BRANDS
Grade Addition
9775 S 60th Street
Franklin, WI 53132
SHEET TITLE
NORTH ELEVATION,
SECTIONS &
DETAIL

PROJECT NO. 15-4141

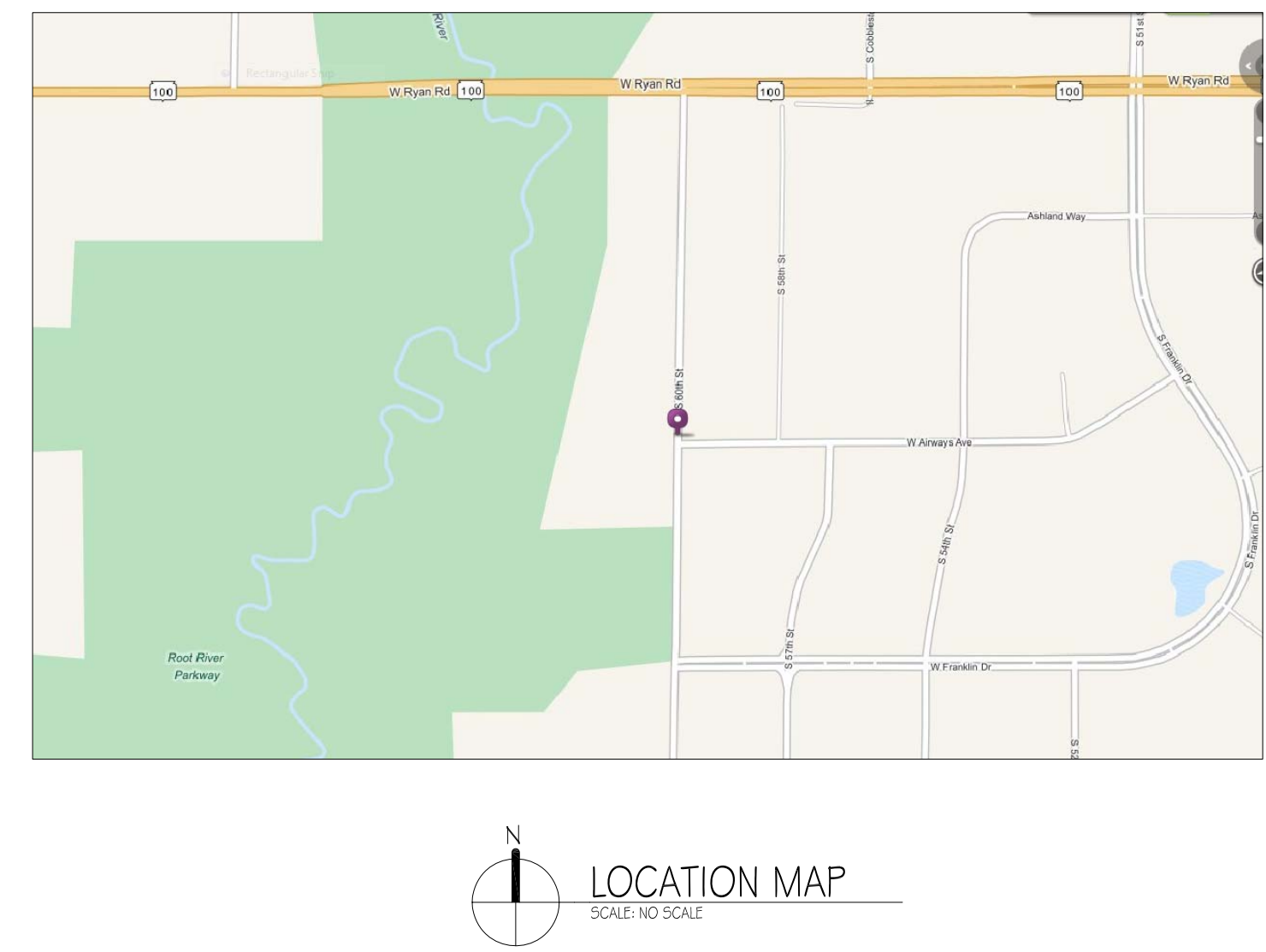
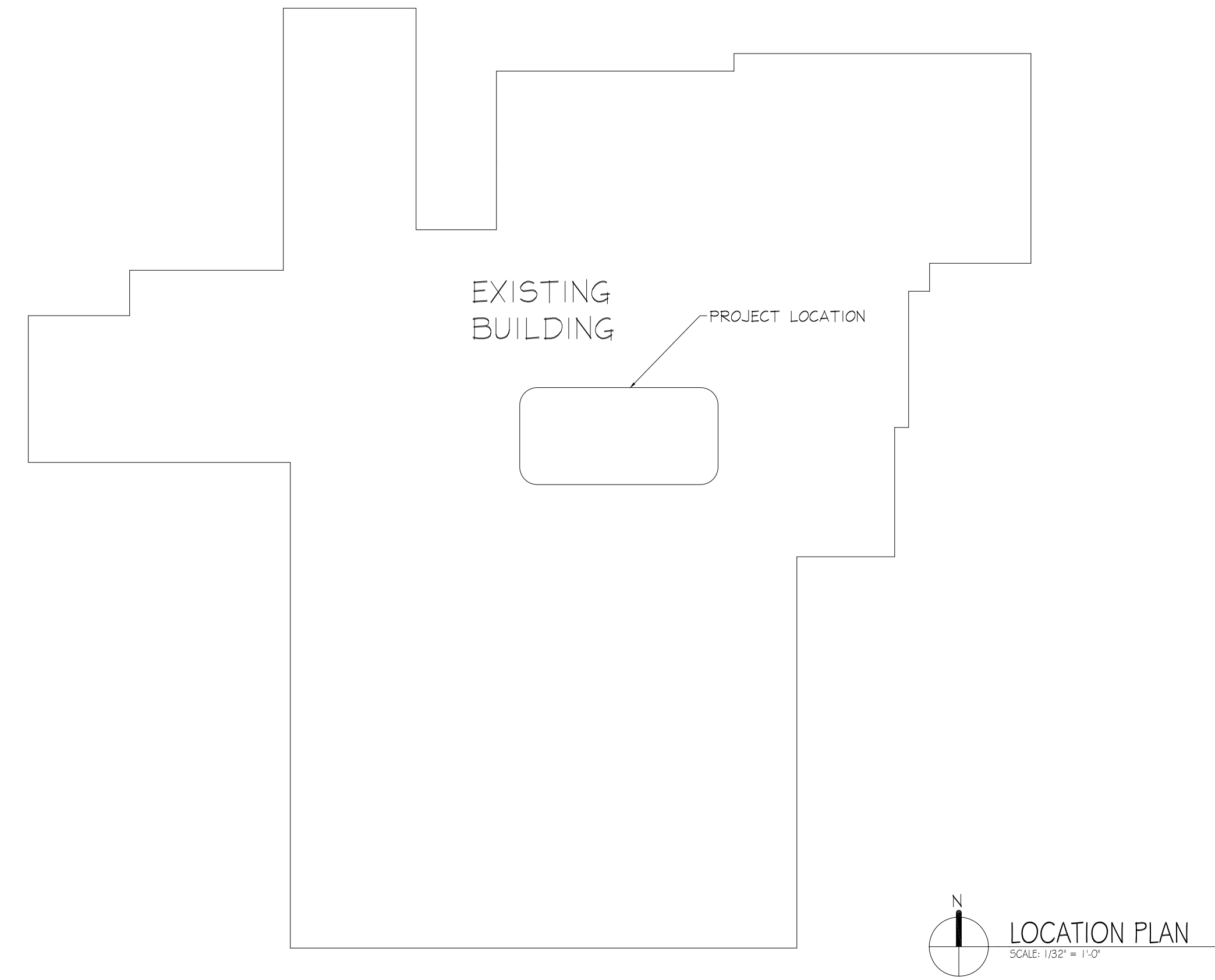
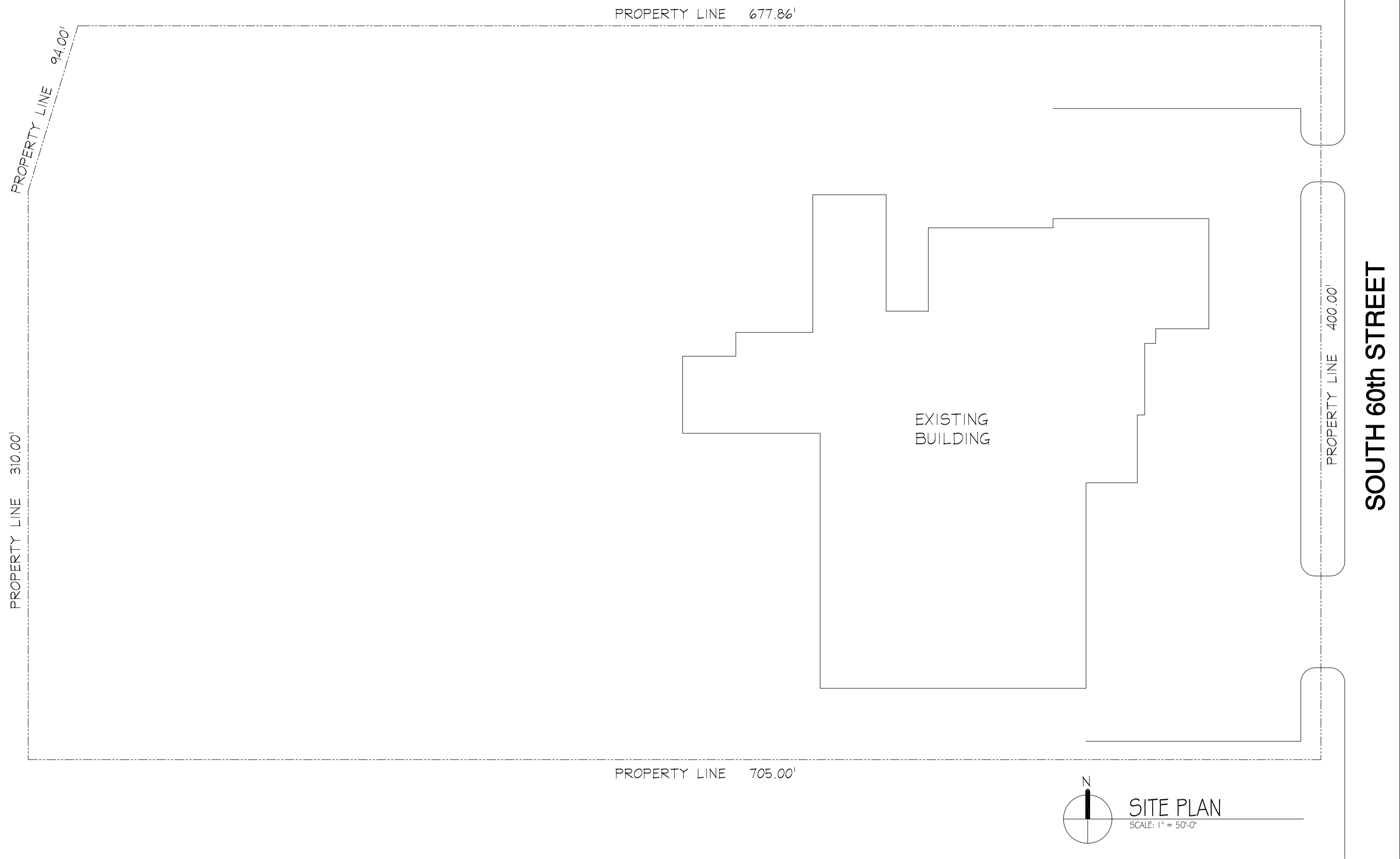
DATE 10-23-15

