

CITY OF FRANKLIN  
PLAN COMMISSION MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA  
THURSDAY, JUNE 18, 2020, 7:00 P.M.

The Facebook page for the Economic Development Commission  
<https://www.facebook.com/forwardfranklin/> will be live streaming the Plan Commission meeting so that the public will be able to watch and listen to the meeting.

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

B. **Approval of Minutes**

1. Approval of regular meeting of June 4, 2020.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

1. **ENTERPRISE RENT-A-CAR AUTOMOBILE RENTAL BUSINESS INSIDE OF EWALD TRUCK CENTER.** Special Use and Site Plan applications by Enterprise Rent-A-Car Company of Wisconsin, LLC (CBDT 6321 Real Estate, LLC, property owner), to allow for an 832 square foot area of office space inside of the Ewald Truck Center (the space was previously occupied by Mayfair Rent-A-Car, which Enterprise Holdings acquired in 2018) for automobile rentals to customers of collision centers, dealerships and business travelers to local retail customers having their vehicles serviced in the area (1-25 vehicles on site at a time), with hours of operation Monday through Friday from 7:30 a.m. to 5:00 p.m. and Saturdays from 9:00 a.m. to 12:00 noon; the Site Plan includes updating the interior office space with a demising wall to separate the Truck Center and the Enterprise Rent-A-Car office space, and addition of a manager's office, property located at 6321 South 108th Street, zoned M-1 Limited Industrial District and C-1 Conservancy District; Tax Key No. 704-9973-000. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE SPECIAL USE APPLICATION OF THIS MATTER.** [THE PUBLIC HEARING FOR THIS APPLICATION WAS PREVIOUSLY NOTICED FOR THE PLAN COMMISSION MEETING ON MAY 21, 2020 AND THE PLAN COMMISSION THEN DECIDED TO CONTINUE AND PUT THE MATTER TO THE JUNE 18, 2020 PLAN COMMISSION MEETING.]

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

1. **ASKREN WRESTLING ACADEMY: CONVERSION OF AN EXISTING CUSTOM AUTO BODY AND PAINT SHOP TO A WRESTLING ACADEMY GYMNASIUM.** Special Use and Site Plan applications by Benjamin M. Askren, Askren Wrestling Academy, LLC (Askren Properties, LLC,

property owner) 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), property located at 9760 South 60th Street, and a Site Plan to allow for interior building alterations to the space, including adding two Americans with Disabilities Act restrooms, a small office and finish improvements, and minor exterior site modifications, including parking lot restriping (to include 16 parking spaces, including one Americans with Disabilities Act accessible space) and addition of wheel stops, property zoned M-1 Limited Industrial District; Tax Key No. 899-9993-004. [THE SPECIAL USE PUBLIC HEARING WAS OPENED AND CLOSED AT THE APRIL 9, 2020 MEETING AND THE SUBJECT MATTER FOR BOTH THE SPECIAL USE AND THE SITE PLAN WERE PUT OVER TO THE MAY 7, 2020 PLAN COMMISSION MEETING, WHEREIN THE PLAN COMMISSION VOTED TO REFER THE SPECIAL USE AND SITE PLAN TO THE ECONOMIC DEVELOPMENT COMMISSION FOR REVIEW AND RECOMMENDATION.]

#### E. Adjournment

\*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

\*\*Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

#### REMINDERS:

Next Regular Plan Commission Meeting: July 9, 2020

**City of Franklin**  
**Plan Commission Meeting**  
**June 4, 2020**  
**Minutes**

unapproved

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

Mayor Steve Olson called the June 4, 2020 regular Plan Commission meeting to order at 7:03 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Mayor Steve Olson, Commissioners Patrick Leon and Patricia Hogan, Alderman Mark Dandrea and City Engineer Glen Morrow. Excused were Commissioners Kevin Haley and Adam Burchkhardt. Also present were Associate Planner Régulo Martínez, City Attorney Jesse Wesolowski and Alderman Mike Barber.

**B. Approval of Minutes**

1. Regular Meeting of May 21, 2020.

Commissioner Hogan moved and Alderman Dandrea seconded approval of the May 21, 2020 regular meeting minutes. On voice vote, all voted 'aye'. Motion carried (4-0-2).

**C. Public Hearing Business Matters**

1. None.

**D. Business Matters**

1. **SCOTT A. MCELROY AND ANDREA L. MCELROY FENCE INSTALLATION ON A LOT WITHIN A RESIDENTIAL SUBDIVISION.** Release of Easement Restriction application by Scott A. McElroy and Andrea L. McElroy, to allow for the encroachment of a black, aluminum, five foot tall colonial fence within the 30 foot “Landscape Planting Buffer” located along the rear of the property line which abuts South 68th Street (the “Landscape Planting Buffer” extends approximately 866 feet along South 68th Street and overlaps 8 lots in Dover Hill Subdivision), property located at 7244 South Dover Hill Court, zoned Planned Development District No. 17 (Dover Hill Subdivision/Westminster Condominiums); Tax Key No. 756-0220-000.

Associate Planner Régulo Martínez presented the request by Scott A. McElroy and Andrea L. McElroy, to allow for the encroachment of a black, aluminum, five foot tall colonial fence within the 30 foot “Landscape Planting Buffer” located along the rear of the property line which abuts South 68th Street (the “Landscape Planting Buffer” extends approximately 866 feet along South 68th Street and overlaps 8 lots in Dover Hill Subdivision), property located at 7244 South Dover Hill Court, zoned Planned Development District No. 17 (Dover Hill Subdivision/Westminster Condominiums); Tax Key No. 756-0220-000.

City Engineer Morrow moved and Commissioner Hogan seconded a motion to recommend approval of a Resolution authorizing the installation of a fence within the 30 foot landscape planting buffer plat restriction, upon Lot 8 in Dover Hill Subdivision (7244 South Dover Hill Court), and replace Condition No. 2 to make application for construction of shed paying fees per Ordinance where it is currently located within the landscape bufferyard easement and the shed is being released from the easement contingent upon obtaining a

building permit. On voice vote, all voted 'aye'. Motion carried (4-0-2).

**E. Adjournment**

Commissioner Hogan moved and Commissioner Leon seconded a motion to adjourn the Plan Commission meeting of June 4, 2020 at 7:35 p.m. On voice vote, all voted 'aye'; motion carried. (4-0-2).

DRAFT





# 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 amendments to the Special Use and Site Plan of 6321 S 108<sup>th</sup> St, for Enterprise Rent-A-Car.

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<b>Project Name:</b>	Enterprise Rent-A-Car Special Use
<b>Project Address:</b>	6321 108th Street
<b>Property Owner:</b>	CBDT 6321 Real Estate, LLC
<b>Applicant:</b>	Jim Flowers
<b>Zoning:</b>	M-1 Limited Industrial
<b>Use of Surrounding Properties:</b>	Commercial – auto dealership
<b>Comprehensive Plan:</b>	Industrial
<b>Applicant Action Requested:</b>	Recommendation of approval for a special use permit

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### **INTRODUCTION:**

- Staff recommendations are *underlined and in italics* and are included in the draft resolution.

The applicant, Enterprise Rent-A-Car, has applied for a special use amendment permit for the property at 6321 108th Street with Standard Industrial Classification Title No 7514, “Passenger car rental.” The applicant occupies 832 square feet of space located inside the Ewald Truck Center, with 1-25 vehicles parked on site at a time. The property is currently zoned as M-1 Limited Industrial, with a small area zoned C-1 Conservancy at the rear of the property.

The portion of the building at 6321 108<sup>th</sup> Street that is now Enterprise-Rent-A-Car was previously occupied by Mayfair Rent-A-Car, which Enterprise Holdings acquired from Ewald Chrysler Jeep Dodge, LLC in 2018. Ewald currently holds a separate Special Use Permit for the entirety of site which was issued in September of 2014 as Resolution No. 2014-7014. The Special Use amendment under consideration today solely pertains to Enterprise Rent-A-Car.

The site in question is surrounded with other auto-focused uses. To the north is the Ewald Chrysler Jeep Dodge car dealership, and the property to the south is a Hiller Ford car dealership. As previously stated, 6321 108<sup>th</sup> Street is also home to the Ewald Truck Center, which sells new and used trucks. The site plan that was submitted as part of this Special Use Permit application is dated 2015 and details the entire site; the applicant has highlighted a copy of the site plan to show areas occupied by Enterprise Rent-A-Car.

### **ANALYSIS:**

#### **Special Use**

Passenger Car Rental is allowed as a Special Use within the current zoning for the site - M-1 Limited Industrial. The Future Land Use Map identifies this parcel as industrial as well.

The applicant has provided responses to the seven General Standards for Special Uses listed in §15-3.0701 (A). According to their responses, the Enterprise Rent-A-Car business use, Passenger car rental, is consistent with the M-1 district and the Comprehensive Plan purposes and intent for the property, will not cause adverse impact, will compliment surrounding properties, will be adequately served by the existing public facilities, will not cause undue traffic congestion, will not destroy significant features, and will comply with all standards of the M-1 Limited Industrial zoning district.

Staff believes that a passenger car rental facility in this location will provide public benefit and will be convenient to the community. The auto-centric nature of the surrounding development makes this site appropriate for a car rental use. Staff sees no adverse impacts that will result from the granting of this Special Use Permit, nor will granting the Special Use Permit establish a precedent of incompatible uses in the area.

Passenger vehicle rental is not one of the specified Special Uses for which Special Standards exist in the Unified Development Ordinance, and therefore responses to these special standards were not needed.

### **Site Plan**

The site plan provided by the applicant indicates the portion of the building that is occupied by Enterprise Rent-A-Car, as well as the parking spaces that are part of their tenancy on the site. The applicant is proposing 18 total parking spaces including one ADA parking space. According to §15-5.0202 (F) “Off-street parking stalls shall be marked by painted lines or other approved material and shall be maintained so as to be legible at all times.” No parking is permitted in unmarked parking spaces.

Section 15-5.0203 of the UDO defines requires that an auto sales use is provide a minimum of 2 spaces per 1,000 square feet of gross floor area. According to the Site Plan, the showroom building is approximately 5,171 square feet, which requires 11 parking spaces (10.342 rounded up). Eleven customer parking spaces for the car dealership must be preserved on the site and cannot be rented to Enterprise Rent-A-Car as vehicle storage space.

The site plans provided by the applicant show that the site itself will not be altered as a result of Enterprise Rent-A-Car’s tenancy on a portion of the site. The applicant notes that some interior work will be done within their portion of the building, but this is not covered under a site plan review. The applicant must obtain building permits from Inspection Services for any interior changes. The applicant also indicates that new exterior signs were installed as a result of their tenancy. These signs were approved, and a permit was issued. The applicant has verbally indicated that signage was also installed in front of some of the parking spaces on the site, but it is not clear from the documentation provided that these signs were also reviewed and permitted. These signs are not indicated on the site plan provided and an approved sign permit was not included with the application materials. All new exterior signage should be indicated on the site plan.

Although this special use permit concerns only Enterprise Rent-A-Car, Staff would also like to note that conditions of the previous Special Use Permit approval for this site, Resolution No. 2014-7014, are still in effect for Ewald Chrysler Jeep Dodge, LLC at 6321 South 108th Street.

### **STAFF RECOMMENDATIONS:**

City Development Staff recommends approval of a special use permit for SIC #7514 “Passenger Car Rental” for Enterprise Rent-A-Car to operate as a tenant at 6321 108th Street subject to the conditions in the draft Resolution.

## RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE  
APPROVAL OF A SPECIAL USE TO ALLOW FOR ENTERPRISE RENT-A-CAR  
OFFICE SPACE WITHIN EWALD TRUCK CENTER FOR AN AUTOMOBILE  
RENTALS USE UPON PROPERTY LOCATED AT 6321 SOUTH 108TH STREET  
(ENTERPRISE RENT-A-CAR COMPANY OF WISCONSIN, LLC, APPLICANT, CBDT  
6321 REAL ESTATE, LLC, PROPERTY OWNER)

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WHEREAS, Enterprise Rent-A-Car Company of Wisconsin, LLC, having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District and C-1 Conservancy District to allow for an 832 square foot area of office space inside of the Ewald Truck Center (the space was previously occupied by Mayfair Rent-A-Car, which Enterprise Holdings acquired in 2018) for automobile rentals to customers of collision centers, dealerships and business travelers to local retail customers having their vehicles serviced in the area (1-25 vehicles on site at a time), with hours of operation Monday through Friday from 7:30 a.m. to 5:00 p.m. and Saturdays from 9:00 a.m. to 12:00 noon, for the property located at 6321 South 108th Street, bearing Tax Key No. 704-9973-000, more particularly described as follows:

All that part of the Northeast 1/4 of Section 6, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows, to wit: Commencing at a point of the East Line of said Northeast 1/4 of Section 6 which is 330.25 feet South of the Northeast corner of said 1/4 Section; thence South on said line 196.59 feet to a point; thence S. 88 degrees 19' W., parallel to the North line of said 1/4 Section, 844.77 feet to a point; thence N. 3 degrees 16'30" W., 196.57 feet to a point; thence N. 88 degrees 19' E., 855.99 feet to the place of commencement; 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 21st day of May, 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

ENTERPRISE RENT-A-CAR COMPANY OF WISCONSIN, LLC – SPECIAL USE  
RESOLUTION NO. 2020-\_\_\_\_\_

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WHEREAS, the Common Council having received such Plan Commission recommendation and 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 the City of Franklin, Wisconsin, that the petition of Enterprise Rent-A-Car Company of Wisconsin, 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 Enterprise Rent-A-Car Company of Wisconsin, LLC, successors and assigns, for an automobile rentals use, which shall be developed in substantial compliance with, and operated and maintained by Enterprise Rent-A-Car Company of Wisconsin, LLC, pursuant to those plans City file-stamped \_\_\_\_\_, 2019 and annexed hereto and incorporated herein as Exhibit A.
2. Enterprise Rent-A-Car Company of Wisconsin, 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 Enterprise Rent-A-Car Company of Wisconsin, LLC automobile rentals use, 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 Enterprise Rent-A-Car Company of Wisconsin, LLC and the automobile rentals use upon the property located at 6321 South 108th 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 Enterprise Rent-A-Car Company of Wisconsin, 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.

