

MEMORANDUM

Date: October 8, 2020
To: Plan Commission
From: Department of City Development
RE: Straus Brands, LLC meat processing facility.
Revisions to conditions of approval.

The applicant's agent has requested to change the hours of operation per e-mail communication dated October 7.

Revision to condition #4 as requested by the applicant:

- *Hours of livestock delivery shall be between the hours of 1:00 AM to 1:00 PM, Monday thru Friday, unless unforeseen conditions occur. Hours of operation for the harvest area shall be from 5:00 AM to 6:00 PM, Monday thru Friday. These conditions shall not apply to fabrication, grinding, maintenance, cleaning, and administrative activities which can operate 24 hours per day, Monday thru Saturday.*

With regards to the areas reserved for future improvements, such as building additions, future parking and driveways, a site plan amendment shall be required for such improvements but not a special use amendment.

Revision to condition #12:

- *A site plan amendment shall be required for the future building expansion areas, future truck maintenance facility, future parking and future driveways.*

Based on concerns regarding the risk of obnoxious odors off the premise, City Development staff recommends the changes below to the conditions of approval:

Revision to condition #19:

- *The cattle barns and harvest areas shall be ventilated to dissipate odors. Trucks and trailers used to remove remainder animal wastes shall be loaded in enclosed dock areas to reduce spread of odors.*

Addition of condition #20:

- *In the event of obnoxious odors detected off the premise, the Department of City Development shall immediately notify the operator and the federal or state inspector assigned to the facility.*

It is noted that there is no record of complaints associated with the existing Strauss facility located at 9775 S 60th Street (TKN 898-9997-004).

Régulo Martínez-Montilva, AICP
Principal Planner - Department of City Development

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR
THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY
USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE
INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE
(LOT 83 OF RYAN MEADOWS SUBDIVISION)
(STRAUSS BRANDS LLC, APPLICANT)

WHEREAS, Strauss Brands 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. 2011 "Meat Packing Plants" to allow for construction of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, which will include cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces, upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision, approximately 30.2 acres), bearing Tax Key No. 891-1083-000, more particularly described as follows:

Parts of Lot 1 and Outlot 1, of Certified Survey Map No. 9095 as recorded in the register of deeds office for Milwaukee County as Document No. 10830741, being a part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the southwest corner of the Northwest 1/4 of said Section 30; thence South 89°39'32" East along the south line of said Northwest 1/4, 1345.74 feet to the southwest corner of Lot 1 Certified Survey Map No. 9095 and the Point of Beginning; Thence North 00°34'12" West, along the west line of said Lot 1, 1523.10 feet to the southerly line of said right-of-way of West Loomis Road; thence North 79°00'41" East along the southerly line of said right-of-way, 156.97 feet; thence North 75°45'51" East along the southerly line of said right-of-way, 215.80 feet to a point of curvature; thence northeasterly along the southerly line of said right-of-way, 30.51 feet along the arc of said curve to the left, whose radius is 1979.86 feet and whose chord bears North 75°19'22" East, 30.51 feet; thence South 29°08'47" East, 22.47 feet; thence South 16°09'38" East, 83.27 feet to a point of curvature; thence southeasterly 198.68 feet along the arc of said curve to the left, whose radius is 265.00 feet and whose chord bears South 37°38'23" East, 194.06 feet; thence South 59°07'06" East, 356.12 feet to a point of curvature; thence southeasterly 170.14 feet along the arc of

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said curve to the right, whose radius is 190.00 feet and whose chord bears South 33°27'51" East, 164.52 feet; thence South 07°48'36" East, 543.63 feet to a point of curvature; thence southwesterly 128.99 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 11°38'18" West, 126.52 feet; thence South 31°05'13" West, 282.33 feet to a point of curvature; thence southwesterly 75.12 feet along said curve to the right, whose radius is 190.00 feet and whose chord bears South 42°24'51" West, 74.64 feet; thence South 53°44'29" West, 143.69 feet to the south line of said Northwest 1/4; thence North 89°39'32" West along said south line, 662.99 feet to the Point of Beginning. Containing 1,316,168 square feet (30.2151 acres) of land, more or less; 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 17th day of September, 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 the City of Franklin, Wisconsin, that the petition of Strauss Brands 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 Strauss Brands LLC, successors and assigns, as a meat processing facility use, which shall be developed in substantial compliance with, and operated and maintained by Strauss Brands LLC, pursuant to those plans City file-stamped September 28, 2020 and annexed hereto and incorporated herein as Exhibit A.

