

City of Franklin
Plan Commission Meeting
August 9, 2012
Minutes

Approved
August 23, 2012

CALL TO ORDER

- I. Mayor Taylor called the August 9, 2012 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 Solomon, and Commissioners Bennett, Fowler, Haley, Michlig and Ritter. Also present were City Attorney Wesolowski, Planning Manager Dietl, and Senior Planner Fuchs. Also in attendance were Aldermen Skowronski and Olson.

MINUTES

Regular Meeting of July 19, 2012

II.

- A. Commissioner Fowler moved and Commissioner Bennett seconded approval of the July 19, 2012 minutes of the regular meeting of the Plan Commission as amended at Item III.A.3. to reflect the correct vote. All voted 'aye', motion carried.

PUBLIC HEARINGS and BUSINESS ITEMS

The Rock Sports Complex, LLC (Phased Development of a Multi-Use Sports and Entertainment Complex with a Restaurant, Bar, Concession Stands, Retail Sales and Equipment Rentals at Crystal Ridge)

Property: 7900 West Crystal Ridge Drive; Tax Key Nos. 708-8996-000, 708-8999-000, 744-8980-001, 744-8985-001, 744-8985-002, 744-8988-000, 744-8989-000, 745-0029-000, 745-898-000 and 745-8999-004

Zoning: A-1 Agricultural District, R-2 Estate Single-Family Residence District and FW Floodway District

Regarding: 1. (PDD Planned Development district Ordinance) (Public Hearing)

AN ORDINANCE TO CREATE SECTION 15-3.0442 OF THE FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX) AND TO REZONE PROPERTY FROM A-1 AGRICULTURAL DISTRICT, R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND FW FLOODWAY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 37 AND FW FLOODWAY DISTRICT

III.

- A. Michael Zimmerman, The Rock Sports Complex, LLC, gave a presentation of the request for Planned Development District Ordinance approval for phased development of a multi-use sports and entertainment complex with a restaurant, bar, concession stands, retail sales and equipment rentals for Milwaukee County lands located at approximately 7900 West Crystal Ridge Drive. Also presenting were Greg Marso, The Carstensen Group, LLC and Thomas Earl, Durham Hill Nursery, Inc.

Senior Planner Fuchs read the Official Notice of Public Hearing for Planned Development District Ordinance for The Rock Sports Complex into the record. The Public Hearing was opened at 7:56 p.m. and closed at 8:39 p.m.

Alderman Solomon moved to recommend approval of an ordinance to create Section 15-3.0442 of the Franklin Unified Development Ordinance establishing Planned Development District No. 37 (The Rock Sports Complex) and to rezone property from A-1 Agricultural District, R-2 Estate Single-Family Residence District and FW Floodway District to Planned Development District No. 37 and FW Floodway District subject to staff's 16 recommendations as well as those other items brought to the attention of the applicant tonight. Seconded by Commissioner Fowler. All voted 'aye', motion carried.

Commissioner Bennett moved that with regard to the approximate 5 acre area shown in the site plan for future soccer use purposes, known as Phase 3 in the applicant's narrative, and installation of berming that particular future use is not approved at this time and will be subject to future review and possible approval following a public hearing for that area. Seconded by Alderman Solomon. On voice vote all voted 'aye'. Motion carried.

David W. Behrens, Principal of GreenbergFarrow Architecture Inc. (Meijer Grocery and Department Store and Garden Center Development)

Property: Eastern corner of West Loomis Road and West St. Martins Road (STH 100); Tax Key Nos. 840-9969-000, 840-9997-003, 840-9997-002, 840-9994-000, 840-9998-000, 840-9997-001, 840-9993-000 and 840-9999-001

Zoning: B-3 Community Business District, Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) and FW Floodway District

Regarding: 1. (Comprehensive Master Plan Amendment) A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR PROPERTY LOCATED AT THE EASTERN CORNER OF WEST LOOMIS ROAD AND WEST ST. MARTINS ROAD (STH 100), FROM MIXED USE TO COMMERCIAL USE AND TO CHANGE THE CITY OF FRANKLIN CROSSROADS TRADE AREA REGULATING PLAN TO ALLOW FOR SUCH COMMERCIAL USE, PURSUANT TO WIS. STAT. §66.1001 (4)(b)

2. (Special Exception) Application for a Special Exception to Natural Resource Feature Provisions pursuant to §15-10.0208 of the Unified Development Ordinance, for the purpose of allowing for the filling of 1 shore buffer with 0.139 total affected acreage, 1 floodplain with 0.100 total affected acreage, 5 wetland buffers with 2.546 total affected acreage, 5 wetland setbacks with 2.222 total affected acreage, and 5 wetlands with 0.940 total affected acreage, to allow for the grading and construction of a 191,352 square foot grocery and department store and garden center development

B. Planning Manager Dietl presented an update of the application for development of a Meijer Grocery and Department Store and Garden Center on the eastern corner of West Loomis Road and West St. Martins Road.

Alderman Solomon moved and Commissioner Fowler seconded a motion to suspend regular business to allow Alderman Olson to speak. All voted 'aye', motion carried.

Commissioner Ritter moved and Alderman Solomon seconded a motion to return to regular order of business. All voted 'aye', motion carried.

Commissioner Bennett moved to approve a resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the future land use map use designation for property located at the eastern corner of West Loomis Road and West St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area regulating plan to allow for such commercial use, pursuant to Wis. Stat. § 66.1001(4) (B). Seconded by Commissioner Fowler. On voice vote, Commissioners Ritter, Haley, Bennett, and Fowler, and Alderman Solomon voted 'aye'. Commissioner Michlig voted 'no'. Motion carried (5-1).

