

**City of Franklin
Plan Commission Meeting
October 21, 2021
Minutes**

Approved
November 4, 2021

A. Call to Order and Roll Call

Acting Chair Alderwoman Shari Hanneman called the October 21, 2021, 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 Alderwoman Shari Hanneman, Commissioners Patricia Hogan, Adam Burckhardt, Kevin Haley and Patrick Léon, and City Engineer Glen Morrow. Absent was Mayor Steve Olson. Also present were Planning Manager Heath Eddy, Principal Planner Régulo Martínez-Montilva and City Attorney Jesse Wesolowski.

B. Approval of Minutes

1. Regular Meeting of October 7, 2021

Commissioner Léon moved and Commissioner Haley seconded approval of the October 7, 2021 regular meeting minutes. On voice vote, all voted 'aye'. Motion carried (6-0-0).

C. Public Hearing Business Matters

1. PAYNE & DOLAN, INC. QUARRY RECLAMATION PLAN: An Ordinance to Approve a Quarry Nonmetallic Mining Reclamation Plan and to Incorporate Same into Unified Development Ordinance Section 15-3.0428, Ordinance No. 97-1456 (PDD No. 23) Pursuant to §13.26S.5. and Unified Development Ordinance Section 15-3.0429, Ordinance No. 97-1457 (PDD No. 24) Pursuant to §13.27T.5. and to Authorize the Issuance of a Reclamation Permit in Relation Thereto. Payne & Dolan, Inc., property owner. A Nonmetallic Mining Reclamation Plan and the issuance of a Nonmetallic Mining Reclamation Permit for the Franklin Aggregates Quarry site. The purpose of the Reclamation Plan is to describe the activities necessary to reclaim the Franklin Aggregates Quarry site to a condition whereby future development is feasible after completion of mineral extraction activities. The Franklin Aggregates Quarry is an active limestone quarry to be continued on the site until completion of the mineral

Clint Wenninger presented the Nonmetallic Mining Reclamation Plan and the issuance of a Nonmetallic Mining Reclamation Permit for the Franklin Aggregates Quarry site. The purpose of the Reclamation Plan is to describe the activities necessary to reclaim the Franklin Aggregates Quarry site to a condition whereby future development is feasible after completion of mineral extraction activities. The Franklin Aggregates Quarry is an active limestone quarry to be continued on the site until completion of the mineral extraction activities. Reclamation is an on-going process during mineral extraction, with a majority of the reclamation being completed during active mineral extraction. Final reclamation will consist of reclaiming the quarry perimeter upon completion of the mineral extraction activities. Approximately 75 acres will need to be reclaimed and the remaining 250 acres will become a lake. The proposed land use to which this site will be reclaimed is Green/Open Space. Reclamation of the site will include the 250 acre lake with restored slopes and rock faces surrounding the lake. The stockpiled topsoil and other overburden materials will be placed over the reclaimed areas surrounding the lake, graded to conform with the surrounding land and seeded. The necessary topsoil and overburden are to be re-distributed across the parcel and fine graded to present a uniform appearance. Reclaimed slopes will be seeded upon completion of the fine grading. This proposed land use (outside of the envisioned lake) is to be considered a temporary use. The final end use for the reclaimed site is not being proposed at this time.

extraction activities. Reclamation is an on-going process during mineral extraction, with a majority of the reclamation being completed during active mineral extraction. Final reclamation will consist of reclaiming the quarry perimeter upon completion of the mineral extraction activities. Approximately 75 acres will need to be reclaimed and the remaining 250 acres will become a lake. The proposed land use to which this site will be reclaimed is Green/Open Space. Reclamation of the site will include the 250 acre lake with restored slopes and rock faces surrounding the lake. The stockpiled topsoil and other overburden materials will be placed over the reclaimed areas surrounding the lake, graded to conform with the surrounding land and seeded. The necessary topsoil and overburden are to be re-distributed across the parcel and fine graded to present a uniform appearance. Reclaimed slopes will be seeded upon completion of the fine grading. This proposed land use (outside of the envisioned lake) is to be considered a temporary use. The final end use for the reclaimed site is not being proposed at this time. The ultimate land development and end use (beyond grading, vegetation and other requirements detailed in the Plan) will be subject to future land use requirements. No final end-use development proposals shall be implemented prior to submission of detailed end-use plans pursuant to then applicable City of Franklin ordinance requirements, and the granting of detailed zoning and land use approvals in accordance with such applicable ordinance requirements. The site of the proposed Reclamation Plan is upon property zoned Planned Development District No. 23 (Limestone Quarry and Mixed Use) and Planned Development District No. 24 (Limestone Quarry and Mixed Use), 5335 West Rawson Avenue, Franklin, Wisconsin 53132, located within the approximate boundaries of West Rawson Avenue on the north, West Drexel Avenue on the south, South 51st Street on the east and South 68th Street on the west. The properties which are the subject of the application bear Tax Key Nos. (all or portions of parcels) 758 9985 000, 758 9987 002, 758 9994 000, 758 9995 002, 758 9997 000, 758 9998 001, 758 9999 000, 789 9990 001, 789 9992 000, 789 9993 000, 789 9994 000, 789 9995 001, 789 9991 003, 790 9993 000, 757 9999 000, 757 9973 001, 757 9974 000, 757 9974 000, 757 9972 001, 757 9971 001, 757 9970 001, 757 9969 001, 758 9993 000, 758 9992 000 and 758 9991 000.

