

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, SEPTEMBER 17, 2015, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of September 3, 2015.

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

1. **GUARDING YOUR ANGELS, INC. CHILD DAY CARE SERVICES.**
Special Use application by Guarding Your Angels, Inc. to operate a child day care services business upon property zoned B-3 Community Business District, located at 7260 South 76th Street; Tax Key No. 756-9993-011. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**
2. **MONDA SALON, LLC BEAUTY SALON.** Special Use application by Monda Salon, LLC to operate a beauty salon business upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11113 West Forest Home Avenue, Suite 210; Tax Key No. 704-9978-002. **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: October 8, 2015

City of Franklin
Plan Commission Meeting
September 3, 2015
Minutes

unapproved

Call to Order and Roll Call

- A. Mayor Steve Olson called the September 3, 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 David Fowler, Kevin Haley, Patricia Hogan, Scott Thinnes and City Engineer Glen Morrow. Also present were City Attorney Jesse Wesolowski, Planning Manager Joel Dietl and Senior Planner Nick Fuchs. In attendance was Alderwoman Janet Evans.

Approval of Minutes

Regular Meeting of August 6, 2015.

- B.
1. Commissioner Haley moved and Commissioner Fowler seconded approval of the August 6, 2015 minutes of the Regular meeting of the Plan Commission as corrected at Item D.1. On voice vote, all voted 'aye'. Motion carried.

Regular Meeting of August 20, 2015.

2. Commissioner Fowler moved and Commissioner Hogan seconded approval of the August 20, 2015 minutes of the Regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried.

Public Hearing Business Matters
MILWAUKEE COUNTY/HUNGER
TASK FORCE FARM PROPERTY.

Rezoning and Comprehensive Master Plan amendment applications by Milwaukee County Parks Department and Hunger Task Force, to rezone a portion of the County Farm property from its current A-1 Agricultural District to a new Planned Development District (subject property encompasses the existing 50.6 acre parcel located at the northeast corner of West Ryan Road and South 68th Street which includes all of the existing farm buildings located immediately east of the House of Correction), to incorporate all existing uses and to provide for the future development of a visitor center and associated pavilion and one or more storage buildings, and to change the future land use designation from Commercial Use and Natural Resource Features use to Mixed Use and Natural Resource Features use, for property zoned A-1 Agricultural District,

- C.
1. Planning Manager Dietl presented the application by Milwaukee County Parks Department on behalf of Hunger Task Force for Comprehensive Master Plan Amendment, and Rezoning from A-1 Agricultural District to Planned Development District to create a mixed use agricultural, recreational, and educational development, as well as future development of a Visitor Center and associated pavilion, and one or more storage buildings.

Senior Planner Fuchs read the Official Notice of Public Hearing for the Rezoning of the property located at 9000 South 68th Street in to the record. The Public Hearing was opened at 7:06 p.m. and closed at 7:17 p.m.

Commissioner Fowler moved to approve 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 9000 South 68th Street from Commercial use and Areas of Natural Resource Features use to Mixed use and Areas of Natural

Item C.1. (continued)

located at 9000 South 68th Street; Tax Key No. 883-9999-002.

Resource Features use, pursuant to Wis. Stat. §66.1001(4)(b). Seconded by Commissioner Hogan. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Morrow moved to recommend approval of an ordinance to create Section 15-3.0443 of the Franklin Unified Development Ordinance establishing Planned Development District No. 38 (Milwaukee County Farm/Hunger Task Force) and to rezone property from A-1 Agricultural District to Planned Development District No. 38, including a note addressing Condition Nos. 1, 3, 6, 7 and 11 under Section F, to in effect strike requirements set forth herein, for this current development project but to note them for future purposes. Seconded by Commissioner Fowler. On voice vote, all voted 'aye'. Motion carried.

Commissioner Morrow was excused from the meeting at 8:13 p.m.

Business Matters

**HORIZON RESOURCE GROUP LLC
TWO LOT RESIDENTIAL
DEVELOPMENT.** Comprehensive Master Plan Amendment application by the City of Franklin to change the future land use designation from Institutional Use and Areas of Natural Resource Features Use to Residential Use and Areas of Natural Resource Features Use, for property zoned R-3 Suburban/Estate Single-Family Residence District, located at approximately 9150 South 80th Street; Tax Key No. 885-9996-000.

D.

1. Planning Manager Dietl presented the application for Comprehensive Master Plan amendment by the City of Franklin for property located at 9150 South 80th Street.

Commissioner Hogan moved to approve 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 9150 South 80th Street from Institutional use and Areas of Natural Resource Features use to Residential use and Areas of Natural Resource Features use, pursuant to Wis. Stat. §66.1001(4)(b). Seconded by Alderman Dandrea. On voice vote, all voted 'aye'. Motion carried (5-0-1 Morrow).

