

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, AUGUST 17, 2017, 7:00 P.M.

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

B. **Approval of Minutes**

1. Approval of regular meeting of August 3, 2017.

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

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

1. **CREATIVE HOMES, INC. SINGLE-FAMILY RESIDENTIAL SUBDIVISION DEVELOPMENT.** Rezoning application by Rick J. Przybyla, President of Creative Homes, Inc., to rezone the property located at 7543 South North Cape Road (approximately 18.35 acres) from R- 2 Estate Single-Family Residence District to R- 3 Suburban/Estate Single-Family Residence District to allow for a single-family residential subdivision development which includes a cul-de-sac with 26 lots ranging in size from 20,378 square feet to 31,605 square feet; Tax Key No. 797-9946-000. [THE PUBLIC HEARING WAS HELD AT THE PLAN COMMISSION MEETING ON JULY 20, 2017. SUBJECT MATTER CONTINUED FROM THE JULY 20, 2017 MEETING.]
2. **AMERICAN TRANSMISSION COMPANY LLC TEMPORARY CONSTRUCTION LAYDOWN YARD PROJECT.** Temporary Use application by American Transmission Company LLC, for a construction laydown yard located within the parking lot of the former golf dome property, for the purpose of upgrading electric transmission communication facilities from the Oak Creek substation to the St. Martins substation in the City of Franklin, from September 1, 2017 through November 29, 2017 (90 days), property located at 11027 South 27th Street and South County Line Road, zoned Planned Development District No. 39 (Mixed-Use Business Park); Tax Key No. 978-9998-000.
3. **JAMES RICHEY LAND COMBINATION.** Land Combination application by James Richey, for combining two adjacent parcels into one parcel on South 68th Street south of Root River Drive and west of Hillside Drive, specifically, at 7236 South 68th Street (approximately 0.95 acres, developed for a single-family residential use) and 7232 South 68th Street (approximately 0.54 acres of vacant land), for construction of a detached garage on a portion of the vacant parcel, property zoned R-6 Suburban Single-Family Residence District; Tax Key Nos. 757-9990-001 and 757-9989-000.

Franklin Plan Commission Agenda

8/17/17

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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: September 7, 2017

**City of Franklin
Plan Commission Meeting
August 3, 2017
Minutes**

Unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the August 3, 2017 regular Plan Commission meeting to order at 7:00 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Commissioners Patricia Hogan, Kevin Haley and David Fowler, Alderman Mark Dandrea and Assistant City Engineer Sara Arnold. Excused was Commissioner Patrick Leon. Also present was Planning Manager Joel Dietl and Associate Planner Orrin Sumwalt.

B. Approval of Minutes

1. Regular Meeting of July 20, 2017.

Commissioner Hogan moved and Commissioner Haley seconded approval of the July 20, 2017 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (5-0-1).

C.1. MILLS HOTEL WYOMING, LLC SINGLE-FAMILY RESIDENTIAL DEVELOPMENT.

Rezoning and Comprehensive Master Plan Amendment applications by Mills Hotel Wyoming, LLC, to rezone the C-1 Conservancy District portion of land located upon Lots 1, 2 and 3 of Certified Survey Map No. 8907, located at 11906 and 11908 West Loomis Road, to R-8 Multiple-Family Residence District and to amend the Future Land Use Map designation of Lot 3 of Certified Survey Map No. 8907 from Areas of Natural Resource Features Use and Water Use to Residential Use and Areas of Natural Resource Features Use and Water Use; Tax Key No. 891-9989-001.

Planning Manager Joel Dietl presented the request by Mills Hotel Wyoming, LLC, to rezone the C-1 Conservancy District portion of land located upon Lots 1, 2 and 3 of Certified Survey Map No. 8907, located at 11906 and 11908 West Loomis Road, to R-8 Multiple-Family Residence District and to amend the Future Land Use Map designation of Lot 3 of Certified Survey Map No. 8907 from Areas of Natural Resource Features Use and Water Use to Residential Use and Areas of Natural Resource Features Use and Water Use.

The Official Notice of Public Hearing was read into the record by Associate Planner Sumwalt and the Public Hearing was opened at 7:04 p.m. and closed at 7:11 p.m..

Commissioner Fowler moved and Commissioner Haley seconded a motion to recommend approval of an ordinance to amend the Unified Development Ordinance (zoning map) to rezone the C-1 Conservancy District portion of land located upon Lots 1, 2 and 3 of Certified Survey Map No. 8907, located at 11906 and 11908 West Loomis Road, to R-8 Multiple-Family Residence District (approximately 3.7271 acres (tax key No. 891-9989-001)). On voice vote, all voted 'aye'. Motion carried (5-0-1).

Commissioner Fowler moved and Commissioner Haley

seconded a motion to approve a Resolution recommending the adoption of an Ordinance to amend the City of Franklin 2015 Comprehensive Master Plan to change the City of Franklin 20125 Future Land Use Map for property located at 11906 and 11908 West Loomis Road from areas of Natural Resource Features Use and Water Use to Residential use, areas of Natural Resource Features Use and Water Use, pursuant to WIS. STAT. § 66.1001(4)(b). On voice vote, all voted 'aye'. Motion carried (5-0-1).

C.2. ZENA’S COCINA LLC; “DIRECT SELLING ESTABLISHMENTS” USE. Special Use application by Corrine Roszina, owner/operator of Zena’s Cocina LLC, to operate a commercial kitchen/home base for a food truck business use upon the Creative Wood Products, Inc. property zoned M-1 Limited Industrial District, located at 9710-9720 South 58th Street; Tax Key No. 899-9990-034.

Planning Manager Joel Dietl presented the request by Corrine Roszina, owner/operator of Zena’s Cocina LLC, to operate a commercial kitchen/home base for a food truck business use upon the Creative Wood Products, Inc. property zoned M-1 Limited Industrial District, located at 9710-9720 South 58th Street; Tax Key No. 899-9990-034.

The Official Notice of Public Hearing was read into the record by Associate Planner Sumwalt and the Public Hearing was opened at 7:15 p.m. and closed at 7:16 p.m..

Commissioner Hogan moved and Commissioner Fowler seconded a motion to recommend approval of a Resolution imposing conditions and restriction for the approval of a Special Use for a commercial kitchen/home base for a food truck business use upon The Creative Wood Products, Inc. property located at 9710-9720 South 58th Street subject to the food truck being parked on the portion of pavement in the south parking lot behind the building, to screen the food truck from the view of the South 58th Street right-of-way. On voice vote, all voted 'aye'. Motion carried (5-0-1).