SCALE As Noted

CHECKED BY JBM

DRAWN BY RMT

SHEET A3.0



STRAUSS BRANDS - PUMP ROOM

9775 SOUTH 60th STREET
FRANKLIN, WI 53132

DRAWING INDEX:

- A1.0 SITE PLAN & SITE LOCATION
- A2.0 FLOOR PLANS, STAIR SECTION & DETAILS
- A3.0 SECTION & ELEVATIONS
- A4.0 SECTION
- S2.0 FLOOR & ROOF FRAMING PLANS

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REVISIONS

STRAUSS BRANDS
Pump Room

9775 S 60th Street
Franklin, WI 53132

SHEET TITLE
SITE PLAN &
SITE LOCATION

PROJECT NO.	15-4142
DATE	10-23-15
SCALE	As Noted
CHECKED BY	JBM
DRAWN BY	RMT
SHEET	A1.0

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REVISIONS

STRAUSS BRANDS
Pump Room

9775 S 60th Street
Franklin, WI 53132

SHEET TITLE
FLOOR PLANS,
STAIR SECTION &
DETAILS

PROJECT NO.

5-4142

DATE _____

0-23-15

SCALE

Notes

CHECKED BY

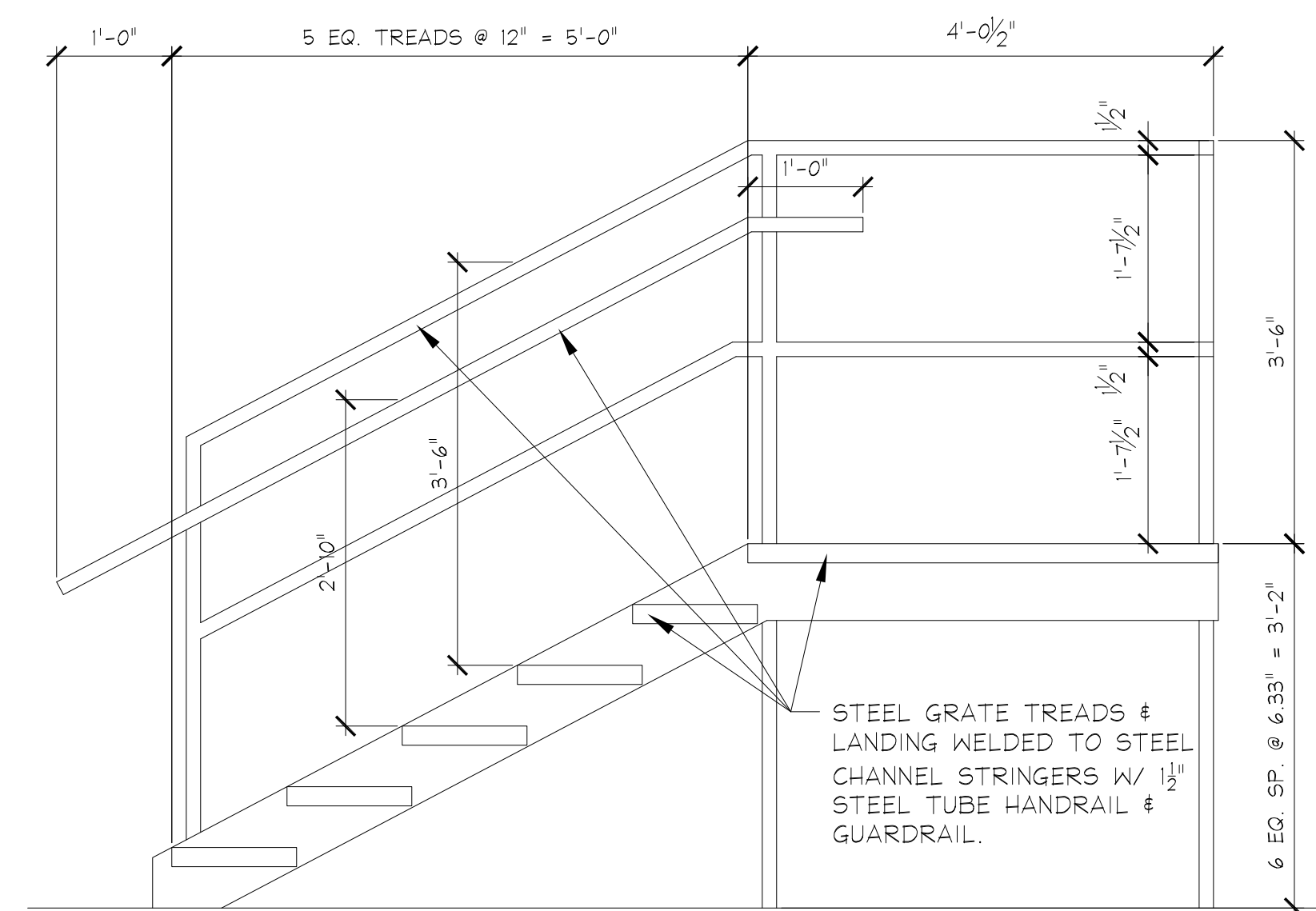
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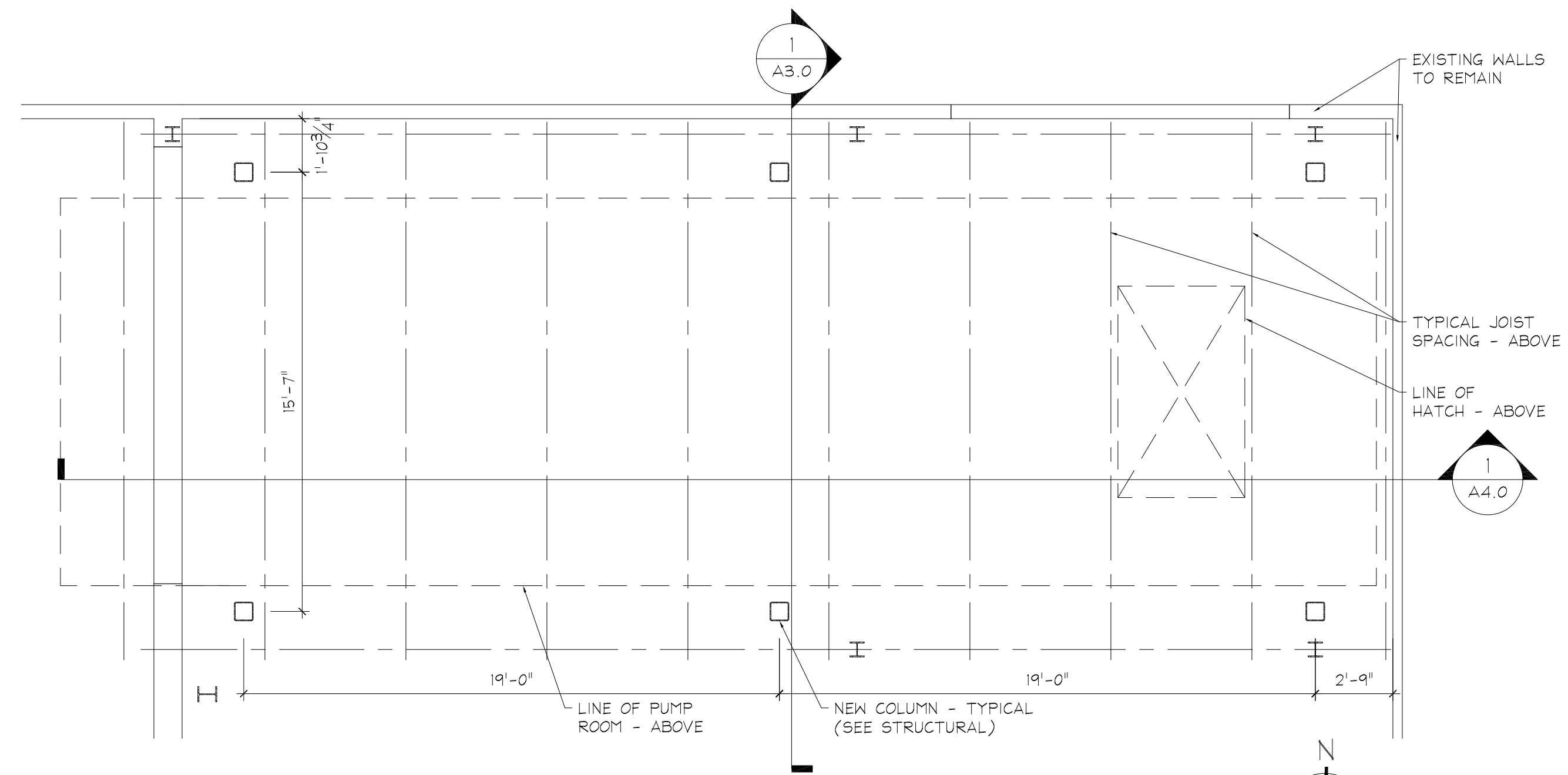
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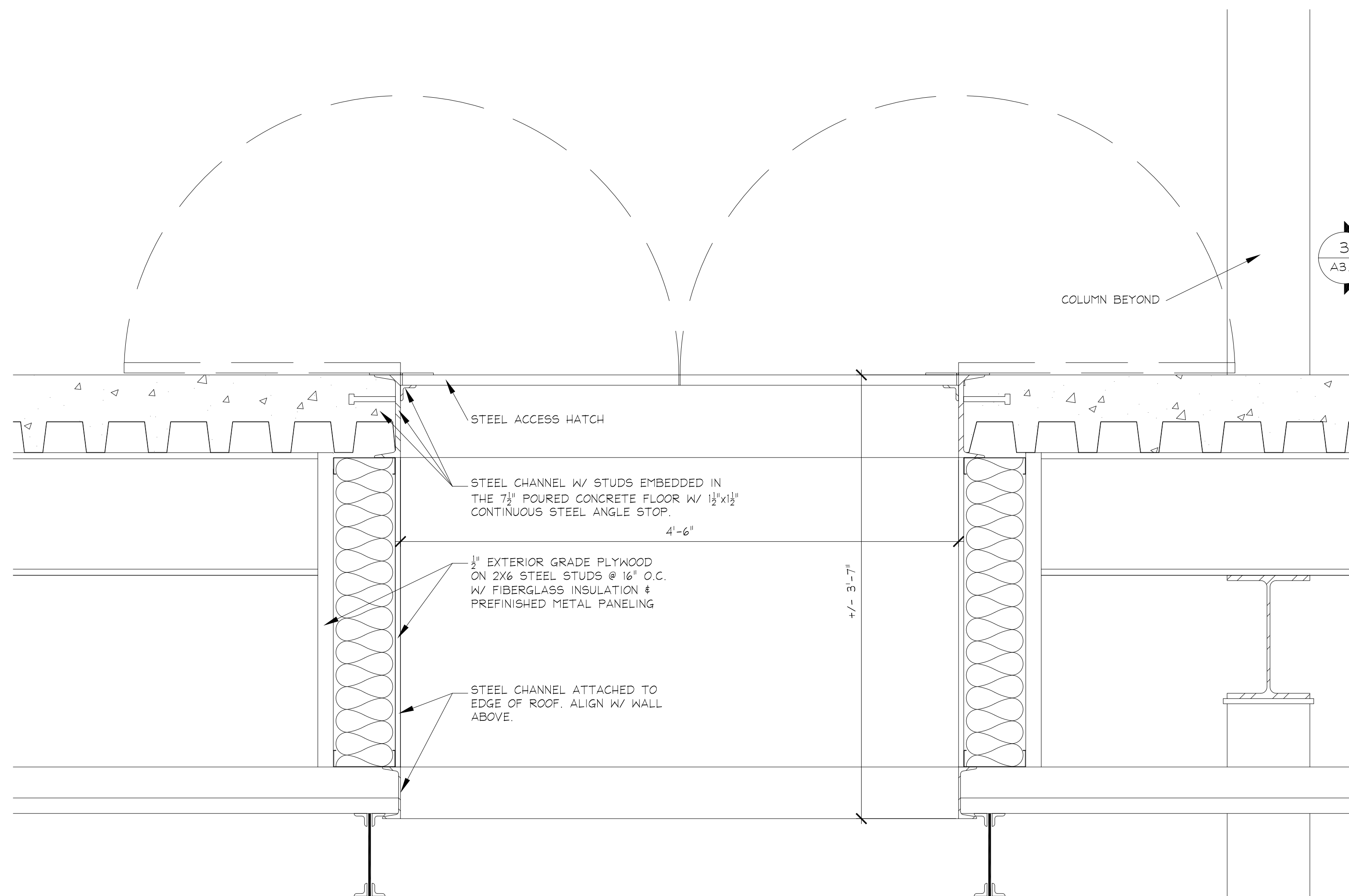
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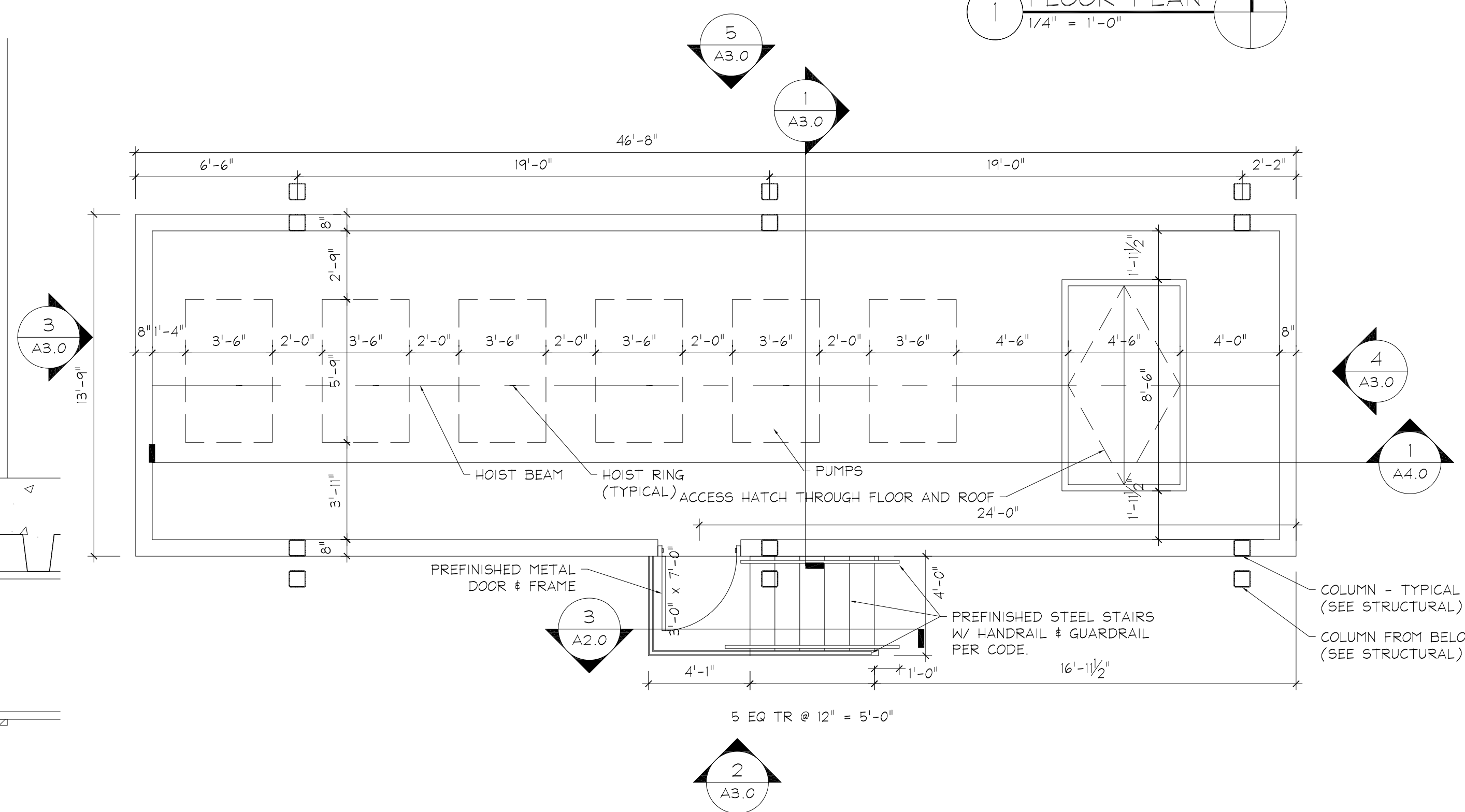
3 STAIR SECTION
1/4" = 1'-0"