Adjournment

- E. Commissioner Thinnies moved and Commissioner Fowler seconded to adjourn the Plan Commission meeting of September 3, 2015 at 8:15 p.m. All voted 'aye'; motion carried.



REPORT TO THE PLAN COMMISSION

Meeting of September 17, 2015

Special Use

RECOMMENDATION: City Development Staff recommends approval of the Special Use application for the proposed daycare business use located at 7260 South 76th Street, subject to the conditions in the draft resolution.

Table with 2 columns: Label (Project Name, Project Address, Applicant, Owners, Current Zoning, Use of Surrounding Properties, Applicant Action Requested) and Value (Guarding Your Angels, Inc. Special Use, 7260 South 76th Street, Nara Colton, Guarding Your Angels, Inc., 505 Bridge, LLC, B-3 Community Business District, Orchard View Shopping Center to the north, PDD No. 11 to the south (Whitstone Village), vacant commercially zoned land to the east and PDD No. 16 (Franklin Centre) and Whitnall Park Terrace Condominiums to the west, Approval of the proposed Special Use for Guarding Your Angels, Inc. located at 7260 S. 76th Street)

Project Description/Analysis

Please note:

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

On August 20, 2015, the applicant submitted a Special Use Application for Guarding Your Angels, Inc. for a Special Use under Standard Industrial Classification Title No. 8351 "Child day care services", to allow for a child day care services business use upon property zoned B-3 Community Business District, located at 7260 South 76th Street. The applicant's responses to the General Standards for Special Uses are attached for your review.

Hours of operation will be from 5:30 a.m. to 6:00 p.m. Monday through Friday. The applicant has indicated that the maximum capacity for the daycare will ultimately be determined upon the State of Wisconsin license, which requires a minimum of 35 square feet per child. The applicant has estimated that the State license may allow for up to 152 children within this facility. However, the applicant has further stated that they would realistically anticipate no more than 95 children, ages 4 weeks to 12 years old. There will be approximately 15 employees for this location.

The subject property is approximately 1.00 acre and contains an existing approximately 7,026 square foot building, which was formerly occupied by a KinderCare day care business use. In

addition to the building, the site currently consists of three playground areas, two parking lots, a small shed and a dumpster enclosure.

The applicant has provided a list of improvements within their project narrative, which primarily includes improvements to the interior of the building. The applicant is proposing to paint the exterior of the building and add skylights. The building colors will be beige and brown and the existing red trim will be eliminated. The applicant noted that landscaping will be cleaned up, which is needed as portions of the lawn and playground areas are overgrown with weeds. Staff further recommends that the applicant submit a Landscape Plan, to the Department of City Development for review and approval, that adds a landscape island or islands with a minimum of two trees and several shrubs to the front of the property, adjacent to South 76th Street. Additionally, staff recommends that plantings be added around the base of the sign and in front of the existing electrical transformer box located south of the sign.

Parking:

As previously stated, the site contains two separate parking lots. The westernmost parking lot, adjacent to South 76th Street, contains 17 parking spaces and the easternmost lot, behind the building, contains 14 parking spaces. Table 15-5.0203 requires a Standard Parking Ratio (SPR) of 0.3/person, based on licensed enrollment capacity, plus 6 queuing spaces. Based upon the building size, the applicant estimates a licensed enrollment capacity of approximately 152 children; therefore, 46 parking spaces are required. With 31 parking spaces provided, the existing parking is 15 parking spaces or about 33% below the SPR.

According to the applicant, they anticipate approximately 95 children, which would require 29 parking spaces. The applicant further indicated that the parking demand would primarily be for staff, which would require a maximum of 15 parking spaces.

Section 15-5.0203 allows the Plan Commission and Common Council to approve parking below the SPR. Staff does not find that there will be a parking shortage at this site. The site was previously operated as a day care without any known parking issues. Furthermore, children will likely be dropped off at different times, resulting in high turnover of cars and only employee parking remaining onsite throughout the day.

Natural Resources:

Wisconsin Department of Natural Resources and Southeastern Wisconsin Regional Planning Commission mapping does not depict any protected natural resource features within the subject property. Based upon aerial photography, however, staff believes woodlands and wetlands may exist along the eastern half of the south property line. As no site improvements are currently proposed it appears that protected natural resources will not be impacted.

Staff Recommendation:

City Development Staff recommends approval of the Special Use application for the proposed daycare business use located at 7260 South 76th Street, subject to the conditions in the draft resolution.