D. Business Matters

1. NEUMANN DEVELOPMENTS, INC. PARK CIRCLE DUPLEX SINGLE- FAMILY CONDOMINIUMS DEVELOPMENT. Certified Survey Map and Condominium Plat applications by Neumann Developments, Inc., to create three lots from two existing lots (Lot 1 is approximately 4.65 acres, Lot 2 is approximately 2.36 acres and Lot 3 is 7.25 acres) for the Park Circle Condominiums development (total development includes 54 duplex single-family condominiums; the plat includes

Planning Manager Joel Dietl presented the request by Neumann Developments, Inc., to create three lots from two existing lots (Lot 1 is approximately 4.65 acres, Lot 2 is approximately 2.36 acres and Lot 3 is 7.25 acres) for the Park Circle Condominiums development (total development includes 54 duplex single-family condominiums; the plat includes three building pads for three 2-unit condominiums, the remainder of the properties being expansion lands), located at approximately 9733 South 76th Street, property zoned R-8 Multiple-Family Residence District; Tax Key Nos. 896-9999-007 and 896-9999-008. [The Certified Survey Map will also dedicate rights-of-way for future roads, including West Park Circle Way, West Park Circle and half of the right-of-way of South 80th Street.]

three building pads for three 2-unit condominiums, the remainder of the properties being expansion lands), located at approximately 9733 South 76th Street, property zoned R-8 Multiple-Family Residence District; Tax Key Nos. 896-9999-007 and 896-9999-008. [The Certified Survey Map will also dedicate rights-of-way for future roads, including West Park Circle Way, West Park Circle and half of the right-of-way of South 80th Street.]

Commissioner Haley moved and Commissioner Fowler seconded a motion to recommend approval of a Resolution conditionally approving a 3 lot Certified Survey Map, being that part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin and including the dedication of rights-of-way for future roads, including West Park Circle Way and West Park Circle and the reservation of half of the right-of-way of South 80th Street, and subject to addition of the wetland setback to the conservation easement (approximately 9733 South 76th Street). On voice vote, all voted 'aye'. Motion carried (5-0-1).

Commissioner Hogan moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution conditionally approving a Condominium Plat for Park Circle Condominiums at approximately 9733 South 76th Street. On voice vote, all voted 'aye'. Motion carried (5-0-1).

2. CROATIAN EAGLES SOCCER CLUB FUTSAL COURTS

CONSTRUCTION. Site Plan Amendment application by Croatian Eagles Soccer Club, for construction of two futsal (variant of United States soccer (English football)) courts occupying a 100 foot by 130 foot (13,000 square feet) area, extending partly over an existing gravel surface and partly over existing lawn at the northeast corner of the Croatian Eagles Soccer Club property located at 9100 South 76th Street, property zoned P-1 Park District and C-1 Conservancy District; Tax Key No. 884-9995-000.

Planning Manager Joel Dietl presented the request by Croatian Eagles Soccer Club, for construction of two futsal (variant of United States soccer (English football)) courts occupying a 100 foot by 130 foot (13,000 square feet) area, extending partly over an existing gravel surface and partly over existing lawn at the northeast corner of the Croatian Eagles Soccer Club property located at 9100 South 76th Street, property zoned P-1 Park District and C-1 Conservancy District; Tax Key No. 884-9995-000.

Commissioner Hogan moved and Alderman Dandrea seconded a motion to recommend approval of a Resolution amending the Site Plan for property located at 9100 South 76th Street to allow for construction of three futsal courts at the northeast corner of the existing Croatian Eagles Soccer Club property (tax key No. 884-9995-000). On voice vote, all voted 'aye'. Motion carried (5-0-1).

3. DAVID GUDGEON AND JAMES L. LOUDON LAND DIVISION OF PORTIONS OF 2 LOTS INTO 1 LOT.

Certified Survey Map application by David Gudgeon, to create a third developable lot from the rear of two existing properties located at 7270 South 51st Street (David Gudgeon property owner) and 5050 West Minnesota Avenue (James L. Loudon

Planning Manager Joel Dietl presented the request by David Gudgeon, to create a third developable lot from the rear of two existing properties located at 7270 South 51st Street (David Gudgeon property owner) and 5050 West Minnesota Avenue (James L. Loudon Property owner), properties zoned R-6 Suburban Single-Family Residence District; Tax Key Nos. 759-0025-000 and 759-0024-000. [The proposed newly created lot would have frontage on West Minnesota Avenue.]

Property owner), properties zoned R-6 Suburban Single-Family Residence District; Tax Key Nos. 759-0025-000 and 759-0024-000. [The proposed newly created lot would have frontage on West Minnesota Avenue.]

Commissioner Haley moved and Commissioner Fowler seconded a motion to recommend denial of a Resolution conditionally approving a portions of 2 lots into 1 lot Certified Survey Map, being Lot 8, Block 3, in Smolen's Rawson Manor No. 2 and the east twenty five feet of the vacated service road adjoining on the west, in the Northeast 1/4 of Section 11, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (7270 South 51st Street and 5050 West Minnesota Avenue). On voice vote, all voted 'aye'. Motion carried (5-0-1).

E. Adjournment

Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of August 3, 2017 at 7:47 p.m. All voted 'aye'; motion carried. (5-0-1).



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of August 17, 2017

Rezoning

RECOMMENDATION: Department of City Development staff recommends approval of the Rezoning Application, subject to the conditions set forth in the attached draft ordinance.

Project Name:	Creative Homes Rezoning
Project Location:	7543 South North Cape Road
Property Owner:	Richard Witt, Kathleen Witt and Carol Hanson
Applicant:	Creative Homes, Inc.
Agent:	Rick Przybyla, Creative Homes, Inc.
Current Zoning:	R-2 Estate Single-Family Residence District
2025 Comprehensive Plan:	Residential and Areas of Natural Resource Features
Use of Surrounding Properties:	Single-family residential to the north and south, single-family residential and commercial to the east and City of Muskego to the west
Applicant's Action Requested:	Approval of the Rezoning for future residential development

Introduction

At the July 20, 2017 meeting, the Plan Commission passed a motion to postpone action on this item to the August 17th Plan Commission meeting. The application materials for this meeting were distributed with the July 20, 2017 Plan Commission packets and should be utilized for this meeting as well.

Attached are two letters that staff received from Franklin residents regarding this item. No new or supplemental information has been received from the applicant.