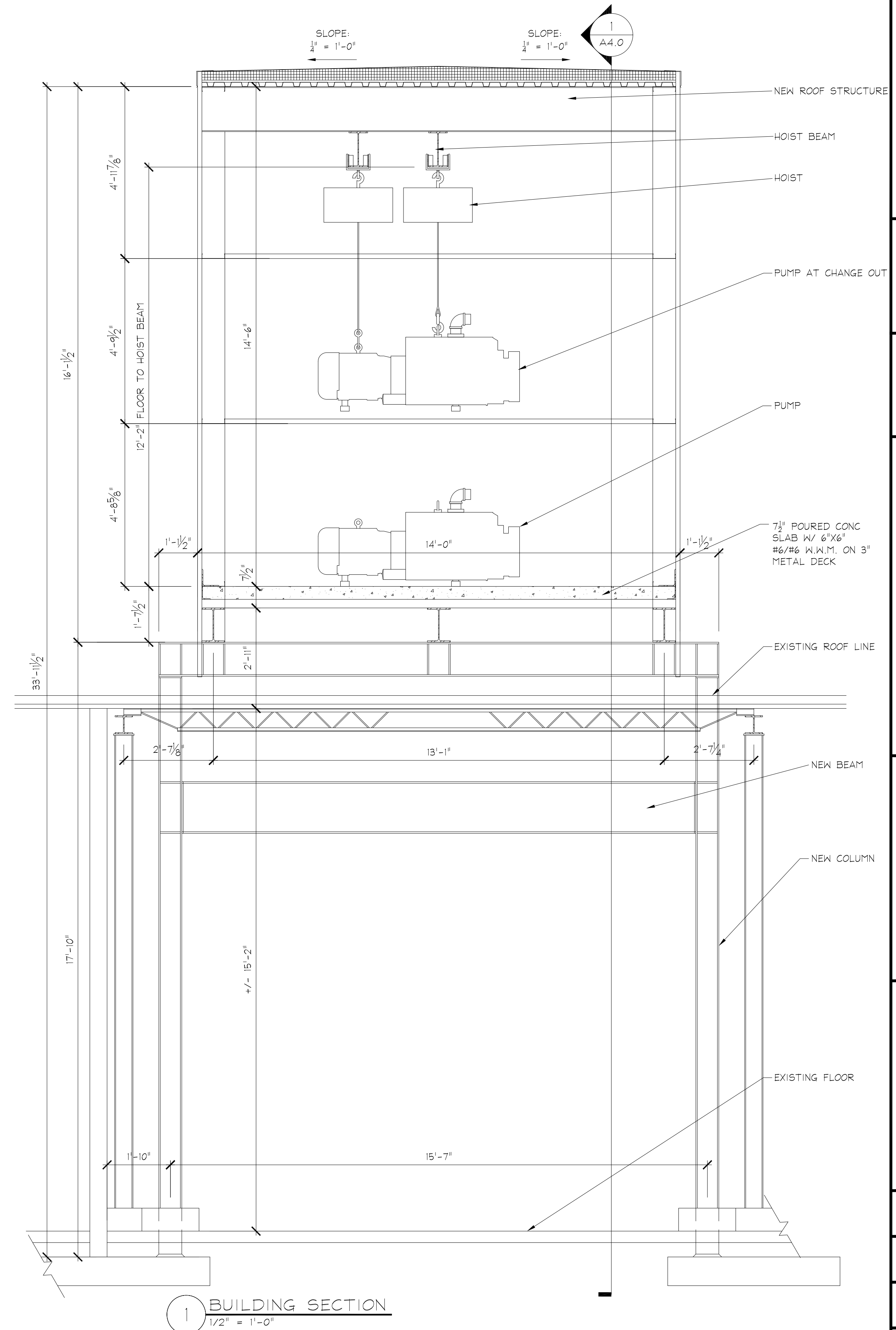
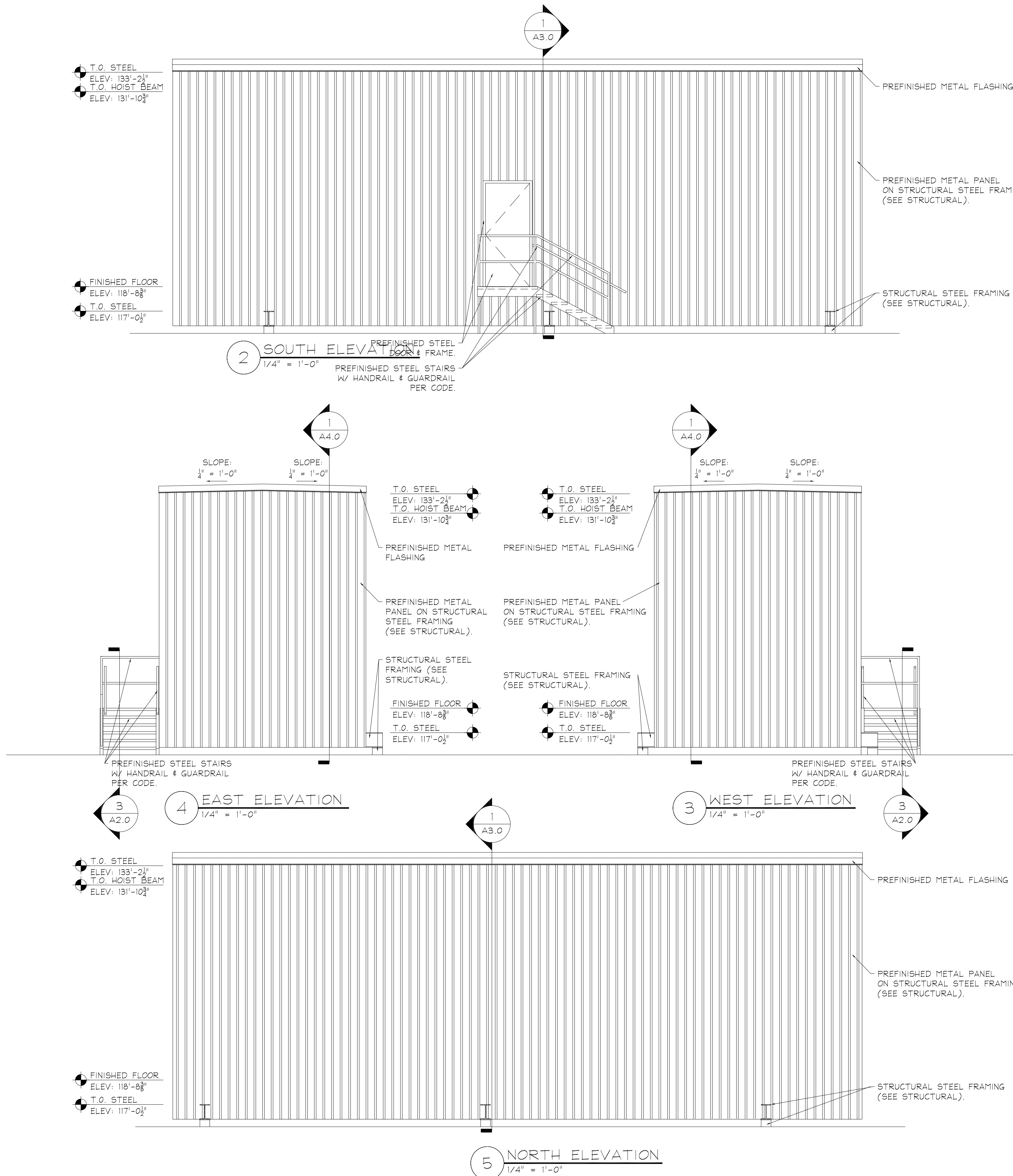
1 FLOOR PLAN
1/4" = 1'-0"