RESOLUTION NO. 2015-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR
THE APPROVAL OF A SPECIAL USE FOR A CHILD DAY CARE SERVICES
BUSINESS USE UPON PROPERTY LOCATED AT 7260 SOUTH 76TH STREET
(GUARDING YOUR ANGELS, INC., APPLICANT)

WHEREAS, Guarding Your Angels, Inc., having petitioned the City of Franklin for the approval of a Special Use within a B-3 Community Business District under Standard Industrial Classification Title No. 8351 "Child day care services", to allow for a child day care services business use upon property located at 7260 South 76th Street, bearing Tax Key No. 756-9993-011, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 5401, a redivision of Parcel 1 Certified Survey Map No. 4828, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 10, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin; 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 17th day of September, 2015, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed 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 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 recommendation and also having found that the proposed 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 Guarding Your Angels, Inc., for the approval of a 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:

GUARDING YOUR ANGELS, INC. – SPECIAL USE
RESOLUTION NO. 2015-_____

Page 2

1. That this Special Use is approved only for the use of the subject property by Guarding Your Angels, Inc., successors and assigns, as a child day care services business use, which shall be developed in substantial compliance with, and operated and maintained by Guarding Your Angels, Inc., pursuant to those plans City file-stamped _____, 2015 and annexed hereto and incorporated herein as Exhibit A.
2. Guarding Your Angels, Inc., 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 consults to the City of Franklin, for the Guarding Your Angels, Inc. child day care services business, 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 Guarding Your Angels, Inc. and the child day care services business use for the property located at 7260 South 76th 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. A Landscape Plan shall be submitted, to the Department of City Development for review and approval, which adds a landscape island or islands with a minimum of two trees and several shrubs to the front of the property, adjacent to South 76th Street. Additionally, plantings shall be added around the base of the sign and in front of the existing electrical transformer box located south of the sign.
5. [other conditions, etc.]

BE IT FURTHER RESOLVED, that in the event Guarding Your Angels, Inc., successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this 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 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

GUARDING YOUR ANGELS, INC. – SPECIAL USE
RESOLUTION NO. 2015-_____

Page 3

that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

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 the issuance of an occupancy permit for such use.

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.

APPROVED:

ATTEST:

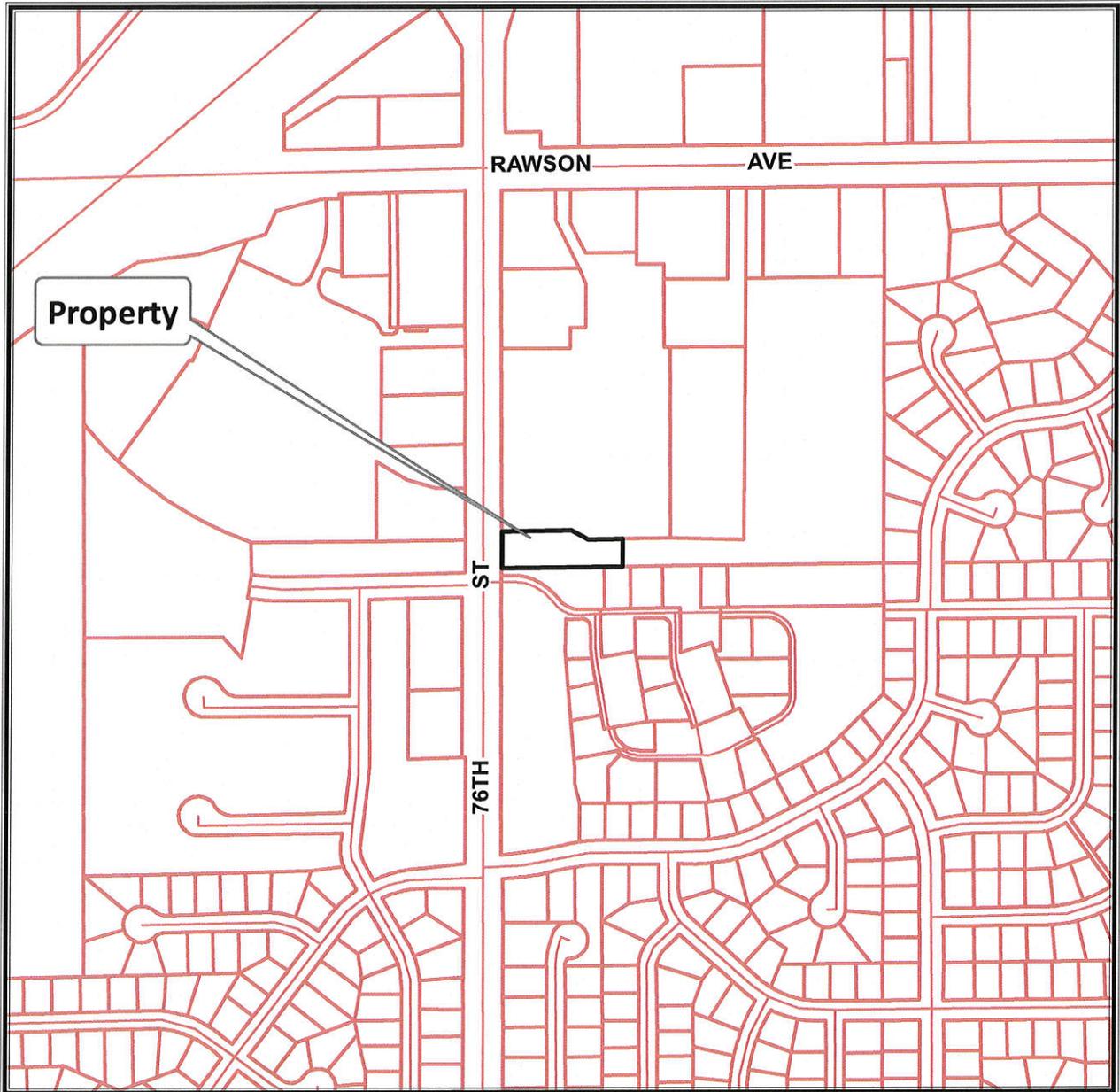
Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

