

**City of Franklin  
Plan Commission Meeting  
April 23, 2015  
Minutes**

Approved  
May 7, 2015

**CALL TO ORDER & ROLL CALL**

- A. Mayor Steve Olson called the April 23, 2015 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 Alderwoman Susanne Mayer and Commissioners David Fowler, Kevin Haley, Scott Thinnes and City Engineer Glen Morrow. Excused was Commissioner Patricia Hogan. Also present were City Attorney Jesse Wesolowski, Planning Manager Joel Dietl and Senior Planner Nick Fuchs. In attendance was Alderwoman Janet Evans.

**APPROVAL OF MINUTES**

Regular Meeting of March 19, 2015

- B.  
1. Commissioner Fowler moved and Commissioner Morrow seconded approval of the March 19, 2015 minutes of the Regular meeting of the Plan Commission as amended at Item A. On voice vote, all voted 'aye'. Motion carried.

**PUBLIC HEARING  
BUSINESS MATTERS**

- C. (No Public Hearing is required upon the following matters.)

**BUSINESS MATTERS**

**OSCAR'S FROZEN CUSTARD SIGNAGE.** Unified Development Ordinance §15-3.0415 Planned Development District No. 10 (Riverwood Village-Bouraxis) Minor Amendment application by James Taylor and Susan Taylor, to remove the monument sign height limit for all properties in the District and the wall sign prohibition on the south side of buildings for the property located at 7041 South 27th Street; Tax Key No. 738-0069-001.

- D.  
1. Planning Manager Dietl presented the application by James Taylor and Susan Taylor for an amendment to Planned Development District No. 10 (Riverwood Village-Bouraxis) for property located at 7041 South 27th Street.

Commissioner Fowler motioned to determine the proposed amendment to be a minor amendment. Seconded by Alderwoman Mayer. On voice vote, all voted 'aye'. Motion carried.

Commissioner Fowler moved to recommend approval of an ordinance to amend §15-3.0415 of the Unified Development Ordinance Planned Development District No. 10 (Riverwood Village-Bouraxis) to amend the monument sign height limit and to provide for factors to be considered as read into the record and exceptions therefrom to be applied for before the Plan Commission (conditions as follows by the City Planner and Commissioners Fowler and Thinnes; 1) sign is unique or distinctive and establishes a special character that enhances the Planned Development District and represents an

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established corporate image, 2) sign does not create any undue negative impacts or concerns relating to safety, visual clutter or setbacks, 3) sign does not interfere with traffic visibility, 4) sign does not interfere with the viewscape of signs on neighboring properties, and 5) a grant of exception be specifically for the subject property and shall be based upon the individual merits of the application for the exception; and then with regard to Section 2 of the draft ordinance that provides for the insertion of Oscar's Frozen Custard as able to utilize the south building elevation signage, in addition thereto Goodwill and GFS Marketplace be added to that section and Andy's Charhouse be deleted.

Commissioner Thinnes seconded the motion. On voice vote, all voted 'aye'. Motion carried.

**VICTORY OF THE LAMB  
LUTHERAN CHURCH WORSHIP  
CENTER.** Site Plan Amendment application by Victory of the Lamb, Inc., to accommodate engineering tests of the developable areas and the removal of a previously planned playground development, for property zoned I-1 Institutional District, located at 11120 West Loomis Road; Tax Key No. 889-9989-000.

2. Planning Manager Dietl presented the Site Plan amendment by Victory of the Lamb, Inc. to accommodate engineering tests of the developable areas and the removal of a previously planned playground development.

Commissioner Morrow moved to approve a resolution to amend the Site Plan for property located at 11120 West Loomis Road for the development of the Victory of the Lamb Church, subject to protection of tree line at the drip line with orange construction fencing with any modifications to the site subject to staff review and approval. Seconded by Commissioner Fowler. On voice vote, all voted 'aye'. Motion carried (5-0-1 Hogan).