The ultimate land development and end use (beyond grading, vegetation and other requirements detailed in the Plan) will be subject to future land use requirements. No final end-use development proposals shall be implemented prior to submission of detailed end-use plans pursuant to then applicable City of Franklin ordinance requirements, and the granting of detailed zoning and land use approvals in accordance with such applicable ordinance requirements. The site of the proposed Reclamation Plan is upon property zoned Planned Development District No. 23 (Limestone Quarry and Mixed Use) and Planned Development District No. 24 (Limestone Quarry and Mixed Use), 5335 West Rawson Avenue, Franklin, Wisconsin 53132, located within the approximate boundaries of West Rawson Avenue on the north, West Drexel Avenue on the south, South 51st Street on the east and South 68th Street on the west. The properties which are the subject of the application bear Tax Key Nos. (all or portions of parcels) 758 9985 000, 758 9987 002, 758 9994 000, 758 9995 002, 758 9997 000, 758 9998 001, 758 9999 000, 789 9990 001, 789 9992 000, 789 9993 000, 789 9994 000, 789 9995 001, 789 9991 003, 790 9993 000, 757 9999 000, 757 9973 001, 757 9974 000, 757 9974 000, 757 9972 001, 757 9971 001, 757 9970 001, 757 9969 001, 758 9993 000, 758 9992 000 and 758 9991 000.

The Official Notice of Public hearing was read into the record by Planning Manager Eddy and the Public Hearing was opened at 7:16 p.m. and closed at 7:22 p.m.

Commissioner Léon moved and City Engineer Morrow seconded a motion to recommend approval of an Ordinance to approve a Quarry Nonmetallic Mining Reclamation Plan and to incorporate same into Unified Development Ordinance Section 15-3.0428, Ordinance No. 97-1456 (PDD No. 23) pursuant to §13.26s.5. and Unified Development Ordinance Section 15-3.0429, Ordinance No. 97-1457 (PDD No. 24) pursuant to §13.27t.5. and to authorize the issuance of a reclamation permit in relation thereto, subject to technical corrections by staff. On voice vote, all voted ‘aye’; motion carried. (6-0-0).

south, South 51st Street on the east and South 68th Street on the west. The properties which are the subject of the application bear Tax Key Nos. (all or portions of parcels) 758 9985 000, 758 9987 002, 758 9994 000, 758 9995 002, 758 9997 000, 758 9998 001, 758 9999 000, 789 9990 001, 789 9992 000, 789 9993 000, 789 9994 000, 789 9995 001, 789 9991 003, 790 9993 000, 757 9999 000, 757 9973 001, 757 9974 000, 757 9974 000, 757 9972 001, 757 9971 001, 757 9970 001, 757 9969 001, 758 9993 000, 758 9992 000 and 758 9991 000.

2. RAWSON VENTURES LLC COMMERCIAL/RESIDENTIAL DEVELOPMENT.

Rezoning application by David J. Church, Rawson Ventures LLC, to rezone three parcels of land and an outlot along West Rawson Avenue (Brunn family farm property), between the existing McDonalds restaurant and Anderson Family Dental (property is currently partially developed with two residences and a few out buildings and the remaining property is unfarmed farm land (4.50386 acres)), from R-6 Suburban Single-Family Residence District and B-3 Community Business District to B-2 General Business District, properties located at 7401 West Rawson Avenue (R-6 to B-2), 7295 West Rawson Avenue (B-3 to B-2), 7255 West Rawson Avenue (B-3 to B-2) and the upper portion (approximately 18,000 square feet) of 7401A West Rawson Avenue (R-6 to B-2); Tax Key Nos. 756-9993-013, 756-9993-019, 756-9993-018 and 756-9993-005.

