

<p>APPROVAL <i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE 07/07/2020</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>CONCEPT REVIEW FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH 336 UNITS IN 21 TWO-STORY APARTMENT BUILDINGS (8301 W OLD LOOMIS RD) (THOMPSON THRIFT DEVELOPMENT, INC., APPLICANT)</p>	<p>ITEM NUMBER G. 5.</p>

On May 21, 2020, the applicant submitted a Concept Review. The proposal consists of a multi-family development with 21 two-story apartment buildings on a single 51-acre lot. The buildings contain a mix of 1-bedroom (126 units), 2-bedroom (168 units), and 3-bedroom (42 units) units, for a total of 336 units. The site plan also includes a clubhouse, pool, fitness facilities, and business center. Site access is proposed on W. Loomis Road, on the ramp from Loomis to Rawson. The proposed multi-family use is not consistent with the zoning designation of R-6 single family residential, so a zoning map amendment would be required, likely to PDD. Additionally, the proposed multi-family use is not consistent with the commercial designation of Future Land Use Map (FLUM) 2025, so a comprehensive master plan amendment would be required.

Staff sent review comments to the applicant on June 17, 2020. The attached report contains a summary of the project and staff recommendations.

COUNCIL ACTION REQUESTED

Provide direction to the applicant regarding the proposed multi-family residential development to be located at 8301 W Old Loomis Road (Thompson Thrift Development, Inc., applicant).



CITY OF FRANKLIN



REPORT TO THE COMMON COUNCIL

Meeting of July 7, 2020

Concept Review

RECOMMENDATION: Provide direction to the applicant regarding the proposed multi-family residential development to be located at 8301 W. Old Loomis Road (Thrift Development, Inc., Applicant).

Project Name:	Thrift Development, Inc
Project Address/Tax Key:	8301 W. Old Loomis Road/755 9997 000
Property Owner:	RAWSON-LOOMIS LLC
Applicant:	Thompson Thrift Development, Inc.
Current Zoning:	R-6 Single-Family Residence District and C-1 Conservancy District
2025 Comprehensive Plan:	Business Park and Areas of Natural Resource Features
Action Requested:	No action requested

Introduction

On May 21, 2020, the applicant submitted a Concept Review for a multi-family development with 21 two-story apartment buildings on a single 51-acre lot. The buildings contain a mix of 1-bedroom (126 units), 2-bedroom (168 units), and 3-bedroom (42 units) units, for a total of 336 dwelling units. The site plan also includes a clubhouse, pool, fitness facilities, and business center near the Loomis Road frontage. Stormwater ponds are recommended adjacent to existing wetland areas and environmental features.

Site access is proposed on W. Loomis Road, on the ramp from Loomis Road to Rawson Avenue, and to the south, which would connect to Nottingham Way.

The proposed multi-family use is not consistent with the zoning designation of R-6 single family residential, and so a zoning map amendment would be required. The applicant has requested the R-8 zoning district, but a PDD district could also be utilized as well.

The property is surrounded by PDD 37 and PDD 16 to the north and northeast, R-8 to the east, R-6 to the south and west. Recently developed multi-family and senior residential uses are located across Loomis Road.

This subject property and most of the frontage on the southeastern side of Loomis Road between Rawson Avenue and Drexel Avenue is recommended for Commercial in the Comprehensive Master Plan. In order to enable multi-family use, a Comprehensive Master Plan Amendment would need to be adopted to change the future land use designation from Commercial and Areas of Natural Resource Features to Residential – Multi-Family and Areas of Natural Resource Features. The Areas of Natural Resource Features should be amended to match field delineations once completed.

Project Description/Analysis

The subject property has an area of 51.36 acres and is currently vacant.

The Comprehensive Master Plan recommends this site for Commercial land use, given its location along Loomis Road, an arterial road. For this reason, staff suggests incorporating commercial uses along the Loomis Road frontage and shifting residential uses to the interior of the property.

The Conceptual Plan illustrates ingress/egress to the development from Loomis Road. As Loomis Road is a divided highway, access would be right-in-right-out only. A second access point on the south side of the property would connect to the road stub/right-of-way located in the existing neighborhood. This future connection is located between two existing single family homes where Nottingham Way meets Winston Way. In order to promote further interconnectivity, staff suggests that the site plan also include road access point on the northeast part of the property to accommodate a future road connection to Terrace Drive, if feasible due to the presence of wetlands onsite.

Detailed natural resource information has not yet been provided. The concept plan reflects the best available information from the City's GIS Property Viewer. The design and layout of the development may be revised based upon field delineations of wetlands and any other protected natural resources onsite.

As this is only a concept plan, compliance with UDO standards will be reviewed upon a detailed project plan submittal. It is anticipated that sidewalks, street trees, and open space amenities, such as walking trails will be recommended. Chapter 7 of the Comprehensive Master Plan recommends that bicycle/pedestrian trails be provided to connect residential areas with City activity centers. For this reason, staff suggests a trail connection to the grocery store to the northeast of the subject property.

Landscape bufferyard easements would be required along Loomis Road and all other property lines, except where adjacent to existing R-8/multi-family development.

Staff Recommendation:

It is recommended that sufficient feedback be provided to allow the applicant to determine whether to proceed or not with detailed plans for the proposed single-family residential subdivision development.

MEMORANDUM

Date: June 17, 2020
To: Garrett Linville, Thompson Thrift Development, Inc.
From: Department of City Development
RE: Application for Concept Review – 8301 W Old Loomis Road

Thompson Thrift Development, Inc. submitted a Concept Review application on May 21, 2020. Review comments are as follows:

City Development Department comments

1. The subject property is zoned R-6 Single-Family Residence District and C-1 Conservancy District. The Comprehensive Master Plan recommends the property for Commercial and Areas of Natural Resource Features. The process to develop the proposed multi-family development is as follows:
 - a. A **Comprehensive Master Plan Amendment** is also recommended to change the future land use designation from Commercial and Areas of Natural Resource Features to Residential – Multi-Family and Areas of Natural Resource Features. The Areas of Natural Resource Features should be amended to match field delineations once completed.
 - b. A **Rezoning** is recommended to change the zoning to Planned Development District or R-8. Please review Section 15-3.0400 of the Unified Development Ordinance pertaining to Planned Development Districts.
 - c. If the property is to be subdivided, a **Preliminary Plat Application** followed by a **Final Plat Application** will be required. Please be aware that installation of streets and utilities is required prior to approval of a Final Plat (see Section 15-2.0303A. of the UDO). Alternatively, an improvement guarantee may be provided per Section 15-2.0303B of the UDO.
 - d. A **Special Use Application** to permit multi-family dwellings and apartments. Please be aware of the State requirement to provide “substantial evidence” to support your request, per Wis. Stat. § 62.23(7)(de).
2. The Comprehensive Master Plan recommends this site for Commercial land use, given its location along Loomis Road, an arterial road. For this reason, staff suggests commercial uses along the Loomis Road frontage and residential uses in the interior of the property.
3. Upon submittal of the Preliminary Plat Application, note that detailed plans will be required, such as the Natural Resource Protection Plan, draft conservation easements, storm water management, grading, erosion control, etc.
4. Wetland delineations should be completed as soon as possible. There may or may not be other wetlands on the property, which could affect the design and layout of the development. Please be aware of the natural resource protection standards of the Unified Development Ordinance (UDO), see Part 4 of the UDO for more information.
5. Landscape bufferyard easements are required between different zoning districts and along arterial roadways (i.e., Loomis Road). In this case, bufferyards would be required along all property lines, except where adjacent to existing R-8/multi-family development. Refer to Division 15-5.0300.

6. Staff suggests a larger setback along the southern property line to provide a buffer between backyards of existing 1-story single family homes and new 2-story multi-family buildings.
7. Note that a separate Landscaping Plan must be provided in compliance with Division 15-7.0300.
8. Staff suggests sidewalks connecting all buildings and walking trails through natural resource areas outside of wetlands.
9. Chapter 7 of the Comprehensive Master Plan recommends that bicycle/pedestrian trails be provided to connect residential areas with City activity centers. For this reason, staff suggests a trail connection to the grocery store to the northeast of the subject property.
10. In order to promote interconnectivity, staff suggests that the site plan include future road access on the northeast part of the property to accommodate a future road connection to Terrace Drive, if feasible due to the presence of wetlands. The Franklin Plaza subdivision plat is attached for your reference.
11. Note that access may not be allowed in the location shown on the conceptual site plan, as this location is the ramp/exit lane from Loomis Road to Rawson Avenue. Coordination with the Wisconsin Department of Transportation regarding access on Loomis Road (STH 36) should be initiated and resolved as soon as possible.
12. Considering that Loomis Road is a divided highway, access would be limited to right-in-right-out.
13. Note that a separate Lighting Plan must be provided in compliance with Division 15-5.0400 for Plan Commission review and approval. Also, see Section 15-8.0115 of the UDO.
14. Note that signage sign will require a separate application as well as review and approval by the Plan Commission.
15. Will the project be constructed in phases?
16. Please be aware of City impact fees. The impact fee schedule can be found on the City's website at: <https://www.franklinwi.gov/Departments/Inspection-Services/Impact-Fees.htm>
17. Please note the location of the West Shore Pipeline along the frontage of the property.

Engineering Department comments

18. Work with the State regarding the access at Loomis Road off-ramp.
19. May need to propose two access points for safety.
20. Take into consideration, the City will be requiring public utility easements, such as stormwater sewer, sanitary sewer, and water main.
21. Propose a public road that will connect to S. Nottingham way to gain access to the site development.
22. Project needs approval for respective agencies for access and wetland/storm water requirements.

Inspection Services Department comments

23. No comments on the project at this time.

Planning Department
9229 West Loomis Road
Franklin, Wisconsin 53132
Email: generalplanning@franklinwi.gov



City of Franklin MAY 22 2020

Phone: (414) 425-4024
Fax: (414) 427-7691
Web Site: www.franklinwi.gov

City Development

Date of Application: 5/19/2020

CONCEPT REVIEW APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Applicant (Full Legal Name[s]):

Name: Chris Alexander
Company: Thompson Thrift Development, Inc.
Mailing Address: 901 Wabash Avenue, Suite 300
City / State: Terre Haute, IN Zip: 47807
Phone: 317-853-5420
Email Address: calexander@watermarkapartments.com

Applicant is Represented by: (contact person)(Full Legal Name[s])

Name: Garrett Linville
Company: Thompson Thrift Development, Inc.
Mailing Address: Salesforce Tower, 111 Monument Circle Suite 1600
City / State: Indianapolis, IN Zip: 46204
Phone: 317-853-5493
Email Address: glinville@watermarkapartments.com

Project Property Information:

Property Address: 51.6 Acres, SE of West Loomis Rd. and West Rawson Avenue, Franklin, WI
Property Owner(s): Rawson-Loomis LLC, Attn: Ron Lewis
Mailing Address: 6004 N Highlands Ave.
City / State: Madison, WI Zip: 53705
Email Address: ronlewis1212@gmail.com

Tax Key Nos: 755 9997 000
Existing Zoning: R-6 & C-1
Existing Use: Vacant
Proposed Use: Multi-Family, Residential
CMP Land Use Identification: Commercial & Area of Natural Resource Features

*The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>

Concept Review submittals for review must include and be accompanied by the following:

- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin: \$250
- Three (3) complete collated sets of Application materials to include:
 - One (1) original and two (2) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available.
 - Three (3) 8.5 x 11 inch or 11 x 17 inch copies of the Preliminary Site/Development Plan of the subject property(ies) and immediate surroundings (i.e., a scaled map identifying the subject property and immediate environs, including existing and proposed parcels, existing and proposed structures, existing and proposed land uses, existing and proposed zoning, existing and proposed infrastructure and utilities[approximate locations only], and existing and proposed site conditions/site constraints [i.e. approximate locations of public road access, rights-of-way, natural resources/green space and drainage issues/concerns, etc.]
 - Three colored copies (11"x17") of the building elevations, if applicable.
- Email (or CD ROM) with all plans/submittal materials. Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable).

- Upon receipt of a complete submittal, staff review will be conducted within five business days.
- Concept Review requests are reviewed by the Committee of the Whole. Meetings are held the first Monday of every month.

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

DocuSigned by:
Ronald L Lewis
Ronald L Lewis
managing member Rawson-Loomis LLC

CA
7039400F435642C
Signature - Applicant Chris Alexander

Name & Title (PRINT) _____
Date: 5/20/2020 | 3:17 PM

Name & Title (PRINT) _____
Date: 5/21/2020

Signature - Property Owner _____

Garrett Linville
34E0D1A03CB5493
Signature - Applicant's Representative Garrett Linville

Name & Title (PRINT) _____
Date: _____

Name & Title (PRINT) _____
Date: 5/21/2020

Watermark at Franklin, WI

5/18/2020

Project Narrative

Watermark Residential is the Multi-Family Division of its parent company, Thompson Thrift Development, Inc. Established in 2008, Watermark develops, constructs, and professionally manages Class A Multi-Family developments in affluent locations across the United States. Since 2008 Watermark has developed over 40 projects, totaling over 10,000 units in 15 US states. Watermark employs local subcontractors on every project and provides a boost to the local economy.