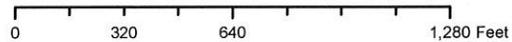
AYES _____ NOES _____ ABSENT _____



7260 South 76th Street
TKN 756-9993-011



Planning Department
(414) 425-4024

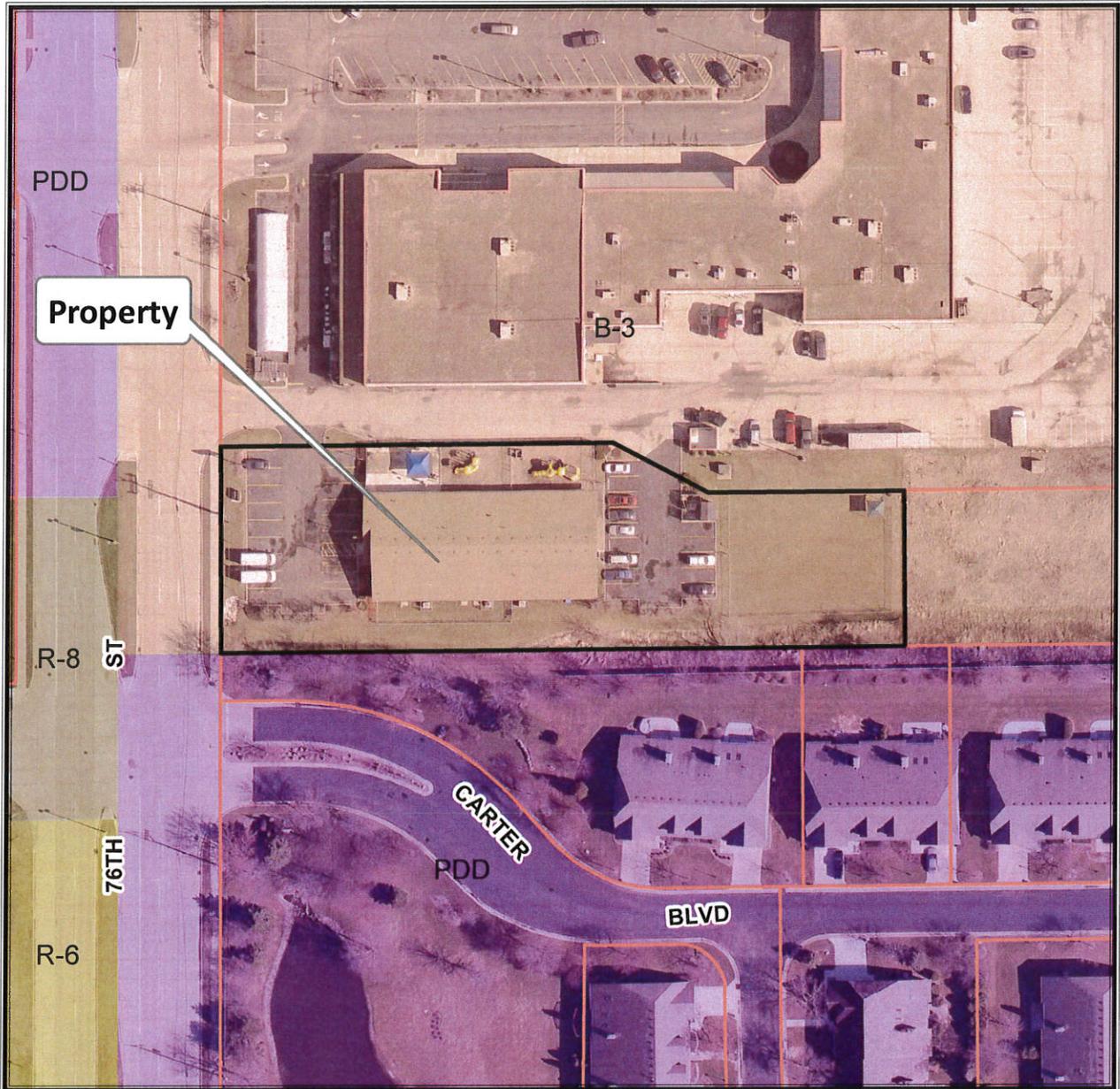


2013 Aerial Photo

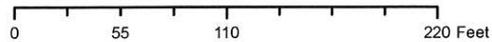
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7260 South 76th Street
TKN 756-9993-011