Staff Recommendation

Department of City Development staff recommends approval of the Rezoning Application, subject to the conditions set forth in the attached draft ordinance.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 7-5-17]

ORDINANCE NO. 2017-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL
OF LAND FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO
R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT
(7543 SOUTH NORTH CAPE ROAD)
(APPROXIMATELY 18.35 ACRES)
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having petitioned for the rezoning of a certain parcel of land from R-2 Estate Single-Family Residence District to R-3 Suburban/Estate Single-Family Residence District, such land being located at 7543 South North Cape Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 20th day of July, 2017, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from R-2 Estate Single-Family Residence District to R-3 Suburban/Estate Single-Family Residence District:

That part of the Southwest quarter of Section 7, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the Northwest corner of said 1/4 Section; thence South on the West line of said 1/4 Section 7.22 chains (476.52 feet); thence East 23.67 chains (1562.22 feet) more or less to the middle of the Milwaukee Road; thence Northeasterly

along the middle of said road to its intersection with the middle line of the Harrisburgh Road; thence Northwesterly along the middle of said last named road to the North line of said 1/4 Section; thence West along North line of said 1/4 Section to the place of beginning; which said premises are also described as follows, to wit: Beginning at the center (should be Northwest corner of Southwest - NOT center of 1/4 which is Northeast corner) of Section 7, in Township 5 North, Range 21 East, and thence running South on the 1/4 line 7 chains and 17 links (473.22 feet); thence South 87.5 degrees East 24 chains and 22 links (1598.52 feet) to the center of highway; thence North 19 degrees East in the center of highway, 5 chains and 74 links (378.84 feet); thence North 43 degrees West 2 chains and 98 links (196.68 feet) to the East and West 1/4 line; thence North 88.5 degrees West on the 1/4 line 24 chains and 5 links (1587.3 feet) to the place of beginning (approximately 18.35 acres). Tax Key No. 797-9946-000.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017, by Alderman _____.

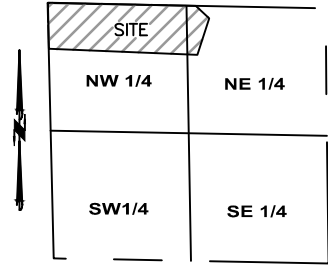
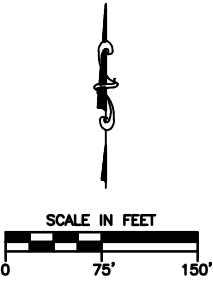
Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk
AYES _____ NOES _____ ABSENT _____



VICINITY MAP

SW 1/4, SEC 7
T5N, R21E
1"=2000'

WAUKESHA COUNTY
(Residential)

LEGAL DESCRIPTION

Part of the SW1/4 Section 7 Town 5 North Range 21 East:

Commencing at the Northwest corner of the Southwest 1/4 of Section 7; thence running South on the 1/4 line 473.22 feet to a point; thence S87.5°E 1598.52 feet to the center of highway; thence N19°E 378.84 feet in the center of the highway; thence N43°E 196.68 feet to the East and West 1/4 line; thence N88.5°W 1587.30 feet on the 1/4 line to the point of beginning.

Said lands being in the City of Franklin, Milwaukee County, Wisconsin.

Tax Key: 797-9946-000

Approximate Parcel Size: 18.58 Acres

Current Zoning: R-2 Estate Single-Family Residence District
Proposed Zoning: R-3 Suburban/Estate Single-Family Residence District

Richard & Kathleen Witt
Carol Hanson
Tax Key: 7979-946

City Of Muskego

City of Franklin

Robert Paskiewicz
Tax Key: 7979-958

Michael & Kathleen Behrens
Tax Key: 7979-957

Donald Woznicki
Tax Key: 7979-955

M. Palomino & M. Razio
Tax Key: 7979-954

Vincent Trier
Tax Key: 7979-953

Mursec Ljudmila Rev Trust
Tax Key: 7979-947

Tim & Patricia Ernest Living Trust
Tax Key: 7979-948

D. Krueger & C. Hahn
Tax Key: 7979-949

Barbara McMahon
7979-989

Bernard Michael
Tax Key: 7979-992-006

Michael Penn
7979-992-004

Mel & Kori Larson
Tax Key: 7979-992-005

Robert & Melissa Hartmann
Tax Key: 7979-991

Nathan Fabry
Tax Key: 7979-945

John & Mary Plewa
Tax Key: 7979-944

Diane Sanborn
Tax Key: 7979-943

Derek & Alma Regalia
Tax Key: 7500-017

Bryan & Pat O'Donnell
7509-994-001

Robert & Karen Bauer
Tax Key: 7509-969

A. Silah & K. Nolan
Tax Key: 7500-015

Daniel & Debra Greenwell
Tax Key: 7509-993

Joseph & Therese Kern
Tax Key: 7509-970

Robert & Karen Bauer
Tax Key: 7509-969

Jeffrey & Nicole Krebs
Tax Key: 7509-968

Michael & Cynthia Robbins
Tax Key: 7509-967

Samuel & Joyce Bennett
Tax Key: 7509-966

D. Vandever &
E. T. Ameila
Tax Key: 7509-963

Lee Dry
Tax Key: 7509-971

UNPLATTED LANDS
(R-2)

1587.30'

1598.52'

UNPLATTED LANDS
(R-2)

UNPLATTED LANDS
(R-2)

(R-2)

(I-1)

(R-3)

(R-3)

(B-2)

(R-3)

(R-3)

(B-2)

(FW)

TESS CORNERS CREEK

ST. MARTINS RD.

N. CAPE RD.

One Source Consulting
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19435 W. Capitol Drive, Suite L05
Brookfield, WI 53045
(262) 781-9005
www.onesourceconsult.com

SHEET TITLE		
REZONING EXHIBIT		
PROJECT Tax Key: 7979-946 7543 North Cape Road, Franklin, WI		
Drawn:	ctd	Sheet
Project No:	515-16	A

Unfortunately,
I am unable to attend the public hearing regarding
the public hearing for 7543 S. North Cape
Tax Key 7979946-000 from R2 to R3.
My address is 7605 S. North Cape Timm family.
We had a scheduled vacation. I request
that the zoning remains R2. I am
a tax payer + strong voter in my district.
We do not want a crowded subdivision
in our area. We bought in Franklin to
avoid this and want to maintain a
more spaced community. That is why we
are paying larger taxes. We chose Franklin
because our community reflects this charm.
I have 2 small children and traffic will
be greater with more homes. Also, that combined
with the new Muskego school on the other
side of South North Cape Road. There will
be a lot of traffic with the new school + crowded
subdivision

Patricia Timm



Jeanette M. Pfister

Jeanette M. Pfister

9-8-2017


5511 W Jerelyn Place
Milwaukee, Wisconsin 53219

July 27, 2017

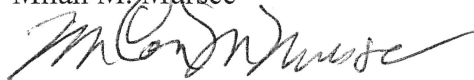
Plan Commission
City of Franklin
9229 W Loomis Road
Franklin, WI 53132-9630

Re: 7543 S North Cape Road - Proposed Residential Subdivision Development

As the owners of the adjacent land at 7577 S North Cape Road (Tax Key 797-9947-000) to the south of the parcel at 7543 South North Cape Road we are in favor of the development of the subdivision.


Ljudmila T. Mursec

Milan M. Mursec





CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of August 17, 2017

Temporary Use

RECOMMENDATION: City Development Staff recommends approval of a Temporary Use for the American Transmission Company laydown yard located at 11027 S. 27th Street, subject to the conditions of approval in the attached resolution.