4 ACCESS HATCH DETAIL
1 1/2" = 1'-0"



2 PUMP ROOM FLOOR PLAN
1/4" = 1'-0"



JENDUSA
DESIGN &
ENGINEERING

ARCHITECTS & ENGINEERS

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REVISIONS

STRAUSS BRANDS
Pump Room

9775 S 60th Street
Franklin, WI 53132

SHEET TITLE

SECTION &
ELEVATIONS

PROJECT NO.

15-4142

DATE

10-23-15

SCALE

As Noted

CHECKED BY

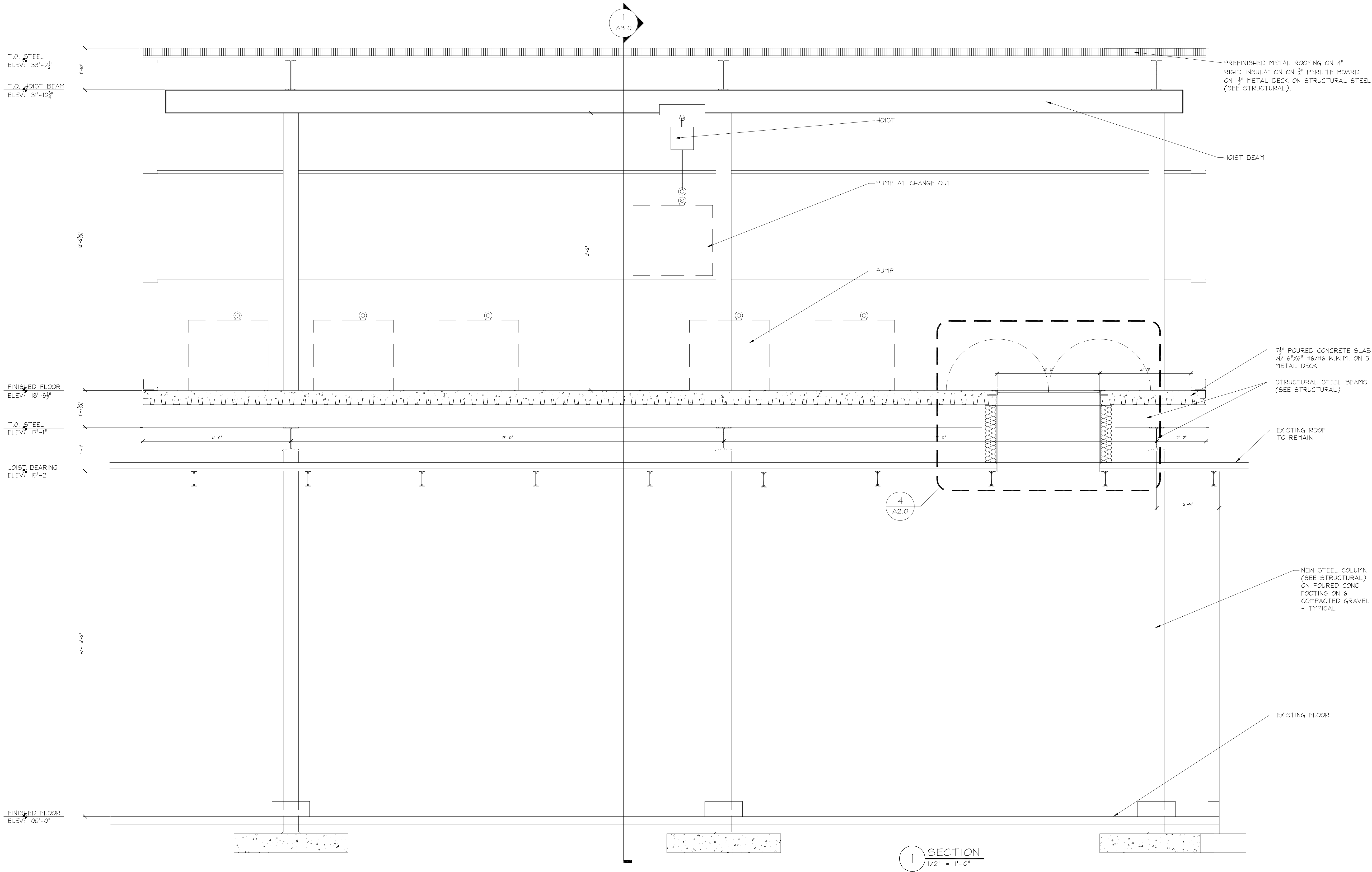
JBM

DRAWN BY

RMT

SHEET

A3.0



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REVISIONS

STRAUSS BRANDS
Pump Room

9775 S 60th Street
Franklin, WI 53132

SHEET TITLE

SECTION

PROJECT NO.

