

**City of Franklin  
Plan Commission Meeting  
March 22, 2018  
Minutes**

Approved  
**April 5, 2018**

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

Mayor Steve Olson called the March 22, 2018 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 Commissioners Adam Burckhardt, Alderman Dandrea and City Engineer Glen Morrow. Absent were Commissioners Patricia Hogan, David Fowler and Kevin Haley. Also present were Planning Manager Joel Dietl and Principal Planner Orrin Sumwalt.

**B. Approval of Minutes**

- 1. Regular Meeting of March 8, 2018.

Alderman Dandrea moved and Commissioner Burckhardt seconded approval of the March 8, 2018 minutes of the regular meeting of the Plan Commission as corrected. On voice vote, all voted 'aye'. Motion carried (4-0-3).

**C. Public Hearing Business Matters**

**1. ASPEN WOODS SUBDIVISION DEVELOPMENT.** Preliminary Plat and Special Use applications by Veridian Homes, LLC, to subdivide the existing approximately 46 acre property at approximately 51st Street and West Puetz Road, to create 69 R-3 Suburban/Estate Single-Family Residence District lots (home sites ranging in size from 13,541 square feet to 41,296 square feet), five outlots, and a small, private neighborhood park; Special Use application to utilize the Special Use “Open Space Subdivision” Option 2 under the Unified Development Ordinance R-3 Suburban/Estate Single-Family Residence District Development Standards requiring in part a minimum of 0.3 open space ratio, 1.736 gross density and 2.48 net density upon the property [Special Use regulations provide in part at §15-3.0701A. of the Unified Development Ordinance that

**Special Use**  
Planning Manager Dietl presented the request by Veridian Homes, LLC, to subdivide the existing approximately 46 acre property at approximately 51st Street and West Puetz Road, to create 69 R-3 Suburban/Estate Single-Family Residence District lots (home sites ranging in size from 13,541 square feet to 41,296 square feet), five outlots, and a small, private neighborhood park; Special Use application to utilize the Special Use “Open Space Subdivision” Option 2 under the Unified Development Ordinance R-3 Suburban/Estate Single-Family Residence District Development Standards requiring in part a minimum of 0.3 open space ratio, 1.736 gross density and 2.48 net density upon the property [Special Use regulations provide in part at §15-3.0701A. of the Unified Development Ordinance that district standards may be modified by the Common Council pursuant to the recommendations of the Plan Commission].

The Official Notice of Public Hearing was read in to the record by Principal Planner Sumwalt and the Public Hearing was opened at 7:06 and closed at 8:07. Alderman Dandrea moved and City Engineer Morrow seconded to take a 10 minute recess. All voted ‘aye’. Motion carried (4-0-3).

district standards may be modified by the Common Council pursuant to the recommendations of the Plan Commission]; Tax Key No. 853-9995-010.

City Engineer Morrow moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a 74 lot subdivision with 69 single-family residential lots, 5 outlots and a private neighborhood park use upon property located at approximately 51<sup>st</sup> Street and West Puetz Road. On voice vote, all voted ‘aye’. Motion carried (4-0-3).

**Preliminary Plat**

Alderman Dandrea moved and City Engineer Morrow seconded a motion to recommend approval of a Resolution conditionally approving a Preliminary Plat for Aspen Woods subdivision (at approximately 51<sup>st</sup> Street and West Puetz Road) with the addition of some additional landscaping on Lots 60, 61, and 62 on the west property line. On voice vote, all voted ‘aye’. Motion carried (4-0-3)

**2. COMPLIANCE WITH 2017 WISCONSIN ACT 67 UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT.**

Unified Development Ordinance Text Amendment application by the City of Franklin to amend the Unified Development Ordinance text for compliance with 2017 Wisconsin Act 67, an act to amend in part §§ 62.23(7)(hb) (title), 62.23(7)(hb)1.a. and 62.23(7)(hb)2. and to create in part §§ 62.23(7)(de), 62.23(7)(e)7.a., 62.23(7)(e)7.d., 66.10015(1)(e), 66.10015(2)(e), 66.10015(4) of the Wisconsin Statutes, an act relating to: limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; Unified Development Ordinance amendments including [as may be necessary for compliance and not limited for compliance to Division 15-