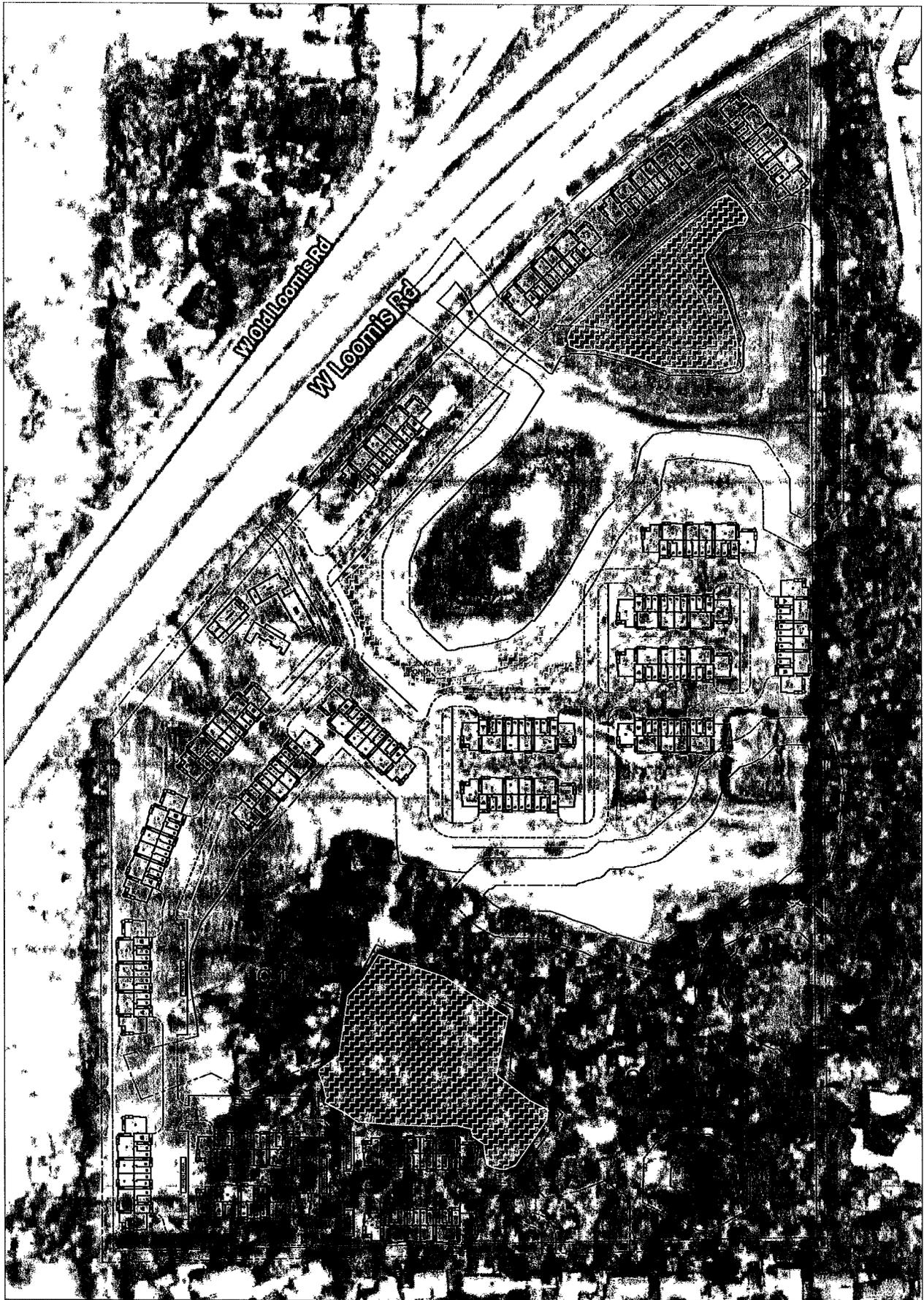
Watermark is proposing to develop and construct a Class A development on the ~51-acre parcel at the South East corner of Rawson and Loomis in Franklin that is currently owned by Rawson-Loomis, LLC. Watermark envisions bringing its luxury 2-story design to this site as an alternative to the traditional three-story apartments currently offered in Franklin and as a logical transition to the single family residential to the east of the site. The proposed project will offer a mix of 1,2, and 3-bedroom apartment homes in a park-like setting on this large, tree-lined site. The units will provide direct access garages to residents for most units, similar to a single-family residence. Each unit will be equipped with amenities such as: gourmet bar-kitchens with granite and quartz countertops, stainless steel appliances, 9-foot ceilings, walk in closets, full size washers and dryers and attractive floor plans. In addition to the residential buildings, Watermark offers a state-of-the-art, professionally decorated, clubhouse fitted with amenities such as: Coffee bar with Starbucks coffee machines, business center, resort style pool with cabanas, grill stations and fire pits, dog parks and high-end fitness facilities.

The proposed project layout is detailed in the preliminary site plan. Watermark is estimating the cost of the physical improvements on site to be around \$50,000,000.

Thank you for the opportunity and your consideration.

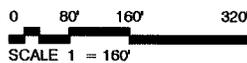
Garrett Linville





Watermark
RESIDENTIAL

PROPOSED SITE PLAN



SITE DATA		
SITE AREA	51.36± AC	
(21) 2-STORY BLDG	336 UNITS	
UNIT MIX		
1 BEDROOM	126	(38%)
2 BEDROOM	188	(50%)
3 BEDROOM	42	(12%)

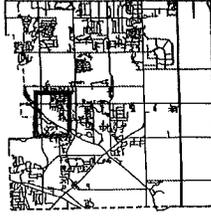
FRANKLIN WI	
FRANKLIN WI LOOMIS RD AND RAWSON AVE	
DATE:	DRAWING #
05 18.2020	1

SITE PLAN IS CONCEPTUAL AND CREATED FROM GIS INFORMATION. FINAL SITE PLAN SHALL BE REVISED FROM SURVEY AND LOCAL MUNICIPAL REQUIREMENTS.

Franklin Public Property Viewer



Overview Map

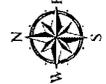


	Aldermanic District		A-1		R-2
	Building		A-2		R-3
	City Boundary		FW		R-3E
	Condo		I-1		R-4
	CSM		B-2		M-1
	Easement		B-3		R-5
	Elementary District		B-4		M-2
	Environmental Corridor		B-5		R-6
	FEMA DFIRM Flood - Zone A		M-3		R-7
	FEMA DFIRM Flood - Zone AE		B-6		OL-1
	FEMA 0.2% Annual Chance		B-7		OL-2
	Parcel		BP		P-1
	Park		CC		PDD
	Pavement		C-1		VR
	County or State Hwy		FC		R-1E
	Local Road				
	Road Right-of-Way				
	School District				
	Wetland				

Legend includes all feature uses if they are not visible in the map



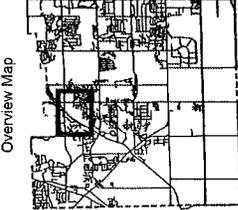
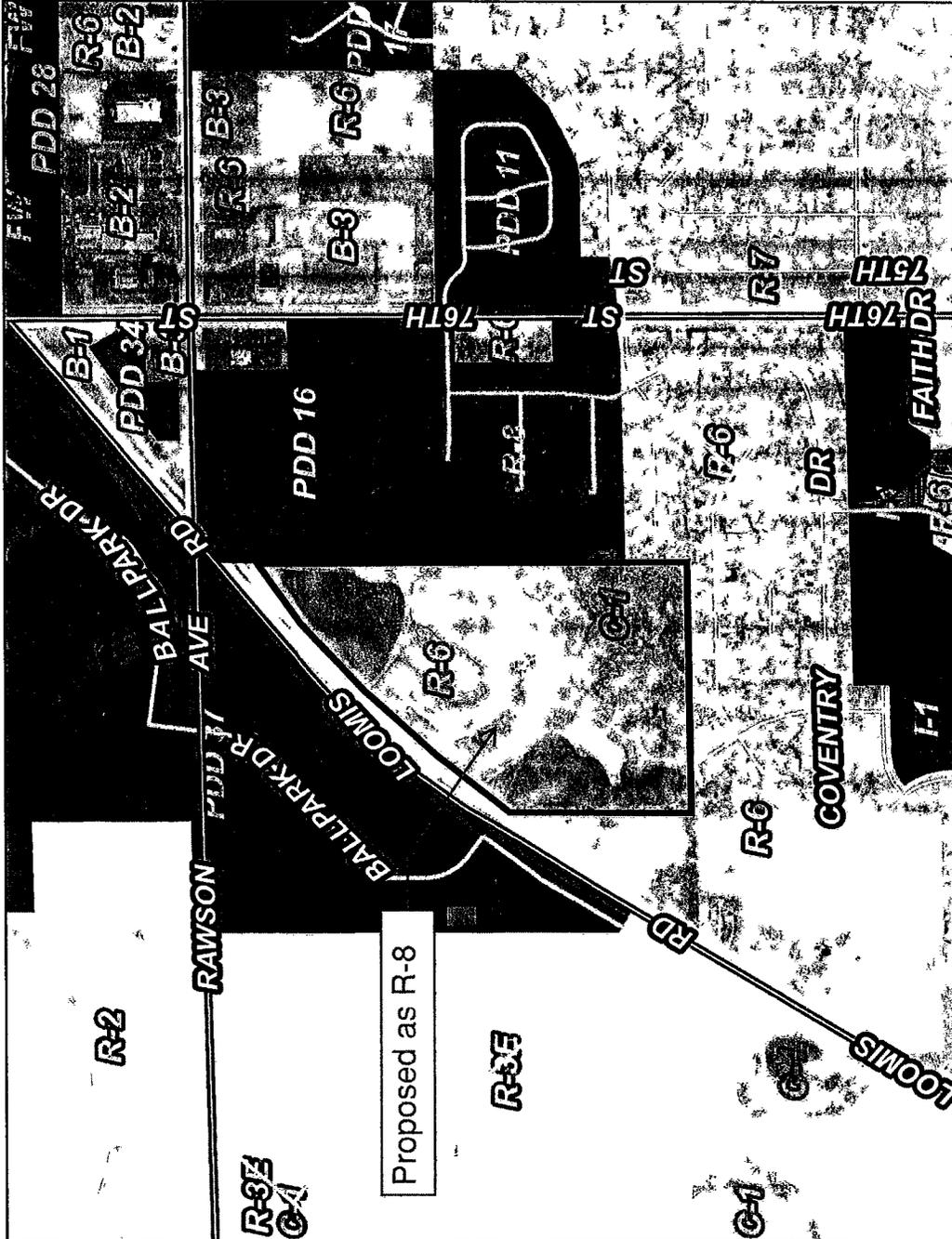
Map Printed 5/19/2020



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City of Franklin, WI
Franklin
 3 C O R P
 9229 W Loomis Rd, Franklin WI 53132
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Franklin Public Property Viewer



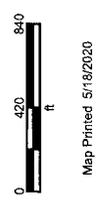
Legend

- Altiermic District
- Building
- City Boundary
- Condo
- CSM
- Easement
- Elementary District
- Environmental Corridor
- FEMA DFIRM Flood Zone A
- FEMA DFIRM Flood Zone AE
- FEMA 0.2% Annual Chance
- Parcel
- Park
- Pavement
- County or State Hwy
- Local Road
- Road Right-of-Way
- School District
- Wetland

Zoning Districts

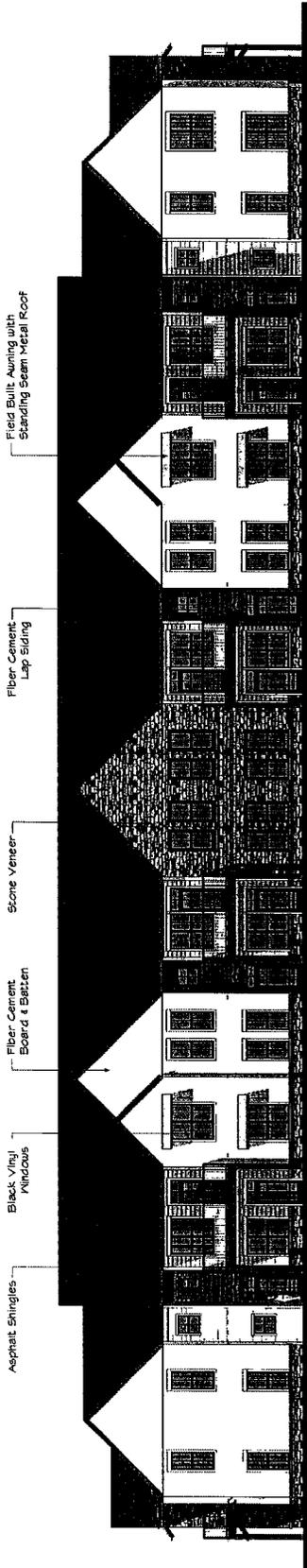
- A-1
- A-2
- B-1
- B-2
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- B-5
- B-6
- B-7
- CC
- C-1
- FC
- R-2
- R-3
- R-3E
- R-4
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Legend includes all items even if they are not visible on the map.

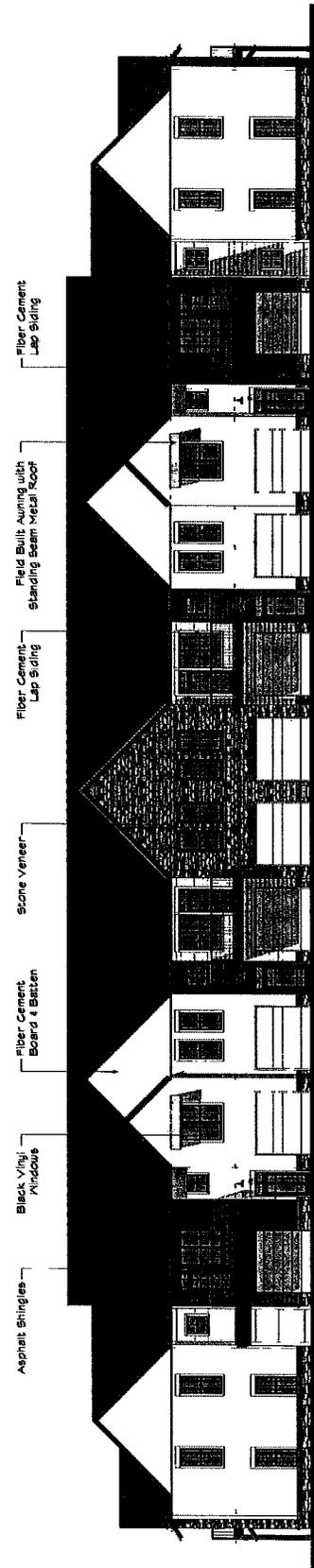


(C) City of Franklin, WI

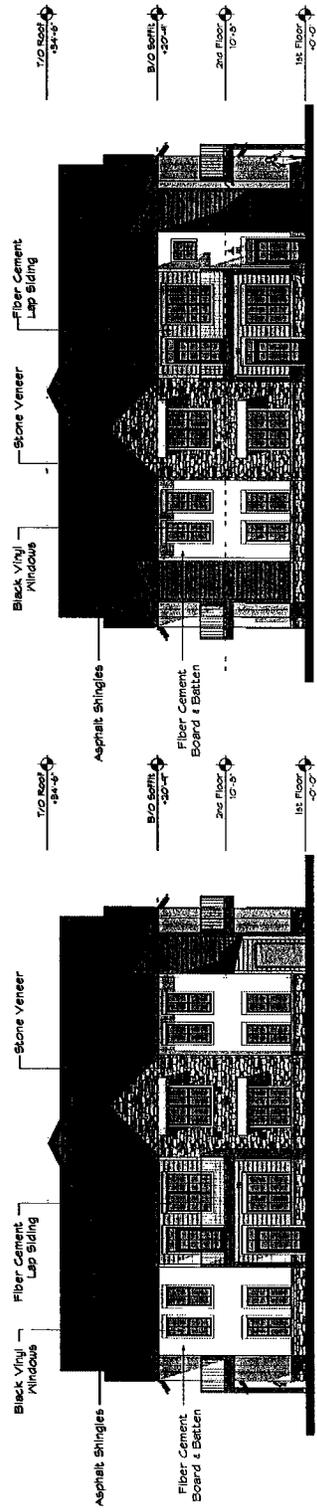
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TYPICAL FRONT ELEVATION
Scale: 1/8" = 1'-0"