Project Name:	American Transmission Company Temporary Use
Project Address:	11027 South 27 th Street
Property Owner:	Fox Glen Corporate Centre LLC
Applicant:	American Transmission Company (ATC)
Agent:	Robert Oosterhouse, Land Service Company
Zoning:	Planned Development District No. 39
Use of Surrounding Properties:	Agricultural land to the north and east; residential to the south (Town of Raymond); and agricultural land to the west (City of Oak Creek).
Comprehensive Plan:	Mixed Use Business Park
Applicant Action Requested:	Approval of a Temporary Use for a laydown yard at 11027 S. 27 th Street

Project Description and Analysis:

Please note:

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

On July 31, 2017, the applicant filed a Temporary Use Application with the Department of City Development requesting approval to utilize the property located at 11027 S. 27th Street as a laydown yard in conjunction with ATC's system wide upgrades within Franklin and Oak Creek. The applicant is proposing to utilize the site for a 90 day period, from September 1, 2017 to November 29, 2017.

According to the applicant, ATC will be upgrading electric transmission communications by replacing existing shield wire with 24-strand OPGW on existing 138kV transmission lines from the Oak Creek substation to the St. Martins substation in Franklin. Crews are expected to arrive at the site at 6:30 a.m. and leave the site around 6:30 p.m. Monday through Thursday. A list of equipment and materials being stored onsite can be found within the applicant's project narrative.

The subject property was formerly utilized as an indoor golf facility; however, the building has been vacant for years. The applicant is proposing to utilize the existing parking lot as the location for the storage of equipment and materials.

The property is zoned Planned Development District No. 39 (Mixed Use Business Park). The use as a laydown yard would not generally be allowed within this area of the PDD as outdoor storage is not allowed within the Gateway Area of PDD No. 39. However, the use is temporary in nature and does not adversely impact the surrounding properties, which are primarily agricultural lands. The location of vehicles or equipment on site is over 350 feet from S. 27th Street and approximately 100 feet from S. West County Line Road.

Section 15-3.0804 of the Unified Development Ordinance (UDO) states “A Temporary Use is an activity that is short-term in nature, will be conducted for only a specified limited period of time, and for a specific use that is not the permanent use of the property, and which use though not already expressly authorized to be an actual use on the property, is incidental to or accessory to and compatible with and will not adversely affect adjoining properties.” This section further states, “The Zoning Administrator and designees of the City Planning Department may refer any application for a Temporary Use Permit to the Plan Commission for review and approval, where the Zoning Administrator or designee of the City Planning Department determines that the application involves an issue of interpretation as to whether the proposed temporary use is incidental or accessory to the existing use of the property, or is a use which is compatible, as required herein, or that there is a question as to whether the proposed temporary use may adversely affect adjoining property due to the nature of, size or area of, noise, debris, lighting, or the like or other resultant from the proposed temporary use. Plan Commission review and approval is required for any proposed temporary use of a type not specifically listed below.”

The subject use is not a listed temporary use within Section 15-3.0804 of the City of Franklin Unified Development Ordinance (UDO); therefore, staff has determined that the request requires Plan Commission review and approval.

The applicant has indicated that they may wish to expand upon their request to amend Section 15-3.0804L of the Unified Development Ordinance (below) in order to extend the temporary use time-frame beyond 90 days. The applicant has indicated that they may propose to utilize the site for an additional two months.

Section 15-3.0804L.

Issuance and Expiration of Permit. The Zoning Administrator or designee of the City Planning Department(s) shall approve, conditionally approve, deny or refer to the Plan Commission an application for a temporary use permit under this Section within 30 days of its filing in the Planning Department Office. The Plan Commission shall approve, conditionally approve or deny an application within 30 days of the referral of such application to the Commission. Any decision to deny an application under this section shall be in writing, shall set forth the reasons for the denial, and a copy of such decision shall be mailed by regular mail to the applicant within the aforesaid time limits. Each Temporary Use Permit shall specify the date upon which such use may commence and the date upon which such use shall expire; in no event, except as otherwise specifically and expressly set forth in this Section, shall any temporary use exceed 90 days in duration during any calendar year.

Staff recommends approval, subject to the following conditions:

1. The Temporary Use approval shall expire on November 29, 2017.

2. Applicant shall keep South 27th Street and W. South County Line Road appropriately maintained and free of mud and debris from trucks entering and exiting the site.

Staff Recommendation:

City Development Staff recommends approval of a Temporary Use for the American Transmission Company laydown yard located at 11027 S. 27th Street, subject to the conditions of approval in the attached resolution.

RESOLUTION NO. 2017-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A TEMPORARY USE FOR A CONSTRUCTION
LAYDOWN YARD FOR AMERICAN TRANSMISSION COMPANY LLC'S
ELECTRIC TRANSMISSION COMMUNICATION FACILITIES UPGRADE
PROJECT UPON PROPERTY LOCATED AT 11027 SOUTH 27TH STREET
AND SOUTH COUNTY LINE ROAD
(AMERICAN TRANSMISSION COMPANY LLC, APPLICANT)

WHEREAS, American Transmission Company LLC, having petitioned the City of Franklin for the approval of a Temporary Use to allow for a temporary construction laydown yard located within the parking lot of the former golf dome property, for the purpose of upgrading electric transmission communication facilities from the Oak Creek substation to the St. Martins substation in the City of Franklin, from September 1, 2017 through November 29, 2017 (90 days), on property located at 11027 South 27th Street and South County Line Road; and

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of American Transmission Company LLC, for the approval of a Temporary Use to allow for a temporary construction laydown yard for the purpose of upgrading electric transmission communication facilities from the Oak Creek substation to the St. Martins substation in the City of Franklin project 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. The approval granted hereunder shall be limited to September 1, 2017 through November 29, 2017.
2. South 27th Street and W. South County Line Road shall be appropriately maintained and kept free of mud and debris from trucks entering and exiting the site.
3. [other conditions, etc.]

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2017.

AMERICAN TRANSMISSION COMPANY LLC – TEMPORARY USE
RESOLUTION NO. 2017-_____

Page 2

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2017.