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2. Strauss Brands 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 Strauss Brands LLC meat processing 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 Strauss Brands LLC and the meat processing facility use for the property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision): (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. **[Revised]** Hours of livestock delivery shall be between the hours of 1:00 AM to 1:00 PM, Monday thru Friday, unless unforeseen conditions occur. Hours of operation for the harvest area shall be from 5:00 AM to 6:00 PM, Monday thru Friday. These conditions shall not apply to fabrication, grinding, maintenance, cleaning, and administrative activities which can operate 24 hours per day, Monday thru Saturday.
5. No outside storage of supplies and/or equipment shall be permitted.
6. No livestock shall be kept outside the buildings.
7. No livestock shall be kept on the premise overnight except when requested by state or federal inspector.
8. A maximum of 14 empty livestock trucks shall be permitted to park on the premise overnight.
9. No livestock trucks shall be washed or cleaned on the premise.
10. All processing waste shall be removed from the premise daily.
11. Removal of snow from private parking lots, walks and access drives shall be the responsibility of the owner.
12. **[Revised]** A site plan amendment shall be required for the future building expansion areas, future truck maintenance facility, future parking and future driveways.

13. This Special Use is not approving any signs, signage requires a separate permit from the Inspection Services Department prior to installation.
14. The applicant shall prepare conservation easements for all protected natural resource features for staff review and Common Council approval, and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.
15. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.
16. The minimum required off-street parking is 280 parking stalls.
17. The maximum driveway width is 28 feet for the employee parking lot and 48 feet for the truck entrance.
18. The maximum height is 8 feet for chain link fences and 10 feet for masonry walls, measured from grade.
19. **[Revised]** The cattle barns and harvest areas shall be ventilated to dissipate odors. Trucks and trailers used to remove remainder animal wastes shall be loaded in enclosed dock areas to reduce spread of odors.
20. **[New]** In the event of obnoxious odors detected off the premise, the Department of City Development shall immediately notify the operator and the federal or state inspector assigned to the facility.

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

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

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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 a building 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 _____

Franklin Health Department

Memorandum

To: Planning Department

Date: October 7, 2020

RE: Strauss Brand and COVID-19

From: Courtney Day, RN, BSN - Director Health and Human Services

This memo is in response to questions and concerns raised by City staff and residents regarding cases of COVID-19 and Strauss Brands. Franklin Health Department (FHD) has had a working relationship with the company since the beginning of the pandemic in March and that relationship continues to this day. We have provided technical assistance to questions and helped in the development of their COVID-19 safety plan which is based on the [CDC guidelines](#) for Meat and Poultry Processing Employers.

The CDC Guidelines referenced in the Strauss Policy were first published on the CDC website on April 25, 2020 and were immediately adopted into the Strauss COVID-19 plan. As physical distancing cannot be accommodated for certain roles, these guidelines outline protocols to protect workers when working within 6 feet of another individual. Their plans also go above the CDC recommendations by including a more robust screening checklist for all employees before they enter the facility each day. The COVID-19 Safety Plan has also been shared in part, with permission by Strauss, with other Franklin manufacturing facilities that were struggling to develop their own plans.

While there have been positive cases tied to individuals that work at Strauss Brands, it is the internal policy of the Franklin Health Department to not divulge the number of individuals that may have tested positive at a business within our jurisdiction to the public. Disclosure of this information is up to the business itself. The contact tracing follow-up for individuals that test positive is conducted by the Health Department where that individual resides, and since no Franklin residents were involved in the positive cases, it is unknown if these cases contracted COVID-19 as a result of working at Strauss Brands or from other community spread sources since we do not have that information.

Based on continued conversations and collaboration with Strauss management, human resources, occupational health, as well as the review of their COVID-19 safety plan, we believe Strauss Brands is doing all they can to prevent spread of COVID in their facility.

FROM CABINS TO CONDOS

*The History of
Franklin, Wisconsin
Since 1834*



Published by the Franklin Historical Society

The Airports of Franklin

Rainbow Airport started around 1955 and closed in 1994. It was operated by Ed Radiske and his son, Leon Radiske. The reason the airport closed was that the lease with Milwaukee County was not renewed, due to the land being considered a flood plain along the Root River. The runway, parking lot and one hanger remain there. The airport was located on S. 76th Street, south of Highway 00. Leon gave flying lessons there.

In the 1960s, Leonard Benning (deceased), while employed as an auto mechanic at Loomis Center Garage, had a plane at Rainbow and flew sky divers. He would take them up to 10,000 feet and have them jump out. One of his tricks was to beat them back to the airport with the plane.

