

City of Franklin
Plan Commission Meeting
August 6, 2015
Minutes

Approved as Corrected
at Item D.1.
September 3, 2015

Call to Order and Roll Call

- A. Mayor Steve Olson called the August 6, 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, Scott Thinnes and City Engineer Glen Morrow. Commissioner Patricia Hogan was excused. 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 July 23, 2015.

- B.
1. Commissioner Fowler moved and Commissioner Haley seconded approval of the July 23, 2015 minutes of the Regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried.

Public Hearing Business Matters

CERTIFIED SURVEY MAP RECORDING TIMEFRAME UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT. Application by the City of Franklin to amend the Unified Development Ordinance text at Section 15-7.0705 and Section 15-9.0309G.2. to allow a Certified Survey Map to be recorded within 12 months after the date of the last approval of the map and within 36 months after the date of the first approval of the map, as set forth in §236.34(2)(b)1. of the Wisconsin Statutes.

- C.
1. Planning Manager Dietl presented the request for text amendment to the City of Franklin Unified Development Ordinance to be consistent with the timeframes outlined by Wisconsin State Statutes for the recording of Certified Survey Maps after Common Council approval.

Senior Planner Fuchs read the Official Notice of Public Hearing for the request for Unified Development Ordinance text amendment by the City of Franklin in to the record. The Public Hearing was opened at 7:03 p.m. and closed at 7:03 p.m.

Commissioner Fowler moved to recommend approval of an ordinance to amend the Unified Development Ordinance text to amend Section 15-7.0705 and Section 15-9.0309G.2. to allow a Certified Survey Map to be recorded within 12 months after the date of the last approval of the map and within 36 months after the date of the first approval of the map, as set forth in §236.34(2)(b)1. of the Wisconsin Statutes. Commissioner Haley seconded the motion. On voice vote, all voted 'aye'. Motion carried.

GENERAL OFFICE USE UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT. Application by the City of Franklin to amend the Unified

2. Planning Manager Dietl presented the request for text amendment to the City of Franklin Unified Development Ordinance to create a general office use category as a permitted use in all non-residential

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Development Ordinance to create a "General Office" use category in SECTION 15-3.0603 TABLE OF PERMITTED AND SPECIAL USES IN ALL NONRESIDENTIAL ZONING DISTRICTS under the category of "OTHER USES NOT CLASSIFIED UNDER SIC CODE" and to define such use category in Section 15-11.0103 SPECIFIC WORDS AND PHRASES.

zoning districts and recommend striking legal nonconforming use language.

Senior Planner Fuchs read the Official Notice of Public Hearing for the request for Unified Development Ordinance text amendment by the City of Franklin in to the record. The Public Hearing was opened at 7:11 p.m. and closed at 7:11 p.m.

Commissioner Fowler moved to recommend approval of an ordinance to amend the Unified Development Ordinance to create a "General Office" use category in Section 15-3.0603 Table of Permitted and Special Uses in All Nonresidential Zoning Districts under the category of "Other Uses Not Classified under SIC Code" and to define such use category in Section 15-11.0103 Specific Words and Phrases, with the definition to include a square foot limit of +/- 1,000 square feet (final amount to be recommended to Common Council by staff) for office relocation within an existing building area. Seconded by Alderman Dandrea. On voice vote, all voted 'aye'. Motion carried.

SOUTHBROOK CHURCH

EXPANSION. Natural Resource Features Special Exception application by Southbrook Church, Inc. to permit filling within approximately 2,770 square feet (0.064 acres) of wetland; grading, paving and planting turf grass within approximately 11,326 square feet (0.26 acres) of wetland buffer and wetland setback; and grading and paving within approximately 14,810 square feet (0.34 acres) of mature woodlands and approximately 17,424 square feet (0.40 acres) of wetland setback; on the Southbrook Church property, located at 11010 West St. Martins Road, zoned I-1 Institutional District (Tax Key Nos. 799-9967-003, 799-9967-004, 799-9967-005, 799-9967-006 and 799-9967-007); for the purposes of the current and future development of the Church, the installation of a fire lane and to provide for a trail on the property that the City plans to develop.

- 3. Planning Manager Dietl presented the application by Southbrook Church, Inc. for a Natural Resource Special Exception to allow for filling of wetland; grading, paving and planting of turf grass within a wetland buffer and wetland setback; and grading and paving within mature woodlands and wetland setback for the current and future development of the Church, the installation of a fire land and to provide for a trail on the property located at 11010 West St. Martins Road.

Senior Planner Fuchs read the official notice of Public Hearing for the Natural Resource Special Exception in to the record. The Public Hearing was opened at 7:22 p.m. and closed at 7:26 p.m.

Commissioner Fowler motioned to recommend approval of the Southbrook Church, Inc. (David Hampson, Building committee/Property Owner) Natural Resource Features Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of any Environmental Commission recommendations. Seconded by Alderman Dandrea. On voice vote, all voted 'aye'. Motion carried.

