

**City of Franklin
Plan Commission Meeting
January 23, 2020
Minutes**

Approved
February 6, 2020

A. Call to Order and Roll Call

Mayor Steve Olson called the January 23, 2020 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 Mayor Steve Olson, Commissioners Kevin Haley, Patricia Hogan and Patrick Leon and City Engineer Glen Morrow. Excused was Commissioner Adam Burckhardt and Alderman Mark Dandrea. Also present were Associate Planner Régulo Martínez-Montilva and City Attorney Jesse Wesolowski.

B. Approval of Minutes

- 1. Regular Meeting of January 9, 2020

Commissioner Haley moved and Commissioner Leon seconded approval of the January 9, 2020 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (4-0-2).

C. Public Hearing Business Matters

1. WAUKESHA WATER UTILITY OUTFALL FACILITIES RELATED TO REQUIRED RETURN FLOW FOR SOURCING LAKE MICHIGAN WATER: RETURN FLOW PIPELINE TO THE LAKE MICHIGAN WATERSHED VIA THE ROOT RIVER IN THE CITY OF FRANKLIN.

Comprehensive Master Plan Amendment, Rezoning, Certified Survey Map and Site Plan applications by Daniel S. Duchniak, General Manager of Waukesha Water Utility (Judith E. Gyuro and Evelyn A. Farchione (deceased), property owners), to:

Comprehensive Master Plan Amendment: amend the 2025 Future Land Use Map use designation for Lot 1 of the proposed Certified Survey Map from Recreational Use and Areas of Natural Resource Features Use to Institutional Use, current zoning R-2

Associate Planner Regulo Martinez-Montilva presented the request by Daniel S. Duchniak, General Manager of Waukesha Water Utility (Judith E. Gyuro and Evelyn A. Farchione (deceased), property owners), to:

Certified Survey Map

Commissioner Haley moved and Commissioner Hogan seconded a motion to add the following condition No. 9: The applicant shall add a note on the face of the Certified Survey Map indicating that the property owner(s) of Lot 4, successors and assigns, as a condition of approval of this Certified Survey Map by the City of Franklin, consent to the execution, delivery and dedication of a trail easement to the City of Franklin, in such location and upon such lands which shall then be determined by the City to then be consistent with the Comprehensive Master Plan of the City of Franklin and the Milwaukee County Trail Network Plan, as may be amended, for Department of City Development review and approval prior to recording of the subject Certified Survey Map. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Commissioner Haley moved and Commissioner Hogan seconded a motion to recommend approval of a Resolution conditionally approving a 4 lot Certified Survey Map, being a division of the North 1/2 of the Northwest 1/4 of Section

Estate Single-Family Residence District and FW Floodway District;
Rezoning: change the zoning of Lot 1 of the proposed Certified Survey Map from R-2 Estate Single-Family Residence District and FW Floodway District to I-1 Institutional District, current zoning of Lot 1: R-2 Estate Single-Family Residence District, FW Floodway District, FC Floodplain Conservancy District and C-1 Conservancy District. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS REZONING APPLICATION;**
Certified Survey Map: divide one (1) existing lot into four (4) proposed lots, subject property owned by Judith E. Gyuro & Evelyn A. Farchione (deceased) (approximately 76 acres); proposed Lot 1, 2.40 acres, will contain most of the outfall facilities improvements; Lot 2, 7.64 acres, is intended for future improvements; the current owners will maintain ownership of Lot 3, 7.75 acres; Lot 4, remaining 57.75 acres, will contain the proposed 30 inch buried pipeline which connects the proposed infrastructure improvements within Lot 1 to a proposed outfall at the Root River streambank [the land division request essentially allows Waukesha Water Utility to purchase the proposed lots 1, 2 and 4], current zoning R-2 Estate Single-Family Residence District, FW Floodway District, FC Floodplain Conservancy District and C-1 Conservancy District;
Site Plan: develop most of the Outfall Facility improvements within Lot 1, including an access drive, parking area and a building to house and screen essential services (these improvements will be located outside the 100-year floodplain), current zoning R-2 Estate Single-Family Residence District and FW Floodway District, property located at 5207 West Oakwood Road, at the southeast corner of the intersection of

35, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (5207 West Oakwood Road).
 On voice vote, all voted ‘aye’; motion carried. (4-0-2).

Comprehensive Master Plan Amendment:

Commissioner Hogan moved and Commissioner Leon seconded a motion to adopt a Resolution recommending the adoption of an Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 future land use map for property located at 5207 West Oakwood Road from recreational use and areas of natural resource features use to institutional use, pursuant to Wis. Stat. § 66.1001(4)(b). On voice vote, 3 voted ‘aye’, 1 voted ‘nay’. Mayor Olson voted ‘aye’, breaking the tie. Motion carried. (4-1-2).

Rezoning

A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS REZONING APPLICATION

The Official Notice of Public Hearing was read into the record by Associate Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:10 pm and closed at 7:12 pm.

Commissioner Leon moved and Commissioner Hogan seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone lot 1 of Certified Survey Map no. ____ from R-2 Estate Single-Family Residence District and FW Floodway District to I-1 Institutional District (located at 5207 West Oakwood Road) (approximately 2.40 acres) and that the City Clerk shall enter the Certified Survey Map no. ____ upon its availability upon recording. On voice vote, 3 voted ‘aye’, 1 voted ‘nay’. Mayor Olson voted ‘aye’, breaking the tie. Motion carried. (4-1-2).

Site Plan

Commissioner Hogan moved and Commissioner Leon seconded a motion to approve a Resolution approving a Site Plan for construction of outfall facilities related to the Waukesha Water Utility pipeline to source water from Lake Michigan (5207 West Oakwood Road) and that the City Clerk shall enter the Certified Survey Map no. ____ upon its availability upon recording, subject to previous motions. On voice vote, 3 voted ‘aye’, 1 voted ‘nay’. Mayor Olson voted ‘aye’, breaking the tie. Motion carried. (4-1-2).

From applicant’s request the following additional motions were made:

1. City Engineer Morrow moved and Commissioner Leon seconded a motion to remove condition No. 7 of the subject

South 60th Street and West Oakwood Road; Tax Key No. 948-9998-001.

Resolution. Commissioner Hogan moved and City Engineer Morrow seconded a motion to amend the previous motion to redraft condition No. 7 as follows: In the event of future development or additions to the proposed facilities, or any area development or redevelopment, applicant, owner(s) of the property, successors and assigns, upon the then direction by and notice thereof from the City, shall widen the driveway to a 24 foot width or to such other standards or requirements of the Unified Development Ordinance then in effect, as amended from time to time. On voice vote, all voted 'aye'; motion carried. (4-0-2). Commissioner Hogan moved and Commissioner Leon seconded a motion to include condition No. 7 as amended. On voice vote, all voted 'aye'; motion carried. (4-0-2).

2. City Engineer Morrow moved and Commissioner Leon seconded a motion to amend condition No 10 as suggested by staff: Pursuant to Unified Development Ordinance §15-5.0303.G.3., any plant materials included in an approved landscaping plan that do not survive a plant establishment period of two years after installation shall be replaced by applicant, owner(s) of the property, successors and assigns, with plant material(s) of the same or like species of equal size within the next planting season, but in any event, within six months of the plant material(s)' demise. On voice vote, all voted 'aye'; motion carried. (4-0-2).

D. Business Matters

1. **None.**

E. Adjournment

Commissioner Hogan moved and Commissioner Haley seconded a motion to adjourn the Plan Commission meeting of January 23, 2020 at 8:40 p.m. On voice vote, all voted 'aye'; motion carried. (4-0-2).