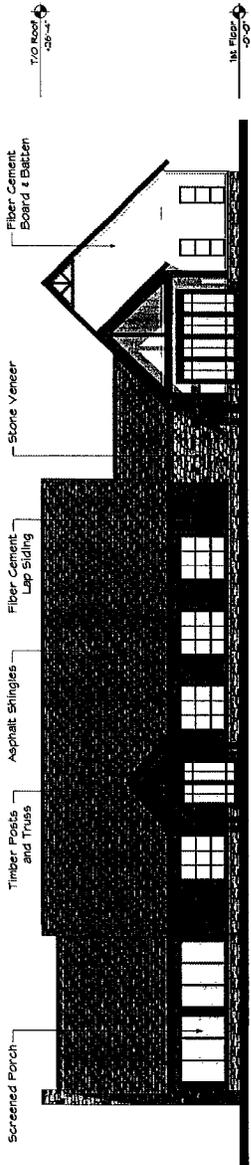


TYPICAL BACK ELEVATION
Scale: 1/8" = 1'-0"

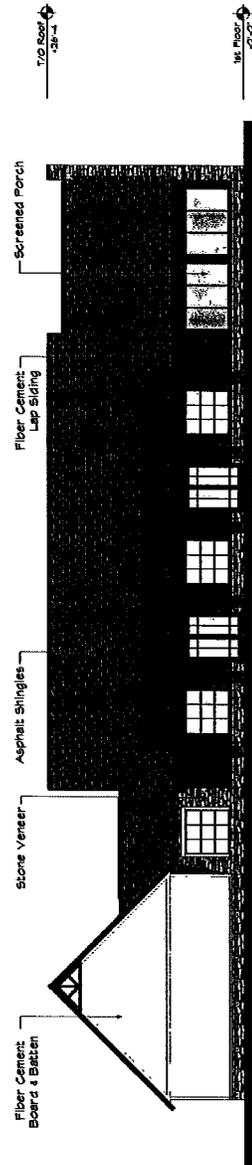


TYPICAL SIDE ELEVATION
Scale: 1/8" = 1'-0"

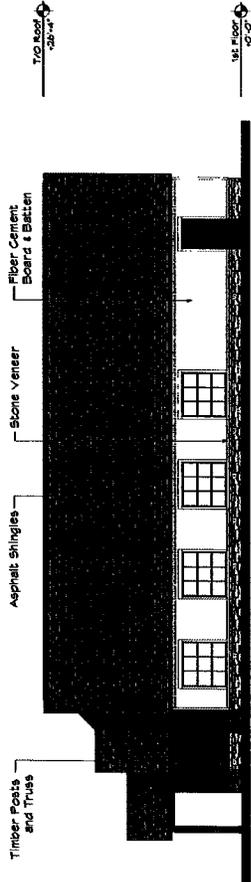
TYPICAL SIDE ELEVATION
Scale: 1/8" = 1'-0"



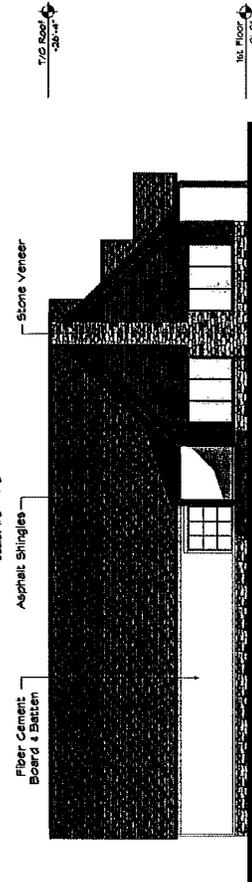
CLUBHOUSE FRONT ELEVATION
Scale: 1/8" = 1'-0"



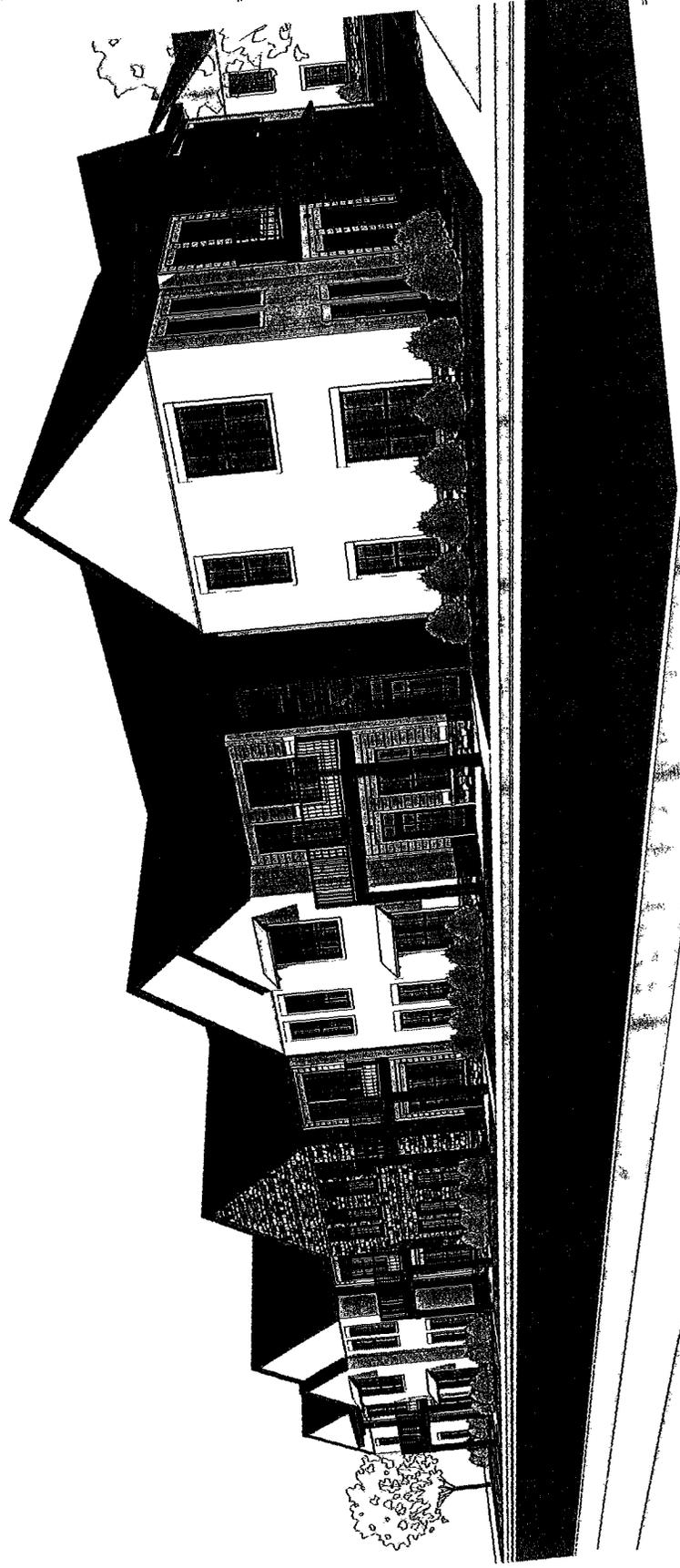
CLUBHOUSE BACK ELEVATION
Scale: 1/8" = 1'-0"



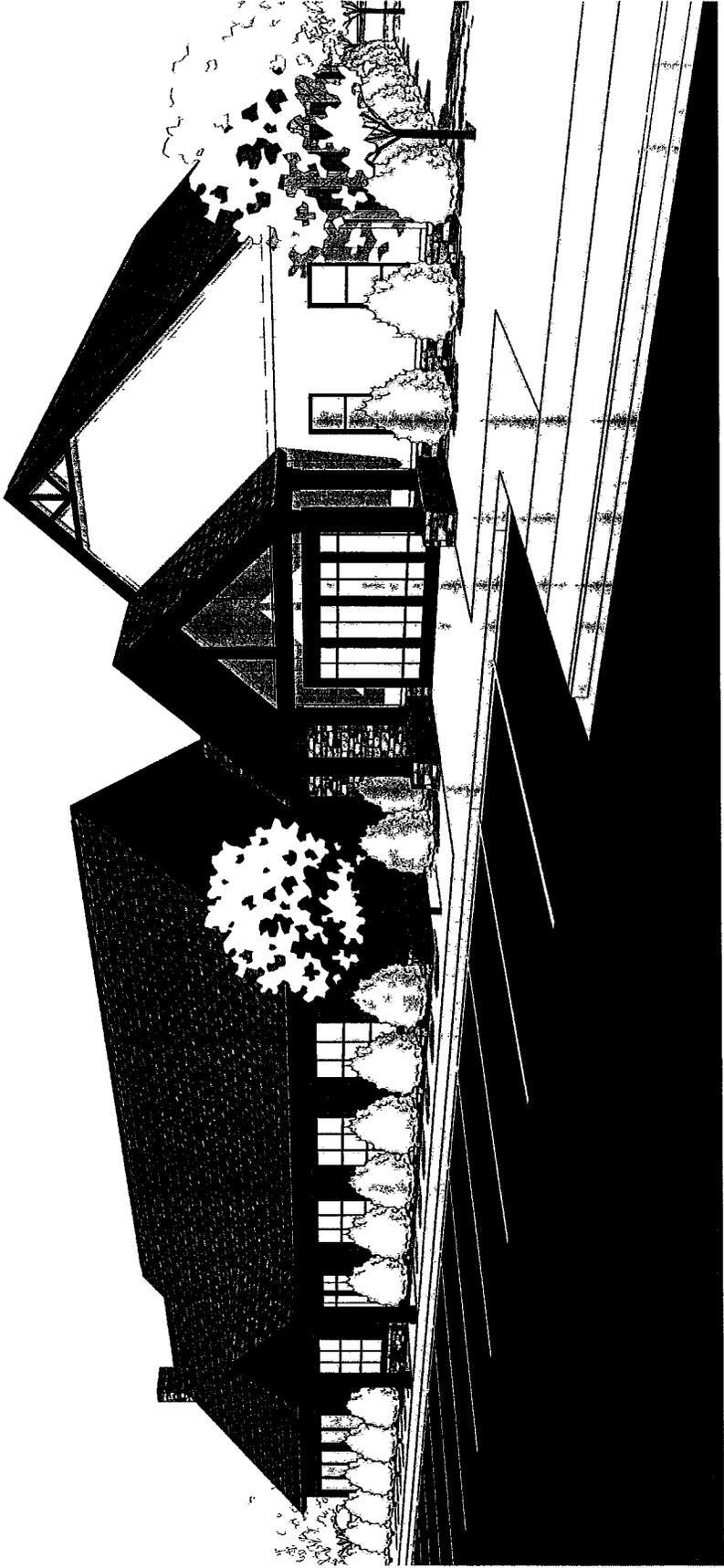
CLUBHOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



CLUBHOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



VIEW LOOKING AT APARTMENT FRONT ELEVATION



VIEW LOOKING AT CLUBHOUSE FRONT ELEVATION

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">07/07/2020</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A WRESTLING GYMNASIUM AND INSTRUCTION USE UPON PROPERTY LOCATED AT 9760 SOUTH 60TH STREET (BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC, APPLICANT, ASKREN PROPERTIES, LLC, PROPERTY OWNER)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.6.</i></p>

The Askren Wrestling Academy Special use and Site Plan were first heard by Plan Commission at their April 9, 2020 and May 27, 2020 meetings. The item was referred to the Economic Development Commission (EDC) to elicit feedback on the appropriateness of the Special Use for the location and the Site Plan, due to parking demand and impacts to surrounding businesses. The EDC heard the item at their June 1, 2020 meeting and recommended several conditions to both resolutions to alleviate these concerns. The Plan Commission affirmed these recommendations.

At the regular meeting of the Plan Commission on June 18, 2020, following a properly noticed public hearing, the following action was approved: a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a wrestling gymnasium and instruction use upon property located at 9760 South 60th Street. The Plan Commission's recommendations in regard to the subject Special Use has been reflected in the attached draft Resolution. These also reflect the EDC recommendations.

At said meeting of the Plan Commission, a Site Plan amendment for the subject property was also approved with conditions.

A neighboring business owner noted an objection to the proposed business at Plan Commission; that objection has since been withdrawn as it was satisfied by the proposed conditions of approval. The alderperson for District 4 has also presented an objection; a copy of that letter is attached.

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2020-_____, imposing conditions and restrictions for the approval of a Special Use for a wrestling gymnasium and instruction use upon property located at 9760 South 60th Street (Benjamin M. Askren, Askren Wrestling Academy, LLC, Applicant).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 3-23-20, Redraft 06-12-2020]

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A WRESTLING
GYMNASIUM AND INSTRUCTION USE UPON PROPERTY
LOCATED AT 9760 SOUTH 60TH STREET
(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC, APPLICANT,
ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 7999 “Amusement and recreation services, not elsewhere classified” to allow for a wrestling gymnasium and instruction use (in an existing custom auto body and paint shop building which will be converted into an Askren Wrestling Academy gymnasium), upon property located at 9760 South 60th Street, bearing Tax Key No. 899-9993-004, more particularly described as follows:

Lot 4 of Certified Survey Map No. 1231, recorded March 16, 1970, in Reel 522, Images 1444 to 1446 inclusive, as Document No. 4515532, being a part of the Northwest 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 2

the City of Franklin, Wisconsin, that the petition of Benjamin M. Askren, Askren Wrestling Academy, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, as a wrestling gymnasium and instruction use, which shall be developed in substantial compliance with, and operated and maintained by Benjamin M. Askren, Askren Wrestling Academy, LLC, pursuant to those plans City file-stamped April 1, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC wrestling gymnasium and instruction facility, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Benjamin M. Askren, Askren Wrestling Academy, LLC and the wrestling gymnasium and instruction use for the property located at 9760 South 60th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. Classes shall not begin before 5:30 PM or continue after 9:00 PM on weekdays.
5. Class size shall be limited to 36 students.
6. Class times shall be staggered by 30 minutes to allow for adequate turnover in the parking lot.

BE IT FURTHER RESOLVED, that in the event Benjamin M. Askren, Askren Wrestling Academy, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 3

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as

may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

As the Alderwoman for 4th District, I hope to welcome Askren Wrestling Academy to Franklin. I believe there is a significant demand for this type of business in the community.