**STARFIRE SYSTEMS, INC.
PARKING LOT.** Natural Resource

- 4. Planning Manager Dietl presented the application by Malek Family Limited Partnership for a Natural

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Special Exception application for Starfire Systems, Inc. (Malek Family Limited Partnership, owner), to permit grading and paving within approximately 1,292.92 square feet (0.032 acres) of wetland buffer and 2,352.2 square feet (0.054 acres) of wetland setback and onsite mitigation for the wetland buffer and wetland setback at a ratio of 1.5:1, for property located at 9825 South 54th Street, such property being zoned Planned Development District Number 18, in the Franklin Business Park, (Tax Key No. 899-0044-000), to allow for the installation of a parking lot for Starfire Systems, Inc.

Resource Special Exception to allow for grading and paving with a wetland buffer and wetland setback and onsite mitigation for the wetland buffer and wetland setback for Starfire Systems, Inc. located at 9825 South 54th Street.

Senior Planner Fuchs read the official notice of Public Hearing for the Natural Resource Special Exception in to the record. The Public Hearing was opened at 7:39 p.m. and closed at 7:39 p.m.

Alderman Dandrea motioned to recommend approval of the Starfire Systems, Inc. (Malek Family Limited Partnership, Owner) Natural Resource Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of the Community Development Authority recommendations. Motion died due to lack of a second.

Commissioner Fowler moved to recommend denial of the Starfire Systems, Inc. Natural Resource Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of the Community Development Authority recommendations. Seconded by Commissioner Thinner. Motion withdrawn.

Commissioner Morrow moved to suspend the regular order of business to allow the applicant, Mr. Darrel Malek, to speak. Seconded by Commissioner Fowler. All voted 'aye', motion carried.

Alderman Dandrea moved to return to regular order of business. Seconded by Commissioner Fowler. All voted 'aye', motion carried.

Commissioner Morrow motioned to recommend approval of the Starfire Systems, Inc. (Malek Family Limited Partnership, Owner) Natural Resource Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission with the conditions that the pavement used for the parking area be of pervious surface, include curb and gutter, a 10 foot width of natural plantings, voluntary buckthorn removal, and revision of the plans accordingly, and Common Council consideration of the Community Development Authority recommendations. Alderman Dandrea seconded the motion. All voted 'aye', motion carried.

Business Matters

RAWSON PUB BAR/RESTAURANT WITH OUTDOOR ENTERTAINMENT/CONCERTS.

Rezoning and Special Use applications [continued from July 23, 2015 Plan Commission meeting] by Steven D. Schweitzer (property owner) (property currently zoned M-2 General Industrial District; application pending for rezoning to B-2 General Business District; drinking places require Special Use approval in the B-2 District), to allow for a bar/restaurant with outdoor entertainment/concerts business use, with applications-related site development to include construction of a building addition for a kitchen on the southeast corner of the existing Rawson Pub building, the addition of a shed at the south end of the pub parking lot and installation of a dumpster enclosure, upon property located at 5621 West Rawson Avenue; Tax Key No. 758-9990-000.

PLEASANT VIEW ELEMENTARY SCHOOL BASKETBALL COURT ADDITION/RELOCATION. Landscape Plan submitted by Franklin Public Schools for the review and approval of the Plan commission and Common Council as required by the Natural Resource Special Exception approval by the Common Council on July 21, 2015, for property located at 4601 West Marquette Avenue, such property being zoned I-1 Institutional District (Tax Key No. 788-9980-000).

Adjournment

D.

1. Planning Manager Dietl updated the Commissioners regarding the application by Steven D. Schweitzer for Rezoning from M-2 General Industrial District to B-2 General Business District to bring the establishment into compliance with current zoning code, and application for Special Use approval to allow for a bar/restaurant with outdoor entertainment/concerts business use, with site development to include construction of a building addition for a kitchen on the southeast corner of the existing Rawson Pub building, the addition of a shed at the south end of the pub parking lot and installation of a dumpster enclosure.

Commissioner Morrow made a motion to recommend approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from M-2 General Industrial District to B-2 General Business District [located at 5621 West Rawson Avenue]. Seconded by Commissioner Haley. On voice vote, all voted 'aye'. Motion carried.

Commissioner Fowler made a motion to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use to allow for a bar/restaurant with outdoor entertainment/concerts business use upon property located at 5621 West Rawson Avenue. Seconded by Commissioner Haley. On voice vote, all voted 'aye'. Motion carried.

2. Planning Manager Dietl presented the Landscape Plan for Pleasant View Elementary School, 4601 West Marquette Avenue, as submitted by Franklin Public Schools and as required by the Natural Resource Special Exception approval by the Common Council on July 21, 2015.

Commissioner Haley moved, and Commissioner Thinnis seconded to recommend approval of the Landscape Plan as presented by Franklin Public Schools for Pleasant View Elementary School, subject to the applicant's compliance with anticipated Common Council president plant list and Department of City Development review and review of location. On voice vote, all voted 'aye'. Motion carried.

E.

- Commissioner Morrow moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of August 6, 2015 at 8:27 p.m. All voted 'aye'; motion carried.