15-4142

DATE

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SCALE

As Noted

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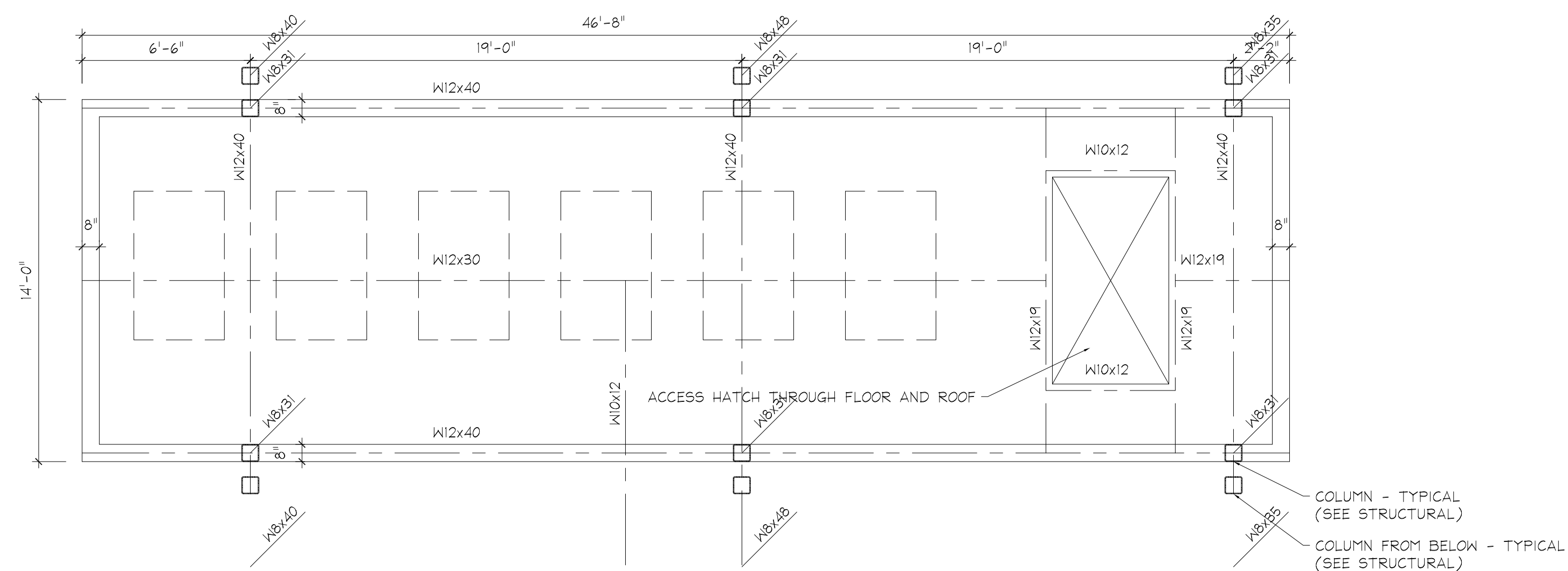
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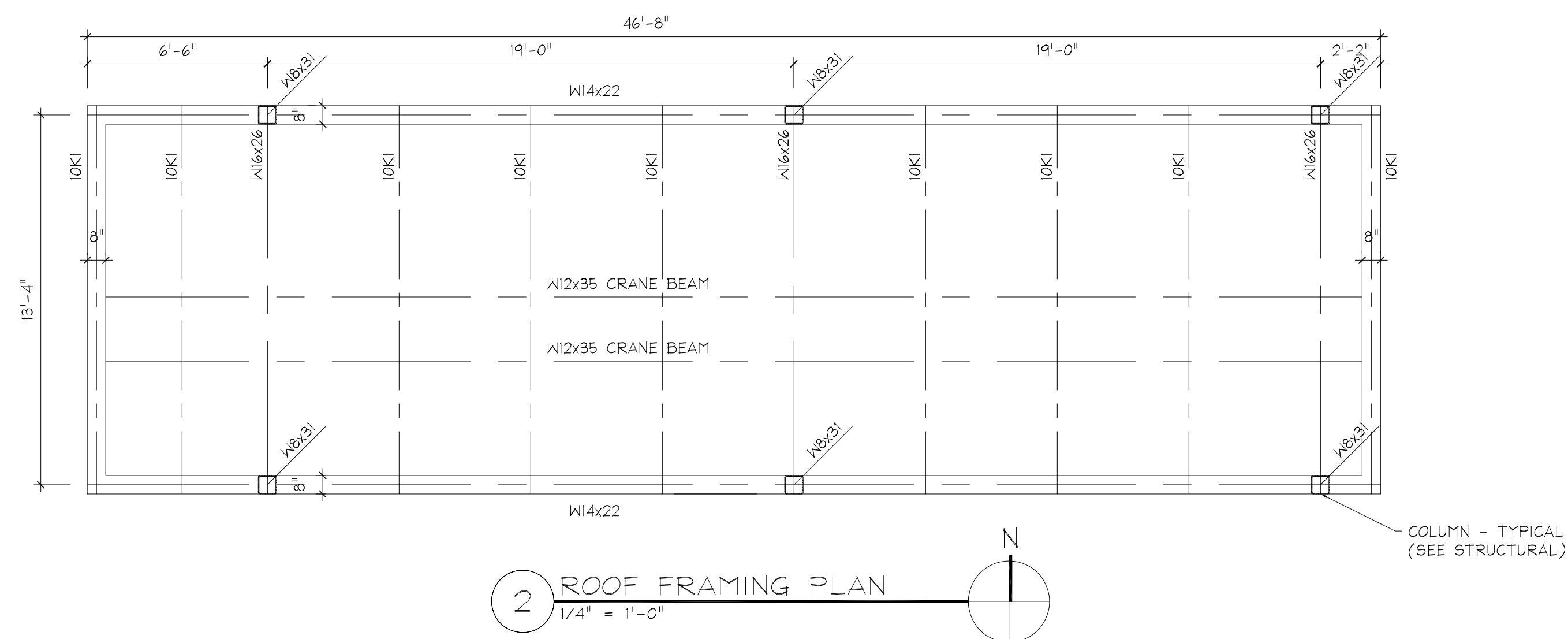
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1 FLOOR FRAMING PLAN



2 ROOF FRAMING PLAN
1/4" = 1'-0"

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REVISIONS

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SHEET TITLE

**FLOOR & ROOF
FRAMING PLANS**

PROJECT NO. 15-4142

DATE 10-23-15

As Noted

CHECKED BY **JBM**

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S2.0