However, I have significant concerns with the special use application particularly regarding the parking and traffic flow. This is a Limited Industrial District in which parking lots were not designed for high volume auto or pedestrian traffic. The applicant states that class sizes will be approximately, but not more than, 40 students per class, which, if there are 3 classes per evening, that could ultimately mean 120 vehicles coming in and out of the same driveway twice a night -- drop off and pick up. 240 vehicle entrances/exits per day, compressed into the same time period surrounding the beginning and end of classes.

When a car enters the property to drop off a student, they must go to the back of the building, let the child out, and then do a hairpin turn to exit the same way they came in. If, the 16 proposed parking spaces are full, there is virtually no space for that U-turn. I argue that it is not a safe situation for children exiting the building, to cross through that pick up line making a U-turn to make it to a car waiting in a parking space.

The applicant states that traffic "should" not be affected. However, the applicant also states that there "some additional drop off and pick up traffic will occur at the site", I think it may be reasonable to foresee congestion onto 60th street as cars line up to go to the back of the building, pick up a child, and U-turn around and back out that same driveway.

It is also my opinion that the parking lot is not properly lit for a facility where children will be crossing the parking lot in the dark. I only note one existing light pole and I would ask for that to be given additional review.



CITY OF FRANKLIN

REPORT TO THE PLAN COMMISSION

Meeting of April 9, 2020

Special Use and Site Plan Amendment

RECOMMENDATION: City Development staff recommends approval of the Natural Resource Special Exception, subject to the conditions of approval in attached draft Resolutions

Project Name:	Askren Wrestling Special Use and Site Plan
Project Address/Tax Key:	9760 South 60 th Street/899 9993 004
Property Owner:	Askren Properties LLC
Applicant:	Askren Wrestling Academy
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Industrial
Use of Surrounding Properties:	M-1 Limited Industrial District
Action Requested:	Recommendation of approval of the Special Use and approval of the Site Plan Application

Project Description and Analysis

The applicant, Ben Askren of Askren Wrestling Academy, filed applications for a Special Use and Site Plan Amendment to locate Askren Wrestling Gym within the existing building at 9760 S. 60th Street. Staff determined that a wrestling gym and instruction use is most appropriately classified Standard Industrial Classification Code No. 7999 Amusement and Recreation Services, Not Elsewhere Classified, a Special Use in the M-1 Limited Industrial District.

The subject property is approximately 0.58-acres (approximately 24,976 square feet) and consists of a 7,337 square foot building. The building has a height of about 18-feet. The applicant is proposing only minor exterior site changes. The applicant plans to restripe the parking lot to include 16 parking spaces, including one ADA accessible space. The parking spaces are 9-feet wide and 20-feet in length (180 square feet), which complies with Unified Development Ordinance standards. The applicant is also adding wheel stops to the parking lot. No other exterior site or building changes are proposed.

The applicant will be utilizing the entire building. The vast majority of the space will be the wrestling gym. There will also be a waiting area, office, and restrooms.

The business will have signage, which requires separate review and a Sign Permit issued by the Inspection Department.

Note that the applicant has provided responses to the General Standards for Special Uses found in Section 15-3.0701 of the UDO for Plan Commission and Common Council review.

Recommendation

A motion to recommend approval of the Special Use for Askren Wrestling and a motion to approve the Site Plan, contingent upon approval of the Special Use, and subject to the conditions in the attached draft resolution.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 3-23-20]

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A WRESTLING
GYMNASIUM AND INSTRUCTION USE UPON PROPERTY
LOCATED AT 9760 SOUTH 60TH STREET
(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC, APPLICANT,
ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 7999 “Amusement and recreation services, not elsewhere classified” to allow for a wrestling gymnasium and instruction use (in an existing custom auto body and paint shop building which will be converted into an Askren Wrestling Academy gymnasium), upon property located at 9760 South 60th Street, bearing Tax Key No. 899-9993-004, more particularly described as follows:

Lot 4 of Certified Survey Map No. 1231, recorded March 16, 1970, in Reel 522, Images 1444 to 1446 inclusive, as Document No. 4515532, being a part of the Northwest 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 2

the City of Franklin, Wisconsin, that the petition of Benjamin M. Askren, Askren Wrestling Academy, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, as a wrestling gymnasium and instruction use, which shall be developed in substantial compliance with, and operated and maintained by Benjamin M. Askren, Askren Wrestling Academy, LLC, pursuant to those plans City file-stamped April 1, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC wrestling gymnasium and instruction facility, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Benjamin M. Askren, Askren Wrestling Academy, LLC and the wrestling gymnasium and instruction use for the property located at 9760 South 60th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

BE IT FURTHER RESOLVED, that in the event Benjamin M. Askren, Askren Wrestling Academy, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as
BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE

may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2020-_____

A RESOLUTION APPROVING A SITE PLAN FOR ALTERATIONS TO
THE INTERIOR OF AN EXISTING CUSTOM AUTO BODY AND PAINT
SHOP AND MINOR EXTERIOR SITE MODIFICATIONS TO ALLOW
FOR THE OPERATION OF ASKREN WRESTLING ACADEMY
(9760 SOUTH 60TH STREET)
(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC,
APPLICANT, ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having applied for approval of a proposed site plan to allow for interior building alterations to an existing custom auto body and paint shop, including the addition of two Americans with Disabilities Act restrooms, construction of a small office and finish improvements, and exterior site modifications, including parking lot restriping (to include 16 parking spaces, including one Americans with Disabilities Act accessible space) and the addition of wheel stops, property located at 9760 South 60th Street; and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan to allow for interior building alterations to an existing custom auto body and paint shop, including the addition of two Americans with Disabilities Act restrooms, construction of a small office and finish improvements, and exterior site modifications, including parking lot restriping and the addition of wheel stops, as depicted upon the plans dated April 1, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications dated April 1, 2020.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, and any developer of the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SITE PLAN
RESOLUTION NO. 2020-_____

Page 2

incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, located at 9760 South 60th Street (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Chairman

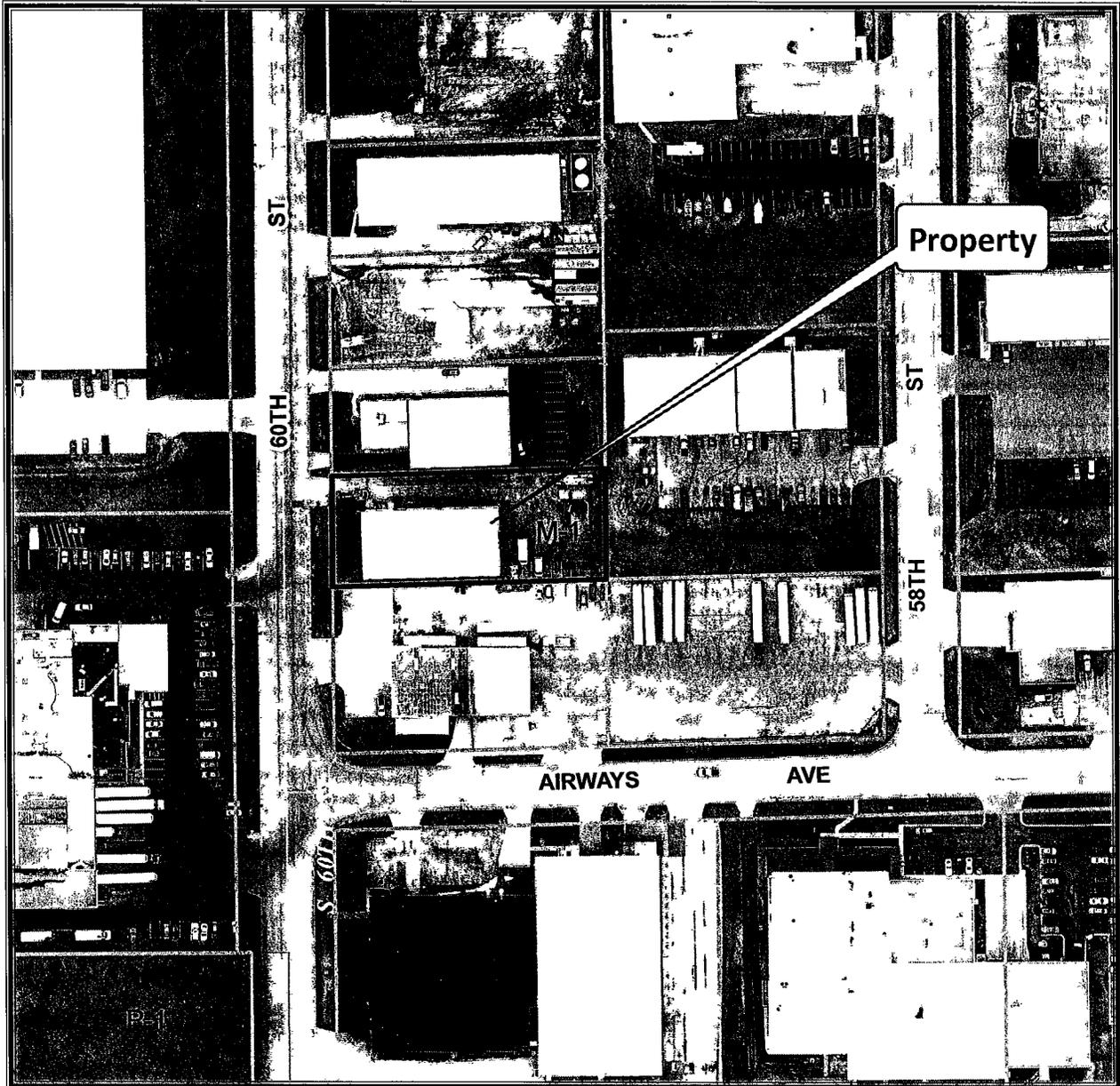
ATTEST:

Sandra L. Wesolowski, City Clerk

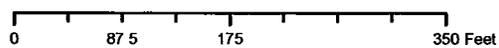
AYES _____ NOES _____ ABSENT _____



9760 S. 60th Street
TKN: 899 9993 004



Planning Department
(414) 425-4024

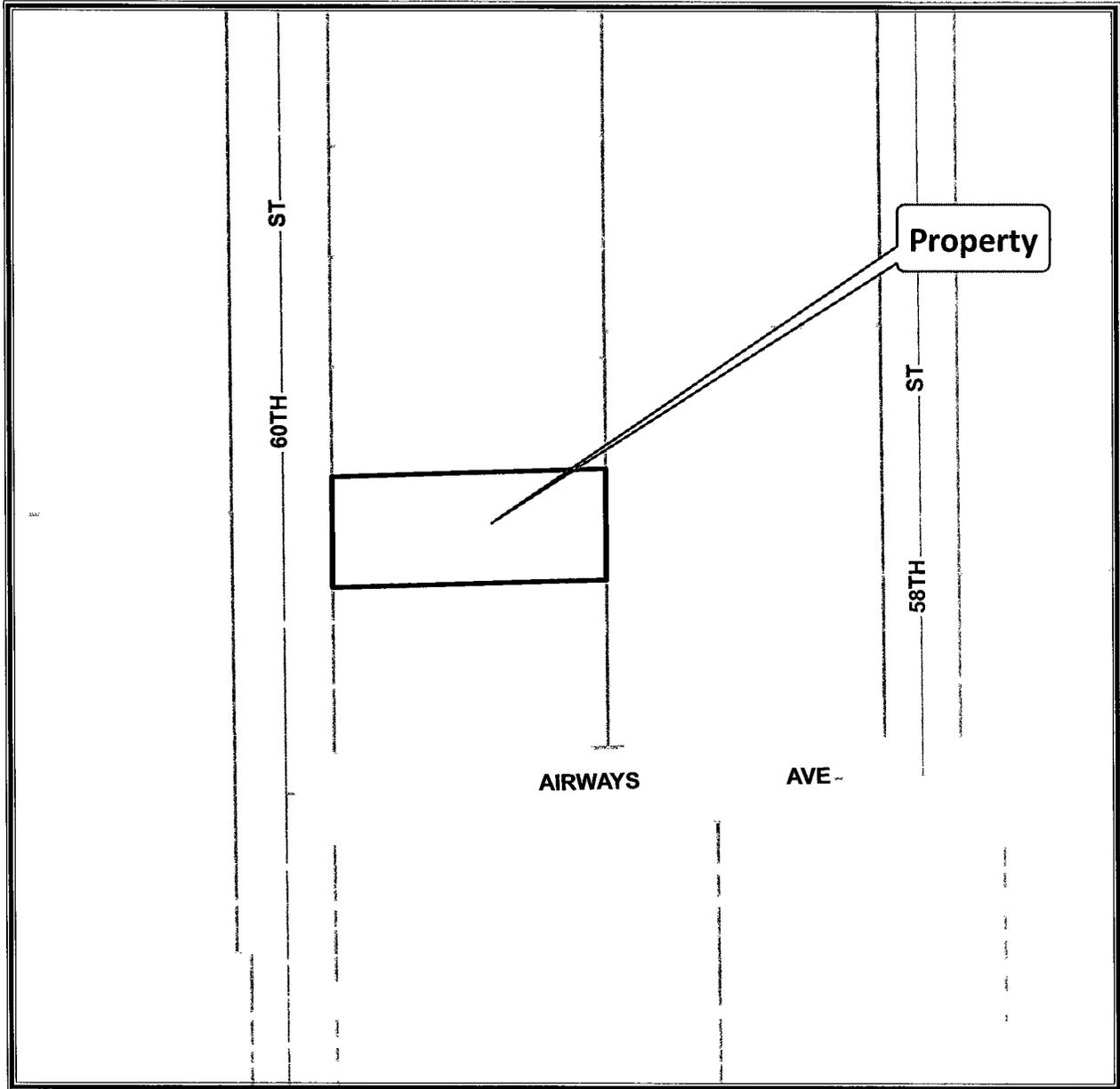


2017 Aerial Photo

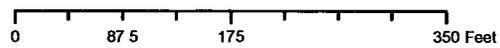
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering, or surveying purposes.



9760 S. 60th Street
TKN: 899 9993 004



Planning Department
(414) 425-4024



2017 Aerial Photo

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering, or surveying purposes.



City of Franklin Special Use Application
March 30, 2020

Project Summary

Askren Wrestling Academy is proposing to convert the existing building at 9760 South 60th Street from its current use as a custom auto body and paint shop to a Wrestling Academy Gym. Wrestling gyms/gymnasiums, do not fall under the permitted uses of the M-1 Zoning District, hence the submittal of this Special Use Application. Class sizes are capped at 40 students, only one class will be conducted at a time in the space, however multiple classes will be conducted each evening. The project entails interior building modifications and parking restriping on the site. Signage modifications will be required, but will be submitted under a separate signage permit request.