Planning Manager Joel Dietl presented the request by the City of Franklin to amend the Unified Development Ordinance text for compliance with 2017 Wisconsin Act 67, an act to amend in part §§ 62.23(7)(hb) (title), 62.23(7)(hb)1.a. and 62.23(7)(hb)2. and to create in part §§ 62.23(7)(de), 62.23(7)(e)7.a., 62.23(7)(e)7.d., 6.10015(1)(e), 66.10015(2)(e), 66.10015(4) of the Wisconsin Statutes, an act relating to: limiting the authority of local governments to regulate development on substandard lots and require the merging of lots; requiring a political subdivision to issue a conditional use permit under certain circumstances; standards for granting certain zoning variances; local ordinances related to repair, rebuilding, and maintenance of certain nonconforming structures; Unified Development Ordinance amendments including [as may be necessary for compliance and not limited for compliance to Division 15-3.0700 Special Use Standards and Regulations, §§15-3.0701 General Standards for Special Uses, 15-3.0702 Detailed Standards for Special Uses in Residential Districts, 15-3.0703 Detailed Standards for Special Uses in Nonresidential Districts and 15-9.0103 Applications for Special Use Permit; §§15-9.0106 Applications for Zoning Variance, 15-9.0107 Applications for Minor Zoning Variance and 15-10.0206 Variances; and Division 15-3.1000 Nonconforming Buildings, Structures, and Uses, §§15-3.1002 Existing Nonconforming Structures, 15-3.1003 Existing Substandard Lots, 15-3.1004 Continuance of Use, 15-3.1006 Repairs and Alterations, and 15-11.0100 Definitions]. [SUBJECT MATTER CONTINUED FROM THE FEBRUARY 22, 2018 MEETING.

3.0700 Special Use Standards and Regulations, §§15-3.0701 General Standards for Special Uses, 15-3.0702 Detailed Standards for Special Uses in Residential Districts, 15-3.0703 Detailed Standards for Special Uses in Nonresidential Districts and 15-9.0103 Applications for Special Use Permit; §§15-9.0106 Applications for Zoning Variance, 15-9.0107 Applications for Minor Zoning Variance and 15-10.0206 Variances; and Division 15-3.1000 Nonconforming Buildings, Structures, and Uses, §§15-3.1002 Existing Nonconforming Structures, 15-3.1003 Existing Substandard Lots, 15-3.1004 Continuance of Use, 15-3.1006 Repairs and Alterations, and 15-11.0100 Definitions]. [SUBJECT MATTER CONTINUED FROM THE FEBRUARY 22, 2018 MEETING. **THIS PUBLIC HEARING WAS PREVIOUSLY NOTICED FOR, OPENED AND HELD AT THE PLAN COMMISSION MEETING ON FEBRUARY 22, 2018, AND THEN POSTPONED AND CONTINUED TO THE MARCH 22, 2018 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]**

**D. Business Matters**

1. None.

**E. Adjournment**

The Official Notice of Public Hearing was read in to the record by Principal Planner Sumwalt and the Public Hearing was opened at 8:32 and closed at 8:32.

City Engineer Morrow moved and Commissioner Burckhardt seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance text to comply with 2017 Wisconsin Act 67 requirements, and Wis. Stat. § 62.23, pertaining in part to the standards for the issuance of a Special Use permit, the regulation of substandard lots and the standards for granting certain zoning variances, subject to minor technical corrections by staff. On voice vote, all voted ‘aye’. Motion carried (4-0-3).

Alderman Dandrea moved and Commissioner Burckhardt seconded to adjourn the Plan Commission meeting of March 22, 2018 at 8:33 p.m. All voted ‘aye’; motion carried. (4-0-3).