

City of Franklin
Plan Commission Meeting
July 7, 2016
Minutes

Approved
July 21, 2016

Call to Order and Roll Call

- A. Mayor Steve Olson called the July 7, 2016 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 Kevin Haley, Patricia Hogan, Patrick Leon and City Engineer Glen Morrow. Excused was Commissioner David Fowler. Also present were Principal Planner Nick Fuchs and Planning Manager Joel Dietl.

Approval of Minutes

Regular Meeting of June 23, 2016.

- B.
1. Commissioner Haley moved and Alderman Dandrea seconded approval of the June 23, 2016 minutes of the regular meeting of the Plan Commission as presented. On voice vote, all voted 'aye'. Motion carried (5-0-0).

Public Hearing Business Matters

- C.
1. None.

Business Matters

**UNIFIED DEVELOPMENT
ORDINANCE TEXT AMENDMENT
RELATED TO RELIGIOUS
ORGANIZATIONS USES.**

Unified Development Ordinance Text Amendment application by Root River Church Inc., to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious organizations" to allow for such Use as a Permitted Use City-wide in the B-3 Community Business District.
[SUBJECT MATTER CONTINUED FROM THE JUNE 23, 2016 MEETING].

- D.
1. City Attorney Jesse Wesolowski presented a memo and Attorney's Office opinion related to the proposed Unified Development Ordinance Text Amendment Application as requested at the June 23, 2016 Plan Commission meeting.

Commissioner Leon moved and Commissioner Haley seconded a motion to recommend denial of an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious Organizations" to allow for such use as a permitted use in the B-3 Community Business District, upon consideration of the regulatory criteria set forth in the Unified Development Ordinance and the Unified Development Ordinance provisions for the B-3 Community Business District, and as discussed and heard at the June 23, 2016 Plan Commission meeting and this meeting, and as set forth in the Department of City Development staff report for the Root River Church, Inc. Text Amendment Application and the memo and presentation on the subject matter from

the City Attorney's Office, as well as the facts presented, including, but not limited to the fact that religious organization use is currently allowed as a permitted use in five other zoning districts in the City, the fact that the stated intended church use property is within the Area A retail commercial redevelopment area which has been under review by the City for the past two plus years, and the history of a lack of any arguably similar uses existing in the B-3 District, which is intended for large groupings of retail sales and customer services establishments in a community serving shopping area for commercial uses and development to improve the tax base and quality of life in the City of Franklin, and to further recommend to the Common Council to direct staff to review and prepare an application to amend the Unified Development Ordinance text to remove some or all of the "Membership Organizations" as a permitted use in the B-3 District. On voice vote, all voted 'aye'. Motion carried (5-0-0).

**TUCKAWAY PINES
CONDOMINIUM DEVELOPMENT.**

Special Use Amendment application by Wayne E. Foster, Butler Creek Properties, LLC, for construction of 6 two-unit buildings within the Tuckaway Pines Condominium development (Buildings 0, 1, 2, 5, 10 and 11). Most recent Special Use approval was granted for 44 units. 23 units have been constructed and applicant is proposing construction of 12 additional units for a total of 35 units, a reduction of 9 units, upon property zoned R-8 Multiple-Family Residence District addresses and Tax Key Nos. as follows: 7556, 7558, 7560 West Tuckaway Pines Circle (Building 0), 7550, 7552, 7554 West Tuckaway Pines Circle (Building 1), 7530, 7532, 7534 West Tuckaway Pines Circle (Building 2), 7501, 7503, 7505 West Tuckaway Pines Circle (Building 5), 7543, 7545, 7547 West Tuckaway Pines Circle (Buildings 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11); 804-0087-000, 804-0066-000, 804-9999-005 and 804-0075-000.

[SUBJECT MATTER CONTINUED
FROM THE JUNE 23, 2016 MEETING].

2. Planning Manager Joel Dietl presented the request by Wayne Foster, Butler Creek Properties, LLC for construction of 6 two-unit buildings within the Tuckaway Pines Condominium development (Buildings 0, 1, 2, 5, 10 and 11).

Alderman Dandrea motioned to recommend approval of a resolution to amend resolution Nos. 2001-5145, 2001-5317, 2005-5865 and 2006-6091 imposing conditions and restrictions for the approval of a Special Use for a 44 unit residential community use located at West Tuckaway Pines Circle to allow for construction of six two-unit buildings (Buildings 0, 1, 2, 5, 10 and 11) within the Tuckaway Pines Condominiums development to be located at 7556, 7558, 7560 West Tuckaway Pines Circle (Building 0), 7550, 7552, 7554 West Tuckaway Pines Circle (Building 1), 7530, 7532, 7534 West Tuckaway Pines Circle (Building 2), 7501, 7503, 7505 West Tuckaway Pines Circle (Building 5), 7543, 7545, 7547 West Tuckaway Pines Circle (Building 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11) with the inclusion of the two documents distributed at the meeting and subject to the removal of Condition No. 7.f. Seconded by Commissioner Haley. On voice vote, all voted 'aye'. Motion carried (5-0-0).

**TORBENSON SHOWS LLC
HOLIDAY CRAFT AND GIFT
EXPO AT THE MILWAUKEE
COUNTY SPORTS COMPLEX.**

Temporary Use application by James C. Torbenson/Torbenson Shows LLC, for a holiday craft and gift expo at the Milwaukee County Sports Complex located at 6000 West Ryan Road, on November 25, 2016, from 9:00 a.m. to 5:00 p.m., November 26, 2016 from 9:00 a.m. to 5:00 p.m. and November 27, 2016 from 10:00 a.m. to 4:00 p.m., on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999-001 and 882-9987-001.

3. Planning Manager Joel Dietl presented the application by James C. Torbenson/Torbenson Shows LLC for Temporary Use approval to hold a Holiday Craft and Gift Expo at the Milwaukee County Sports Complex located at 6000 West Ryan Road.

Commissioner Leon made a motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for holiday craft and gift expo for property located at 6000 W. Ryan Road (Milwaukee County Sports Complex). Commissioner Hogan seconded to approve. All voted 'aye'. Motion carried. (5-0-0).

Adjournment

- E. Commissioner Hogan moved and Alderman Dandrea seconded to adjourn the Plan Commission meeting of July 7, 2016 at 7:34 p.m. All voted 'aye'. Motion carried. (5-0-0).