The interior alterations to the space include adding two new ADA restrooms, a small office and finish improvements. There are no plans to modify the exterior of the building or the site other than the parking restriping and added wheel stops as shown on the enclosed site plan. Site improvement costs will be limited to parking striping and wheel stops and is estimated at \$4,000. Interior improvements are being budget estimated now, however a rough estimate for the interior work would be approximately \$80,000.



City of Franklin Special Use Application
December 26, 2019

Response to General Standards

The following narrative outlines our response to the General Standards outlined in 15-3 0701 of the City of Franklin's Unified Development Ordinance. We have outlined the response to mirror the format of the General Standards found in the aforementioned code section

A General Standards No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following

1 Ordinance and Comprehensive Master Plan Purposes and Intent The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof

The proposed wrestling gym will be in harmony with the surrounding M-1 zoning district as the hours of operation will be opposite of the surrounding businesses. Classes will be held in the evenings and over the weekend and will not conflict with typical business hours of the surrounding M-1 uses.

2 No Undue Adverse Impact The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood

The proposed use will not impose any undue adverse impact on the surrounding properties or community. As noted above, use of this property will be at off hours compared to adjacent properties. The use will also be an amenity to the surrounding community, providing a facility and services which will be beneficial to Franklin residents.

3 No Interference with Surrounding Development The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations

No changes to the building or site (beyond parking striping) is proposed, therefore there will be no positive or negative change in the development's interference with surrounding developments. Operationally, as noted above, times of use will be opposite typical normal business hours for surrounding industrial uses.

4 Adequate Public Facilities The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities

Public facilities provided at the site will be adequate for the new use proposed.

5 No Traffic Congestion The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

Due to the hours of operation, traffic in the surrounding industrial park should not be affected. The industrial park is not directly connected to any residential streets, so there should also be no adverse effect on any residential streets.

6 No Destruction of Significant Features The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance

The proposed new use will not require any damage or destruction of any natural, scenic or historic features.

7 Compliance with Standards The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use

We agree to abide by the applicable standards of the M-1 zoning. Askren Wrestling Academy is appropriate for a place which is not close to homes and fits in with industrial neighbors because of the required building type, (large open warehouse like space), and because it operates on an opposite schedule compared to it's neighbors.

B Special Standards for Specified Special Uses When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in § 15-3 0702 and 15-3 0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards

We are not aware of any special standards for this specific special use.

C Considerations In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following

1 Public Benefit Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community

The proposed use will provide a valuable service to the community, in particular see below for more information about Askren Wrestling Academy's mission:

A safe and challenging environment within a state-of-the-art facility

Since it's opening in April 2011, Askren Wrestling Academy continues to have a profound impact on wrestling. The Askren Wrestling Academy will prepare members to achieve success at the highest levels of Collegiate and International wrestling and will strive to develop a life-long passion for the sport. This may mean foregoing temporary success. Long term success will be accomplished through the development of mental toughness, persistence, a strong work-ethic and by encouraging initiative and innovation. These things will be stressed because they are the foundations for long term success in wrestling and in life.

2 Alternative Locations Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site

With other similar special uses in the industrial park, such as Swimtastic and Altius Gymnastics Academy, the proposed site is ideal for the proposed use. While other zoning districts could also be utilized for this use, the existing building and location are ideal for the proposed Wrestling Academy.

3 Mitigation of Adverse Impacts Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening

No adverse impacts to the immediate vicinity are expected based on the proposed use. Some additional drop off and pick up traffic will occur at the site, however that additional traffic will only occur during off hours of adjacent properties, thereby not adversely affecting those properties.

4 Establishment of Precedent of Incompatible Uses in the Surrounding Area Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area

With the existence of similar use properties in the business park (Swimtastic and Altius Gymnastics Academy), we do not believe that this new use will increase the likelihood of more intense or incompatible uses in the surrounding areas.

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of May 7, 2020****Special Use and Site Plan Amendment**

RECOMMENDATION: City Development staff recommends approval of the Natural Resource Special Exception, subject to the conditions of approval in attached draft Resolutions

Project Name:	Askren Wrestling Special Use and Site Plan
Project Address/Tax Key:	9760 South 60 th Street/899 9993 004
Property Owner:	Askren Properties LLC
Applicant:	Askren Wrestling Academy
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Industrial
Use of Surrounding Properties:	M-1 Limited Industrial District
Action Requested:	Recommendation of approval of the Special Use and approval of the Site Plan Application

Project Description and Analysis

The applicant, Ben Askren of Askren Wrestling Academy, filed applications for a Special Use and Site Plan Amendment to locate Askren Wrestling Gym within the existing building at 9760 S. 60th Street. Staff determined that a wrestling gym and instruction use is most appropriately classified Standard Industrial Classification Code No. 7999 Amusement and Recreation Services, Not Elsewhere Classified, a Special Use in the M-1 Limited Industrial District.

The Plan Commission began discussion of this item at their April 9, 2020 meeting. The item was tabled to allow for the provision of additional information by both the Applicant and Staff. Specifically, the Plan Commission requested responses to the following:

1. Parking demand. Parking calculations required.
2. Traffic circulation. Is there a cross-access connection to the south?
3. Any comments from the Fire Dept? Any concerns about turn-around for fire trucks?

The subject property is approximately 0.58-acres (approximately 24,976 square feet) and consists of a 7,337 square foot building. The building has a height of about 18-feet. The applicant is proposing only minor exterior site changes. The applicant plans to restripe the parking lot to include 16 parking spaces, including one ADA accessible space. The parking spaces are 9-feet wide and 20-feet in length (180 square feet), which complies with Unified Development Ordinance standards. The applicant is also adding wheel stops to the parking lot. No other exterior site or building changes are proposed.

The applicant will be utilizing the entire building. The vast majority of the space will be the wrestling gym. There will also be a waiting area, office, and restrooms.

The business will have signage, which requires separate review and a Sign Permit issued by the Inspection Department.

Parking Demand

The UDO recommends parking ratios for certain uses; however, there is not a category specific to SIC 7999. According to Table 15-5.0203, parking requirements for a gymnasium when occupants are not seated is 0.25 parking spaces per person, based on permitted capacity. Where seated, the requirement is 0.3 parking spaces per seat. The applicant proposes to have 40 students per class; however, building capacity information was not provided. For 40 students, 10 parking spaces would be required if none are seated, or 12 parking spaces if all of them are.

Cross Access

There is not access proposed or provided to the parcel to the south, and staff did not find any cross access easements for the property. The property to the south has a fence around it.

Fire Department Comments

The Commission expressed concern that additional traffic might impose on the nearby fire station. Fire Chief Adam Remington's comments are attached for the Commission's review.

Note that the applicant has provided responses to the General Standards for Special Uses found in Section 15-3.0701 of the UDO for Plan Commission and Common Council review.

Recommendation

A motion to recommend approval of the Special Use for Askren Wrestling and a motion to approve the Site Plan, contingent upon approval of the Special Use, and subject to the conditions in the attached draft resolution.

RE: Special Use & Site Plan - Askren Wrestling Academy (9760 S. 60th)

Adam Remington

Sent: Friday, April 10, 2020 1:21 PM**To:** Marion Ecks

Marion,

There are four firehouses throughout Milwaukee County that are housing personnel and resources dedicated to responding to COVID-19 suspected patients. It is true that FFD #2 at 9911 S 60th is one of those locations; however, I do not anticipate that that should have any effect on any business in the area whatsoever, and we have no additional needs as far as distancing, access, or turnaround space. The wrestling academy at that location will have absolutely no impact on our operations, nor we on theirs

No concerns.

Thanks for checking though

Adam

From: Marion Ecks**Sent:** Friday, April 10, 2020 12:57 PM**To:** Adam Remington**Subject:** RE: Special Use & Site Plan - Askren Wrestling Academy (9760 S. 60th)

Chief Remington

This item was heard at Plan Commission last night, and was tabled because the Commission had several concerns and they wanted to give the Applicant an opportunity to respond.

One of the concerns was about fire trucks and questions related to a turn-around for those trucks near that property. I believe there is also an emergency center there or other facility related to COVID 19? In any case, I wanted to follow up with you to see if you have any concerns about the item. Our notes from the meeting are:

Item C3. Askren. Tabled to May 7.

- Parking demand. Parking calculations required.
- Traffic circulation. Is there a cross-access connection to the south?
- Any comments from the Fire Dept? Any concerns about turn-around for fire trucks?

Let me know if you have any questions or need more information.

Thanks,

Marion Ecks

Assistant Planner

Department of City Development

City of Franklin

414-425-4024

mecks@franklinwi.gov

9229 W Loomis Road
Franklin, Wisconsin 53132

Error! Filename not specified.

From: Adam Remington
Sent: Wednesday, February 12, 2020 3:40 PM
To: General Planning
Cc: Catherine Heder
Subject: Special Use & Site Plan - Askren Wrestling Academy (9760 S. 60th)

The fire department has no concerns with the proposed Special Use & Site Plan at this location. Existing fire protection systems may need to be modified in order to remain in compliance with their relevant codes/standards.



Adam Remington
Fire Chief | City of Franklin
414-425-1420 Station
414-427-7580 Desk
414-425-7067 Fax

This message is intended for the sole use of the individual and entity to which it is addressed and may contain information that is privileged confidential and exempt from disclosure under applicable law. If you are not the intended addressee nor authorized to receive for the intended addressee you are hereby notified that you may not use, copy, disclose or distribute to anyone the message or any information contained in the message. If you have received this message in error please immediately advise the sender by reply email and delete the message.



CITY OF FRANKLIN

REPORT TO THE ECONOMIC DEVELOPMENT COMMISSION

Meeting of June 1, 2020

Special Use and Site Plan Amendment

RECOMMENDATION: City Development staff recommends approval of the Special Use and Site Plan, subject to the conditions of approval in the attached draft Resolutions

Project Name:	Askren Wrestling Special Use and Site Plan
Project Address/Tax Key:	9760 South 60 th Street/899 9993 004
Property Owner:	Askren Properties LLC
Applicant:	Askren Wrestling Academy
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Industrial
Use of Surrounding Properties:	M-1 Limited Industrial District
Action Requested:	Recommendation of approval of the Special Use and approval of the Site Plan Application

Project Description and Analysis

The applicant, Ben Askren of Askren Wrestling Academy, filed applications for a Special Use and Site Plan Amendment to locate Askren Wrestling Gym within the existing building at 9760 S. 60th Street. Staff determined that a wrestling gym and instruction use is most appropriately classified Standard Industrial Classification Code No. 7999 Amusement and Recreation Services, Not Elsewhere Classified, an allowed Special Use in the M-1 Limited Industrial District.

The applicant has provided responses to the General Standards for Special Uses found in Section 15-3.0701 of the UDO for Plan Commission and Common Council review.

The Plan Commission discussed this item at their April 9, 2020 and May 27, 2020 meetings. The item was referred to the Economic Development Commission to elicit feedback on the appropriateness of the Special Use for the location, and the site plan due to parking demand and impacts to surrounding businesses. It can be noted that other sports training facilities are present in the Business Park.

The subject property is approximately 0.58-acres (approximately 24,976 square feet) and consists of a 7,337 square foot building. The building has a height of about 18-feet. The applicant is proposing only minor exterior site changes.

The applicant initially proposed utilizing the entire building, with the vast majority of the space for the wrestling gym. There will also be a waiting area, office, and restrooms. Since parking calculations are typically based on building square footage, the applicant has proposed that the tenant business, Askren Wrestling Academy which is seeking the Special Use, might use only a smaller portion of the building.

The applicant plans to restripe the parking lot to include 16 parking spaces, including one ADA accessible space. The parking spaces are 9-feet wide and 20-feet in length (180 square feet),

which complies with Unified Development Ordinance standards. The applicant is also adding wheel stops to the parking lot. No other exterior site or building changes are proposed.

The business will have signage, which requires separate review and a Sign Permit issued by the Inspection Department.

Parking Demand

The UDO recommends parking ratios for certain uses; however, there is not a category specific to SIC 7999. According to Table 15-5.0203, parking requirements for a gymnasium when occupants are not seated is 0.25 parking spaces per person, based on permitted capacity. The applicant proposes to have a maximum of 40 students per class. For 40 students, 10 parking spaces would be required if none are seated, or 12 parking spaces if all of them are. If calculating parking based on square footage using the standard for a spa or health club, 4 parking spaces would be required for each 1,000 square feet of floor area. If the applicant uses the full building, 30 spaces would be required under the health club standards.

The applicant has proposed limiting the square footage of the building used for the wrestling academy, or limiting class size, in order to answer concerns about parking. The Common Council may allow or require this as part of a Special Use approval. Further, Plan Commission and Common Council may set parking and queuing requirements above or below the base requirements, including shared parking, provided the proposal meets the standards of §15-5.0203.B to show evidence that parking demand will be met, and vehicle stacking will not interfere with roadways, parking lot circulation or pedestrian safety.

Should the Economic Development Commission wish to propose conditions, Staff would suggest limiting class size to address concerns about about parking demand.

Street parking is not permitted on South 60th St.

Cross Access

There is no access proposed or provided to the parcel to the south, and staff did not find any cross access easements for the property. The property to the south has a fence around it.

Fire Department Comments

The Plan Commission expressed concern that additional traffic might impose on the nearby fire station. Fire Chief Adam Remington’s comments are attached for the Commission’s review.

Fire Department Comments

Nighboring Business Comments

It should be noted that the owners of Knighthawk Ventures, located at 9740 S. 60th St. have lodged an objection to the application for a special use. A copy of that objection is attached.