Brian Randall, Friebert, Finerty & St. John, S.C., presented the application for Special Exception to Natural Resource Feature Provisions and requested Plan Commission conditional approval concurrent with the review by the Wisconsin Department of Natural Resources.

At 9:28 p.m. Mayor Taylor vacated his seat and passed the gavel to Alderman Solomon, who then chaired the meeting.

At 9:31 p.m. the gavel was returned to Mayor Taylor, who then returned to chairing the meeting.

Commissioner Ritter moved and Alderman Solomon seconded a motion to recommend approval of the Meijer 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 recommendation. On voice vote, Commissioners Ritter, Haley, Bennett, and Fowler, and Alderman Solomon voted 'aye'. Commissioner Michlig voted 'no'. Motion carried (5-1).

III. B. (continued)

3. (PDD Planned Development District Ordinance) AN ORDINANCE TO CREATE SECTION 15-3.0441 OF THE FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 36 (MEIJER GROCERY AND DEPARTMENT STORE DEVELOPMENT) AND TO REZONE PROPERTY FROM B-3 COMMUNITY BUSINESS DISTRICT, PLANNED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL HIGHLANDS/UNITED FINANCIAL GROUP, INC.) AND FW FLOODWAY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 36 AND FW FLOODWAY DISTRICT

Commissioner Bennett moved and Commissioner Fowler seconded a motion to recommend approval of an ordinance to create Section 15-3.0441 of the Franklin Unified Development Ordinance establishing Planned Development District No. 36 (Meijer Grocery and Department Store Development) and to rezone property from B-3 Community Business District, Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) and FW Floodway District to Planned Development District No. 36 and FW Floodway District subject to the condition that the City is able to get the bypass lanes on West Puetz Road. On voice vote, Commissioners Ritter, Haley, Bennett, and Fowler, and Alderman Solomon voted 'aye'. Commissioner Michlig voted 'no'. Motion carried (5-1).

4. (1 Lot Certified Survey Map) A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, BEING PART OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 21 EAST, AND THAT PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 21 EAST AND BEING ALL THAT PART OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN

Commissioner Haley moved and Commissioner Ritter seconded a motion to recommend approval of a resolution conditionally approving a one (1) lot certified survey map, being a part of the Southeast 1/4 of Section 17, Township 5 North, Range 21 East, and that part of the west 1/2 of the Southeast 1/4 of Section 17, Township 5 North, Range 21 East and being all that part of the south 1/2 of the east 1/2 of the Southeast 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. On voice vote, Alderman Solomon and Commissioners Ritter, Haley, Bennett and Fowler voted 'aye'. Commissioner Michlig voted 'no'. Motion carried (5-1).

Franklin Investment Properties, LLC (Sky's Public Horse Stable Business)

Property: 11052-11056 South 76th Street; Tax Key No. 983-9999-000

Zoning: R-1 Countryside/Estate Single-Family Residence District

Regarding: 1. (Comprehensive Master Plan Amendment) A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR PROPERTY LOCATED AT 11052-11056 SOUTH 76TH STREET FROM RESIDENTIAL USE TO AGRICULTURAL USE, PURSUANT TO WIS. STAT. §66.1001(4)(b)

C. Steven Pushnig, Franklin Investment Properties, LLC spoke on his request for Rezoning and Special Use for property located at 11052-11056 South 76th Street.

Commissioner Ritter moved and Commissioner Michlig seconded a motion to approve a resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the future land use map use designation for property located at 11052-11056 South 76th Street from residential use to agriculture use, pursuant to Wis. Stat. § 66.1001(4)(B). On voice vote, Commissioners Michlig, Ritter, Haley, Bennett and Fowler voted 'aye'. Alderman Solomon voted 'no'. Motion carried (5-1).

2. (Rezoning) AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE

Commissioner Ritter moved and Commissioner Michlig seconded a motion to recommend approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-1 Countryside/Estate Single-Family Residence District to A-1 Agricultural District. On voice vote, Commissioners Michlig, Ritter, Haley, Bennett and Fowler voted 'aye'. Alderman Solomon voted 'no'. Motion carried (5-1).

III. C.2. (continued)

A CERTAIN PARCEL OF LAND FROM R-1 COUNTRYSIDE/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO A-1 AGRICULTURAL DISTRICT

3. (Special Use) A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A PUBLIC HORSE STABLE BUSINESS USE UPON PROPERTY LOCATED AT 11052-11056 SOUTH 76TH STREET

Commissioner Michlig moved to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a public horse stable business use upon property located at 11052-11056 South 76th Street. Seconded by Commissioner Fowler. On voice vote, Commissioners Michlig, Ritter, Haley, Bennett and Fowler voted 'aye'. Alderman Solomon voted 'no'. Motion carried (5-1).

Unified Development Ordinance Text Amendment for Revisions to Natural Resource Protection Standards

D. On general consensus it was agreed to defer the presentation and discussion on the Unified Development Ordinance text amendment for revisions to Natural Resource Protection Standards to the next regularly scheduled meeting of the Plan Commission.

City of Franklin Complete Streets and Connectivity Committee)

E. Commissioner Michlig presented the status report of the Complete Streets and Connectivity Committee.

Property: City-wide

No action needed, none taken.

Zoning: City-wide

Regarding: 1. Status report

ADJOURNMENT

IV. Commissioner Ritter moved and Commissioner Haley seconded to adjourn the meeting at 10:47 p.m. All voted 'aye'; motion carried.