ENTERPRISE RENT-A-CAR COMPANY OF WISCONSIN, LLC – SPECIAL USE  
RESOLUTION NO. 2020-\_\_\_\_\_

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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  
PLAN COMMISSION

MILWAUKEE COUNTY

*[Draft 5-14-20; Redraft 06-18-2020]*

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION APPROVING A SITE PLAN FOR INTERIOR  
OFFICE SPACE REMODELING INSIDE THE EWALD TRUCK  
CENTER, FOR ENTERPRISE RENT-A-CAR AUTOMOBILE RENTALS  
(6321 SOUTH 108TH STREET)

(ENTERPRISE RENT-A-CAR COMPANY OF WISCONSIN, LLC,  
APPLICANT, CBDT 6321 REAL ESTATE, LLC, PROPERTY OWNER)

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WHEREAS, Enterprise Rent-A-Car Company of Wisconsin, LLC having applied for approval of a proposed site plan to remodel approximately 832 square feet of interior office space within Ewald Truck Center, for Enterprise Rent-A-Car automobile rentals, which includes a demising wall to separate the Truck Center and the Enterprise Rent-A-Car office space, and addition of a manager's office, property located at 6321 South 108th 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 remodel approximately 832 square feet of interior office space within Ewald Truck Center, for Enterprise Rent-A-Car automobile rentals, which includes a demising wall to separate the Truck Center and the Enterprise Rent-A-Car office space, and addition of a manager's office, as depicted upon the plans dated \_\_\_\_\_, 2019, 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 Enterprise Rent-A-Car Company of Wisconsin, LLC office space remodel dated \_\_\_\_\_, 2019.
2. Enterprise Rent-A-Car Company of Wisconsin, LLC, successors and assigns, and any developer of the Enterprise Rent-A-Car office space remodel project, 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 Enterprise Rent-A-Car office space remodel 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.

ENTERPRISE RENT-A-CAR COMPANY OF WISCONSIN, LLC – SITE PLAN  
RESOLUTION NO. 2020-\_\_\_\_\_

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3. The approval granted hereunder is conditional upon the Enterprise Rent-A-Car office space remodel project within the Ewald Truck Center located at 6321 South 108th 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 Enterprise Rent-A-Car office space remodel 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. No parking shall be permitted in unmarked parking spaces.
6. The 11 required customer parking spaces for the showroom on the site must be preserved.
7. The site plan should be revised to reflect the location of all new exterior signage, including signage in front of parking spaces.
8. The applicant must obtain building permits from Inspection Services for any interior changes prior to the issuance of occupancy permits.

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

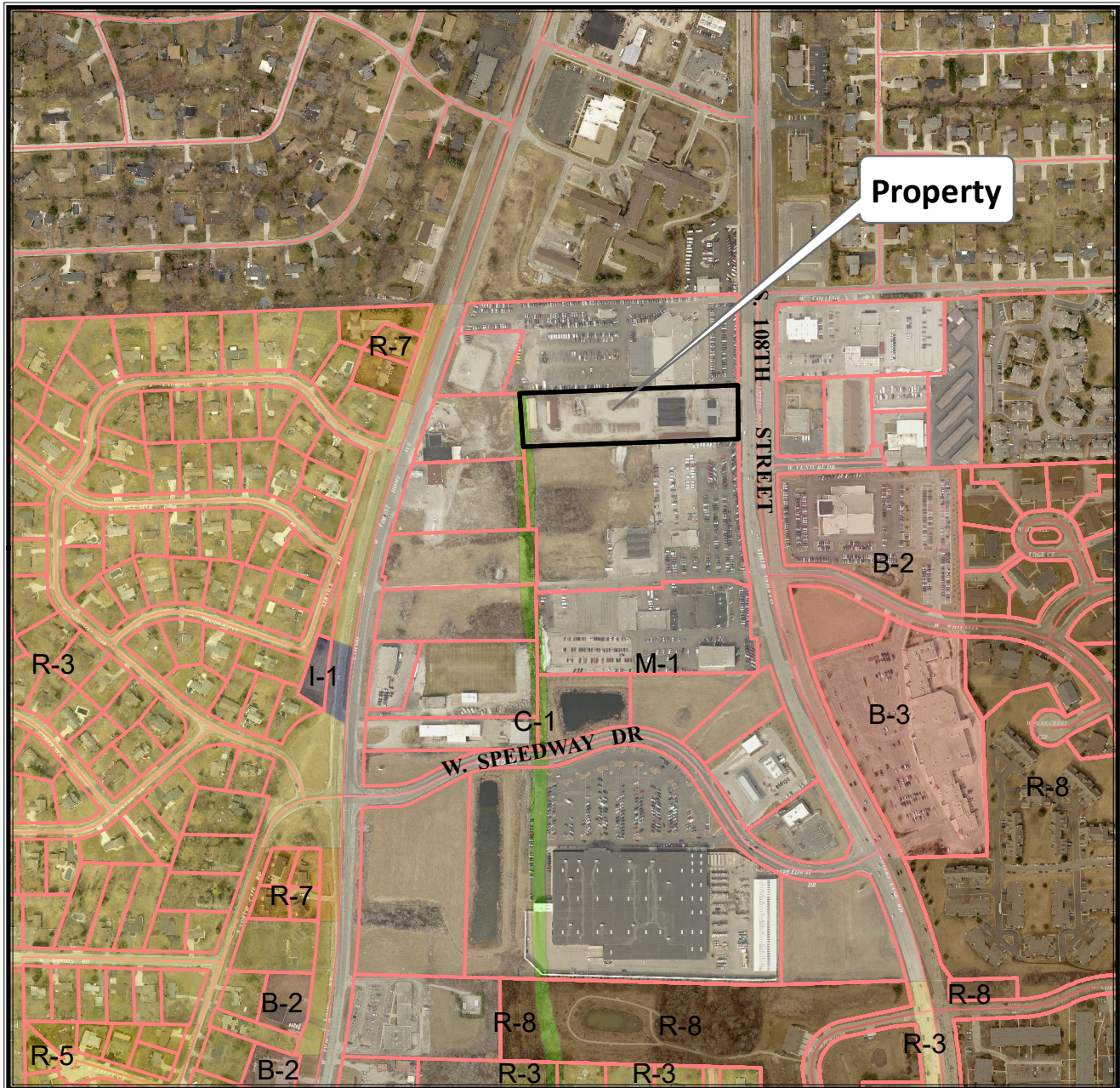
ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_



6321 S 108th Street  
TKN: 704 9973 000



**Planning Department**  
**(414) 425-4024**

0 350 700 1,400 Feet

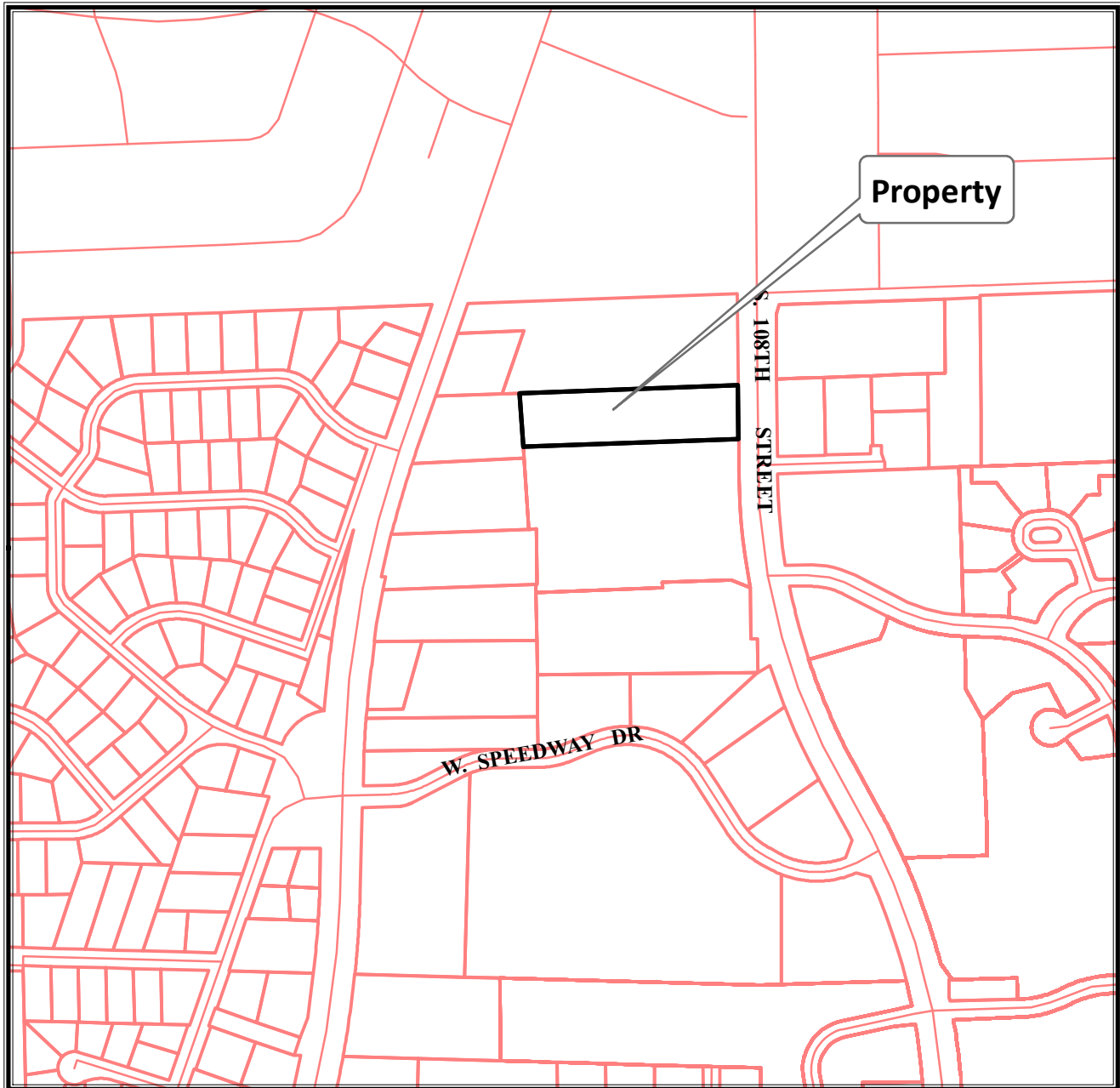
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*

  
**NORTH**  
2017 Aerial Photo





6321 S 108th Street  
TKN: 704 9973 000



**Planning Department**  
**(414) 425-4024**

0 350 700 1,400 Feet

*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.*



## **Enterprise Rent-A-Car**

Date: June 8, 2020

To: Department of City Development

From: Jim Flowers, Enterprise Rent-A-Car of Wisconsin, LLC

RE: Special Use Permit and Site Plan Review, 6321 108<sup>th</sup> Street – Enterprise Response to Staff Comments

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Attached is the original Staff Comments from our Special Use Permit and Site Plan Review, 6321 108<sup>th</sup> Street. I have included our responses (red format) to your comments for review.

# City of Franklin

## Department of City Development

Date: May 7, 2020

To: Jim Flowers, Enterprise Rent-A-Car of Wisconsin, LLC

From: Department of City Development

RE: Special Use Permit and Site Plan Review, 6321 108<sup>th</sup> Street – Staff Comments

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City Staff has reviewed the above application for the property located at 6321 108<sup>th</sup> Street. Enterprise Rent-A-Car is a tenant on a portion of the parcel in question, having purchased the Mayfair car rental business that was located at the same location and owned by Ewald Chrysler Jeep Dodge, LLC. Ewald continues to operate a Truck Center from the same building and parcel; the Enterprise Rent-A-Car uses a portion of the showroom building and a portion of the on-site parking.

The special use application was substantially complete as of the receipt of the applicant's response to the General Standards and Considerations found in Section 15-3.0701(A), (B), and (C) of the Unified Development Ordinance on December 12, 2019.

As there is a previously reviewed and approved site plan for this site, review was targeted towards those areas of the site that would be impacted by Enterprise Rent-A-Car as a tenant. All other conditions of approval for Site Plan approval for the site and Special Use Permit approval for the other uses on the site are still in effect.

### **Unified Development Ordinance (UDO) Requirements**

#### **Special Use**

1. Please note on the application form that all existing uses on the site will continue to operate. Passenger vehicle rental is only one part of the use on the site.

#### **Site Plan**

2. The site plan that shows the leased portion of the site indicates that some of Enterprise Rent-A-Car's leased parking spaces are in an area behind the front building and are not marked as parking spaces. Section 15-5.0203 (F) of the UDO states that off-street parking stalls shall be marked by painted lines.
  - a. No cars may be parked in unmarked parking spaces. Please remove these unmarked spaces from Enterprise Rent-A-Car's leased area and submit a new site plan showing this update.

Enterprise Response: We've removed the unmarked stalls and our rear parking from the leased area and moved them to the North edge, angled parking area. The new site plan outlines our 18, Enterprise Parking Stalls on the North edge.