David J. Church presented the request by Rawson Ventures LLC, to rezone three parcels of land and an outlot along West Rawson Avenue (Brunn family farm property), between the existing McDonalds restaurant and Anderson Family Dental (property is currently partially developed with two residences and a few out buildings and the remaining property is unfarmed farm land (4.50386 acres)), from R-6 Suburban Single-Family Residence District and B-3 Community Business District to B-2 General Business District, properties located at 7401 West Rawson Avenue (R-6 to B-2), 7295 West Rawson Avenue (B-3 to B-2), 7255 West Rawson Avenue (B-3 to B-2) and the upper portion (approximately 18,000 square feet) of 7401A West Rawson Avenue (R-6 to B-2); Tax Key Nos. 756-9993-013, 756-9993-019, 756-9993-018 and 756-9993-005.

The Official Notice of Public hearing was read into the record by Planning Manager Eddy and the Public Hearing was opened at 7:32 p.m. and closed at 7:33 p.m.

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone certain parcels of land from R-6 Suburban Single-Family Residence District and B-3 Community Business District to B-2 General Business District (located at 7401 West Rawson Avenue, 7295 West Rawson Avenue, 7255 West Rawson Avenue and the upper portion (approximately 18,000 square feet) of 7401a West Rawson Avenue) (4.50386 acres). On voice vote, all voted 'aye'; motion carried. (6-0-0).

3. BEAR DEVELOPMENT, LLC SINGLE-FAMILY RESIDENTIAL SUBDIVISION DEVELOPMENT.

Comprehensive Master Plan Amendment and Rezoning applications by Stephen R. Mills, President of Bear Development, LLC (Ignasiak Investment Co., LLC and

Principal Planner Martínez-Montilva presented the request by Stephen R. Mills, President of Bear Development, LLC (Ignasiak Investment Co., LLC and Ger Vang and Chia Vang, property owners), to amend the Future Land Use Map designation for an area consisting of three properties (two properties, 892-9999-002 and 937-9999-004, are designated as Recreational Use, covering approximately 74 acres (80% of

Ger Vang and Chia Vang, property owners), to amend the Future Land Use Map designation for an area consisting of three properties (two properties, 892-9999-002 and 937-9999-004, are designated as Recreational Use, covering approximately 74 acres (80% of the site), the remaining property, 938-9999-011, is designated as Residential Use, with a portion of land adjacent to South 112th Street designated as Areas of Natural Resource Features Use, from Recreational Use and Areas of Natural Resource Features Use to Residential Use, and to rezone that area of land from A-2 Prime Agricultural District and R-2 Estate Single-Family Residence District [the 2 properties that are designated as Recreational Use are zoned A-2 Prime Agricultural District and the remaining property is zoned R-2 Estate Single-Family Residence District (all three properties contain corridors zoned C-1 Conservancy District which is an obsolete zoning district because the current Unified Development Ordinance requires protection of natural resources through conservation easements) to R-5 Suburban Single-Family Residence District, properties generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area (totaling approximately 92 acres). [SUBJECT MATTER FOR THE COMPREHENSIVE MASTER PLAN AMENDMENT CONTINUED FROM THE OCTOBER 7, 2021 MEETING. A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER. THE PUBLIC HEARING FOR THE REZONING WAS PREVIOUSLY NOTICED FOR, OPENED AND HELD AT THE PLAN COMMISSION MEETING ON OCTOBER 7, 2021, AND THEN POSTPONED AND CONTINUED TO THE OCTOBER 21, 2021 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]

the site), the remaining property, 938-9999-011, is designated as Residential Use, with a portion of land adjacent to South 112th Street designated as Areas of Natural Resource Features Use, from Recreational Use and Areas of Natural Resource Features Use to Residential Use, and to rezone that area of land from A-2 Prime Agricultural District and R-2 Estate Single-Family Residence District [the 2 properties that are designated as Recreational Use are zoned A-2 Prime Agricultural District and the remaining property is zoned R-2 Estate Single-Family Residence District (all three properties contain corridors zoned C-1 Conservancy District which is an obsolete zoning district because the current Unified Development Ordinance requires protection of natural resources through conservation easements) to R-5 Suburban Single-Family Residence District, properties generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area (totaling approximately 92 acres). [SUBJECT MATTER FOR THE COMPREHENSIVE MASTER PLAN AMENDMENT CONTINUED FROM THE OCTOBER 7, 2021 MEETING].

Principal Planner Martínez-Montilva indicated that the applicant amended the original request and is only seeking the Comprehensive Master Plan Amendment and Rezoning for the 34.51-acre Ignasiak parcel (Tax Key Number No. 892-9999-002).