Planning Department
(414) 425-4024



2013 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.

Date: September 2, 2015
To: City Of Franklin Development Staff
From: Nara Colton
RE: 7260 S. 76th St.

City Development Staff Comments

1. Additions to Site Plan:
- **Owner's and/or Developer's Name and Address.** see attached
 - **Date.** see attached
 - **Setbacks, Shore Buffers, Wetland Buffers, Wetland Setbacks, and Building Lines.** see attached
 - **Existing and Proposed Zoning Boundaries.** see attached
 - **Project Summary.** The proposed Daycare Center will operate Monday through Friday from 5:30am to 6pm, 12 months per year.

The max capacity will be determined by state licensing after measuring space used by the children (35 sqft per child) and max number of children per age group:

Classroom 1-24	Children	6 to 12 years	(2 Staff) as needed
Classroom 2-12	Children	2 to 2 ½ years	(2 staff)
Classroom 3-20	Children	3 to 4 years	(2 Staff)
Classroom 4-24	Children	4 to 5 years	(2 staff)
Classroom 5-16	Children	2 ½ to 3 years	(2 Staff)
Classroom 6- 16	Children	1 to 2 years	(2 Staff)
Classroom 7-16	Children	Infants to 1 year	(2 Staff)

We anticipate no more than **95 children** ages 4 weeks to 12 years old. There will be approximately 15 employees and 7 classrooms.

The building has an accepted offer of \$565,000. Approximately \$140,000 will be put into updates of the interior and exterior of the building. see attached graphs for value.

Sprinkler Pipe	\$5,000
Ceilings:	\$5,000
Drywall:	\$15,000
Flooring:	\$40,000
Painting:	\$10,000
Toilets:	\$5,000
Sinks:	\$5,000
Cabinets:	\$5,000
Doors:	\$5,000
Paint Exterior:	\$5,000

Xtras: Skylights, indoor playspaces, lofts, clean up landscaping \$40,000

Franklin

SEP 4 2015

City Development

Building Schedule:

September 2015

Closing
Permits
Sprinkler Pipe Repair

October 2015

Ceiling Repairs
Electrical/Plumbing
Paint Exterior

November 2015

Drywall
Painting
Cabinets

December 2015

Flooring
Doors
Indoor Playspaces

January 2016

Equipment
Inspections
Licenses/Permits

February 2016

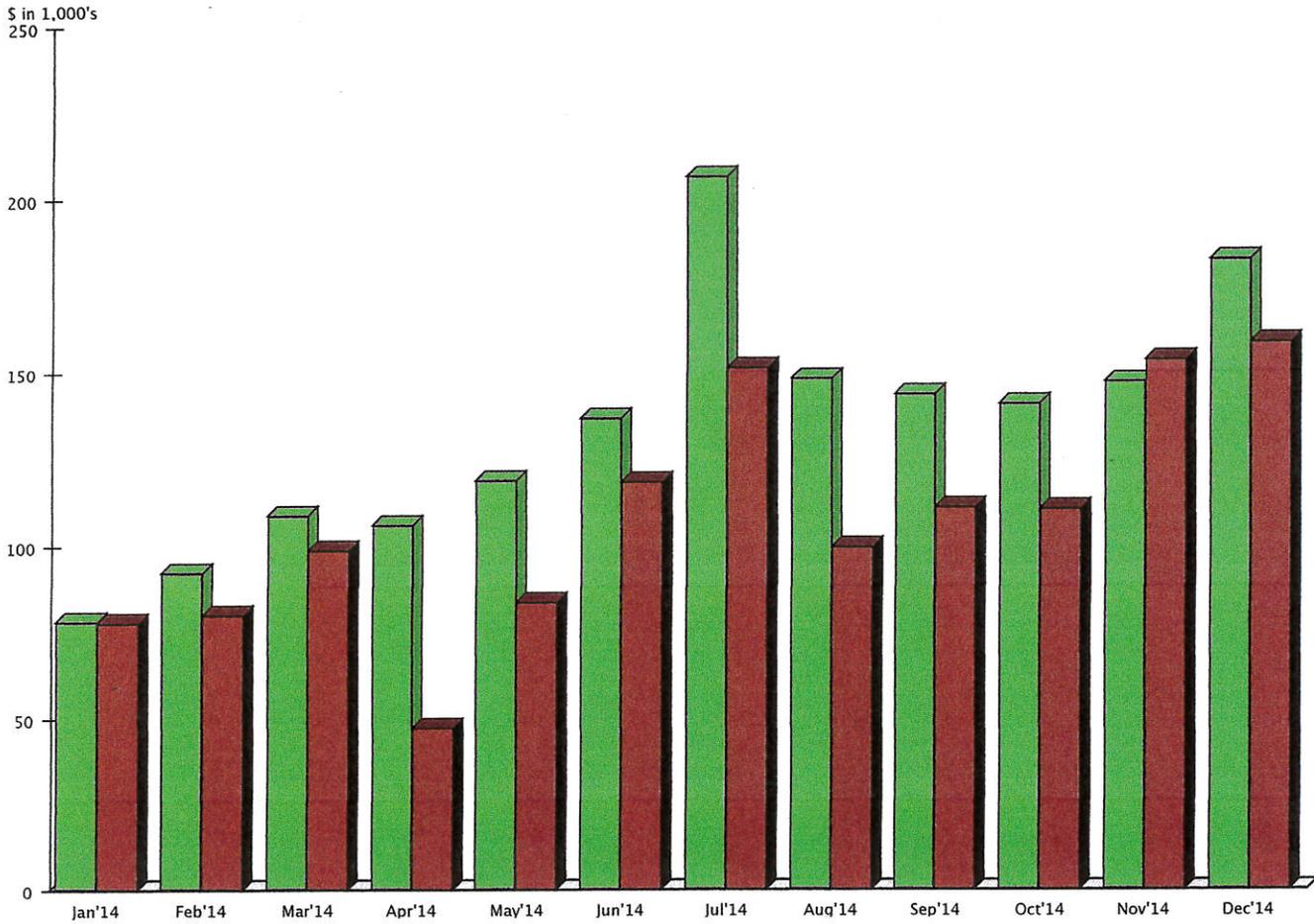
Projected Opening

2. No new landscaping
3. No new exterior lighting
4. To date, a sprinkler pipe broke in the building causing substantial damages. see above.
5. The existing signage will be used only the name will be changed.
6. Parking Demand. Considering all staff are driving a car we would need 15 parking spots and 6 on "que".

Guarding Your Angels has 3 other locations in the Southside of Milwaukee. Children capacity at 2 sites are 92 and 78. We have no onsite parking at these locations. Most staff either walk, take a city bus or car pool. Those that drive find street parking or the local church allows staff to use their parking. On an average we need to fill 8 parking spaces.

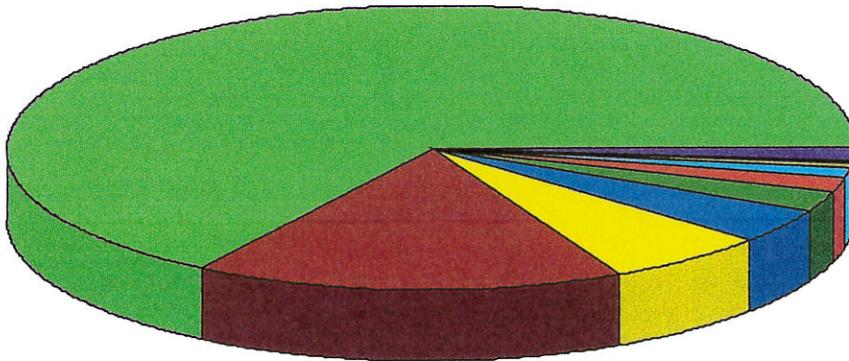
Income and Expense by Month
Jan - Dec '14

Income
Expense



Expense Summary
Jan - Dec '14

6560 — Payroll Expenses	%65.93
5012 — Rent	16.52
6140 — Daycare Supplies & Expenses	6.30
6180 — Insurance	4.14
6270 — Professional Fees	2.40
6390 — Utilities	1.73
6110 — Automobile Expense	1.23
6340 — Telephone	0.56
6550 — Office Supplies	0.42
6300 — Repairs	0.31
Other	0.46
Total	\$1,289,565.36



General Standards For Special Uses
7260 S. 76th St.