3. Section 15-5.0203 of the UDO defines requirements for off-street parking. Per this section, an auto sales use is required to provide a minimum of 2 spaces per 1,000 square feet of gross floor area. According to the Site Plan, the showroom building is approximately 5,171 square feet, which requires 11 parking spaces (10.342 rounded up). However, 8 of the 11 customer parking stalls indicated on the site plan are included within the shaded area for Enterprise's use.
  - a. Please clearly indicate on the site plan which eleven parking spaces on the site are now used for customer parking, including the required ADA accessible parking spot.

Enterprise Response: We've moved our Enterprise parking stalls to the North Edge, angled parking area. The updated site plan has been submitted to show eight customer stalls in the rear of the building and three parallel to the front of the building. An ADA stall is part of the three, front customer stalls.

4. Please submit an updated site plan that indicates the location of each Enterprise Rent-A-Car parking space sign.

Enterprise Response: An updated site plan has been submitted showing the Enterprise parking stalls on the North edge, angled parking area.

5. Permits for all signage must be obtained from the City of Franklin Inspection Services department.

#### **Other Department of City Development Comments**

6. As previously noted, all conditions of approval for the site plan review and special use permit that was previously issued for 6321 South 108<sup>th</sup> Street are still in effect.

#### **Building Inspection Department Staff Comments**

The applicant must obtain proper permits (Building/Electrical/HVAC) from Inspection Services for any of the interior alteration work mentioned in the Project Summary.

Enterprise Response: We plan to pull proper building permits, etc. once or conditional use permit is approved. Thank you.

Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132  
Email: [generalplanning@franklinwi.gov](mailto:generalplanning@franklinwi.gov)



City of Franklin

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

Date of Application: \_\_\_\_\_

## SITE PLAN / SITE PLAN AMENDMENT APPLICATION

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

### Applicant (Full Legal Name[s]):

Name: Jim Flowers

Company: Enterprise Rent-A-Car Company of Wisconsin, LLC, a Delaware limited liability company

Mailing Address: S17W22650 Lincoln Avenue

City / State: Waukesha Zip: 53186

Phone: 262-544-8300

Email Address: [james.d.flowers@ehi.com](mailto:james.d.flowers@ehi.com)

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

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City / State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Project Property Information:

Property Address: 6321 S. 108th Street

Property Owner(s): CBBDT 6321 Real Estate, LLC a Wisconsin limited liability company

Mailing Address: 6321 S. 108th Street

City / State: Franklin, WI Zip: 53132

Email Address: [cewald@ewaldauto.com](mailto:cewald@ewaldauto.com)

Tax Key Nos: 704-9973-000

Existing Zoning: M-1 Limited Industrial District & C-1 Conservancy District

Existing Use: 5511 New and Used car dealers, 5581 Recreational vehicles dealers, 7514 Passenger car rental & 7530 General

Proposed Use: Vehicle Rental

Future Land Use Identification: \_\_\_\_\_

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

### Site Plan/Site Plan Amendment 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: ☐ Tier 1: \$2000 ☐ Tier 2: \$1000 (Lot size ≤ 1 acre)  
☐ Tier 3: \$500 (≤ 10% increase or decrease in total floor area of all structures with no change to parking; or change to parking only).
- ☐ Legal Description for the subject property (WORD.doc or compatible format).
- ☐ Seven (7) complete collated sets of Application materials to include:
  - ☐ One (1) original and six (6) 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.)
  - ☐ Seven (7) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package. (The submittal should include only those plans/items as set forth in Section 15-7.0103, 15-7.0301 and 15-5.0402 of the Unified Development Ordinance that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.)
  - ☐ Reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package will be at Planning staff recommendation, if applicable.
- ☐ One colored copy (11"x17") of the building elevations, if applicable.
- ☐ One copy of the Site Intensity and Capacity Calculations, if applicable (see Division 15-3.0500 of the UDO).
- ☐ Three copies of the Natural Resource Protection report, if applicable (see Section 15-7.0103Q of the UDO).
- ☐ 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 ten business days. Additional materials may be required.
- Site Plan/Site Plan amendment requests require Plan Commission or Community Development Authority review and approval.

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).

Signature - Property Owner  
CRAIG A. EWALD MANAGER  
Name & Title (PRINT)

Date: 11/18/19

Signature - Property Owner

Name & Title (PRINT)

Date: \_\_\_\_\_

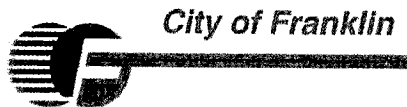
Signature - Applicant  
Jim Flowers, Facilities Specialist  
Name & Title (PRINT)

Date: 11/18/19

Signature - Applicant's Representative

Name & Title (PRINT)

Date: \_\_\_\_\_



Date of Application: \_\_\_\_\_

## SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION

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

### Applicant (Full Legal Name[s]):

Name: Jim Flowers  
Company: Enterprise Rent-A-Car Company of Wisconsin, LLC, a Delaware limited liability company  
Mailing Address: S17W22650 Lincoln Avenue  
City / State: Waukesha Zip: 53186  
Phone: 262-544-8300  
Email Address: james.d.flowers@ehi.com

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

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City / State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_

### Project Property Information:

Property Address: 6321 S. 108th Street  
Property Owner(s): CBDT 6321 Real Estate, LLC a Wisconsin limited liability company  
Mailing Address: 6321 S. 108th Street  
City / State: Franklin, WI Zip: 53132  
Email Address: cewald@ewaldauto.com

Tax Key Nos: 704-9973-000

Existing Zoning: M-1 Limited Industrial District & C-1 Conservancy District

Existing Use: 5511 New and Used car dealers, 5561 Recreational vehicles dealers, 7314 Passenger car rental & 7338 General f

Proposed Use: Vehicle Rental

Future Land Use Identification: \_\_\_\_\_

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

### Special Use/Special Use Amendment 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:
  - ☐ \$1500, New Special Use over 4,000 square feet
  - ☐ \$1000 Special Use Amendment
  - ☐ \$750, New Special Use under 4,000 square feet
- ☐ Legal Description for the subject property (WORD.doc or compatible format).
- ☐ One copy of a response to the General Standards, Special Standards (if applicable), and Considerations found in Section 15-3.0701(A), (B), and (C) of the Unified Development Ordinance available at [www.franklinwi.gov](http://www.franklinwi.gov).
- ☐ Seven (7) complete collated sets of Application materials to include:
  - ☐ One (1) original and six (6) 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) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package. (The submittal should include only those plans/items as set forth in Section 17-7.0101, 15-7.0301 and 15-5.0402 of the Unified Development Ordinance that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.)
  - ☐ Four (4) folded reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package.
- ☐ One colored copy (11"x17") of the building elevations, if applicable.
- ☐ Three copies of the Natural Resource Protection Plan and report, if applicable (see Section 15-4.0102 & 15-7.0201 of the UDO).
- ☐ 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 ten business days.

•Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval.

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).

Signature - Property Owner  
CRAIG A. EWALD  
Name & Title (PRINT)

Date: 11/18/19

Signature - Property Owner

Name & Title (PRINT)

Date: \_\_\_\_\_

Signature - Applicant  
Jim Flowers, Facilities Specialist  
Name & Title (PRINT)

Date: 11/18/19

Signature - Applicant's Representative

Name & Title (PRINT)

Date: \_\_\_\_\_

## Enterprise Rent-A-Car Project Summary

6321 S. 108<sup>th</sup> Street  
Franklin, WI 53027

Jim Flowers, on behalf of Enterprise Rent-A-Car Company of Wisconsin, LLC, is seeking a conditional use/zoning approval from the Plan Commission to operate a car rental business at the aforementioned address. Enterprise plans to sublease about 832 square feet of office space. Our lease holder improvements include, but not limited to:

- Updating the interior office space with a demising wall to separate the Truck Center and our office space while adding a manager's office
- Adding exterior signage per local zoning code (already completed, permit was issued)

Enterprise was founded in 1957 and has been operating in Wisconsin for 25 years. Our business activities throughout the state include renting automobiles, renting commercial trucks, auto fleet leasing, as well as retail and wholesale auto sales. As a privately held company, Enterprise supports the communities it operates in. This ranges from providing local jobs to patronizing local companies for business materials/services.

Our proposed use of 6321 S. 108<sup>th</sup> Street is automobile rental in the 832 square feet of space located inside the Ewald Truck Center. Additionally, vehicles will be cleaned in the Dodge Dealership garage prior to being rented. This includes washing, vacuuming, and interior detailing. We will not rent commercial trucks or sell automobiles out of this location. Our clientele ranges from customers of collision centers, dealerships and business travelers to local retail customers having their vehicles serviced in the area. The maximum number of employees would be 3. This includes both full and part time employees. The hours of operation will be 7:30am – 5:00pm Monday through Friday, Saturday 9:00AM - Noon and Closed Sunday. We anticipate the number of vehicles onsite to vary between 1 to 25 vehicles which include employee vehicles and vehicles waiting to be rented.

This space was occupied by Mayfair Rent-A-Car which Enterprise Holdings acquired in 2018. While Enterprise is also in the automotive industry, we rent automobiles while using environmentally friendly car cleaning chemicals and all vehicle maintenance and repairs are done at local dealerships, service and collision repair shops. We pride ourselves on expanding into communities, creating jobs and boosting the local economy. Thank you for the opportunity to apply for this conditional use/zoning permit in the City of Franklin, Wisconsin.

Jim Flowers  
Enterprise Rent-A-Car, Facilities Specialist

## **DIVISION 15-3.0700**

## **SPECIAL USE STANDARDS AND REGULATIONS**

### **SECTION 15-3.0701**

### **GENERAL STANDARDS FOR SPECIAL USES**

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.

*Response: We propose to operate a car rental business onsite at the Ewald Automotive Truck Center located at 3121 S. 108<sup>th</sup> Street. Prior to Enterprise Rent-A-Car operating, Mayfair rent a car operated under Ewald Automotive Group's special use permit issued in 2014. Enterprise purchased Mayfair rent a car in 2018. Enterprise will function and adhere to similar business functions as a car rental business occupying the same 832 square feet of office space. Enterprise Rent-A-Car will complement the current business mix in the immediate area. Our clientele ranges from customers of collision centers, dealerships and business travelers to local retail customers having their vehicles serviced in the area. Existing automotive businesses such as Ewald Chrysler-Jeep-Dodge and Truck Center, Hiller Ford, Boucher VW and automotive body shops will benefit with our presence in the area.*

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.

*Response: Enterprise Rent-A-Car prides its-self on positively impacting our customers, employees and the communities we operate in with upmost integrity. Our very own sustainable business practices are outlined and adhered to within our business culture. We rent automobiles while using environmentally friendly car cleaning chemicals. We'll only clean our vehicles onsite for rental customers. All fueling, maintenance and service work will be performed with local, off-site vendors. Enterprise will not perform any new development to the property. We're entering an existing and established business development that Ewald Automotive established in 2014. The impact on the immediate area can only be positive as we compliment the current businesses mix as an automotive industry leader, renting automobiles.*

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.

*Response: Our proposed use will complement the current businesses in the immediate vicinity. No new construction or development with a substantial scope of work will be done onsite. We propose to perform some minor interior work to the 832 square feet*



*of office space. Adding a dividing wall to separate our office space with the truck center and a manger office.*

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.

*Response: The current development allows for public and private utilities, police and fire protection and refuse disposal. Enterprise is committed to keeping the property compliant with proper emergency fire lanes, access and egress during emergencies. Ewald Automotive Group teams up with KPA, safety consultant, to review their operations yearly along with Enterprise operating onsite. Along with safety inspections, Enterprise performs inspections on our life/safety equipment such as fire extinguishers and eye wash station.*

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.

*Response: Enterprise Rent-A-Car will fit perfectly with Ewald Automotive Groups existing development and site plan. The layout allows for our rental vehicles to be stored onsite while customers can enter and exit the property without congestion. Our business model is designed to keep rental vehicles on the road which benefits the site allowing customer room to park and perform business onsite. Our parking plan is designed to allow room for our daily flow of customer and renal vehicles.*

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.

*Response: No changes are being made to the property as is; therefore, Enterprise's operation will not result in any destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*

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.

*Response: We propose to be 100% compliant with the City's determination for special use*

*within the district's standards. Enterprise treats community leadership as a business partner; further growing our business and ultimately impacting the communities we operate in. We look forward to continuing our business relationship with the City of Franklin and working with the Ewald Automotive Group to assist the communities need for rental vehicles and automotive care.*

- 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 Section 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.

*Response: Under section 15-3.0703 we do not see any detailed standards that fall within our special use of renting automobiles.*

- 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.

*Response: Enterprise was founded in 1957 and has been operating in Wisconsin for 25 years. Our business activities throughout the state include renting automobiles, renting commercial trucks, auto fleet leasing, as well as retail and wholesale auto sales. As a privately held company, Enterprise supports the communities it operates in. This ranges from providing local jobs to patronizing local companies for business materials/services. Not only will we continue to provide a service for renting automobiles, we impact communities by teaming with the United Way. Our contributions by employees and matched by the Taylor Family Foundation are felt in many communities around South East Wisconsin and impacting the state of Wisconsin. Recently, we donated time and money to Feeding America fulfilling a pledge by our founder, Jack Tylor to give back to those in need, keeping food on the table.*

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.

*Response: Enterprise Rent-A-Car purchased Mayfair rent a car in 2018. Enterprise took over operations, customers and onsite square footage pursuant to Ewald Automotive Groups 2014 special use permit. The acquisition in 2018 was a prime location to expand our business back into the Franklin community and market place. Enterprise*

*continues to service automotive rental needs in the immediate vicinity that Ewald Automotive Group established with Mayfair rent a car.*

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.