Recommendation

A motion to recommend approval of the Special Use for Askren Wrestling and a motion to recommend approval the Site Plan, contingent upon approval of the Special Use, and subject to the conditions in the attached draft resolution.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 3-23-20]

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A WRESTLING
GYMNASIUM AND INSTRUCTION USE UPON PROPERTY
LOCATED AT 9760 SOUTH 60TH STREET
(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC, APPLICANT,
ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 7999 “Amusement and recreation services, not elsewhere classified” to allow for a wrestling gymnasium and instruction use (in an existing custom auto body and paint shop building which will be converted into an Askren Wrestling Academy gymnasium), upon property located at 9760 South 60th Street, bearing Tax Key No. 899-9993-004, more particularly described as follows:

Lot 4 of Certified Survey Map No. 1231, recorded March 16, 1970, in Reel 522, Images 1444 to 1446 inclusive, as Document No. 4515532, being a part of the Northwest 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 2

the City of Franklin, Wisconsin, that the petition of Benjamin M. Askren, Askren Wrestling Academy, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, as a wrestling gymnasium and instruction use, which shall be developed in substantial compliance with, and operated and maintained by Benjamin M. Askren, Askren Wrestling Academy, LLC, pursuant to those plans City file-stamped April 1, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC wrestling gymnasium and instruction facility, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Benjamin M. Askren, Askren Wrestling Academy, LLC and the wrestling gymnasium and instruction use for the property located at 9760 South 60th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

BE IT FURTHER RESOLVED, that in the event Benjamin M. Askren, Askren Wrestling Academy, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE

may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2020-_____

A RESOLUTION APPROVING A SITE PLAN FOR ALTERATIONS TO
THE INTERIOR OF AN EXISTING CUSTOM AUTO BODY AND PAINT
SHOP AND MINOR EXTERIOR SITE MODIFICATIONS TO ALLOW
FOR THE OPERATION OF ASKREN WRESTLING ACADEMY
(9760 SOUTH 60TH STREET)
(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC,
APPLICANT, ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having applied for approval of a proposed site plan to allow for interior building alterations to an existing custom auto body and paint shop, including the addition of two Americans with Disabilities Act restrooms, construction of a small office and finish improvements, and exterior site modifications, including parking lot restriping (to include 16 parking spaces, including one Americans with Disabilities Act accessible space) and the addition of wheel stops, property located at 9760 South 60th Street; and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan to allow for interior building alterations to an existing custom auto body and paint shop, including the addition of two Americans with Disabilities Act restrooms, construction of a small office and finish improvements, and exterior site modifications, including parking lot restriping and the addition of wheel stops, as depicted upon the plans dated April 1, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications dated April 1, 2020.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, and any developer of the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SITE PLAN
RESOLUTION NO. 2020-_____

Page 2

incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, located at 9760 South 60th Street (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Chairman

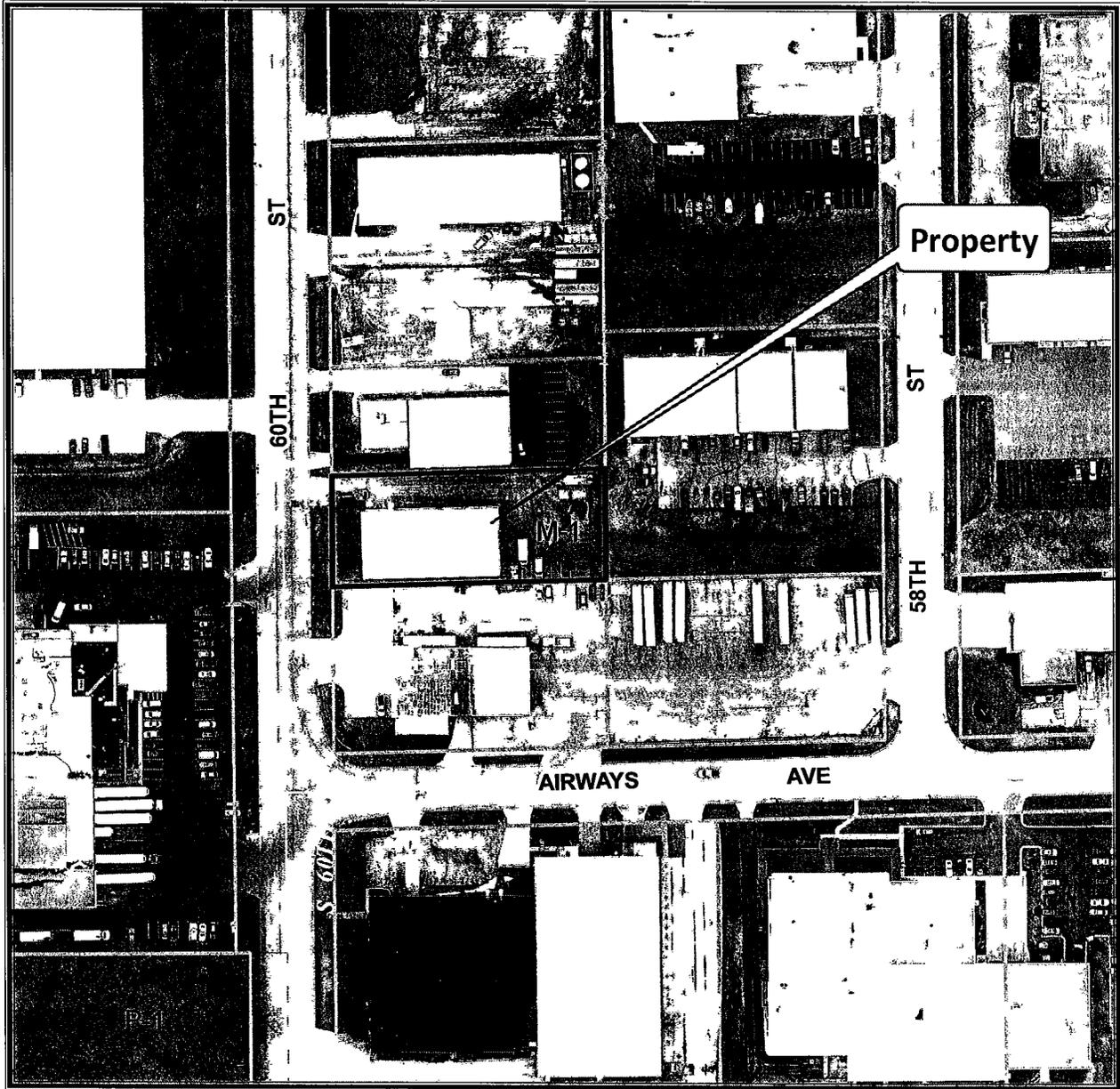
ATTEST:

Sandra L. Wesolowski, City Clerk

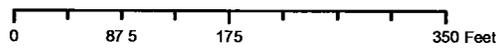
AYES _____ NOES _____ ABSENT _____



9760 S. 60th Street
TKN: 899 9993 004



Planning Department
(414) 425-4024

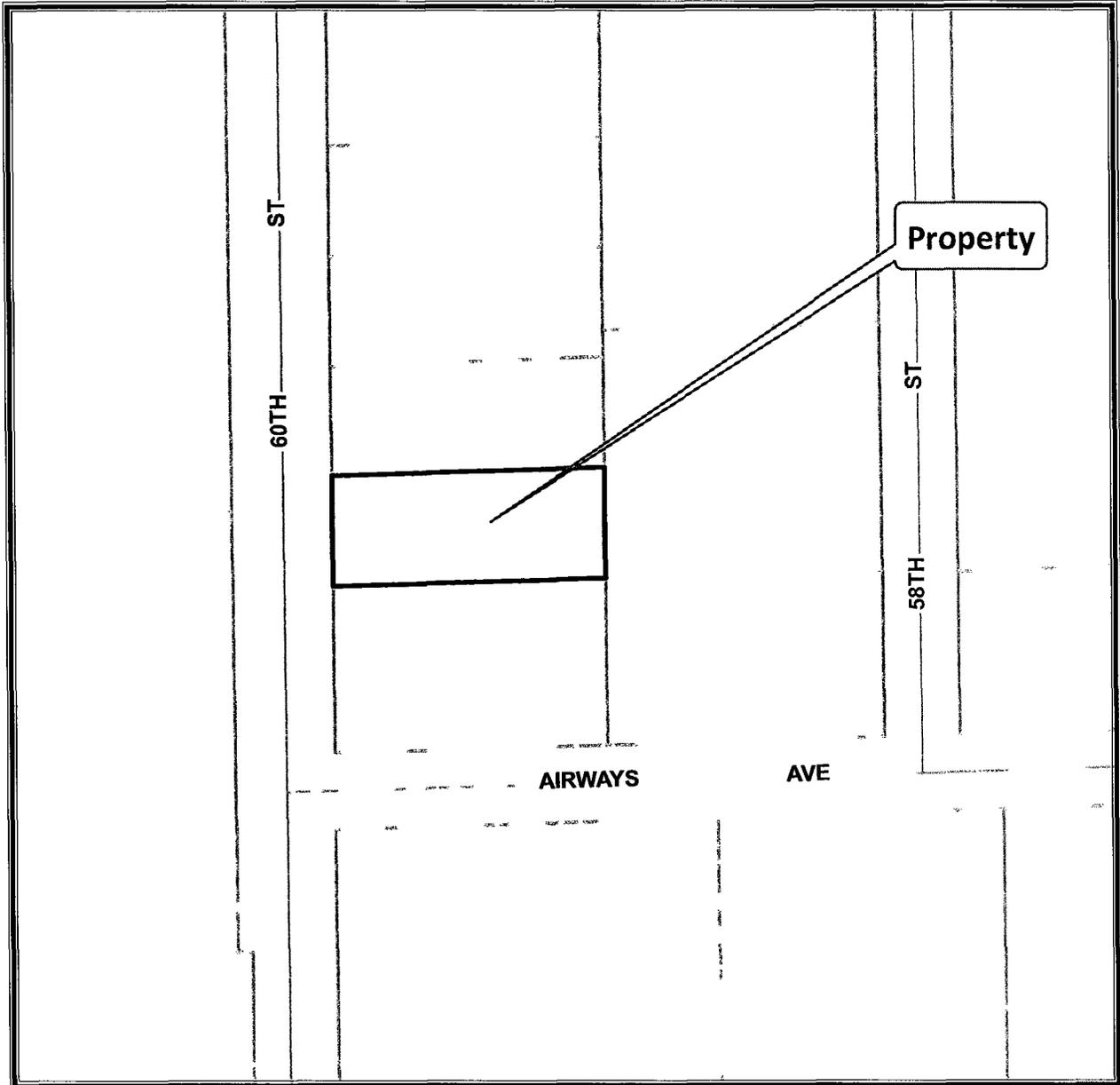


2017 Aerial Photo

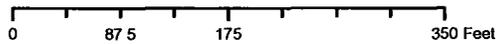
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering, or surveying purposes.



9760 S. 60th Street
TKN: 899 9993 004



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering, or surveying purposes.



2017 Aerial Photo



City of Franklin Special Use Application
March 30, 2020

Project Summary

Askren Wrestling Academy is proposing to convert the existing building at 9760 South 60th Street from its current use as a custom auto body and paint shop to a Wrestling Academy Gym. Wrestling gyms/gymnasiums, do not fall under the permitted uses of the M-1 Zoning District, hence the submittal of this Special Use Application. Class sizes are capped at 40 students, only one class will be conducted at a time in the space, however multiple classes will be conducted each evening. The project entails interior building modifications and parking restriping on the site. Signage modifications will be required, but will be submitted under a separate signage permit request.

The interior alterations to the space include adding two new ADA restrooms, a small office and finish improvements. There are no plans to modify the exterior of the building or the site other than the parking restriping and added wheel stops as shown on the enclosed site plan. Site improvement costs will be limited to parking striping and wheels stops and is estimated at \$4,000. Interior improvements are being budget estimated now, however a rough estimate for the interior work would be approximately \$80,000.



City of Franklin Special Use Application
December 26, 2019

Response to General Standards

The following narrative outlines our response to the General Standards outlined in 15-3.0701 of the City of Franklin's Unified Development Ordinance. We have outlined the response to mirror the format of the General Standards found in the aforementioned code section.

A General Standards No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following

1 Ordinance and Comprehensive Master Plan Purposes and Intent The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof

The proposed wrestling gym will be in harmony with the surrounding M-1 zoning district as the hours of operation will be opposite of the surrounding businesses. Classes will be held in the evenings and over the weekend and will not conflict with typical business hours of the surrounding M-1 uses.

2 No Undue Adverse Impact The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood

The proposed use will not impose any undue adverse impact on the surrounding properties or community. As noted above, use of this property will be at off hours compared to adjacent properties. The use will also be an amenity to the surrounding community, providing a facility and services which will be beneficial to Franklin residents.

3 No Interference with Surrounding Development The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

No changes to the building or site (beyond parking striping) is proposed, therefore there will be no positive or negative change in the development's interference with surrounding developments. Operationally, as noted above, times of use will be opposite typical normal business hours for surrounding industrial uses.

4 Adequate Public Facilities The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities

Public facilities provided at the site will be adequate for the new use proposed.

5 No Traffic Congestion The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets

Due to the hours of operation, traffic in the surrounding industrial park should not be affected. The industrial park is not directly connected to any residential streets, so there should also be no adverse effect on any residential streets.

6 No Destruction of Significant Features The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance

The proposed new use will not require any damage or destruction of any natural, scenic or historic features.

7 Compliance with Standards The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use

We agree to abide by the applicable standards of the M-1 zoning. Askren Wrestling Academy is appropriate for a place which is not close to homes and fits in with industrial neighbors because of the required building type, (large open warehouse like space), and because it operates on an opposite schedule compared to it's neighbors.

B Special Standards for Specified Special Uses When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in § 15-3 0702 and 15-3 0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards

We are not aware of any special standards for this specific special use.

C Considerations In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following

1 Public Benefit Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community

The proposed use will provide a valuable service to the community, in particular see below for more information about Askren Wrestling Academy's mission:

A safe and challenging environment within a state-of-the-art facility

Since it's opening in April 2011, Askren Wrestling Academy continues to have a profound impact on wrestling. The Askren Wrestling Academy will prepare members to achieve success at the highest levels of Collegiate and International wrestling and will strive to develop a life-long passion for the sport. This may mean foregoing temporary success. Long term success will be accomplished through the development of mental toughness, persistence, a strong work-ethic and by encouraging initiative and innovation. These things will be stressed because they are the foundations for long term success in wrestling and in life.

2 Alternative Locations Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site

With other similar special uses in the industrial park, such as Swimtastic and Altius Gymnastics Academy, the proposed site is ideal for the proposed use. While other zoning districts could also be utilized for this use, the existing building and location are ideal for the proposed Wrestling Academy.

3 Mitigation of Adverse Impacts Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening

No adverse impacts to the immediate vicinity are expected based on the proposed use. Some additional drop off and pick up traffic will occur at the site, however that additional traffic will only occur during off hours of adjacent properties, thereby not adversely affecting those properties.

4 Establishment of Precedent of Incompatible Uses in the Surrounding Area Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area

With the existence of similar use properties in the business park (Swimtastic and Altius Gymnastics Academy), we do not believe that this new use will increase the likelihood of more intense or incompatible uses in the surrounding areas.

RE: Special Use & Site Plan - Askren Wrestling Academy (9760 S. 60th)

Adam Remington

Sent: Friday, April 10, 2020 1:21 PM**To:** Marion Ecks

Marion,

There are four firehouses throughout Milwaukee County that are housing personnel and resources dedicated to responding to COVID-19 suspected patients. It is true that FFD #2 at 9911 S 60th is one of those locations; however, I do not anticipate that that should have any effect on any business in the area whatsoever, and we have no additional needs as far as distancing, access, or turnaround space. The wrestling academy at that location will have absolutely no impact on our operations, nor we on theirs.