AUG 20 2015

City Development

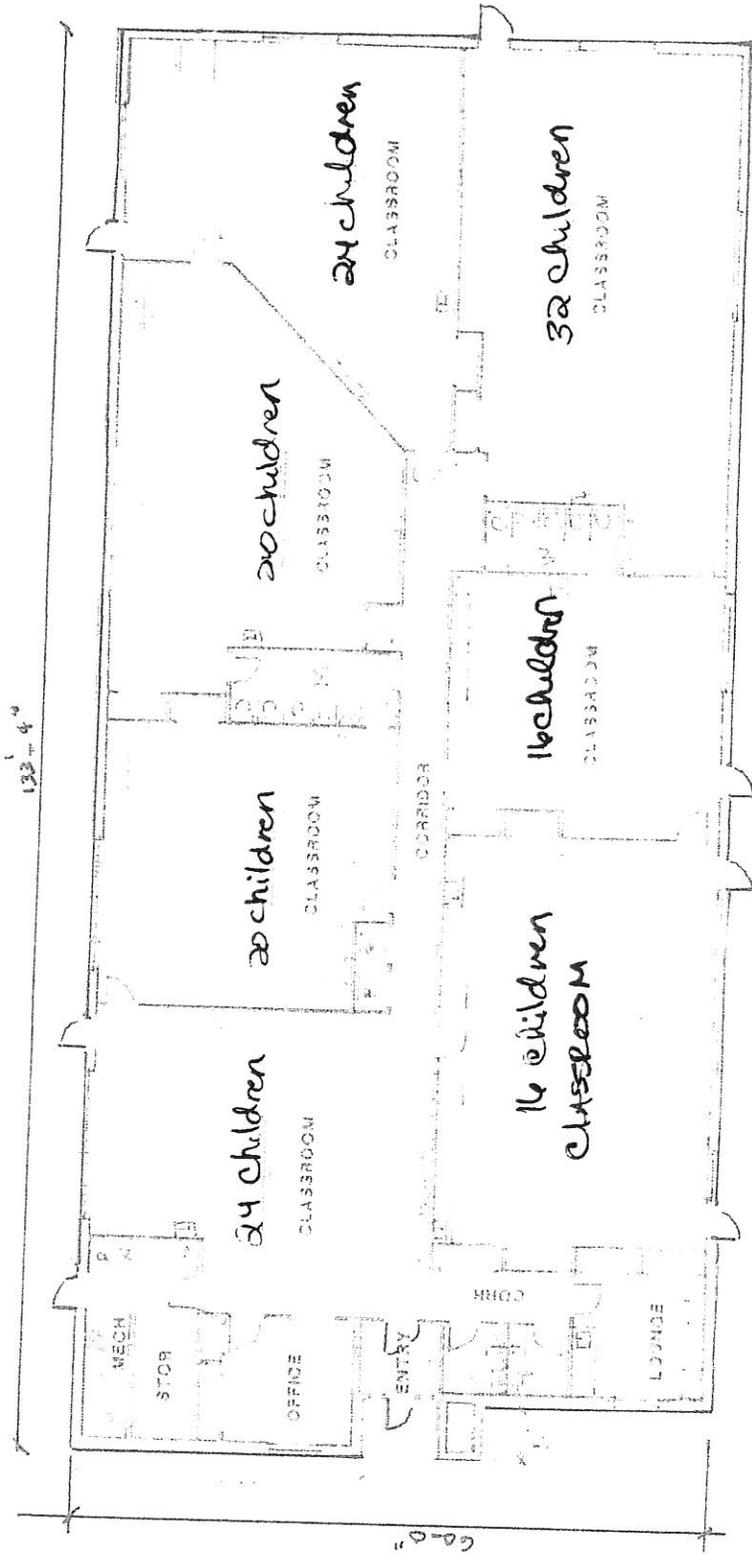
- A.
- 1) **Ordinance and Comprehensive Master Plan purposes and Intent.** Property address 7260 S. 76th St. will operate in the same manner previously used. The proposed Daycare Center will operate Monday through Friday from 5:30am to 6pm. The max capacity will be determined by state licensing after measuring space used by the children (35 sqft per child). We anticipate no more than 152 children ages 4 weeks to 12 years old. There will be approximately 20 employees and 7 classrooms.
 - 2) **No Undue Adverse Impact.** The proposed daycare wont have substantial or undue adverse or detrimental effects upon or endanger the adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood. We will make updates to the interior and exterior of the building. Also, add some landscaping.
 - 3) **No Interference with Surrounding Development.** The proposed daycare won't dominate the immediate vicinity or interfere with the use and development of neighboring properties. The daycare will operate in an organized orderly fashion. Deliveries will be made through the front of the building not blocking any of the neighboring properties. Adequate parking will be provided for staff. There are a total of 31 parking spots not including the 1 handicap.
 - 4) **Adequate Public Facilities.** The proposed daycare will be served adequately by all essential public facilities and services.
 - 5) **No Traffic Congestion.** The proposed daycare won't impose any undue traffic congestion nor draw significant amounts of traffic through residential streets due to adequate parking in front of the building, located on a main street, and large driveway to pull in and out.
 - 6) **No Destruction of Significant Features.** The proposed daycare won't cause destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
 - 7) **Compliance with Standards.** The proposed daycare will adhere to all applicable regulations of the districts in which it's located and will comply with all additional standards imposed by the Division and Ordinance authorizing the Use.
- B.
- 1) **Special Standards for Specified Special Uses.** The proposed daycare will establish compliance with all special standards set forth by Section 15-3.07020 and 15-3.0703 of this division.

