

City of Franklin
Plan Commission Meeting
November 7, 2013
Minutes

Approved
November 21, 2013

CALL TO ORDER

- I. Mayor Taylor called the November 7, 2013 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 Schmidt and Commissioners Bennett, Fowler, Haley, Knueppel (arrived at 7:05 p.m.), and Ritter. Also present were City Attorney Wesolowski, Senior Planner Fuchs and Planner II Sumwalt.

MINUTES

Regular Meeting of October 3, 2013

II.

- A. Commissioner Bennett moved and Commissioner Ritter seconded approval of the October 3, 2013 minutes of the Regular meeting of the Plan Commission as presented. On voice vote, Alderman Schmidt and Commissioners Ritter, Haley and Bennett voted 'aye'. Commissioner Fowler abstained; therefore, with a vote of 4-0 motion carried.

PUBLIC HEARINGS and BUSINESS ITEMS

Greywolf Partners, Inc. (Former Ashley Furniture Store Property and Adjoining Property Rezoning and Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) Boundary Expansion and Allowance for an Amusement and Recreation Services and Warehousing and Distribution Uses Subject to Special Use Approval(s) Within the Existing Former Ashley Furniture Store Building on the 19.7 Acre Parcel)

Property: 6801 South 27th Street;
Tax Key No. 738-9974-004

Zoning: B-2 General Business District and FW Floodway District

Regarding: 1. (Planned Development District Ordinance Amendment) (Public Hearing) AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB) TO IN PART EXPAND THE DISTRICT BOUNDARIES TO INCLUDE AND PROVIDE FOR THE REZONING OF AN ADJOINING TO THE SOUTH APPROXIMATE 19.7 ACRE PARCEL [AND AN ADJOINING TO THE SOUTH APPROXIMATE 2.92 ACRE OUTLOT] FROM B-2 GENERAL BUSINESS DISTRICT AND FW FLOODWAY DISTRICT [AND OUTLOT] TO PLANNED DEVELOPMENT DISTRICT NO. 13 AND FW FLOODWAY DISTRICT AND TO ALLOW FOR AMUSEMENT AND

III.

- A. Senior Planner Fuchs presented the request for Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) amendment by Greywolf Partners, Inc. The applicant's representatives, Susan Ipsarides, Greywolf Partners, Inc. and Peter Glaser, CBRE, spoke to the request.

Planner II Sumwalt read the Official Notice of Public Hearing for the request into the record. The Public Hearing was opened at 7:13 p.m. and closed at 7:21 p.m.

Commissioner Ritter moved to amend the proposed ordinance before the Plan Commission for its consideration with regard to the description of "warehousing and distribution" use that it be changed to "limited single warehousing & distribution use among other uses in an existing multi-tenant building", and further, separate from ordinance adoption, that the Plan Commission recommends to the Common Council that the applicant's proposed hours of operation for the warehousing and distribution use be limited to between 7:00 a.m. and 5:00 p.m. Seconded by Commissioner Fowler. On voice vote, all voted 'aye'. Motion carried.

Alderman Schmidt moved to recommend approval of an ordinance to amend §15-3.0418 of the Unified Development Ordinance Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) to in part expand the district boundaries to include and provide for the rezoning of an adjoining to the south approximate 19.7 acre parcel [and an adjoining to the south approximate 2.92 acre outlot] from B-2 General Business District and FW Floodway District [and Outlot] to Planned

Item III.A. (Continued)

RECREATION SERVICES AND WAREHOUSING AND DISTRIBUTION USES SUBJECT TO SPECIAL USE APPROVAL(S) WITHIN THE EXISTING BUILDING ON THE 19.7 ACRE PARCEL

Development District No. 13 and FW Floodway District and to allow for amusement and recreation services and warehousing and distribution uses subject to Special Use approval(s) within the existing building on the 19.7 acre parcel, and as amended by the prior motion, to further limit the description of warehousing and distribution uses to the building. Commissioner Fowler seconded the motion. On voice vote, Alderman Schmidt and Commissioners Knueppel, Ritter, Haley, and Fowler voted 'aye'. Commissioner Bennett voted 'no'. Motion carried (5-1).

Greywolf Partners, Inc. (Indoor Trampoline Park Facility)

Property: 6801 South 27th Street;
Tax Key No. 738-9974-004

Zoning: Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) and FW Floodway District

Regarding: 1. (Special Use) (Public Hearing)
A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN AMUSEMENT AND RECREATION SERVICES USE UPON PROPERTY LOCATED AT 6801 SOUTH 27TH STREET

B. Senior Planner Fuchs presented the request for Special Use by Greywolf Partners, Inc. Mark Glaser, MBG MKE, LLC d/b/a/ Sky Zone, spoke to the request.

Planner II Sumwalt read the Official Notice of Public Hearing for the request by Greywolf Partners, Inc. for an amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) into the record. The Public Hearing was opened at 8:01 p.m. and closed at 8:03 p.m.

Alderman Schmidt moved and Commissioner Fowler seconded to recommend approval of a resolution imposing conditions and restrictions for an amusement and recreation services use upon property located at 6801 South 27th Street subject to adding at condition 5. of the draft resolution, "Further hours on Thursday, Friday and Saturday from 11:00 p.m. to 3:00 a.m. are allowed for the period of 1 year and shall be subject to review for no adverse impact performance within one year from time of occupancy permit issuance." On voice vote, all voted 'aye'. Motion carried.