*Response: Ewald Automotive Group has done a thorough site plan and execution blending their businesses within the immediate vicinity. Enterprise Rent-A-Car will continue to operate within the proposed site plan established in 2014.*

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.

*Response: Enterprise Rent-A-Car will provide automotive rentals as first established by Mayfair rent a car and Ewald Automotive Group in 2014. We'll continue to support the surrounding area businesses and community's need for automotive rentals. We see this as a positive relationship with the Ewald Automotive Group while supporting current dealerships and automotive body shops in the immediate area.*

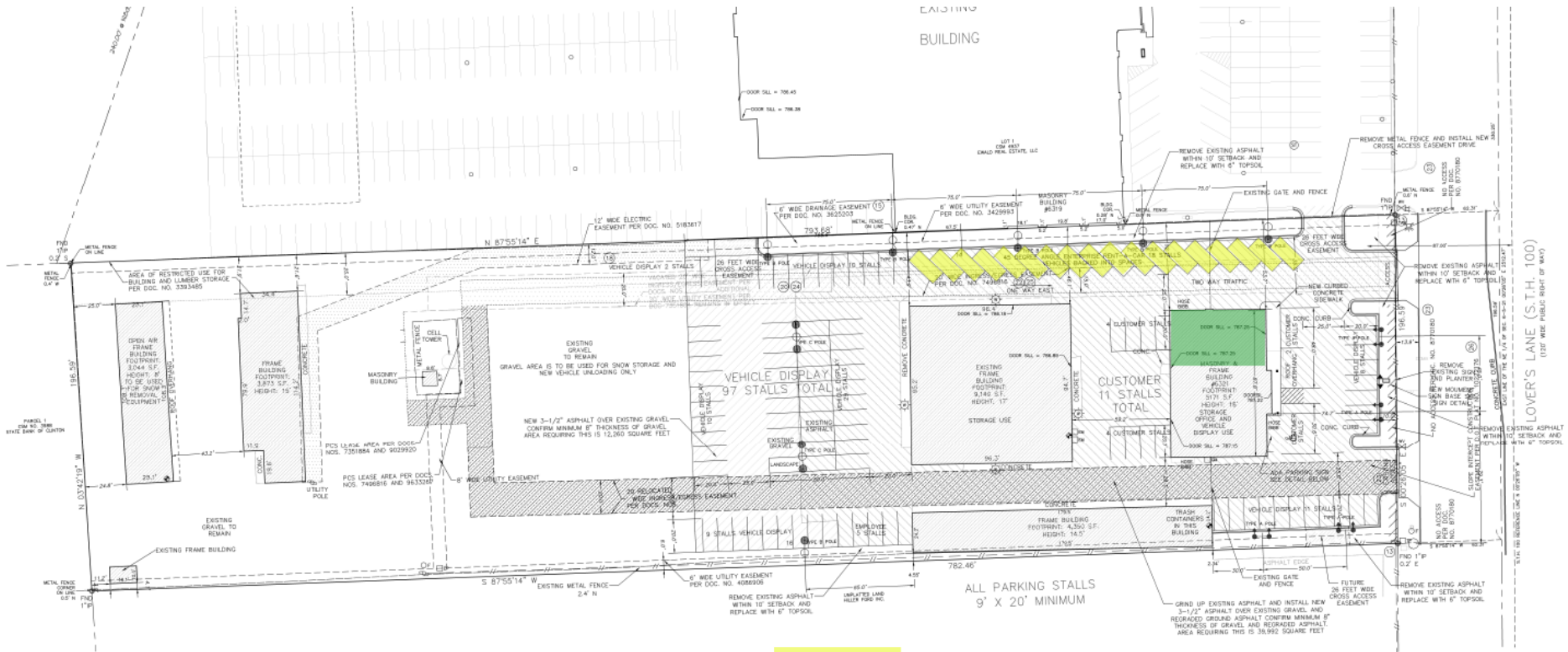
## Legal Description

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6321 South 108<sup>th</sup> Street, bearing Tax Key No. 704-9973-000

All that part of the Northeast  $\frac{1}{4}$  of Section 6, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follow to wit:

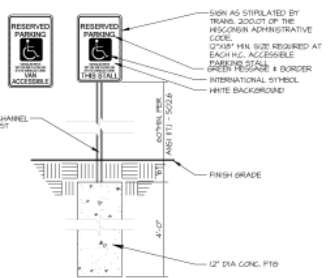
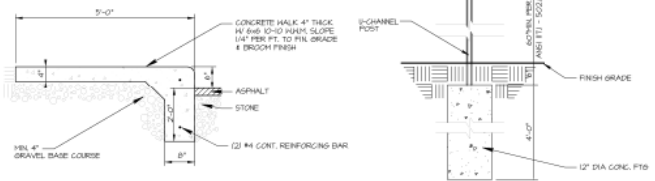
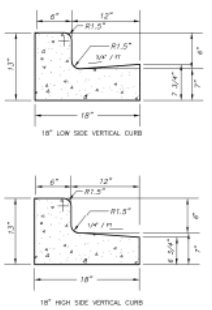
Commencing at a point of the East Line of said Northeast  $\frac{1}{4}$  of Section 6 which is 330.25 feet South of the Northeast corner of said  $\frac{1}{4}$  Section; thence South on said line 196.59 feet to a point; thence S. 88 degrees 19' W., parallel to the North line of said  $\frac{1}{4}$  Section, 844.77 feet to a point; thence N. 3 degrees 16'30" W., 196.57 feet to a point; thence N. 88 degrees 19' E., 855.99 feet to the place of commencement.



Enterprise 18  
Parking Stalls

Enterprise  
Office Space

- PROJECT NOTES:**
1. LOT SIZE = 154,863 SF or 3.56 ACRES
  2. IMPERVIOUS = 81,601 SF  
GREEN SPACE = 73,262 SF  
LANDSCAPE SURFACE RATIO = 0.47
  3. CURRENT ZONING - M-1  
PROPOSED ZONING - M-1
  4. SETBACKS:  
FRONT - 40'  
REAR YARD - 15'  
SIDE YARD - 20'  
WETLAND BUFFER - 30'  
WETLAND SETBACK - 50'
  5. PARKING STALL REQUIRED= 11(1/1000 SF RETAIL SPACE)  
PARKING STALLS PROPOSED = 11



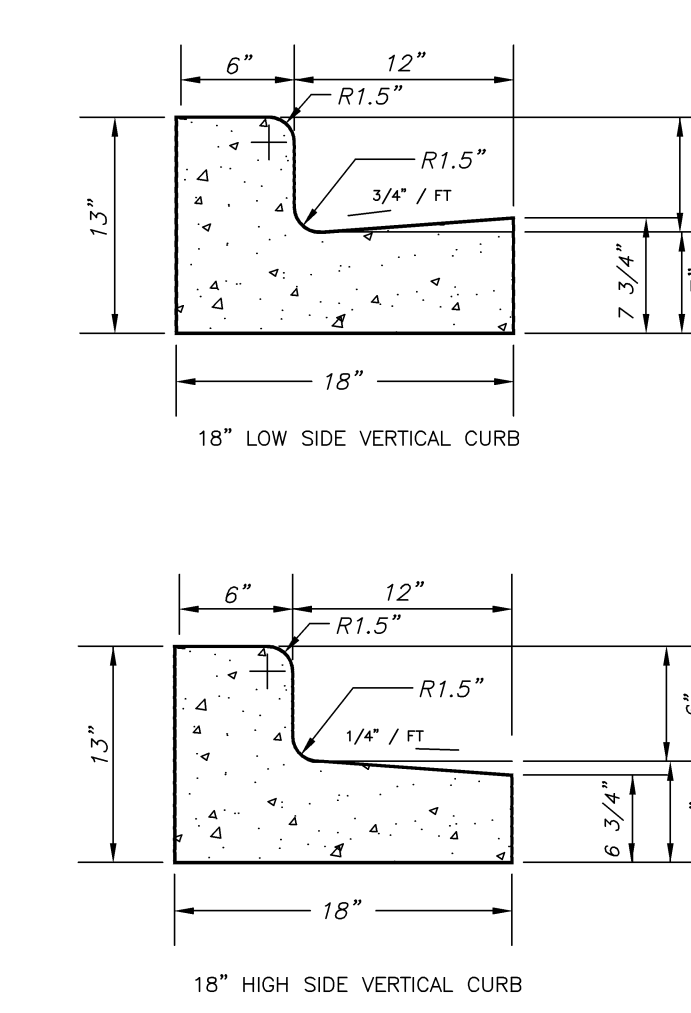
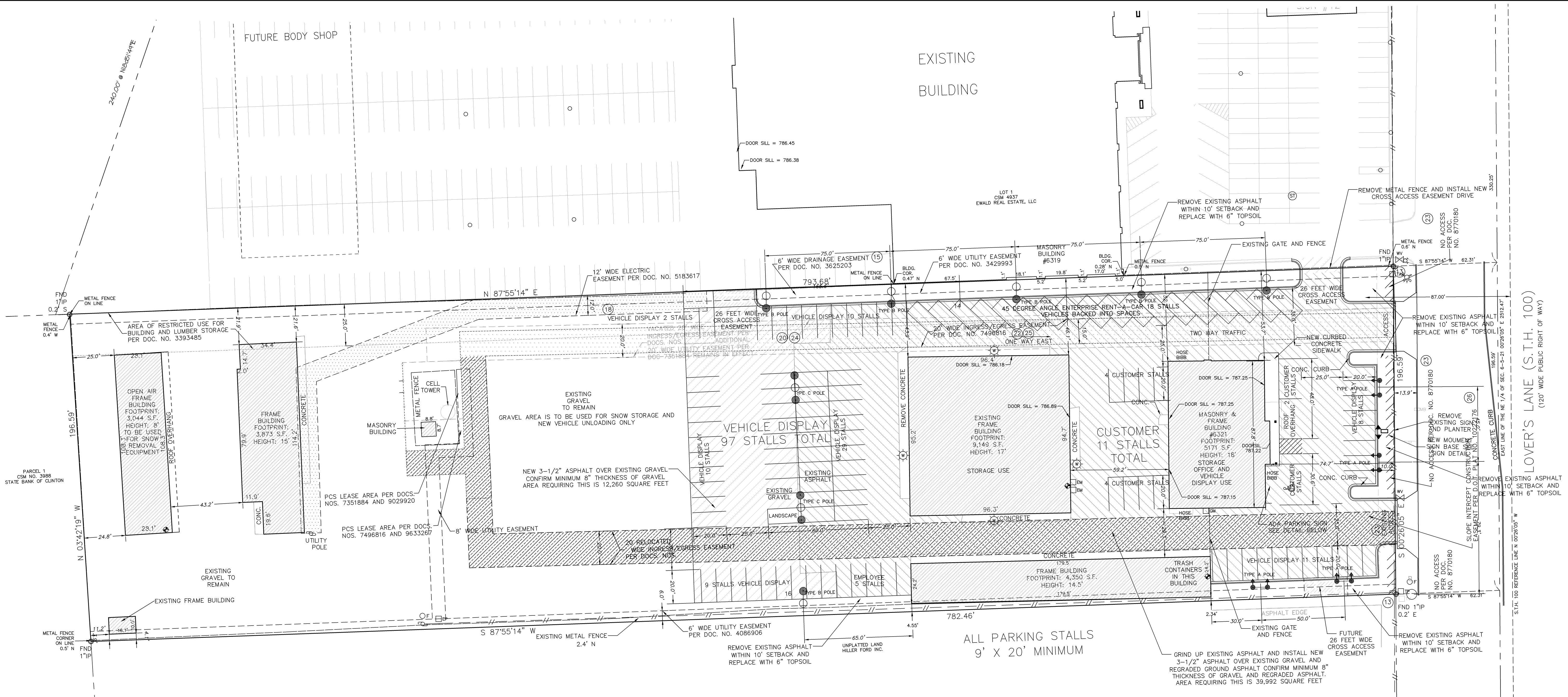
OWNER/DEVELOPER:  
PORT ENTERPRISES

REVISIONS:		DATE	
REV.	1	5-26-19	
REV.	2	5-30-20	
REV.	3		
REV.	4		
REV.	5		
REV.	6		
REV.	7		
REV.	8		
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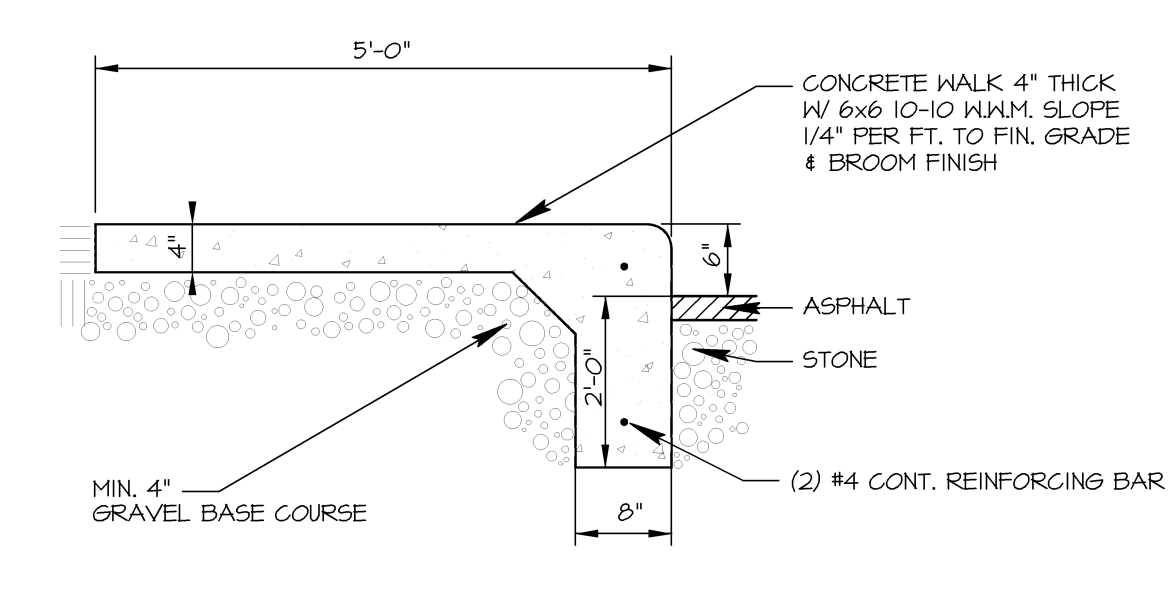
  

