

City of Franklin
Plan Commission Meeting
April 4, 2013
Minutes

Approved
May 9, 2013

CALL TO ORDER

- I. Mayor Taylor called the April 4, 2013 regular Plan Commission meeting to order at 7:01 p.m. in the Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin.

Present were Alderman Solomon, and Commissioners Bennett, Fowler, Haley, Michlig, and Ritter. Also present were Planning Manager Dietl and Senior Planner Fuchs.

MINUTES

Regular Meeting of March 21, 2013

II.

- A. Commissioner Fowler moved and Commissioner Ritter seconded approval of the March 21, 2013 minutes of the regular meeting of the Plan Commission as presented. All voted 'aye', motion carried.

PUBLIC HEARINGS and BUSINESS ITEMS

Rick J. Przybyla, President of Creative Homes, Inc./Jeffrey J. Jensen and Suzanne K. Jensen Living Trust and Creative Homes, Inc., Owners (Reconfiguration of 1 Lot and 2 Outlots (Outlot 3 and Outlot 4 of Berkshire Addition No. 1) Resulting in 4 Single-Family Lots)

Property: Approximately 6600 South 51st Street and Outlots 3 and 4 of Berkshire Addition No. 1; Tax Key Nos. 712-0189-000, 712-0186-000 and 712-0187-000

Zoning: R-5 Suburban Single-Family Residence District and C-1 Conservancy District

Regarding: 1. (4 Lot Certified Survey Map)

A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING LOT 1 CERTIFIED SURVEY MAP NO. 7720, AND OUTLOT 3 AND OUTLOT 4 OF BERKSHIRE ADDITION NO. 1, ALL LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 SECTION 2, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

III.

- A. Planning Manager Dietl introduced the request for Certified Survey Map by Rick Przybyla, President of Creative Homes, Inc., for property located at approximately 6600 South 51st Street.

Motion by Commissioner Fowler, seconded by Alderman Solomon, to suspend regular business to allow Alderman Wilhelm to speak. All voted 'aye', motion carried.

Commissioner Fowler made a motion, seconded by Commissioner Ritter, to return to regular order of business. All voted 'aye', motion carried.

Commissioner Fowler moved to grant a modification to the 60 foot frontage requirement of §15-5.0101B.1. of the Unified Development Ordinance and allow for a 53.08 foot frontage for each of Lots 2 and 3, pursuant to §15-9.0310 of the Unified Development Ordinance, finding by the greater weight of the evidence, that historical City planning for the lots to be created here and in anticipation of same, the Developer's historical installation of laterals for each of the lots to be created support a variance as being exceptional circumstances, support the interested parties' property rights, and will not impair adjacent property or violate the spirit of the Unified Development Ordinance or the public interest. Seconded by Commissioner Ritter. On voice vote, all voted 'aye'. Motion carried (6-0).

Motion by Commissioner Bennett to recommend approval of a resolution conditionally approving a 4 lot Certified Survey Map, being Lot 1 Certified Survey Map No. 7720, and Outlot 3 and Outlot 4 of Berkshire Addition No. 1, all located in the Southwest 1/4 of the Northeast 1/4 Section 2, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, subject to adding the requirement for submittal of a Subdivision Development

Item III.A. cont.

Home Depot 4907 (Home Depot U.S.A., Inc.) (Outdoor Seasonal Trees, Shrubs and Landscape Bagged Goods Sales)

Property: 6489 South 27th Street;

Tax Key No. 714-9996-015

Zoning: Planned Development District No. 14 (Jewel-Osco/Home Depot)

Regarding: 1. (Temporary Use) A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A TEMPORARY USE FOR OUTDOOR SEASONAL TREE AND SHRUB SALES FOR PROPERTY LOCATED AT 6489 SOUTH 27TH STREET)

Gus's Mexican Cantina, LLC (Seasonal, Weekly Car Show Held in the Northern Half of Garden Plaza Shopping Center Parking Lot, Adjacent to Gus's Mexican Cantina)

Property: Approximately 6514 South Lovers Lane Road (Garden Plaza Shopping Center);

Tax Key No. 705-8997-004

Zoning: B-3 Community Business District

Regarding: 1. (Temporary Use) A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A TEMPORARY USE FOR A SEASONAL, WEEKLY CAR SHOW UPON PROPERTY LOCATED AT APPROXIMATELY 6514 SOUTH LOVERS LANE ROAD (GARDEN PLAZA SHOPPING CENTER)

Potential Rezoning and Comprehensive Master Plan Amendment Regarding the Properties Located at Approximately 9733 South 76th Street (Approximately 17.77 acres: Property Bearing Tax Key No. 896-9999-008 is Approximately 15.04 Acres and the Property Bearing Tax Key No. 896-9999-007 is Approximately 2.73 Acres) to Change the Planned Use and Zoning From I-1 Institutional District to BP Business Park District

Agreement and Letter of Credit, and adding to Item #7 of the resolution “and review of site drainage for Lots 2, 3 and 4”. Commissioner Fowler seconded the motion. On voice vote, all voted ‘aye’. Motion carried (6-0).

- B. Planning Manager Dietl presented the request of Home Depot U.S.A., Inc. for outdoor seasonal sales of trees, shrubs and bagged landscape goods.

Alderman Solomon moved to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for outdoor seasonal tree and shrub sales for property located at 6489 South 27th Street. Seconded by Commissioner Ritter. On voice vote, all voted ‘aye’. Motion carried (6-0).

- C. Planning Manager Dietl presented the request of Gus's Mexican Cantina, LLC to hold a weekly, seasonal car show in the northern half of the Garden Plaza Shopping Center parking lot.

Motion by Commissioner Haley, seconded by Alderman Solomon, to suspend regular business to allow Alderman Skowronski to speak. All voted 'aye', motion carried.

Commissioner Haley made a motion, seconded by Commissioner Ritter, to return to regular order of business. All voted 'aye', motion carried.

Commissioner Ritter moved to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for a seasonal, weekly car show upon property located at approximately 6514 South Lovers Lane Road (Garden Plaza Shopping Center), subject to all event clean-up being completed by 10:00 a.m. the morning following the event. Seconded by Alderman Solomon. On voice vote, all voted ‘aye’. Motion carried (6-0).

- D. Planning Manager Dietl presented the potential rezoning and Comprehensive Master Plan amendment of properties located at approximately 9733 South 76th Street to change the planned use and zoning from I-1 Institutional District to BP Business Park District. Mayor Taylor spoke on behalf of the request.

Commissioner Fowler moved, and Alderman Solomon seconded a motion, to direct staff to initiate the rezoning and Comprehensive Master Plan amendment and report to the Common Council. On voice vote, all voted ‘aye’. Motion carried.

**City of Franklin
(Complete Streets and Connectivity
Committee)**

Property: City-wide

Zoning: City-wide

Regarding: 1. Status Report

ADJOURNMENT

- E. Commissioner Michlig informed the Plan Commissioners of a site walk on April 24th for the Pleasant View/Victory Creek Trail, and the Committee will be reviewing the Franklin High School site plan at the next Complete Streets and Connectivity Committee meeting. No action needed, none taken.

- IV. Commissioner Ritter moved and Commissioner Haley seconded to adjourn the Plan Commission meeting at 7:54 p.m. All voted 'aye'; motion carried.