No concerns.

Thanks for checking though.

Adam

From: Marion Ecks**Sent:** Friday, April 10, 2020 12:57 PM**To:** Adam Remington**Subject:** RE: Special Use & Site Plan - Askren Wrestling Academy (9760 S. 60th)

Chief Remington

This item was heard at Plan Commission last night, and was tabled because the Commission had several concerns and they wanted to give the Applicant an opportunity to respond.

One of the concerns was about fire trucks and questions related to a turn-around for those trucks near that property. I believe there is also an emergency center there or other facility related to COVID 19? In any case, I wanted to follow up with you to see if you have any concerns about the item. Our notes from the meeting are:

Item C3. Askren. Tabled to May 7.

- Parking demand. Parking calculations required.
- Traffic circulation. Is there a cross-access connection to the south?
- Any comments from the Fire Dept? Any concerns about turn-around for fire trucks?

Let me know if you have any questions or need more information.

Thanks,

Marion Ecks

Assistant Planner

Department of City Development

City of Franklin

414-425-4024

mecks@franklinwi.gov

9229 W Loomis Road
Franklin, Wisconsin 53132

Error! Filename not specified.

From: Adam Remington
Sent: Wednesday, February 12, 2020 3:40 PM
To: General Planning
Cc: Catherine Heder
Subject: Special Use & Site Plan - Askren Wrestling Academy (9760 S. 60th)

The fire department has no concerns with the proposed Special Use & Site Plan at this location. Existing fire protection systems may need to be modified in order to remain in compliance with their relevant codes/standards.



Adam Remington
Fire Chief | City of Franklin
414-425-1420 Station
414-427-7580 Desk
414-425-7067 Fax

This message is intended for the sole use of the individual and entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended addressee, nor authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, disclose or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete the message.

GEORGE A. AFFELDT
1909-1952
GEORGE R. AFFELDT
1948-2001

AFFELDT LAW OFFICES, S.C.
A WISCONSIN SERVICE CORPORATION
8741 WEST NATIONAL AVENUE
WEST ALLIS, WISCONSIN 53227
(414) 321-4580
FAX (414) 321-0368

DAVID A. AFFELDT
STEVEN A. AFFELDT
JOHN A. AFFELDT
NATHAN W. ECKLEY*

OFFICE MANAGER
KIRSTY REARDON

E-MAIL: AFFELDTLAWOFFICE@AFFELDTLAW.COM

May 28, 2020

Via email: CBerg@franklinwi.gov

Calli Berg
Director of Economic Development
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Re: Knighthawk Ventures, LLC ("Knighthawk")
Objection to Askren Wrestling Academy, LLC ("Askren") Application for Special Use

Dear Ms. Berg:

Please be advised that our office represents Knighthawk, the owner of the property located at 9740 South 60th Street, Franklin, Wisconsin (the "Knighthawk Property"). Our client has advised us of an Application for Special Use filed by Askren for its use of the adjacent land and building located at 9760 South 60th Street, Franklin, Wisconsin (the "Askren Property"). This letter is provided in support of Knighthawk's objection to Askren's application and intended use of the Askren Property.

As you are aware, the Knighthawk Property and the Askren Property are located in the Franklin Industrial Park. The Askren Property was previously used as a custom auto body and paint shop. The current application requests that the Askren Property use be converted to allow for amusement and recreation, including a wrestling gymnasium and wrestling instruction facility. This request significantly diverges from the typical uses allowed in the M-1 zoning classification and the Franklin Industrial Park. If allowed, it would also create a substantial risk of injury or harm to guests and invitees at the Askren Property from other currently allowed uses, including Knighthawk's use of its property.

First, and importantly, the M-1 Limited Industrial District zoning is intended for industrial business activity. The Askren Property's prior use for auto body work and painting was ideally suited for the Industrial Park, as it provided space for a business activity with limited public interaction, limited traffic flow and for an activity that requires separation from the general public for safety reasons. Askren's request for a wrestling gymnasium and instructional facility is most appropriately classified as retail services, with high general public interaction, high traffic volume and customer interaction that involves youth and parents. This intended use is

therefore incompatible in the Industrial Park's zoning and with the existing and other intended uses as it does not comport with the purposes and intent of this zoning classification.

Second, the Askren Property lacks the appropriate size and access to accommodate the parking and flow of traffic for both the employees and students of a wrestling academy. The lot is a small space with one point of entrance. Its design suits parking for a small number of employees who arrive at the start of the workday, stay for the duration of their shift, and then leave at the end of their workday. It is not suitable for the coming and going of students attending hourly classes, who will arrive and leave en masse throughout the day. A large lot that has both ingress and egress access would be ideal for this sort of high traffic. The small and narrow space of the Askren Property's parking lot will not only make it difficult for vehicles to maneuver; it could also cause traffic back-ups on 60th Street. Furthermore, the Askren Property adjoins with the Knighthawk Property at the rear of both lots, which would make it both possible and likely that the academy's students would exit out of our client's driveway. Given that parking is not allowed on 60th Street, it is also likely that the academy's overflow traffic would end up parking on our client's property. This is not acceptable, as it would cause substantial wear and tear on the Knighthawk Property. Additionally, it adversely impacts and interferes with our client's valid use of their property and creates potential legal liability for them.

Third, even setting aside the inconvenience of the narrow lot, this use of the Askren Property would still pose a risk of harm to the public. A substantial number of vehicles coming and going in a narrow space that has one authorized path for exit and entrance to a high-traffic road like 60th Street is likely to cause congestion. In addition to this problem, the area's industrial zoning and the large number of industrial businesses do not make a suitable environment for children. An area where massive FedEx freight trucks (which, according to FedEx's website, can weigh up to 20,000 lbs.) pull in to loading docks does not offer a safe and secure environment for the recreational activities of children.

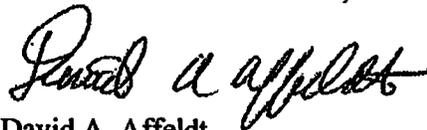
And finally, it is important to note that the approval of Askren's application would establish a precedent for other incompatible uses in the Industrial Park. Carving out retail activities that encroach upon the current intended industrial uses opens the door for other unsuited business activity. The public benefit would be better served by businesses, such as Askren, to find an alternative location outside of the Industrial Park and in more suitable zoning classifications. Therefore, we believe the application should be denied for all of the above-stated reasons.

Calli Berg
May 27, 2020
Page 3

On behalf of our client, we thank you in advance for your consideration of this letter and your consideration on this matter.

Very truly yours,

AFFELDT LAW OFFICES, S.C.

A handwritten signature in black ink that reads "David A. Affeldt". The signature is written in a cursive, flowing style.

David A. Affeldt
david.affeldt@affeldtlaw.com

DAA:bmw

Enclosure

cc: **Knighthawk Ventures, LLC (via email only)**
Alderwoman Shari Hanneman

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of June 18, 2020****Special Use and Site Plan Amendment**

RECOMMENDATION: City Development staff recommends approval of the Special Use and Site Plan, subject to the conditions of approval in the attached draft Resolutions

Project Name:	Askren Wrestling Special Use and Site Plan
Project Address/Tax Key:	9760 South 60 th Street/899 9993 004
Property Owner:	Askren Properties LLC
Applicant:	Askren Wrestling Academy
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Industrial
Use of Surrounding Properties:	M-1 Limited Industrial District
Action Requested:	Recommendation of approval of the Special Use and approval of the Site Plan Application

Project Description and Analysis

The applicant, Ben Askren of Askren Wrestling Academy, filed applications for a Special Use and Site Plan Amendment to locate Askren Wrestling Gym within the existing building at 9760 S. 60th Street. This business is classified as SIC No. 7999 Amusement and Recreation Services, Not Elsewhere Classified, an allowed Special Use in the M-1 Limited Industrial District. It can be noted that other sports training facilities are present in the Business Park.

The Plan Commission discussed this item at their April 9, 2020 and May 27, 2020 meetings. The item was referred to the Economic Development Commission (EDC) to elicit feedback on the appropriateness of the Special Use for the location, and the site plan due to parking demand and impacts to surrounding businesses. The EDC heard the item at their June 1, 2020 meeting.

The applicant was present at the meeting, as was the owner of the business to the north, Knighthawks Ventures.

Neighboring Business Comments

The owners of Knighthawks Ventures, located at 9740 S. 60th St. lodged an objection to the application for a special use prior to the EDC meeting. During the meeting of the EDC the applicant and the neighbor had the opportunity to discuss the proposed use and the neighbors' concerns. Several of the EDC's recommended conditions of approval reflect that discussion. Knighthawks Ventures have since withdrawn their objection.

The subject property is approximately 0.58-acres and consists of a 7,337 square foot, 18-foot-high building. The applicant is proposing only minor exterior site changes. The majority of the space will be the wrestling gym. There will also be a waiting area, office, and restrooms. Since parking calculations are typically based on building square footage, the applicant has proposed that the tenant business, Askren Wrestling Academy which is seeking the Special Use, might use only a smaller portion of the building.

The applicant plans to restripe the parking lot to include 16 parking spaces, including one ADA accessible space. The parking spaces are 9-feet wide and 20-feet in length (180 square feet), which complies with Unified Development Ordinance standards. The applicant is also adding wheel stops to the parking lot.

4th District Alderwoman Hanneman also provided comments to the EDC. A copy of those comments is attached.

Parking Demand

The UDO recommends parking ratios for certain uses; however, there is not a category specific to SIC 7999. According to Table 15-5.0203, parking requirements for a gymnasium when occupants are not seated is 0.25 parking spaces per person, based on permitted capacity. The applicant proposes to have a maximum of 36 students per class. For 36 students, 9 parking spaces would be required. If calculating parking based on square footage using the standard for a spa or health club, 4 parking spaces would be required for each 1,000 square feet of floor area. If the applicant uses the full building, 30 spaces would be required under the health club standards.

The applicant has proposed and the Economic Development Commission recommends limiting class size and timing of classes in order to answer concerns about parking. The Common Council may allow or require this as part of a Special Use approval. Further, Plan Commission and Common Council may set parking and queuing requirements above or below the base requirements, provided the proposal meets the standards of §15-5. 0203.B to show evidence that parking demand will be met, and vehicle stacking will not interfere with roadways, parking lot circulation or pedestrian safety. The drive aisle dimensions of the parking lot meet the requirements of Table 15-5.0204; parking spaces are 40'6" apart, well in excess of the required 28'.

Economic Development Commission Recommendation:

The EDC has reviewed this matter, and recommended that the following conditions be placed on the related approvals by Plan Commission and Common Council:

Site Plan Amendment:

- The applicant will install a fence along the entire length of the North property line
- The main entrance to the building must be at the back of the building
- The applicant will provide additional lighting in the parking lot
- The applicant will place no trespassing signs so as to prevent trespassing to the property to the north
- The applicant shall install security camera(s)

Special Use:

- Classes shall not begin before 5:30 PM or continue after 9:00 PM on weekdays
- Class size shall be limited to 36 students
- Class times shall be staggered by 30 minutes to allow for adequate turnover in the parking lot

Site Plan conditions may be stipulated by Plan Commission. The proposed section of fence in a front yard may be approved by the Plan Commission, per the standards of § 15-3.0803C.

Special Use conditions may be recommended by Plan Commission, subject to final approval by Common Council.

The applicant has agreed that these conditions are reasonable, and has provided a letter to that effect.

Recommendation

A motion to recommend approval of the Special Use for Askren Wrestling and a motion to recommend approval the Site Plan, contingent upon approval of the Special Use, and subject to the conditions in the attached draft resolution.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 3-23-20, Redraft 06-12-2020]

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A WRESTLING
GYMNASIUM AND INSTRUCTION USE UPON PROPERTY
LOCATED AT 9760 SOUTH 60TH STREET
(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC, APPLICANT,
ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 7999 “Amusement and recreation services, not elsewhere classified” to allow for a wrestling gymnasium and instruction use (in an existing custom auto body and paint shop building which will be converted into an Askren Wrestling Academy gymnasium), upon property located at 9760 South 60th Street, bearing Tax Key No. 899-9993-004, more particularly described as follows:

Lot 4 of Certified Survey Map No. 1231, recorded March 16, 1970, in Reel 522, Images 1444 to 1446 inclusive, as Document No. 4515532, being a part of the Northwest 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 2

the City of Franklin, Wisconsin, that the petition of Benjamin M. Askren, Askren Wrestling Academy, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, as a wrestling gymnasium and instruction use, which shall be developed in substantial compliance with, and operated and maintained by Benjamin M. Askren, Askren Wrestling Academy, LLC, pursuant to those plans City file-stamped April 1, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC wrestling gymnasium and instruction facility, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Benjamin M. Askren, Askren Wrestling Academy, LLC and the wrestling gymnasium and instruction use for the property located at 9760 South 60th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. Classes shall not begin before 5:30 PM or continue after 9:00 PM on weekdays.
5. Class size shall be limited to 36 students.
6. Class times shall be staggered by 30 minutes to allow for adequate turnover in the parking lot.