APPROVED:

Stephen R. Olson, Chairman

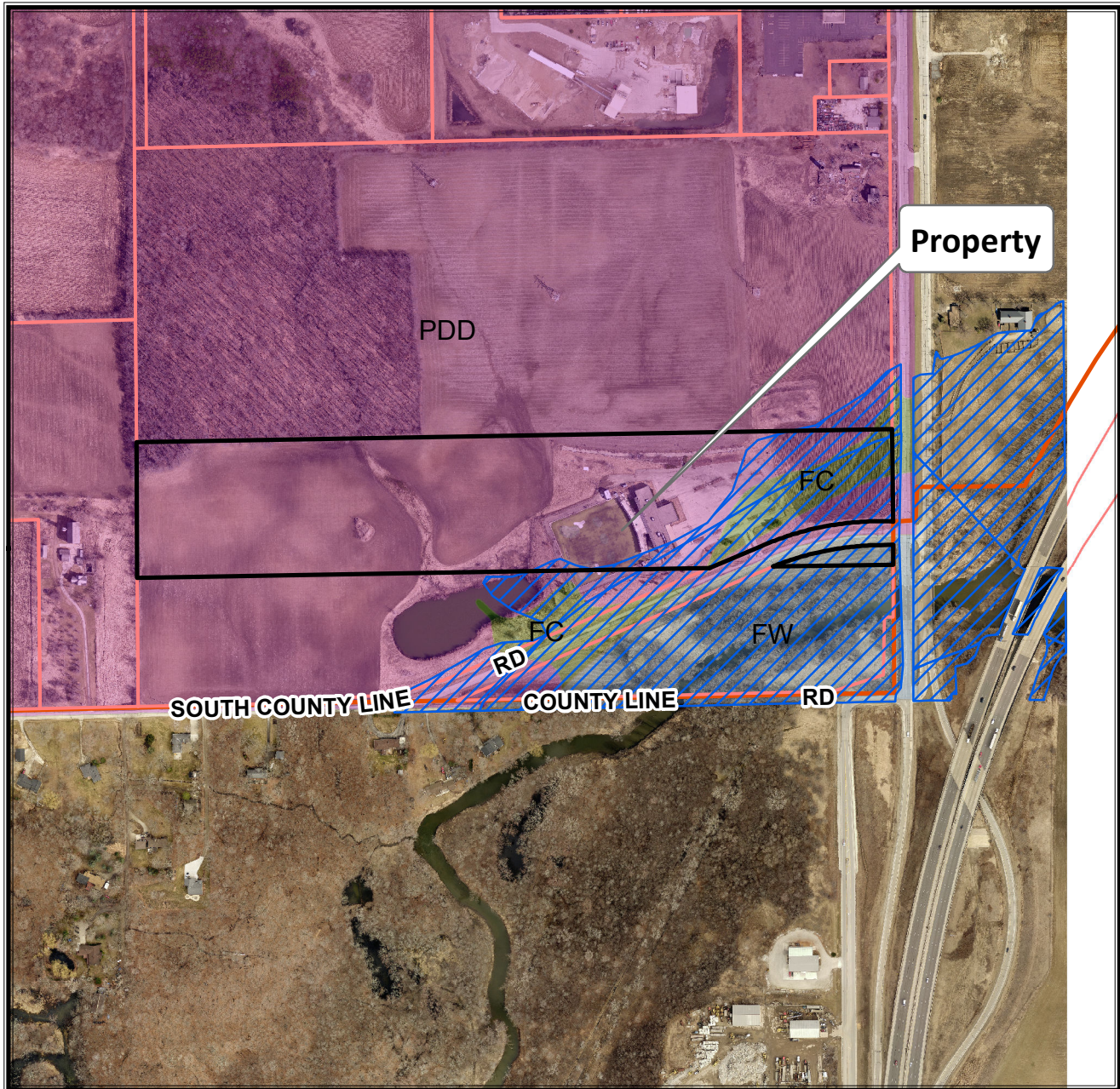
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



11027 S. 27th Street
TKN 978 9998 000



Planning Department
(414) 425-4024

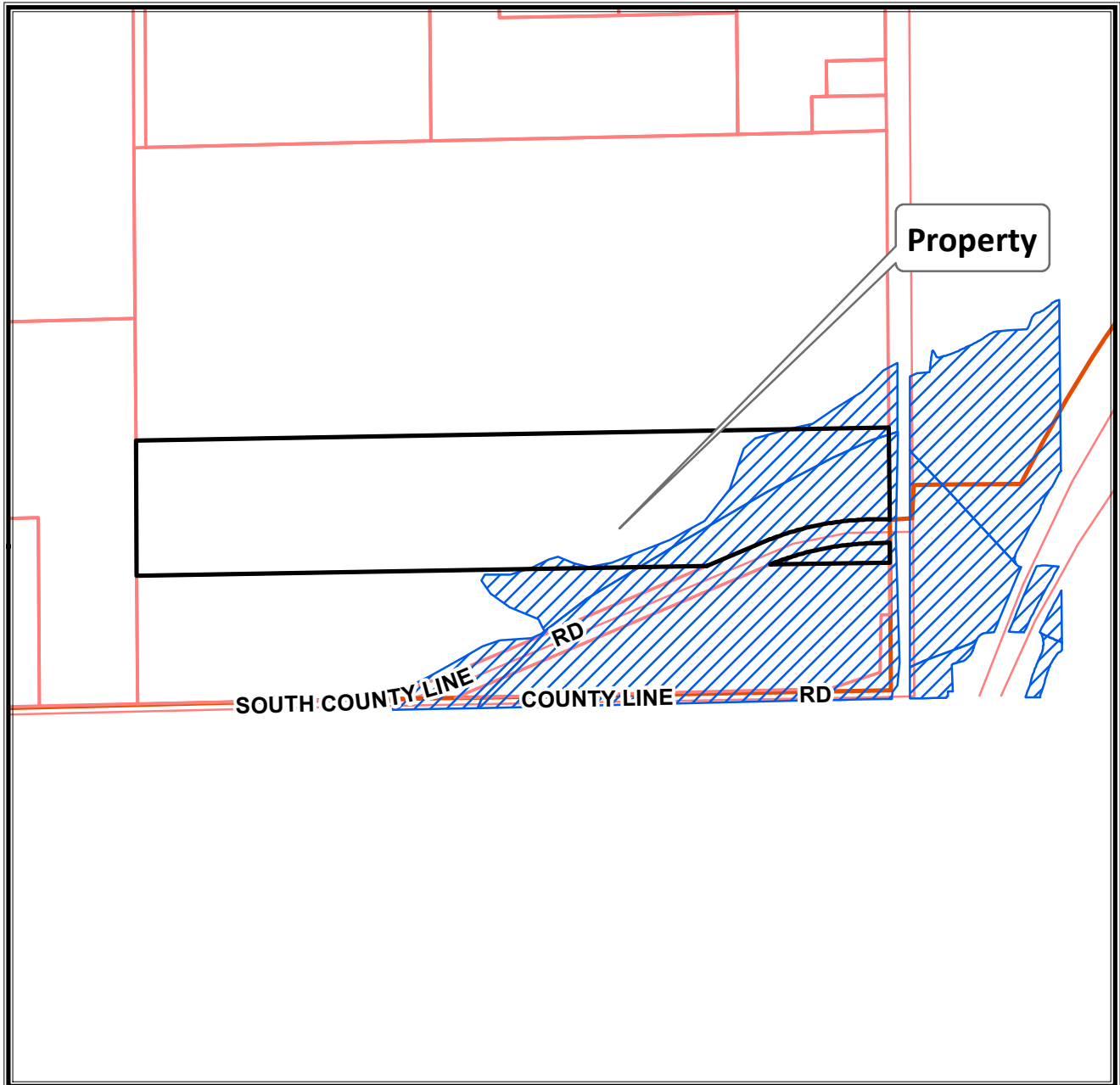
0 325 650 1,300 Feet

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.