Alderswoman Mayer made a motion to require the applicant to extend water to the extent shown on the current plan, which is essentially to the driveway, and enter into negotiations for possible acquisition of lands to the west, and that the applicant, should negotiations not be successful, at their expense will extend water to the property line at some point when the need arises (as future development down Loomis Road requires it). Commissioner Haley seconded the motion. On voice vote, all voted 'aye'. Motion carried.

**SUMMIT CREDIT UNION.**

Amendment to Special Use to extend the time for obtaining an occupancy permit, Summit Credit Union, applicant, for property in the Shoppes of Wyndham Village, zoned CC City Civic Center District, located at 7750 South Lovers Lane Road; Tax Key No. 794-9999-008.

3. Planning Manager Dietl presented the request for a time extension of a Special Use by Summit Credit Union.

Commissioner Fowler moved to recommend approval of a Resolution to amend Resolution No. 2014-6979, a Resolution imposing conditions and restrictions for the approval of a Special Use for a credit union use upon property located at 7750 South Lovers Lane Road, to extend the time for the obtaining of the issuance of an Occupancy Permit, which resolution is to include a reference to Section 15-9.0103 of the Unified Development Ordinance to state the authority for the time extension which does not require a public hearing. Alderwoman Mayer seconded the motion. On voice vote, all voted 'aye'. Motion carried.

Mayor Olson recessed the meeting at 8:47 p.m. and reconvened the meeting at 8:49 p.m. with all Commissioners in attendance.

**DEPARTMENT OF CITY DEVELOPMENT 2014 ANNUAL REPORT.**

4. Planning Manager Dietl presented the 2014 Annual Report of the Department of City Development.

Commissioner Thinner moved, and Commissioner Haley seconded, to place on file the Department of City Development 2014 Annual Report. On voice vote, all voted 'aye'. Motion carried.

**MATT TALBOT COMMUNITY BASED RESIDENTIAL FACILITY.**

Site Plan application by Matt Talbot Recovery Services, Inc., for the construction of a 5 to 8 bedroom State licensed Community Based Residential Facility consisting of a 3,690 square foot building, 16 parking spaces and a basketball court, for property zoned R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District located at 9132 South 92nd Street; Tax Key No. 886-9987-000. Common Council April 21, 2015 action rescinding its March 3, 2015 conditional approval of the applicant's request for a public water main extension, directing staff to provide in part

5. City Attorney Wesolowski updated the Plan Commission on the Site Plan application by Matt Talbot Recovery Services, Inc. and indicated that Condition No. 5 of Plan Commission Resolution No. 2015-007 pertaining to the extension of public water to the southern boundary of the property cannot be fulfilled as Common Council rescinded its March 3, 2015 approval of the water main request.

Commissioner Fowler moved to acknowledge receipt of, and Commission's consideration of the Common Council direction upon this matter to note that the Site Plan resolution approval granted by the Plan Commission had a required condition of approval No. 5, which cannot be met due to the Council action rescinding its approval of the proposed water extension and to note that Plan Commission awaits

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further information upon water extension alternatives, and the Council's direction to the Plan Commission to consider the rescission of its March 19, 2015 conditional approval of a Site Plan (water extension agreement condition thereon no longer viable following Council action) for the project, and to later receive the further information regarding the water extension, and information, including, but not limited to, WIDNR natural resource features review of the property water navigability determination and wetland delineation confirmation.

the receipt of the public water supply distribution information, the WI Dept of Natural Resources site property natural resources features information, and potential Highway 100 reconstruction impacts regarding the site property information to be provided by staff as directed by the Common Council.

Motion died due to lack of a second.

Motion by Commissioner Thinnnes to rescind the Site Plan approval granted by Plan Commission on March 19, 2015 as the approval contained a Condition No. 5 which cannot be met without City approval of the public water supply extension as well as current new information received by the Commission with regard to the plan of the Wisconsin Department of Transportation Highway 100 reconstruction impacts regarding the site property. Seconded by Commissioner Fowler. On voice vote, all voted 'aye'. Motion carried (5-0-1 Hogan).

**ADJOURNMENT**

- E.** Commissioner Fowler moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of April 23, 2015 at 9:01 p.m. All voted 'aye'; motion carried.