TDI ASSOCIATES, INC.	OWNER/DEVELOPER
10000 100TH AVE, SUITE 100	10000 100TH AVE, SUITE 100
MINNETONKA, MN 55345	MINNETONKA, MN 55345
TEL: 952-892-1001	TEL: 952-892-1001
FAX: 952-892-1001	FAX: 952-892-1001
TDI ASSOCIATES, INC.	ENGINEER/PLANNER
10000 100TH AVE, SUITE 100	10000 100TH AVE, SUITE 100
MINNETONKA, MN 55345	MINNETONKA, MN 55345
TEL: 952-892-1001	TEL: 952-892-1001
FAX: 952-892-1001	FAX: 952-892-1001
CITY OF FRANKLIN, WI	EVALD TRUCK CENTER
SITE DEVELOPMENT PLAN	
8201 SOUTH 108TH STREET	

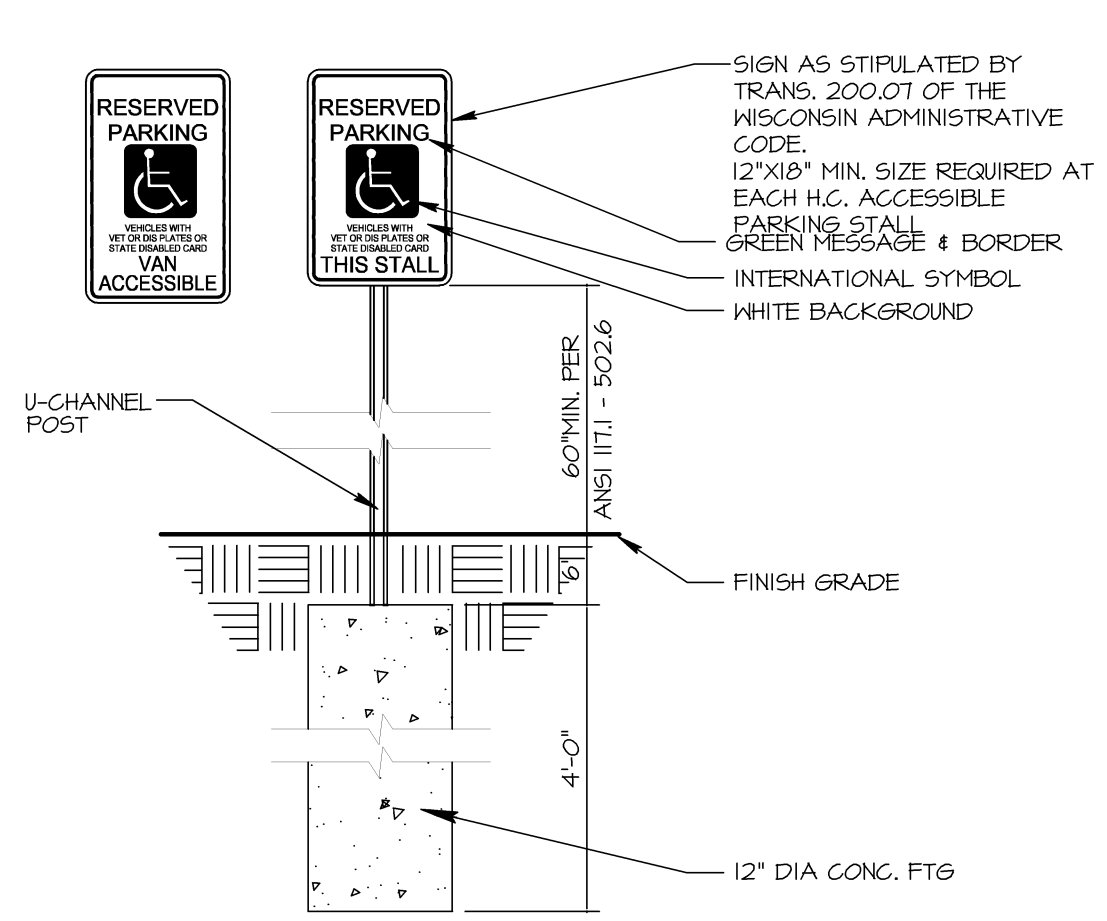




1 18" CONCRETE CURB AND GUTTER  
N.T.S.



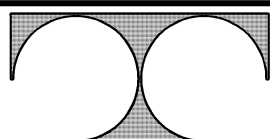
2 CONCRETE CURB / WALK  
N.T.S.

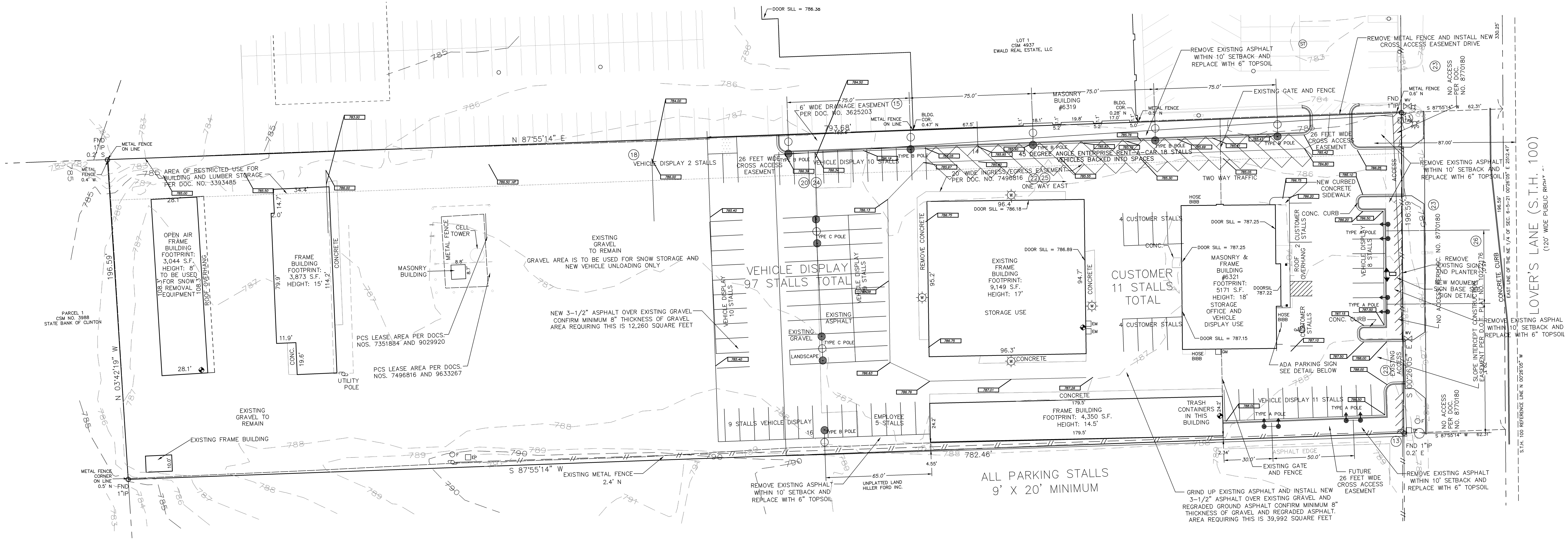


3 HC PARKING SIGN  
N.T.S.

- PROJECT NOTES:**
1. LOT SIZE = 154,863 SF or 3.56 ACRES
  2. IMPERVIOUS = 81,601 SF  
GREEN SPACE = 73,262 SF  
LANDSCAPE SURFACE RATIO = 0.47
  3. CURRENT ZONING - M-1  
PROPOSED ZONING - M-1
  4. SETBACKS:  
FRONT- 40'  
REAR YARD - 15'  
SIDE YARD - 20'  
WETLAND BUFFER - 30'  
WETLAND SETBACK - 50'
  5. PARKING STALL REQUIRED= 11(1/1000 SF RETAIL SPACE)  
PARKING STALLS PROPOSED = 11

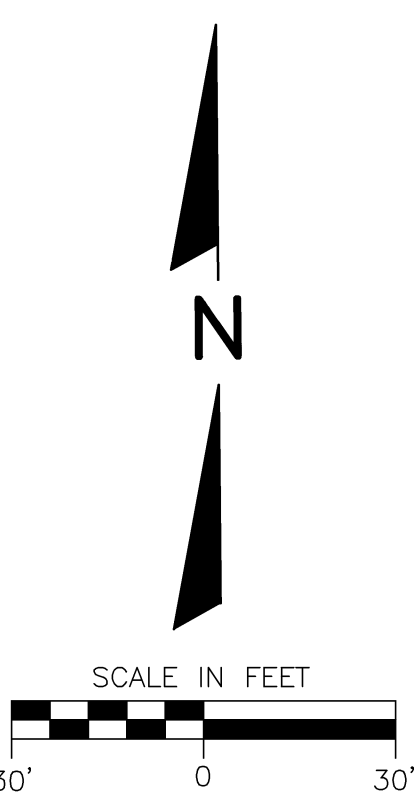
OWNER/DEVELOPER:  
CBDT ENTERPRISES  
6319 S. 108th Street  
Franklin, WI 53132

REVISIONS:		TDI ASSOCIATES, INC			OWNERSHIP OF DOCUMENTS  This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of TDI Associates, Inc., and is not to be used or relied on in part for any other project or purpose without the expressed written authorization of TDI Associates, Inc.
NOTE	DATE	All Rights Reserved			
REV.	5-26-15	N8 W2280 JOHNSON DRIVE, SUITE B4			
REV.	5-20-20	WALWESHA, WISCONSIN 53180			
		PHONE: 262-409-2530			
		FAX: 262-409-2531		TDI ASSOCIATES, INC.	
				ARCHITECTS & PLANNERS	
		CITY OF FRANKLIN, WI			
		EWALD TRUCK CENTER			
		SITE DEVELOPMENT PLAN			
		6321 SOUTH 108TH STREET			
SCALE: 1"= 30'-0"		JOB NO: 14-389.000		DATE: 5-15-15	
DESIGNED BY: REW		DRAWN BY: REW		CHECKED BY:	
APPROVED BY:					
		ENGINEER		DATE	
				SHEET C-2.0	



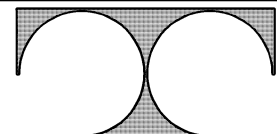
ALL PARKING STALLS  
9' X 20' MINIMUM

LOVER'S LANE (S.T.H. 100)  
(120' WIDE PUBLIC RIGHT-OF-WAY)