11027 S. 27th Street
TKN 978 9998 000



Planning Department
(414) 425-4024

0 325 650 1,300 Feet

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Project Narrative

St. Martins to Oak Creek OPGW

ATC is requesting a Temporary Use Permit for the property at 27th ST Franklin, WI, beginning Sept 1, 2017. The location will be utilized as a construction laydown yard in support of ATC's system-wide initiative to upgrade/enhance electric transmission communications by replacing existing shield wire with 24-strand OPGW on existing 138kV transmission lines from Oak Creek substation to St Martins substation in Franklin.

Hours of Operation will be Monday thru Thursday - 6:30 am: to 6:30 pm:

No mud should be tracked from the laydown yard, the area that will be utilized is all blacktop surface.

A street sweeper will be available as necessary, the crews will work to keep both streets clear and leave mud on the ROW.

Items that will be utilizing the laydown yard include:

- 4 bucket trucks
- reels of OPGW
- vmi trailer
- job trailer
- dumpsters
- portable toilets
- dump truck
- 4-5 pickup trucks
- personal vehicles
- pulling trailer
- rope, machine



Transmission Lines

69 kV	230 kV
115 kV	345 kV
138 kV	Underground
161 kV	Double Circuit

Electric Facilities

	Substation; Terminal
	Tap; Switching Structure; Riser



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of August 17, 2017

Land Combination Permit

RECOMMENDATION: City Development Staff recommends approval of the proposed Land Combination for property located at 7232 and 7236 South 68th Street.

Project Name:	Richey Land Combination
Project Address:	7232 and 7236 South 68 th Street
Applicant:	James Richey
Owners (property):	James Richey
Current Zoning:	R-6 Suburban Single-Family Residence District
Future Land Use Designation:	Residential
Use of Surrounding Properties:	Residential
Applicant Action Requested:	Approval of the proposed Land Combination for property located at 7232 and 7236 South 68 th Street

PROJECT DESCRIPTION AND ANALYSIS:

On August 1, 2017, Mr. Richey filed a Land Combination Permit Application with the Department of City Development, requesting approval to combine the parcels located at 7232 and 7236 South 68th Street. The 0.54-acre parcel located at 7232 South 68th Street is currently vacant and the 0.95-acre parcel located at 7236 South 68th Street contains a single-family home and accessory structure. The resultant property will have an area of approximately 1.49 acres.

Land Combination Permit approval is needed because the applicant would like to construct a detached garage on the parcel that is currently vacant, and section 15-3.0801 of the Unified Development Ordinance (UDO) prohibits accessory structures on properties without a principal structure. The applicant will need a variance from the Board of Zoning and Building Appeals to construct a detached garage that would exceed the 900 square foot limit for wood-framed accessory structures, be located within the front yard, and exceed the 15-foot high accessory structure height limit.

In 2012, the applicant received approval of a Land Combination Permit to combine two properties to create the now 0.95-acre property at 7236 S. 68th Street. At that time, the applicant also received approval of a variance to construct a detached garage that would (1) exceed the 900 square foot limit for wood-framed accessory structures, (2) be located in a portion of the front yard, (3) encroach into the minimum 30-foot rear yard setback area, and (4) exceed the 15-foot high accessory structure height limit.

Since both parcels are lots of record that existed prior to August 1, 1998, a Natural Resource Protection Plan is not required. The 1.49-acre property resulting from the land combination will meet the R-6 Suburban Single-Family Residence District Development Standards.

STAFF RECOMMENDATION:

City Development staff recommends approval of the proposed Land Combination for property located at 7232 and 7236 South 68th Street.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 8-9-17]

RESOLUTION NO. 2017-_____

A RESOLUTION CONDITIONALLY
APPROVING A LAND COMBINATION FOR
TAX KEY NOS. 757-9990-001 AND 757-9989-000
(7236 SOUTH 68TH STREET AND 7232 SOUTH 68TH STREET)
(JAMES RICHEY, APPLICANT)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a proposed land combination for James Richey to accommodate construction of a detached garage on a portion of a vacant parcel of land located at 7232 South 68th Street, adjoining the Richey residential property at 7236 South 68th Street; bearing Tax Key Nos. 757-9990-001 and 757-9989-000, more particularly described as follows:

Property Description for 7236 South 68th Street is a combination of the following legal descriptions:

That part of the Northeast 1/4 of Section 10, Town 5 North, Range 21 East in the Town of Franklin, Milwaukee County, Wisconsin, bounded and described as follows to wit: Commencing at a point in the west line of said 1/4 section, said point being 960.89 feet south of the Northwest corner of said 1/4 section, running thence south along the west line of said 1/4 section, 100.0 feet to a point, thence North 89°39'05" East and parallel to the south line of the north 1/2 of said 1/4 section, 315.00 feet to a point, thence northerly along a curved line (having a radius of 1365.0 feet with its center to the west, and a chord 100.04 feet in length, which bears North 02°06' West) a distance of 100.06 feet to a point, thence South 89°39'05" West 311.34 feet to the place of commencement. The west 45.0 feet and the easterly 30.0 feet to be reserved for street purposes. (0.57 acres)

That part of the Northeast 1/4 of Section 10, in Township 5 North, Range 21 East, in the City of Franklin, Milwaukee, Wisconsin, which is bounded and described as follows:

Commencing at a point in the West line of said 1/4 Section, said point being 1060.89 feet to the South of the Northwest corner of said 1/4 Section; thence running North 89°39'05" East and parallel to the South line of the North 1/2 of said 1/4 Section, 315.00 feet to a point; thence South and parallel to the West line of said 1/4 Section, 30.00 feet to a point; thence South 89°39'05" West, 130.00 feet to a point; thence South and parallel to the West line of said 1/4 Section, 58.00 feet to a point; thence South 89°39'05" West, 185.00 feet to a point in the West line of said 1/4 Section; thence North along the West line of said 1/4 Section, 88.00 feet to the point of commencement, Excepting that part

JAMES RICHEY – LAND COMBINATION
RESOLUTION NO. 2017-_____

Page 2

reserved for street purposes. Excepting therefrom that part shown in Warranty Deed dated September 23, 1999 and recorded in the Register of Deeds office for Milwaukee County, on November 12, 1999, on Reel 4690, Image 1306, as Document No. 7836090. (0.39 acres); and

Property Description for 7232 South 68th Street:

That part of the North 1/2 of the Northeast 1/4 of Section 10, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at a point in the West line of said 1/4 Section, 860.89 feet South of the Northwest corner of said 1/4 Section; running thence N 89°39'05" E and parallel to the South line of the North 1/2 of said 1/4 Section, 251.03 feet to a point; thence N 62°46'74" E, 30.0 feet to a point; thence S 27°13'46" E 13.57 feet to a point of curve; thence Southeasterly along a curved line having a radius of 263.0 feet with its center to the West and a chord 105.0 feet in length which bears S 15°42'53" E a distance of 105.71 feet to a point; thence S 89°39'05" W, 311.34 feet to a point in the West line of said 1/4 Section; thence North along the West line of said 1/4 Section 100.0 feet to the place of commencement.