General Standards For Special Uses
7260 S. 76th St.

C.

Considerations.

- 1) **Public Benefit.** The proposed daycare is necessary and desirable in this neighborhood because there's no other daycare in the area. Also bringing 20 employees to area will create more business to other area businesses.
- 2) **Alternative Locations.** The proposed daycare is perfect for this site because it was previously a daycare.
- 3) **Mitigation of Adverse Impacts.** The proposed daycare doesn't foresee any adverse effects of the proposed use on the immediate vicinity through the building design, site design, landscaping, and screening. It will be a positive once the vacant building is open and operating.
- 4) **Establishment of precedent of Incompatible Uses in the Surrounding Area.** The proposed daycare will create 20 jobs. Our employees will use area restaurants for lunch. Also, having Pick N Save across the street will help us with food, snacks, milk etc. Only positive uses will come from the proposed daycare.



7260 So. 76th St.

FLOOR PLAN



APR 19 1957

7260 S. 76 ST.



FRONT - LOOK'G NORTH EAST

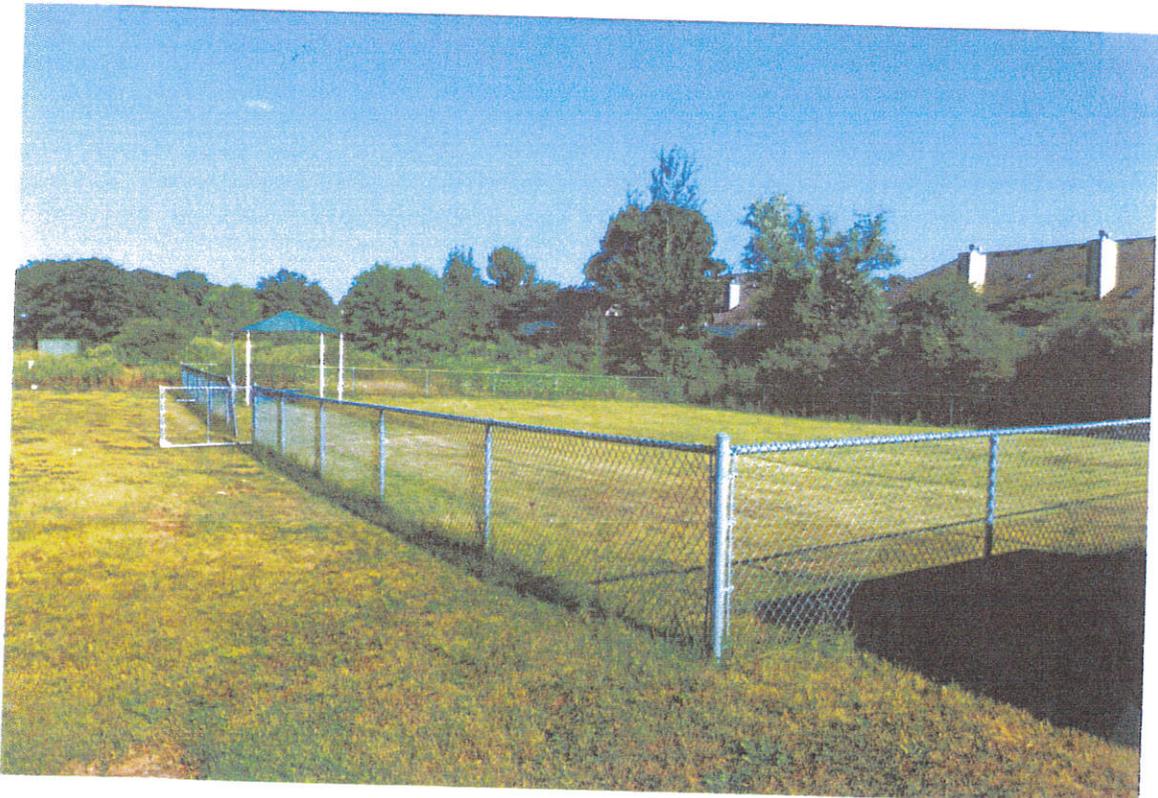


SIDE PLAY AREA - LOOK'G SOUTH EAST.

7260 S. 76 ST



FRONT ELEVATION . LOOK'G EAST.



BACKYARD PLAY GROUND . LOOK'G S.EAST