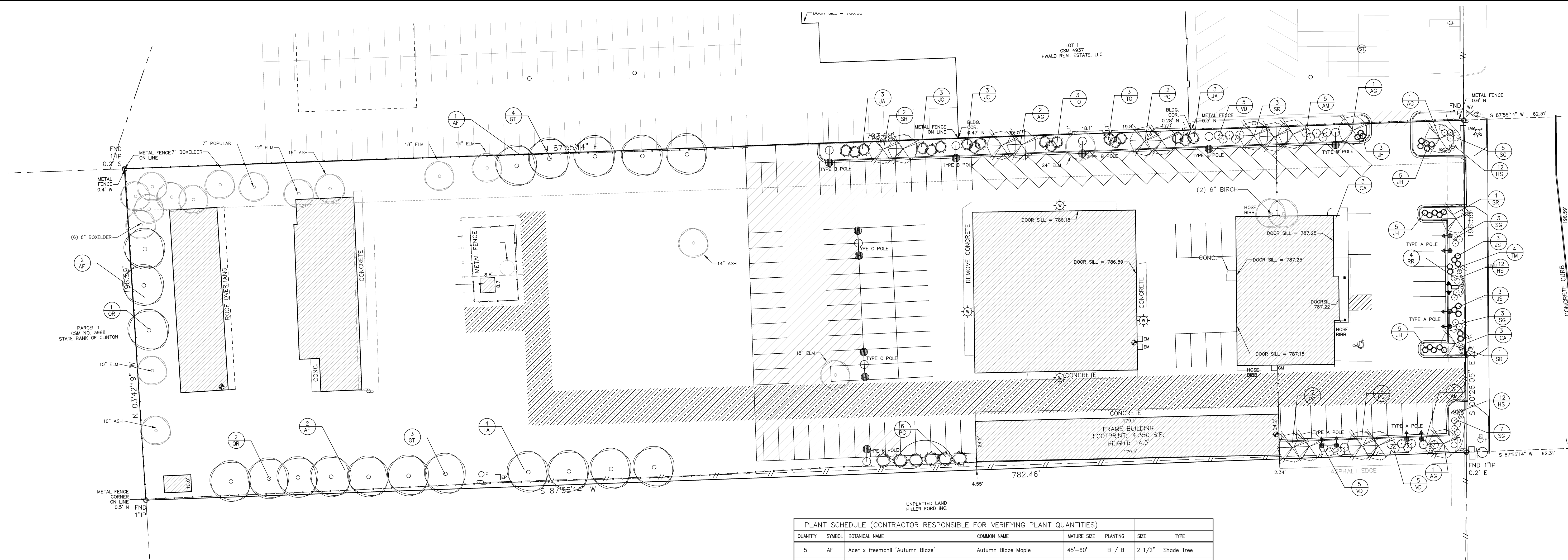


**GENERAL NOTES:**

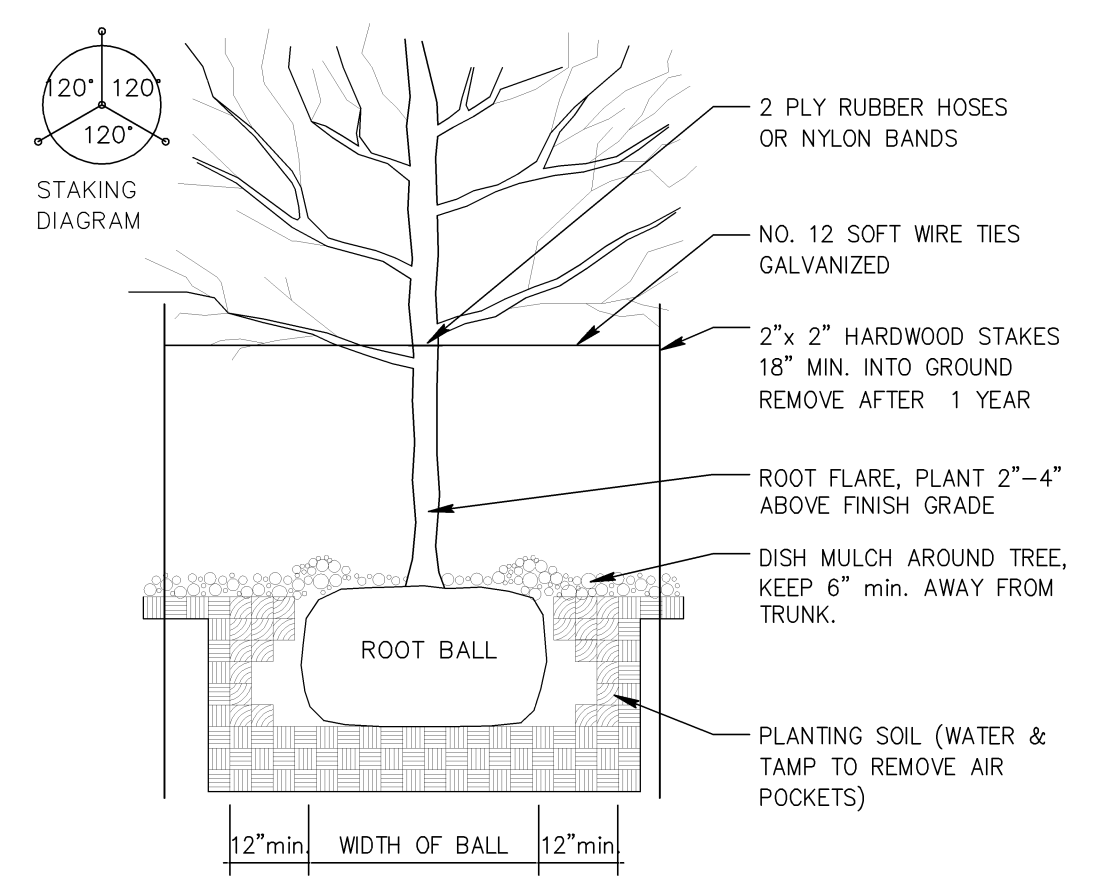
- 1.) ALL SPOT GRADES ARE FLOW LINE OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
- 2.) Storm Pipe- HDPE ASTM F 405  
RCP CLASS V ASTM C76

REVISIONS:		T&I ASSOCIATES, INC.				OWNERSHIP OF DOCUMENTS This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of T&I Associates, Inc., and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of T&I Associates, Inc.	
NOTE	DATE	All Rights Reserved					
REV.	5-20-20	N8 W22850 JOHNSON DRIVE, SUITE B4 WAUKESHA, WISCONSIN 53186 PHONE: 262-409-2530 FAX: 262-409-2531		T&I ASSOCIATES, INC.			
				ARCHITECTS & PLANNERS			
				CITY OF FRANKLIN, WI			
				EWALD TRUCK CENTER			
				SITE GRADING/DRAINAGE PLAN			

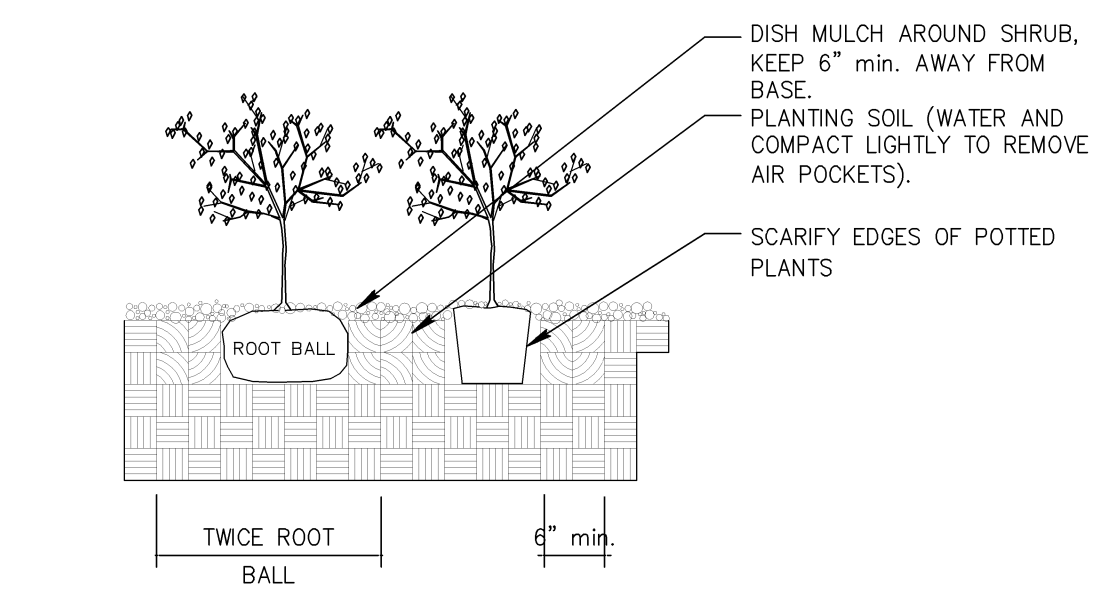




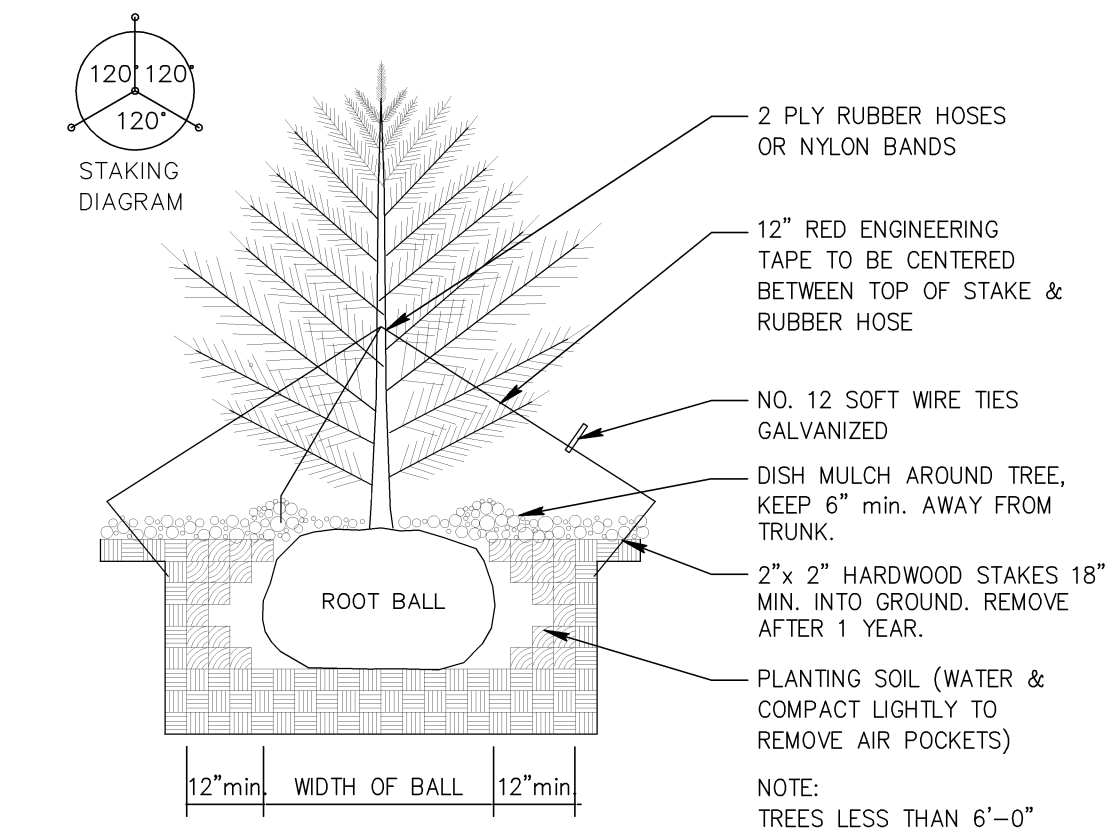
PLANT SCHEDULE (CONTRACTOR RESPONSIBLE FOR VERIFYING PLANT QUANTITIES)						
QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	MATURE SIZE	PLANTING	SIZE
5	AF	Acer x freemanii 'Autumn Blaze'	Autumn Blaze Maple	45'-60'	B / B	2 1/2"
7	GT	Gleditsia triacanthos 'Impcole'	Imperial Honeylocust	35'-40'	B / B	2 1/2"
3	QR	Quercus rubra	Red Oak	45'-60'	B / B	2 1/2"
4	TA	Tilia americana 'Redmond'	Redmond Linden(Basswood)	35'-40'	B / B	2 1/2"
5	AG	Amelanchier x grandiflora 'Princess Diana'	Princess Diana Serviceberry	20' x 15'	B / B	2"
6	PC	Pyrus calleryana 'Cleveland Select'	Cleveland Select Pear	25'-30'	B / B	2"
7	SR	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	15'-20'	B / B	2"
6	JA	Juniperus chinensis 'Ames'	Ames Upright Juniper	12' x 8'	B / B	4'
6	JC	Juniperus chinensis 'Iowa'	Iowa Upright Juniper	15' x 5'	B / B	5'
6	PG	Picea glauca densata	Black Hills Spruce	25' x 15'	B / B	6'
6	TO	Thuja occidentalis 'Techny'	Techny Arborvitae	20'-25'	B / B	5'
8	AM	Aronia melanocarpa 'Viking'	Viking Black Chokeberry	5'-6'	B / B	36"
4	RR	Rosa x 'Radtkepini'	Double Pink Knockout Rose	3'-4'	POT	18"
18	SG	Spiraea x 'Goldflame'	Goldflame Spiraea	3'-4'	POT	2 Gal
15	VD	Viburnum dentatum	Arrowwood Viburnum	4'-6'	B / B	36"
18	JH	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	1' x 4'	POT	2 Gal
6	JS	Juniperus sabina 'Broadmoor'	Broadmoor Juniper	2' x 4'	POT	5 Gal
4	TM	Taxus x media 'Runyan'	Runyan Yew	3' x 5'	POT	18"
6	CA	Calamagrostis acutiflora 'Karl Foerster'	Karl Foerster Grass	42"-48"	POT	1 Gal
36	HS	Hemerocallis x 'Stella D'oro'	Stella D'oro Daylily	18"-24"	POT	1 Gal



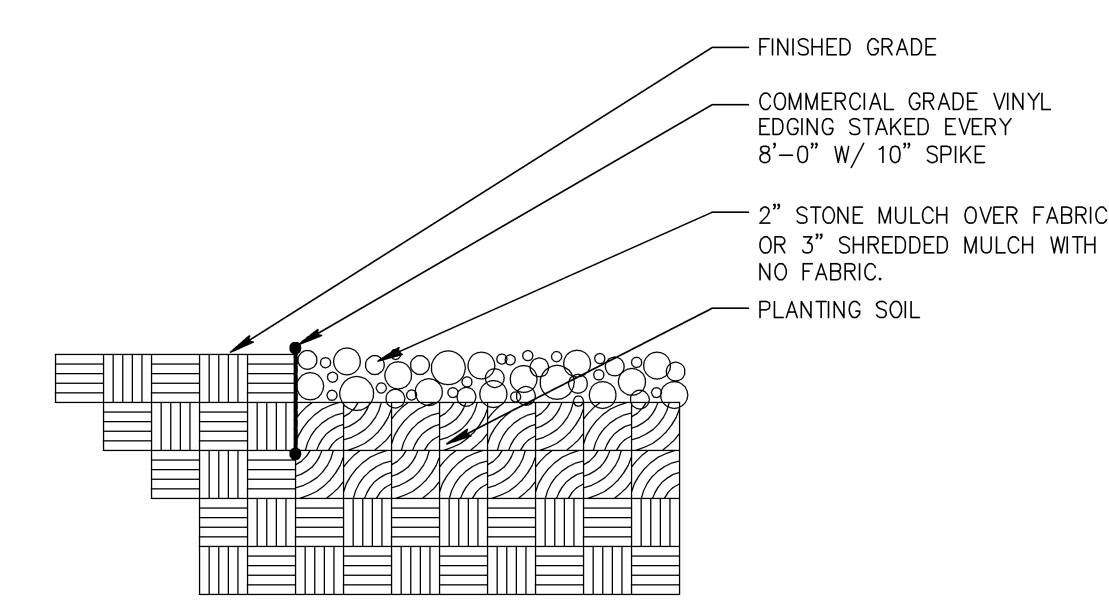
1 DECIDUOUS TREE  
N.T.S.