WHEREAS, the Plan Commission having reviewed such application and recommended approval thereof and the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed land combination is appropriate for approval pursuant to law upon certain conditions, all pursuant to §15-9.0312 of the Unified Development Ordinance, Land Combination Permits.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the proposed land combination for James Richey, as submitted by James Richey, as described above, be and the same is hereby approved, subject to the following conditions:

1. James Richey, 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 James Richey land combination 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.
2. The approval granted hereunder is conditional upon James Richey and the land

JAMES RICHEY – LAND COMBINATION

RESOLUTION NO. 2017-_____

Page 3

combination project for the property located at 7236 South 68th Street and 7232 South 68th 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.

3. [other conditions, etc.]

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2017.

APPROVED:

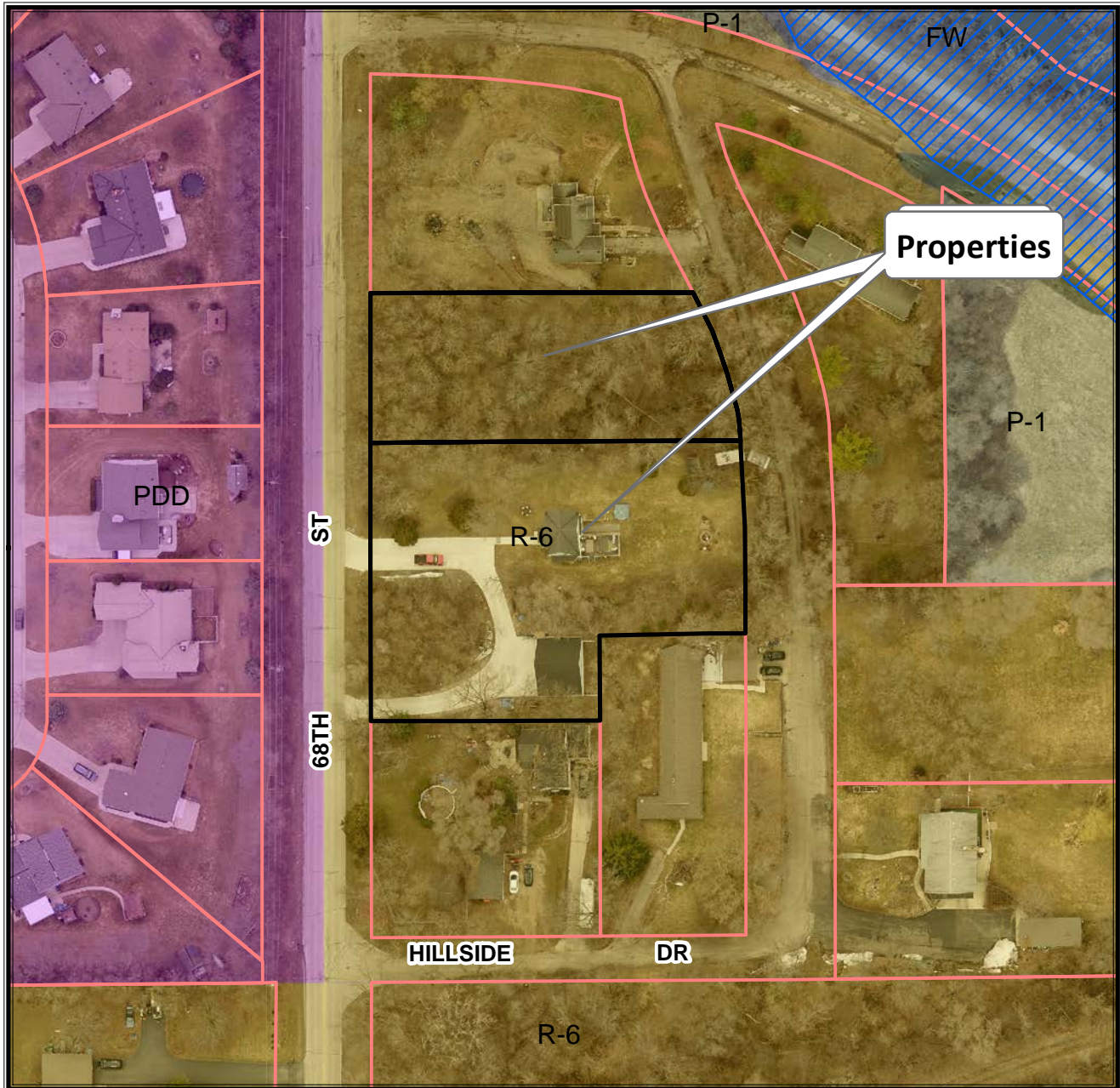
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