BE IT FURTHER RESOLVED, that in the event Benjamin M. Askren, Askren Wrestling Academy, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 3

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as

may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

PLAN COMMISSION

[Draft 3-30-20, Redraft 06-12-2020]

RESOLUTION NO. 2020-_____

A RESOLUTION APPROVING A SITE PLAN FOR ALTERATIONS TO
THE INTERIOR OF AN EXISTING CUSTOM AUTO BODY AND PAINT
SHOP AND MINOR EXTERIOR SITE MODIFICATIONS TO ALLOW
FOR THE OPERATION OF ASKREN WRESTLING ACADEMY

(9760 SOUTH 60TH STREET)

(BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC,
APPLICANT, ASKREN PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, Benjamin M. Askren, Askren Wrestling Academy, LLC having applied for approval of a proposed site plan to allow for interior building alterations to an existing custom auto body and paint shop, including the addition of two Americans with Disabilities Act restrooms, construction of a small office and finish improvements, and exterior site modifications, including parking lot restriping (to include 16 parking spaces, including one Americans with Disabilities Act accessible space) and the addition of wheel stops, property located at 9760 South 60th Street; and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan to allow for interior building alterations to an existing custom auto body and paint shop, including the addition of two Americans with Disabilities Act restrooms, construction of a small office and finish improvements, and exterior site modifications, including parking lot restriping and the addition of wheel stops, as depicted upon the plans dated April 1, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications dated April 1, 2020.
2. Benjamin M. Askren, Askren Wrestling Academy, LLC, successors and assigns, and any developer of the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SITE PLAN
RESOLUTION NO. 2020-_____

Page 2

incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project, located at 9760 South 60th Street (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the Benjamin M. Askren, Askren Wrestling Academy, LLC interior building alterations and exterior modifications project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
5. The applicant will install a fence along the entire length of the North property line prior to the issuance of occupancy permits.
6. The main entrance to the building must be at the back of the building.
7. The applicant will provide additional lighting in the parking lot prior to the issuance of occupancy permits, subject to staff review and approval.
8. The applicant will place no trespassing signs so as to prevent trespassing to the property to the north.
9. The applicant shall install security camera(s), subject to staff review and approval.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

BENJAMIN M. ASKREN, ASKREN WRESTLING ACADEMY, LLC – SITE PLAN
RESOLUTION NO. 2020-_____

Page 3

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

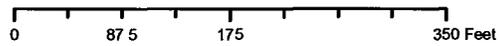
AYES _____ NOES _____ ABSENT _____



9760 S. 60th Street
TKN: 899 9993 004



Planning Department
(414) 425-4024

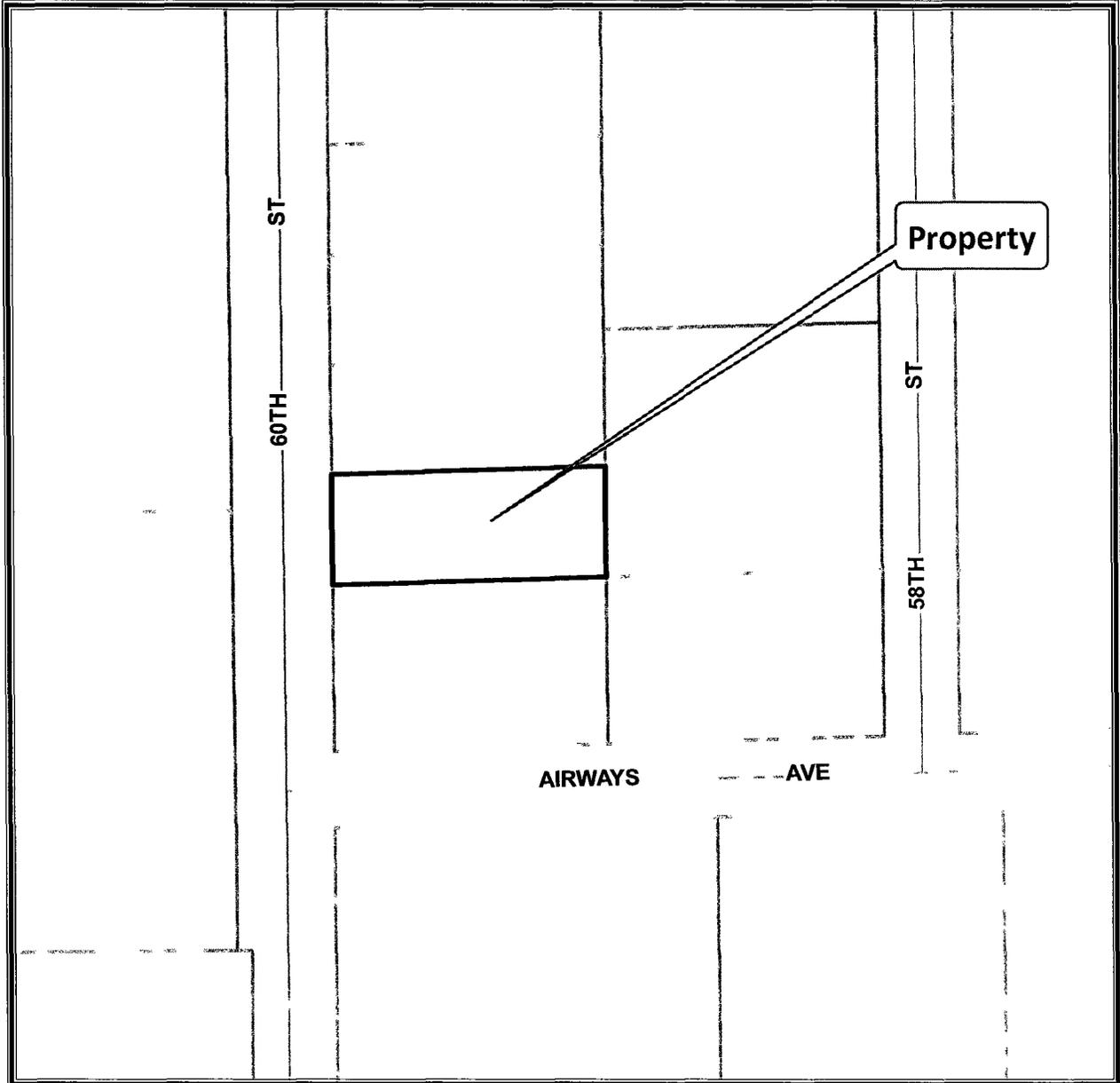


2017 Aerial Photo

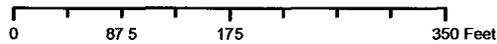
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering, or surveying purposes.



9760 S. 60th Street
TKN: 899 9993 004



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering, or surveying purposes.





City of Franklin Planning Commission,

I met with the economic development commission on June 1, 2020 to review and discuss the Site Plan Amendment as well as the Special Use regarding 9760 S. 60th Steet, Franklin, Wisconsin. I am willing and able to meet the conditions detailed below:

Site Plan Amendment:

- The applicant will install a fence along the entire length of the North property line
- The main entrance to the building must be at the back of the building
- The applicant will provide additional lighting in the parking lot
- The applicant will place no trespassing signs so as to prevent trespassing to the property to the north
- The applicant shall install security camera(s)

Special Use (Final approval must be granted by Common Council):

- Classes shall not begin before 5:30 PM or continue after 9:00 PM on weekdays
- Class size shall be limited to 36 students
- Class times shall be staggered by 30 minutes to allow for adequate turnover in the parking lot

I will be in attendance at the Planning Commission meeting on June 18, 2020.

Sincerely,

Ben Askren
Askren Wrestling Academy

Marion Ecks

From: Calli Berg
Sent: Thursday, June 11, 2020 9:53 AM
To: Marion Ecks
Subject: FW: Knighthawk Ventures, LLC Objection to Askren Wrestling Academy, LLC Application for Special Use
Attachments: fence.pdf

From: Pete Lakich / Condor <pete@condor.aero>
Sent: Wednesday, June 10, 2020 2:30 PM
To: Calli Berg <CBerg@franklinwi.gov>
Cc: David Affeldt <David.Affeldt@affeldtlaw.com>; Shari Hanneman <SHanneman@franklinwi.gov>; Steve Olson <Solson@franklinwi.gov>
Subject: FW: Knighthawk Ventures, LLC Objection to Askren Wrestling Academy, LLC Application for Special Use

Calli,

I spoke with Ben Askren after the EDC meeting and he agreed to install a fence between our lot lines. Therefore, I will withdraw our objection letter subject to the requirement that the installation of a fence on his lot be a part of his occupancy permit. Ben and I discussed the length of the fence and agreed that the west end would start 25 feet forward of our loading dock door. It should run east from that point and end at the back edge of the asphalt on his parking lot. During the EDC meeting it was stated that the fence should be a 6 foot tall chain link fence. For your reference I attached a diagram to show where the fence should be.

Regards,
Peter Lakich, President
T 414-855-0804 | F 414-855-0814 | pete@condor.aero
9740 S 60th Street | Franklin, WI 53132 | USA



From: Calli Berg [<mailto:CBerg@franklinwi.gov>]
Sent: Wednesday, June 10, 2020 9:47 AM
To: David Affeldt
Cc: Shari Hanneman; pete@condor.aero; Bethany Wenner; Marion Ecks
Subject: RE: Knighthawk Ventures, LLC Objection to Askren Wrestling Academy, LLC Application for Special Use

Good morning. As the City of Franklin Planning Staff prepares materials for upcoming Plan Commission review of the Askren Site Plan and Special Use, we would like to know if Condor wants the letter to be part of the Plan Commission Packet or if they wish to withdraw their objection. Please advise. Thank you.

From: Bethany Wenner <Bethany.Wenner@affeldtlaw.com>
Sent: Thursday, May 28, 2020 11:11 AM

To: Calli Berg <CBerg@franklinwi.gov>

Cc: Shari Hanneman <SHanneman@franklinwi.gov>; David Affeldt <David.Affeldt@affeldtlaw.com>; pete@condor.aero

Subject: Knighthawk Ventures, LLC Objection to Askren Wrestling Academy, LLC Application for Special Use

Good morning,

Please see the attached correspondence from Attorney David Affeldt.

Kind Regards,

Bethany M. Wenner

Legal Assistant

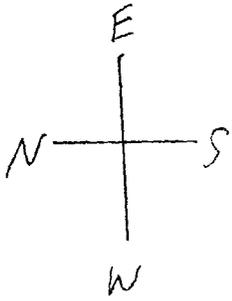
Affeldt Law Offices, S.C.
8741 W. National Avenue
West Allis, WI 53227
Tel: 414-321-4560
Fax: 414-321-0368

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ABR
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PARKING

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ASKREN
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LOT

ASKREN
9760

South 60th Street

As the Alderwoman for 4th District, I hope to welcome Askren Wrestling Academy to Franklin. I believe there is a significant demand for this type of business in the community.

However, I have significant concerns with the special use application particularly regarding the parking and traffic flow. This is a Limited Industrial District in which parking lots were not designed for high volume auto or pedestrian traffic. The applicant states that class sizes will be approximately, but not more than, 40 students per class, which, if there are 3 classes per evening, that could ultimately mean 120 vehicles coming in and out of the same driveway twice a night -- drop off and pick up. 240 vehicle entrances/exits per day, compressed into the same time period surrounding the beginning and end of classes.

When a car enters the property to drop off a student, they must go to the back of the building, let the child out, and then do a hairpin turn to exit the same way they came in. If the 16 proposed parking spaces are full, there is virtually no space for that U-turn. I argue that it is not a safe situation for children exiting the building, to cross through that pick up line making a U-turn to make it to a car waiting in a parking space.

The applicant states that traffic "should" not be affected. However, the applicant also states that there "some additional drop off and pick up traffic will occur at the site", I think it may be reasonable to foresee congestion onto 60th street as cars line up to go to the back of the building, pick up a child, and U-turn around and back out that same driveway.

It is also my opinion that the parking lot is not properly lit for a facility where children will be crossing the parking lot in the dark. I only note one existing light pole and I would ask for that to be given additional review.

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE July 7, 2020
Reports & Recommendations	RESOLUTION TO REIMBURSE OAKWOOD AT RYAN CREEK, LLC FOR INSTALLATION OF AN OVERSIZED WATER MAIN THROUGH RYANWOOD MANOR SUBDIVISION PHASE 1 AND RYANWOOD MANOR SUBDIVISION ADDITION 1 FROM THE WATER IMPACT FEE FUND IN THE AMOUNT OF \$317,130	ITEM NO. <i>G. 7.</i>

BACKGROUND

During the designs of Ryanwood Manor Subdivision Phase 1 and Ryanwood Manor Subdivision Addition 1, it was found advantageous, from a system stand point, to extend water mains through the subdivisions. The developer, Oakwood at Ryan Creek, LLC, was directed to install 16-inch water main. This installation has been completed, placed in service, and a punch list for the utilities are expected to be completed by July 7, 2020.

Per the subdivision development agreements approved in Resolution 2018-7445 (December 4, 2018) and Resolution 2019-7491(dated May 7, 2019), the oversizing costs were designated as \$226,590 and \$90,540, respectively, totaling \$317,130.

The developer has requested that the City accelerate the reimbursement schedule by one year with the first payment now and the second payment in February 2021.

ANALYSIS

This installation has been completed, placed in service, and a punch list for the utilities are expected to be completed by July 7, 2020. The subdivision development agreements specify:

The City shall reimburse to the Subdivider ... for the cost of the oversize portion of the installation (over an 8" diameter as calculated by the City Engineer) in five equal annual installments, without interest, beginning the February 15th following the completion of the installation, its placement into operation and the final acceptance of same by the City Engineer.

Although the City has not final-accepted the utilities, they have been in operation since the fall of 2019 due in large part to the acceleration of the home building in preparation for the 2020 Parade of Homes.

OPTIONS

1. Authorize first reimbursement payment (\$63,426) now with equal payments to follow in February 2021, 2022, 2023, & 2024.
2. Provide further direction to Staff.

FISCAL NOTE

There is sufficient funding available in the Water Impact Fees to accelerate the reimbursement schedule by one year.

RECOMMENDATION

(Option A) Motion to adopt Resolution No. 2020-_____ a resolution to reimburse Oakwood at Ryan Creek, LLC for installation of an oversized water main through Ryanwood Manor Subdivision Phase 1 and Ryanwood Manor Subdivision Addition 1 from the Water Impact Fee Fund in the amount of \$317,130 per the respective subdivision development agreements.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020 -

RESOLUTION TO REIMBURSE OAKWOOD AT RYAN CREEK, LLC FOR
INSTALLATION OF AN OVERSIZED WATER MAIN THROUGH RYANWOOD MANOR
SUBDIVISION PHASE 1 AND RYANWOOD MANOR SUBDIVISION ADDITION 1 FROM THE
WATER IMPACT FEE FUND IN THE AMOUNT OF \$317,130

WHEREAS, Common Council adopted Resolutions No. 2018-7445 and 2019-7491 for Subdivision Development Agreements (SDA) for Ryanwood Manor Subdivision Phase 1 and Ryanwood Manor Subdivision Addition 1, respectively; and

WHEREAS, the SDAs provide for the cost of the oversize portion of the installation (over an 8" diameter as calculated by the City Engineer) in five equal annual installments, without interest, beginning the February 15th following the completion of the installation, its placement into operation and the final acceptance of same by the City Engineer; and

WHEREAS, the developer, Oakwood at Ryan Creek, LLC, has completed the construction of the utilities and placed the same utilities in service in the fall of 2019; and

WHEREAS, there is sufficient funding available in the Water Impact Fee fund to accelerate the payment schedule by one year.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that Oakwood at Ryan Creek, LLC be reimbursed for the installation of an oversized water main through Ryanwood Manor Subdivision Phase 1 and Ryanwood Manor Subdivision Addition 1 from the Water Impact Fee Fund in the amount of \$317,130 per the respective subdivision development agreements in five equal payments of \$63,426 per year with the first payment to occur in July, 2020.

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2020, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____
GEM