3 SHRUB PLANTING  
N.T.S.



2 CONIFEROUS TREE  
N.T.S.



4 PLANTING EDGE  
N.T.S.

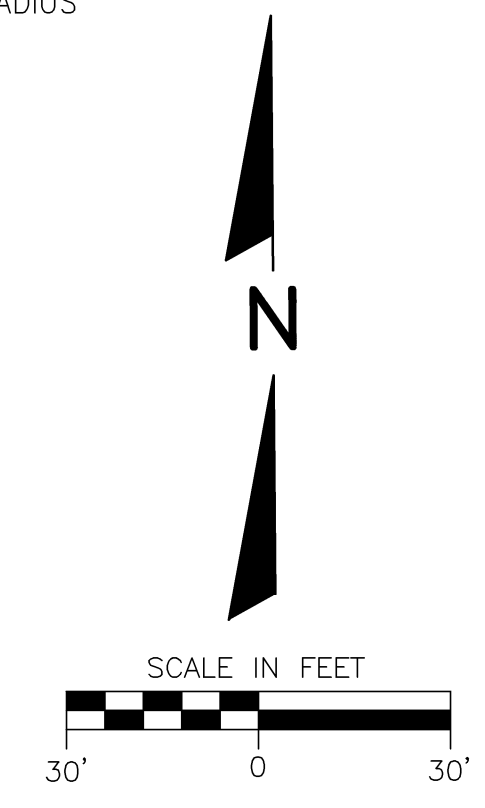
GENERAL NOTES:

- 1.) ALL FINISHED GRADES TO BE 1" BELOW TOP OF CURBS OR PAVEMENT.
- 2.) BACKFILL AND GRADE ALL PLANTING AREAS WITH MIN. 12" BLENDED TOPSOIL.
- 3.) ALL LAWN AREAS TO BE SEED UNLESS OTHERWISE NOTED.
- 4.) ALL PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARD FOR NURSERY STOCK.
- 5.) ALL TREES NOT IN A PLANTING BED SHALL BE MULCHED WITH A MINIMUM 1' RADIUS FOR EACH 1 INCH CALIPER. USE SHREDDED HARDWOOD MULCH AT 2" DEPTH.
- 6.) PROVIDE MIN. 2 YEAR WARRANTY ON ALL PLANT MATERIAL.
- 7.) ALL PLANTING BEDS TO BE EDGED WITH COMMERCIAL GRADE PLASTIC EDGING.
- 8.) ALL PLANTING BEDS TO BE MULCHED AT 2" DEPTH WITH HARWOOD MULCH
- 9.) HOSES RAN FROM BUILDING HOSE BIBS USED FOR PLANT MATERIAL IRRIGATION.

SEED MIX # 1 (Lawn)  
35% KENTUCKY BLUEGRASS  
20% CREEPING RED FESCUE  
20% IMPROVED HARD FESCUE  
25% IMPROVED FINE PERENNIAL RYEGRASS

APPLICATION RATE: 2lbs/1000 Sq. Ft. \*  
APPLY STRAW MULCH IMMEDIATELY AFTER SEEDING  
TURF STARTER FERTILIZER: 20-10-10  
APPLICATION RATE: 5lbs/1000 Sq. Ft.

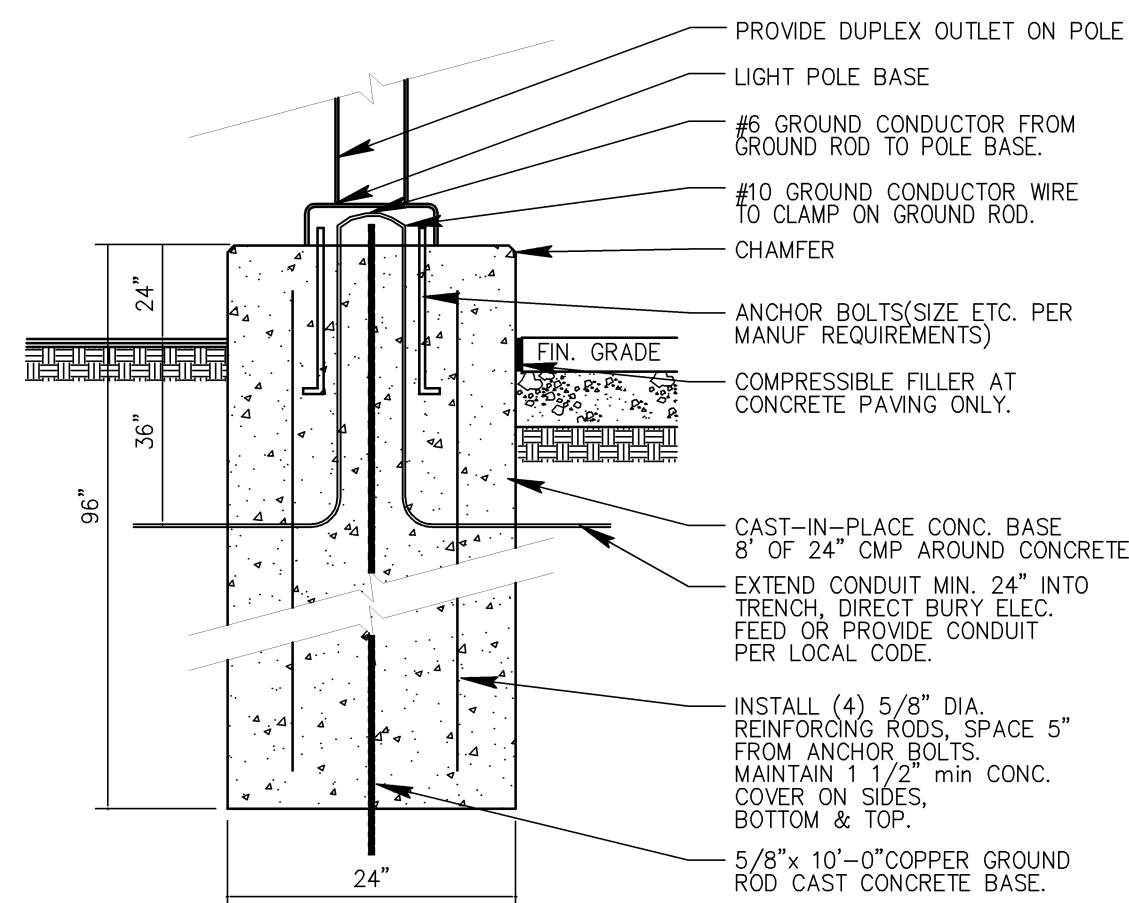
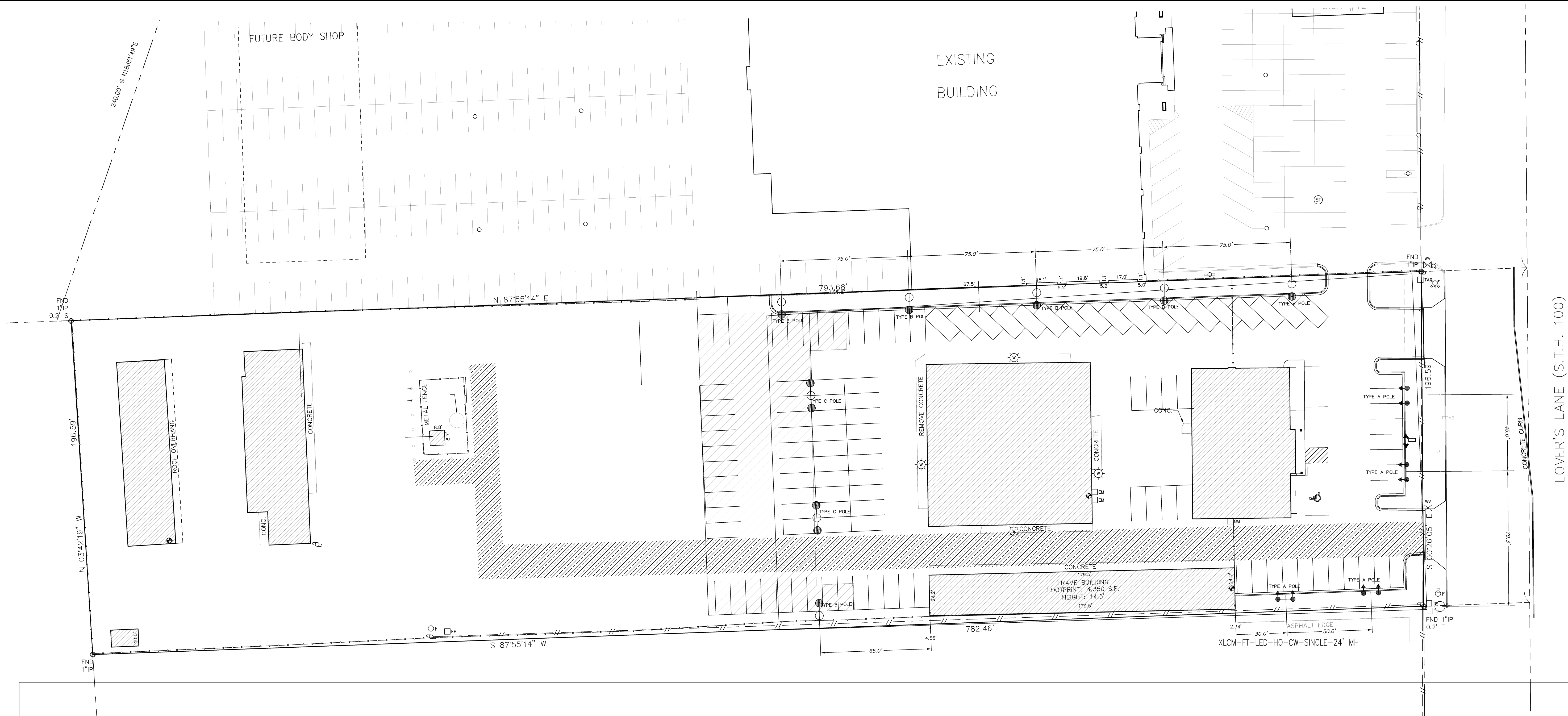
OWNER/DEVELOPER:  
CBDT ENTERPRISES  
6319 S. 108th Street  
Franklin, WI 53132



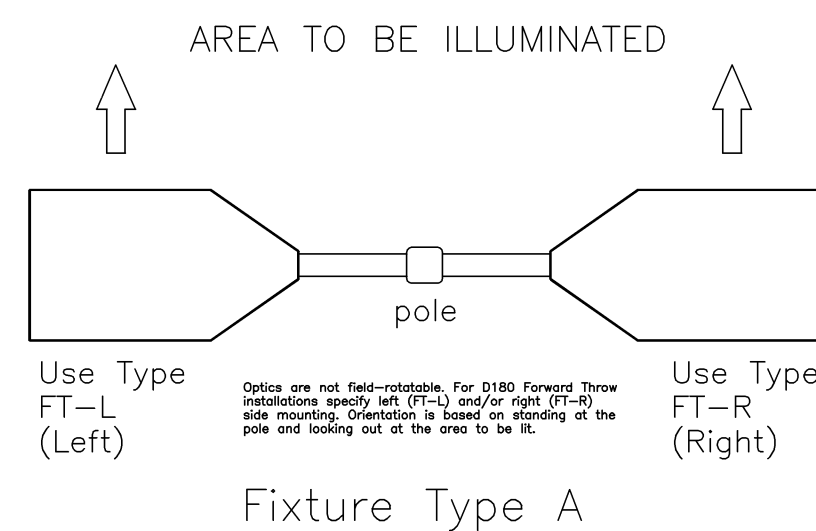
LANDSCAPE SURFACE RATIO = 0.47  
MINIMUM PLANTING CALCULATIONS  
113 STALLS / 5 = 23 OF EACH TYPE FOR COMMERCIAL USE.  
  