7236 & 7232 S. 68th Street
TKNs 757 9990 001 & 757 9989 000



Planning Department
(414) 425-4024

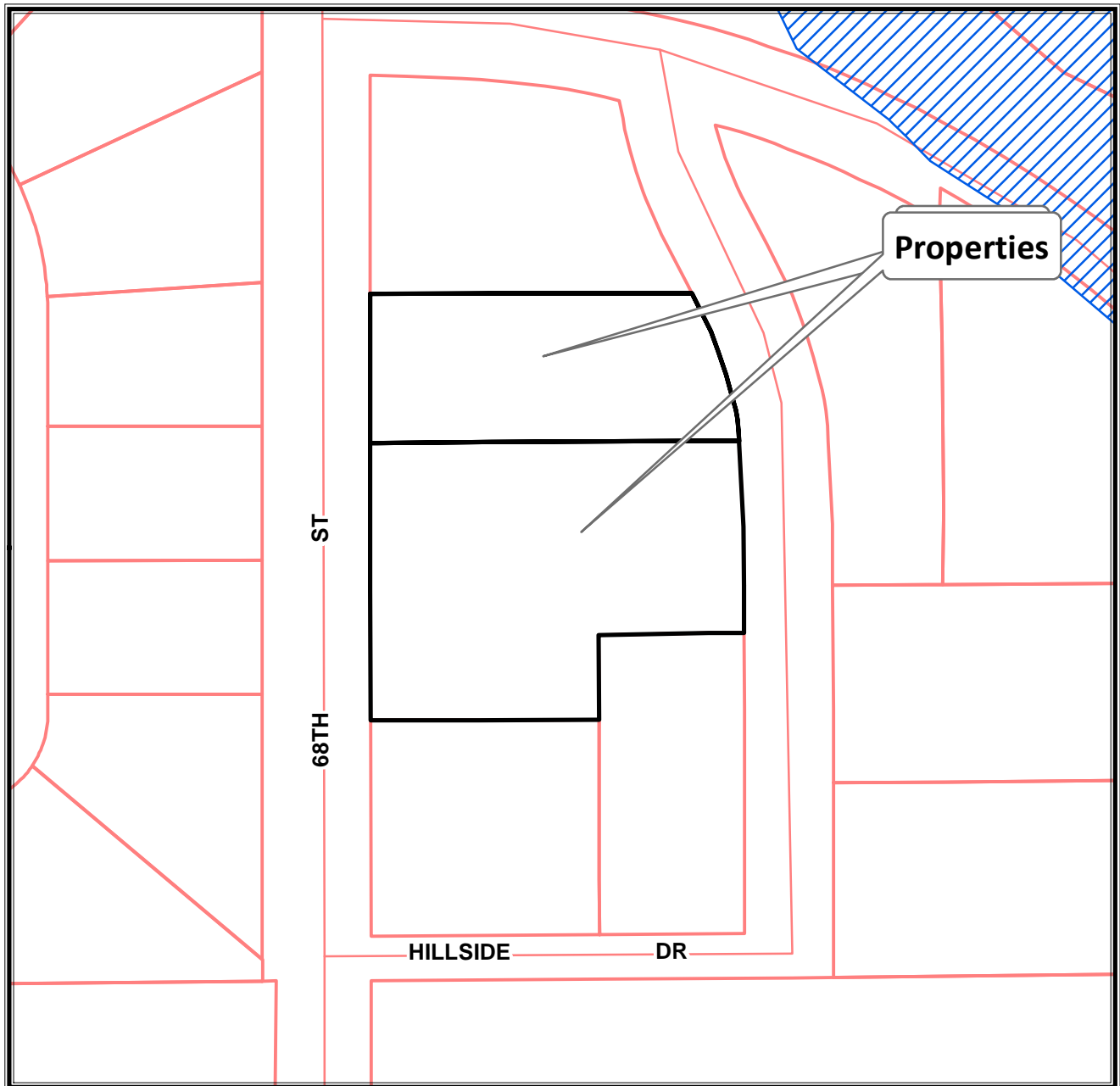
0 65 130 260 Feet

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NORTH
2017 Aerial Photo



7236 & 7232 S. 68th Street
TKNs 757 9990 001 & 757 9989 000



Planning Department
(414) 425-4024

0 65 130 260 Feet

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Richey J. Project Narrative

I'm going to build a detached garage / accessory building on a wooded side lot north of my home. It will be a wood frame structure constructed on a 5" thick concrete slab on 97% compacted gravel. In order for this building to accommodate my truck motorcycle and extensive antique boat collection it will need to be 28'x44' or 1242 square feet. This structure will be built on an older heavily wooded non subdivision lot not viewable by my neighbors or the public right of way. The location for this structure will have to be located forward of the home site and north of home by approximately 80' do to the fact that this lot is located on the side of a hill offering next to no level ground to build. The access to this new building will be a drive connected to the currant drive way, this will eliminate the need to add a new drive way approach to 68th street adding to the current flow of traffic.

Please feel free to stop by and view the current location for build. If you have any questions or concerns please don't hesitate to give me a call.

James Richey
7236 S. 68th st.
Franklin WI. 53132
414-617-4552

757-9990-001

Number	Addl Info
757-9990	(OBSOLETE) TR DESC: COM IN W LI 960.89 FT S OF NW COR OF NE 10 5 21 TH S 100 FT E 315 FT NLY ON CURVE 100.06 FT TH W 311.34 FT TO BEG CONT 0.712 ACS
757-9991	(OBSOLETE) TR DESC: COM IN W LI 1060.89 FT S OF NW COR OF NE 10 5 21 TH E 315 FT S 30 FT W 130 FT S 58 FT W 185 FT TH N 88 FT TO BEG CONT 0.463 ACS
757-9990-001	(2013)TR DESC:COM IN W LI 960.89 FT S OF NW COR OF NE 10 5 21 TH S 188FT, E 185FT, N 58FT, E 130FT, N 30FT, THENCE NLY ON A CURVE 100.06FT, W 311.34 TO POB REV W 45FT FOR STR & ELY 30FT FOR STR

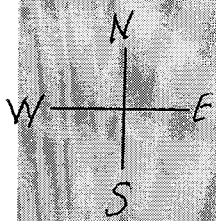
757-9989-000

COM IN W LI 860.89 FT S OF NW COR OF NE 10 5 21 TH E 251.03 FT NELY 30 FT SELY 13.57 FT SELY ON CURVE 105.71 FT W 311.34 FT TH N 100 FT TO BEG CONT 0.70 ACS

Franklin

JUL 31 2017

Development



Franklin

JUL 31 2017

Development

757-9987-001

757-9989

757-9990-001

757-9992

757-9993

757-9986

HILLSIDE DRIVE

189.57'

100'

100'

88.00'

173.75'

251'

251.03'

311.34'

311.34'

315'

315.00'

185'

185'

231.75'

173.75'

30.00'

13.57'

130.00'

130.0'

58.00'

HILLSIDE DRIVE

131.75'

231.75'

60' 130'

295.46'

295.46'

102'

263.75'

757-

263'

263'

75

40'

30'

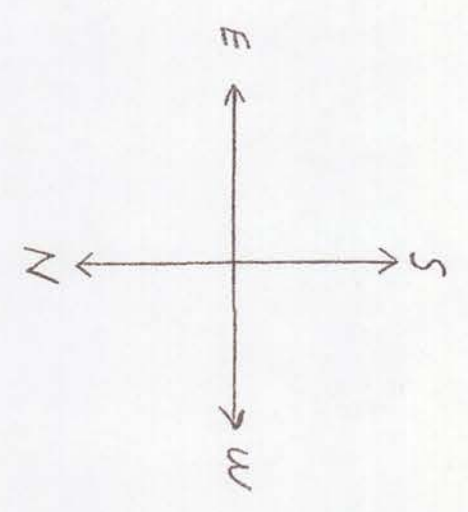
185'

V V

130.0'

30'

V <



Notes :

- 1.) The zoning districts within which parcel to be combined lies in R-6 Suburban Single-Family Residence District.
- 2.) The City of Franklin Comprehensive Master Plan land use District designation of each parcel to be combined, 7232 S. 68th street - Areas of Natural Resource Features, 7236 S. 68th street - Residential