Andrew J. Petty and Amanda E. Petty (Aluminum Fence and Turf Grass Lawn Installation)

Property: 12149 West Shadwell Circle;
Tax Key No. 798-0142-000

Zoning: R-4 Suburban Single-Family Residence District

Regarding: 1. (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 erecting an aluminum fence within a 50-foot wetland setback area and installation of turf grass lawn within approximately 1,943 square feet of the wetland setback area

C. The applicant, Andrew J. Petty spoke to his request for Special Exception to Natural Resource Feature Provision of the Unified Development Ordinance to install a fence within a wetland setback and install turf grass lawn within a wetland setback area for property located at 12149 West Shadwell Circle.

Commissioner Fowler moved to recommend approval of the Andrew J. Petty and Amanda E. Petty 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. Motion died due to lack of a second.

Commissioner Ritter made a motion to recommend denial to the Common Council of the Andrew J. Petty and Amanda E. Petty 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.

Item III.C. (Continued)

Conservancy for Healing and Heritage, Inc. (Chapel Construction and Use as Part of the Lake Trails, Healing Garden and Chapel Project)

Property: 6941 South 68th Street and Environs; Tax Key No. 743-8978-006

Zoning: Planned Development District No. 28 (Polish Festivals, Inc.) and FW Floodway District

Regarding: 1. (Planned Development District Ordinance Amendment)

a. Plan Commission determination of whether the proposed amendment is a minor amendment or a substantial alteration to the plan.

b. AN ORDINANCE TO AMEND §15-3.0433 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 28 (POLISH FESTIVALS, INC.) TO ALLOW FOR THE CONSTRUCTION AND USE OF A CHAPEL

Blasé J. Catanese and Cathleen Catanese (Combination of a Residential Lot and an Adjoining Vacant Lot into 1 Parcel)

Property: 7771 South 76th Street; Tax Key Nos. 792-9993-001 and 792-9993-002

Zoning: R-6 Suburban Single-Family Residence District and FW Floodway District

Regarding: 1. (Land Combination) A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 792-9993-001 AND 792-9993-002

Avian Estates, LLC (Avian Estates 13 Lot Single-Family Residential Subdivision Development)

Property: Approximately 7120 to 7400 West Puetz Road; Tax Key No. 850-0004-000

Zoning: R-3 Suburban/Estate Single-Family Residence District

Regarding: 1. (Final Plat) A RESOLUTION CONDITIONALLY APPROVING A FINAL PLAT FOR AVIAN ESTATES SUBDIVISION

2. (Subdivision Monument Sign) A RESOLUTION APPROVING A MONUMENT SIGN FOR AVIAN ESTATES SUBDIVISION

Seconded by Commissioner Haley. On voice vote, Commissioners Knueppel, Ritter, Haley and Alderman Schmidt voted 'aye'. Commissioner Fowler voted 'no'. Commissioner Bennett abstained. Motion carried.

- D. Scott Ramlow, AIA, Partner, Uihlein-Wilson Architects, and Mike Murry, Owner, Conservancy for Healing & Heritage, Inc. spoke to the application for amendment of Planned Development District No. 28 (Polish Festivals, Inc.) to allow for the construction and use of a chapel on property located at approximately 6941 South 68th Street and accessed from 7410 West Rawson Avenue.

Commissioner Bennett made a motion to determine the proposed amendment to be a minor amendment. Seconded by Commissioner Ritter. On voice vote, all voted 'aye'. Motion carried.

Commissioner Bennett moved to recommend approval of an ordinance to amend §15-3.0433 of the Unified Development Ordinance Planned Development District No. 28 (Polish Festivals, Inc.) to allow for the construction and use of a chapel. Alderman Schmidt seconded the motion. On voice vote, all voted 'aye'. Motion carried.

- E. Senior Planner Fuchs presented the request for land combination by Blasé J. and Cathleen Catanese for properties located at 7771 South 76th Street.

Commissioner Bennett moved and Commissioner Fowler seconded a motion to recommend approval of a resolution conditionally approving a land combination for Tax Key Nos. 792-9993-001 and 792-9993-002. On voice vote, all voted 'aye'. Motion carried.

- F. Senior Planner Fuchs presented the application for Final Plat approval for Avian Estates Subdivision (Avian Estates, LLC, Applicant) for property at approximately 7120 to 7400 West Puetz Road and the request for a Subdivision Monument Sign on Outlot 1, Avian Estates Subdivision.

Commissioner Bennett moved to recommend approval of a resolution conditionally approving a Final Plat for Avian Estates Subdivision with a revision to include a change in the technical time limit for recording. Seconded by Alderman Schmidt. On voice vote, all voted 'aye'. Motion carried.

Alderman Schmidt made a motion, seconded by Commissioner Fowler, to approve a resolution approving a monument sign for Avian Estates Subdivision. On voice vote, all voted 'aye'. Motion carried (6-0).

**City of Franklin Complete Streets and
Connectivity Committee Status Report on
Ongoing, Recent and Current Committee
Actions, Considerations and Topics**

ADJOURNMENT

- G. No action was needed on recent and current Committee actions and activities of the Complete Streets and Connectivity Committee.

- IV. Commissioner Ritter moved and Commissioner Haley seconded to adjourn the Plan Commission meeting at 8:39 p.m. All voted 'aye'; motion carried.