

**CALL TO ORDER**

**MINUTES**

**Regular Meeting**, June 9, 2005

**PUBLIC HEARINGS**

**Anthony Glapa**, Public Hearing for Area Special Exception to replace existing fence on rear street side, located at approximately 10270 Scepter Court, SW 1/4 of Section 08 (Tax Key Number 795-0083-000), zoned R-3 Suburban/Estate Single-Family Residence District. Board of Zoning & Building Appeals Case 2005-01.

**Shirley Hesse**, Public Hearing for Area Special Exception for relief from maximum accessory structure size of 720 square feet, located at approximately 7045 South North Cape Road, SW 1/4 of Section 06 (Tax Key Number 749-0001-000), zoned R-3 Suburban/Estate Single-Family Residence District. Board of Zoning & Building Appeals Case 2005-02.

**Robert & Janet Pruess**, Public Hearing for Area Special Exception to allow relief from maximum lot coverage of 15%, located at approximately 8135 South 34<sup>th</sup> Street, NE 1/4 of Section 13 (Tax Key Number 809-9976-001), zoned R-3 Suburban/Estate Single-Family Residence District Board of Zoning & Building Appeals Case 2005-03.

**Thomas & Marlene Wesolowski**, Public Hearing for Area Special Exception to allow relief from maximum front yard setback of 45', located at approximately 7825 Chapel Hill Court West, SW 1/4 of Section 08 (Tax Key Number 795-0140-000), zoned R-3 Suburban/Estate Single-Family Residence District. Board of Zoning & Building Appeals Case 2005-04.

**Maxim Realty & Development LLC**, Public Hearing for a Planned Development District Amendment to PDD #14 JEWEL-OSCO/HOME DEPOT to allow the addition of an approximately 6,000 square foot retail building on a lot at approximately 6525 South 27<sup>th</sup> Street, NE 1/4 of Section 01 (Tax Key Number 714-9996-022).

I. Mayor Taylor called the regular meeting of the Plan Commission of June 23, 2005, to order at 7:00 p.m. in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin. Present were Commissioners Haley, Ritter and Ziegenhagen. Alderman Skowronski and Commissioners Hanneman & Bennett were excused. Staff present were Planner Booth, Assistant City Engineer Romeis, Planning Intern Mentkowski, Planning Secretary Wilson and City Attorney Wesolowski.

II.

A. Commissioner Haley recused himself from voting on the minutes of the regular meeting of the Plan Commission of the meeting of June 9, 2005, as he had not attended the meeting. No action taken as all votes require at least 4 "ayes."

III.

A. Mr. Wilson read the Public Hearing Notice into the record.

The Mayor opened the Public Hearing at 7:05 p.m. No one coming forward the Public Hearing was closed at 7:05 p.m.

B. Mr. Wilson read the Public Hearing Notice into the record.

The Mayor opened the Public Hearing at 7:13 p.m. Applicant and two other citizens spoke to the request. No one else coming forward, the public hearing was closed at 7:29 p.m.

C. Mr. Wilson read the Public Hearing Notice into the record.

The Mayor opened the Public Hearing at 7:48 p.m. No one coming forward the Public Hearing was closed at 7:49 p.m.

D. Mr. Wilson read the Public Hearing Notice into the record.

The Mayor opened the Public Hearing at 7:58 p.m. No one coming forward the Public Hearing was closed at 7:58 p.m.

E. Mr. Wilson read the Public Hearing Notice into the record.

The Mayor opened the Public Hearing at 8:18 p.m. Applicant spoke to the request. No one else coming forward the Public Hearing was closed at 8:27 p.m.

**Maxim Realty & Development LLC**, Public Hearing for a Special Use for the addition of a drive-thru window to a retail building, at approximately 6525 South 27<sup>th</sup> Street, NE 1/4 of Section 01 (Tax Key Number 714-9996-022), zoned PDD #14 JEWEL-OSCO/HOME DEPOT.

F. Mr. Wilson read the Public Hearing Notice into the record.

The Mayor opened the Public Hearing at 8:18 p.m. Applicant spoke to the request. No one else coming forward the Public Hearing was closed at 8:27 p.m.

**BUSINESS**

**IV.**

**Anthony Glapa**, Review & recommend to Board of Zoning & Building Appeals an Area Special Exception to replace existing fence on rear street side, located at approximately 10270 Scepter Court, SW 1/4 of Section 08 (Tax Key Number 795-0083-000), zoned R-3 Suburban/Estate Single-Family Residence District. Board of Zoning & Building Appeals Case 2005-01.

A. No action taken.

**Shirley Hesse**, Review & recommend to Board of Zoning & Building Appeals an Area Special Exception for relief from maximum accessory structure size of 720 square feet, located at approximately 7045 South North Cape Road, SW 1/4 of Section 06 (Tax Key Number 749-0001-000), zoned R-3 Suburban/Estate Single-Family Residence District. Board of Zoning & Building Appeals Case 2005-02.

B. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to refer this matter to staff for further study of the history and practice of the requested relief and for consultation with the City Attorney. Upon voice vote, all voted 'aye'. Motion carried.

**Robert & Janet Pruess**, Review & recommend to Board of Zoning & Building Appeals an Area Special Exception to allow relief from maximum lot coverage of 15%, located at approximately 8135 South 34<sup>th</sup> Street, NE 1/4 of Section 13 (Tax Key Number 809-9976-001), zoned R-3 Suburban/Estate Single-Family Residence District Board of Zoning & Building Appeals Case 2005-03.

C. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to refer this matter to staff for further study of the history and practice of the requested relief and for consultation with the City Attorney. Upon voice vote, all voted 'aye'. Motion carried.

**Thomas & Marlene Wesolowski**, Review & recommend to Board of Zoning & Building Appeals an Area Special Exception to allow relief from maximum front yard setback of 45', located at approximately 7825 Chapel Hill Court West, SW 1/4 of Section 08 (Tax Key Number 795-0140-000), zoned R-3 Suburban/Estate Single-Family Residence District. Board of Zoning & Building Appeals Case 2005-04. Board of Zoning & Building Appeals Case 2005-04.

D. City Attorney Wesolowski recused himself from any advise or consideration of the merits of this request because of a possible conflict of interest.

Commissioner Ziegenhagen moved and Commissioner Ritter seconded to refer this matter to staff for further study of the history and practice of the requested relief, of the rezoning to R-3 Suburban/Estate Single-Family Residence District and for consultation with the City Attorney. Upon voice vote, all voted 'aye'. Motion carried.

**Maxim Realty & Development LLC**, Review & recommend a Planned Development District Amendment to PDD #14 JEWEL-OSCO/HOME DEPOT to allow the addition of an approximately 6,000 square foot retail building on a lot at approximately 6525 South 27<sup>th</sup> Street, NE 1/4 of Section 01 (Tax Key Number 714-9996-022).

**Maxim Realty & Development LLC**, Review & recommend a Special Use Permit be issued for the addition of a drive-thru window to a retail building, at approximately 6525 South 27<sup>th</sup> Street, NE 1/4 of Section 01 (Tax Key Number 714-9996-022), zoned PDD #14 JEWEL-OSCO/HOME DEPOT.

**River Highlands Development LLC**, Review & recommend a Final Plat for a 30-lot residential subdivision, to be known as River Highlands, located at approximately South 51<sup>st</sup> Street and West Drexel Avenue, NW 104 14 (Tax Key Numbers 806-9994-002 & 806-9995-002), zoned R-6 Suburban Single-Family Residence District.

**City of Franklin**, Review & recommend an amendment to the Unified Development Ordinance DIVISION 15-8.0300.

Next regular Plan Commission meeting is scheduled for July 14, 2005, at 7:00 p.m.

**ADJOURNMENT**

E. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to determine the Planned Development District amendment to be a major amendment. Upon voice vote, all voted 'aye'. Motion carried.

Commissioner Ritter moved and Commissioner Ziegenhagen seconded to recommend to the Common Council the amendment to PDD #14 JEWEL-OSCO/HOME DEPOT to allow the addition of an approximately 6,000 square foot retail building on a lot, subject to meeting all conditions as outlined by the Plan Commission in the attached resolution and meeting Engineering concerns regarding catch basins, fire hydrant location(s), sanitary sewer easements and the design of curbing and also subject to replacing subnoxious species of trees with acceptable species. Upon voice vote, all voted 'aye'. Motion carried.

F. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to recommend to the Common Council a Special Use Permit for the addition of a drive-thru window to a retail building at approximately 6525 South 27<sup>th</sup> Street, NE 1/4 of Section 01 (Tax Key Number 714-9996-022), zoned PDD #14 JEWEL-OSCO/HOME DEPOT, subject to meeting all conditions as outlined by the Plan Commission in the attached resolution. Upon voice vote, all voted 'aye'. Motion carried.

G. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to recommend to the Common Council a Final Plat for a 30-lot residential subdivision, to be known as River Highlands, located at approximately South 51<sup>st</sup> Street and West Drexel Avenue, NW 104 14 (Tax Key Numbers 806-9994-002 & 806-9995-002), zoned R-6 Suburban Single-Family Residence District, subject to meeting all conditions as outlined by the Plan Commission in the attached resolution. Upon voice vote, all voted 'aye'. Motion carried.

H. Commissioner Ritter moved and Commissioner Ziegenhagen seconded to recommend to the Common Council an amendment to Unified Development Ordinance DIVISION 15-8.0300. Upon voice vote, all voted 'aye'. Motion carried.

I. No action needed; none taken.

V. Commissioner Ziegenhagen moved and Commissioner Haley seconded to adjourn the June 23, 2005, meeting of the Plan Commission. Upon voice vote, all voted 'aye'. Motion carried. The meeting adjourned at 9:18 p.m.