The Official Notice of Public hearing was read into the record by Planning Manager Eddy and the Public Hearing was opened at 7:44 p.m. and closed at 7:50 p.m.

Commissioner Haley moved to recommend denial of the Comprehensive Master Plan Amendment and Rezoning applications. The motion failed for lack of a second.

Comprehensive Master Plan Amendment

Commissioner Léon moved and City Engineer Morrow 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 three properties generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area from recreational use and areas of natural resource features use to residential use, pursuant to Wis. Stat. § 66.1001(4)(b), subject to changes of property description to be provided by the Department of City Development. On roll call vote, 3 voted ‘nay’ and 3 voted ‘aye’; motion tied, no recommendation (3-3-0).

Rezoning

Commissioner Léon moved and City Engineer Morrow seconded a motion to recommend approval of an ordinance to amend the Unified Development Ordinance (zoning map) to rezone certain parcels of land from A-2 Prime Agricultural District, R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District (generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area), subject to changes of property description to be provided by the Department of City Development. On roll call vote, 3 voted ‘nay’ and 3 voted ‘aye’; motion tied, no recommendation (3-3-0).

D. Business Matters

1. JUNIPER EVENTS LLC INDOOR RE:CRAFT AND RELIC MARKET, A TICKETED SHOPPING EVENT AT THE MILWAUKEE COUNTY SPORTS COMPLEX. Temporary Use application by Joshua J. Glidden, co-owner of Juniper Events LLC, for a two-day indoor re:craft and Relic ticketed, curated shopping event with over 150 vendors, featuring vintage, handmade and upcycled goods for sale (a juried event, with primary emphasis being placed on the quality and diversity of the products and the aesthetic of the booth displays), and 15 to 20 vendors for food sales (mainly prepackaged products, with 3-4 vendors selling non-prepackaged food), at the Milwaukee County Sports Complex located at 6000 West Ryan Road, for three periods, Fall Market held November 13-14, 2021, Winter Market held January 28-30, 2022 and Spring Market held April 2-3, 2022, from 10:00 a.m. to 4:00 p.m. on Saturdays, and from 10:00 a.m. to 4:00 p.m. on Sundays (with VIP tickets offering early entrance at 9:00 a.m. on Saturdays) [event staff on-site for each of the three events on Friday, from 6:00 a.m. to 9:00 p.m. (vendor setup from 12:00 p.m. to 8:00 p.m.), Saturday, from 6:30 a.m. to 6:00 p.m., and Sunday, from 8:00 a.m. to 9:00 p.m. (vendor teardown from 4:00 p.m. to 9:00 p.m.)], on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999-001 and 882-9987-001.

Danica Allen presented the request by Juniper Events LLC, for a two-day indoor re:craft and Relic ticketed, curated shopping event with over 150 vendors, featuring vintage, handmade and upcycled goods for sale (a juried event, with primary emphasis being placed on the quality and diversity of the products and the aesthetic of the booth displays), and 15 to 20 vendors for food sales (mainly prepackaged products, with 3-4 vendors selling non-prepackaged food), at the Milwaukee County Sports Complex located at 6000 West Ryan Road, for three periods, Fall Market held November 13-14, 2021, Winter Market held January 28-30, 2022 and Spring Market held April 2-3, 2022, from 10:00 a.m. to 4:00 p.m. on Saturdays, and from 10:00 a.m. to 4:00 p.m. on Sundays (with VIP tickets offering early entrance at 9:00 a.m. on Saturdays) [event staff on-site for each of the three events on Friday, from 6:00 a.m. to 9:00 p.m. (vendor setup from 12:00 p.m. to 8:00 p.m.), Saturday, from 6:30 a.m. to 6:00 p.m., and Sunday, from 8:00 a.m. to 9:00 p.m. (vendor teardown from 4:00 p.m. to 9:00 p.m.)], on property zoned P-1 Park District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 852-9999-001 and 882-9987-001.

Commissioner Léon moved and City Engineer Morrow seconded a motion to adopt a Resolution imposing conditions and restrictions for the approval of a Temporary Use for a re:craft and Relic market ticketed, curated shopping event for property located at 6000 West Ryan Road (Milwaukee County Sports Complex). On voice vote, all voted ‘aye’; motion carried. (6-0-0).

Key Nos. 852-9999-001 and 882-9987-001.

Adjournment

Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of October 21, 2021 at 8:10 p.m. On voice vote, all voted ‘aye’; motion carried. (6-0-0).