Bob Lesser, of Bob Lesser Grading, had a plane at Rainbow, as did Bob Kramer. Both men are deceased. Bob Kramer flew with a crew on a B-17 during World War II. He also was a certified aircraft mechanic at Rainbow Airport.

Hales Corners Airport, on Highway 100 and College Avenue in Franklin, operated from 1946 to approximately 1962. Ervin Tretow attended an air show there in 1950. A wing-walker from Illinois fell into Whitnall Park. That was the end of the show.

Duane Sweeney, flagman for Hales Corners Raceway (also a Franklin property) and the Indianapolis 500, flew into Hales Corners Airport to flag races on Saturday nights.

The Tretow Family Band played a couple of Halloween parties in a hanger at Hales Corners Airport in the early 1950s.

The Experimental Aircraft Association (EAA) had its headquarters in Franklin, on Highway 00 for many years, before moving to Oshkosh, Wisconsin.

*Paul Poberezny
at the
Experimental
Aircraft
Association Air
Museum.*



Strauss Veal & Lamb

Strauss Veal & Lamb, the Franklin-based company known for its superior quality veal and lamb, is a third-generation company founded in 1937, in Wisconsin by Milton Strauss, and later built by his son Richard Strauss. The company has now grown through careful management and acquisition at the hands of grandsons Randy and Tim Strauss. Strauss Veal & Lamb serves US and global supermarkets and retailers; cruise lines and airlines;

hotels and resorts; restaurants and country clubs; health care facilities and caterers.

Strauss joined the Franklin Industrial Park in January 1972 and by 2002, the company had sales of \$55 million. With the purchase of Chicago-area Swissland Packing, company sales jumped from \$100 million to \$140 million. As explained by co-president and CEO Randy Strauss, "With this acquisition, we're moving Swissland operations to the Strauss facility

Illustration of Strauss Veal and Lamb Corporate Headquarters.



in Franklin, but will maintain a sales office in the Chicago area, giving us offices in Philadelphia, Dallas and Chicago for optimal support.”

Part of Strauss’ impressive growth is caused by its ability to meet increased demand for deeper product offerings. In

November 2005, Strauss acquired Food-tech, an \$8 million, Texas-based importer of New Zealand and Australian lamb, New Zealand and Australian beef, and New Zealand Cervina venison.

As a result of the unprecedented growth seen over the last three years, Strauss has invested over \$4 million in improvements to the Franklin plant, making it a state of the art facility and a model of quality assurance and food safety that operates 24 hours a day. Strauss has also invested heavily in a research division that is perfecting animal husbandry practices, including free range production.

Another result of growth doubling in three years has been aggressive hiring. Eighty employees in 2001 has increased to 225 with the latest acquisitions. Two recent additions to the team are A. J. Follenweider and his brother David Follenweider, former owners of Swissland.

Tri-Town News

In 1949, Phil Nickerson, Sr. bought the Tri-Town News, in Hales Corners, from Carl Johnson. The office was located where the entrance to the new shopping area, near the Starbucks coffee shop.

Phil Nickerson, Sr. had sold advertising and when he went to see Mr. Johnson with some advertising ideas, Carl sold him the newspaper! Soon afterward, Phil moved his family to a home on Church Street in Franklin.

Phil Sr. printed all the local news for Muskego and Big Bend. Ester Fockler, of Franklin, was his source for news of the area. Ester, along with several other writers, wrote their articles and brought them into the office to be included in the weekly paper. They were paid so much “per line,” for their efforts. Phil kept his eye on the progress and development of the Town, and eventually, City of Franklin. He saw that the people of the area were kept well informed as the city grew. The paper

became the official paper for Franklin, which meant that all Office Notices and Minutes of all recorded meetings were printed in the paper, the same as they are in the HUB today.

During the summer, Phil would sail his boat on Lake Michigan and, in the winter, he would play hockey with the boys at the Whitnall Park lagoon for relaxation. He organized Sock Hops at the Hales Corners grade school on Janesville Road, for the kids in the area, too.

In 1960, Phil Sr. died of cancer at the young age of 48. Harriet Nickerson, Phil’s wife, sold the paper to the South Milwaukee Voice Journal. After several changes, the paper is known today as the Hub.

His son, Phil Nickerson, still lives in the area and owns an insurance agency in Franklin. His other son, Walter, owns and operates a printing brokerage in Wauwatosa. Tim Nickerson, the third boy, is married and living in Las Vegas.