(15) DECIDUOUS TREES SAVED ON SITE FOR A CREDIT  
(19) SHADE TREES PROPOSED + 15 CREDIT = 34 = (10) EXTRA  
(24) EVERGREEN TREES PROPOSED  
(18) DECORATIVE TREES PROPOSED + 10 EXTRA SHADE TREES  
(23) PROPOSED SHRUBS AT 36" HEIGHT

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REV.	5-26-15	N8 W2280 JOHNSON DRIVE, SUITE B4			
REV.	8-5-15	WAUKESHA, WISCONSIN 53186			
		PHONE 262-409-2530			
		FAX 262-409-2531			
		T&I ASSOCIATES, INC.			
		ARCHITECTS, ENGINEERS, PLANNERS			
		CITY OF FRANKLIN, WI			
		EWALD TRUCK CENTER			
		SITE LANDSCAPE PLAN			
		6321 SOUTH 108TH STREET			
		SCALE: 1"= 30'-0"		JOB NO: 14-389.000	
		DESIGNED BY: ROB		DATE: 04-08-15	
		DRAWN BY: ROB		CHECKED BY:	
		APPROVED BY:			
		ENGINEER		DATE	
				SHEET	
				L-1.0	

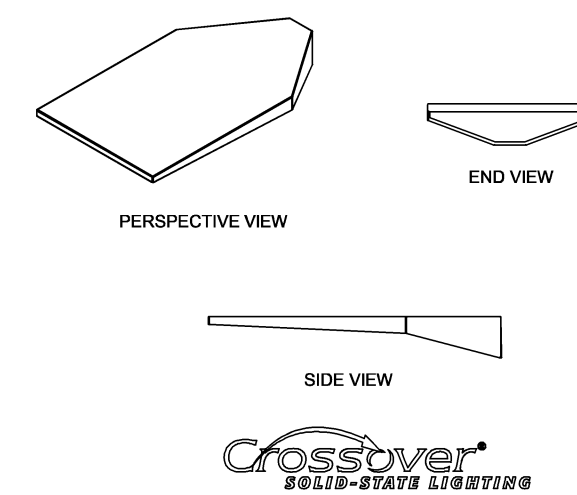




5 LIGHT POLE BASE  
N.T.S.



XLCM  
LED Crossover Area Light



Luminaire Schedule										
Symbol	Qty	Label	Arrangement	Manufacturer	Description	Mounting height	LLF	Lumens/Lamp	Arr. Lum. Lumens	Arr. Watts
	4	A	ROTATED OPTICS	LSI	XLCM-(1)FT-L(1)FT-R-LED-HO-CW-D180 ROT	24' MH	1.000	N.A.	61874	551.2
	6	B	SINGLE	LSI	XLCM-FT-LED-HO-CW-SINGLE	24' MH	1.000	N.A.	30937	275.6
	2	C	D180°	LSI	XLCM-S-LED-HO-CW-D180	24' MH	1.000	N.A.	62284	552.8

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts @ 4' ABOVE GRADE	Illuminance	Fc	2.30	56.9	0.0	N.A.	N.A.
BACK LOT	Illuminance	Fc	3.34	49.5	0.0	N.A.	N.A.
BACK LOT INTERIOR	Illuminance	Fc	3.77	49.5	0.0	N.A.	N.A.
FRONT LINE	Illuminance	Fc	31.26	56.9	11.9	2.63	4.78
NEW CAR PERIMETER ROW	Illuminance	Fc	9.53	23.1	3.2	2.98	7.22

REVISIONS:		TDI ASSOCIATES, INC. All Rights Reserved N8 W22850 JOHNSON DRIVE, SUITE B4 WAUKESHA, WISCONSIN 53186 PHONE 262-409-2530 FAX 262-409-2531		 TDI ASSOCIATES, INC. ARCHITECTS, ENGINEERS, PLANNERS	OWNERSHIP OF DOCUMENTS This document, and the ideas and design incorporated herein, as an instrument of professional service, is the sole property of TDI Associates, Inc., and is not to be used in whole or in part for any other project or purpose without the expressed written authorization of TDI Associates, Inc.
NOTE	DATE				
CITY OF FRANKLIN, WI HALE PARK TRUCK CENTER SITE LIGHTING PLAN					
SCALE: 1"= 30'-0"		JOB NO: 14-389.000		DATE: 5-15-15	
DESIGNED BY: REW		DRAWN BY: REW		CHECKED BY:	
APPROVED BY:		ENGINEER		DATE	
				SHEET E-1.1	



# 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

---

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

4<sup>th</sup> 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 queueing 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:

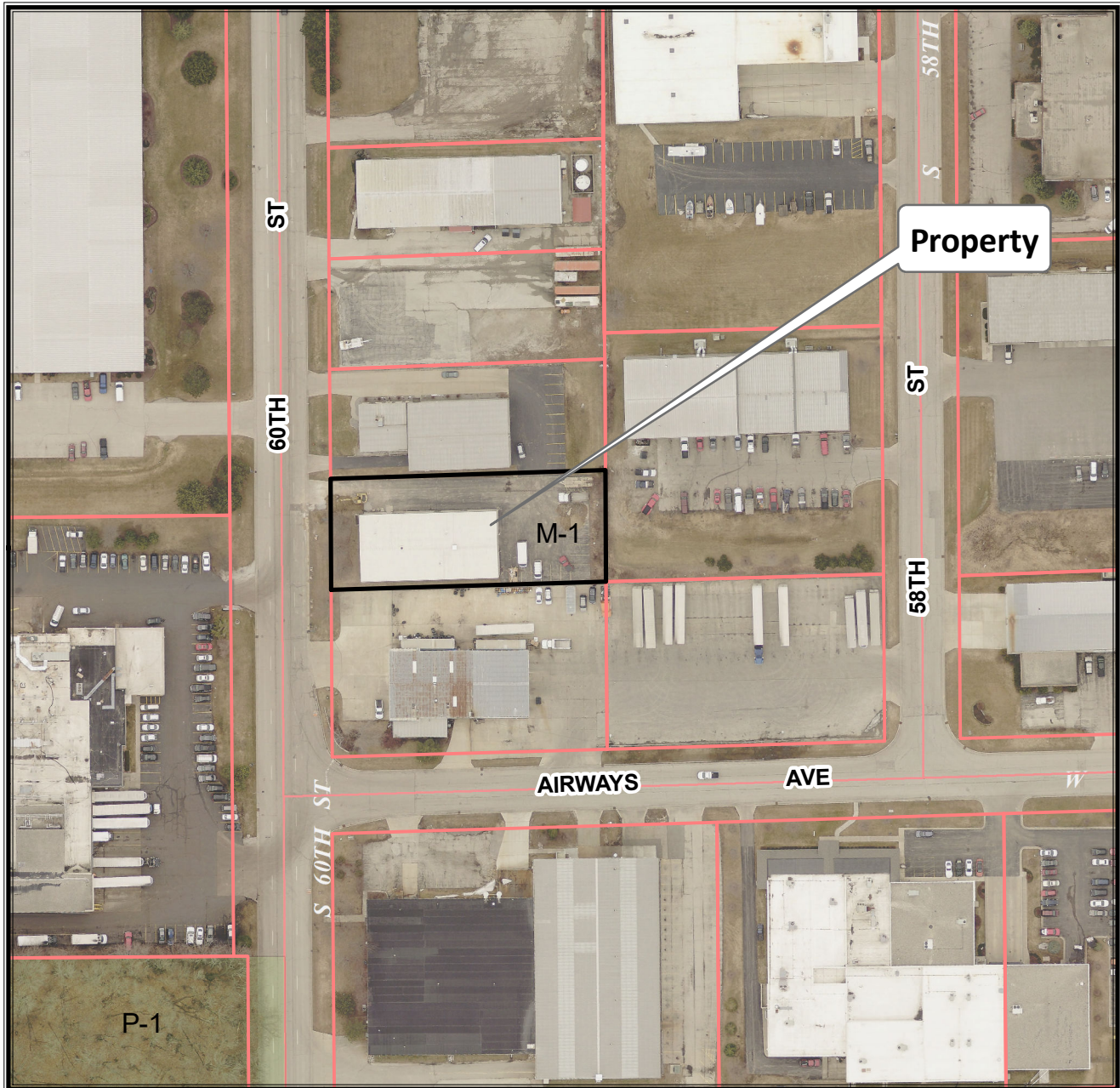
\_\_\_\_\_  
Stephen R. Olson, Chairman

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

9760 S. 60th Street  
TKN: 899 9993 004



Planning Department  
(414) 425-4024

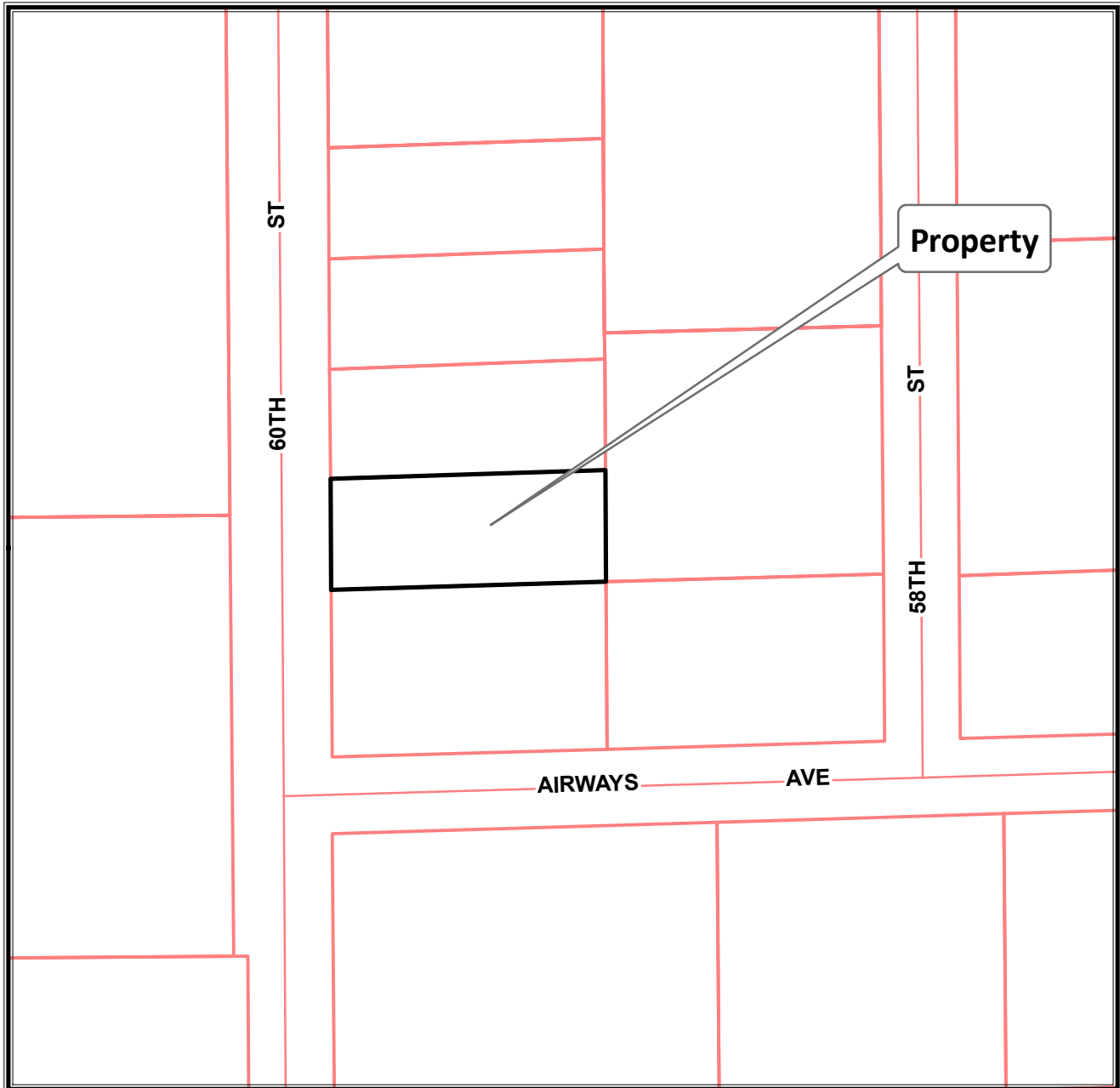
0 87.5 175 350 Feet

*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.*

  
**NORTH**  
2017 Aerial Photo



9760 S. 60th Street  
TKN: 899 9993 004



Planning Department  
(414) 425-4024

0 87.5 175 350 Feet

*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. 60<sup>th</sup> 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

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**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

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**From:** Pete Lakich / Condor <[pete@condor.aero](mailto:pete@condor.aero)>  
**Sent:** Wednesday, June 10, 2020 2:30 PM  
**To:** Calli Berg <[CBerg@franklinwi.gov](mailto:CBerg@franklinwi.gov)>  
**Cc:** David Affeldt <[David.Affeldt@affeldtlaw.com](mailto:David.Affeldt@affeldtlaw.com)>; Shari Hanneman <[SHanneman@franklinwi.gov](mailto:SHanneman@franklinwi.gov)>; Steve Olson <[Solson@franklinwi.gov](mailto: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](mailto:pete@condor.aero)  
9740 S. 60th Street | Franklin, WI 53132 | USA



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**From:** Calli Berg [mailto:[CBerg@franklinwi.gov](mailto:CBerg@franklinwi.gov)]  
**Sent:** Wednesday, June 10, 2020 9:47 AM  
**To:** David Affeldt  
**Cc:** Shari Hanneman; [pete@condor.aero](mailto: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](mailto:Bethany.Wenner@affeldtlaw.com)>  
**Sent:** Thursday, May 28, 2020 11:11 AM

**To:** Calli Berg <[CBerg@franklinwi.gov](mailto:CBerg@franklinwi.gov)>

**Cc:** Shari Hanneman <[SHanneman@franklinwi.gov](mailto:SHanneman@franklinwi.gov)>; David Affeldt <[David.Affeldt@affeldtlaw.com](mailto:David.Affeldt@affeldtlaw.com)>; [pete@condor.aero](mailto: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

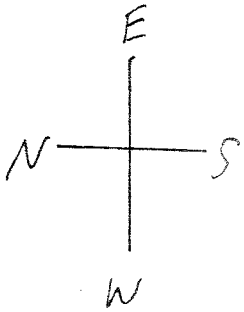
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ABR  
PARKING  
LOT

CONDOR  
PARKING

DRIVEWAY

CONDOR  
9740

LOADING  
↑  
DOCK

FENCE  
25 FT

ASKREN  
PARKING  
LOT

ASKREN  
9760

South 60<sup>th</sup> 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.