

**City of Franklin  
Plan Commission Meeting  
April 19, 2018  
Minutes**

Approved  
**May 3, 2018**

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

Mayor Steve Olson called the April 19, 2018 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, Adam Burckhardt, Kevin Haley, David Fowler, Alderman Dandrea and City Engineer Glen Morrow. Also present were City Attorney Jesse Wesolowski, Planning Manager Joel Dietl and Principal Planner Nick Fuchs.

**B. Approval of Minutes**

1. Regular Meeting of April 5, 2018.

Alderman Dandrea moved and Commissioner Hogan seconded approval of the April 5, 2018 minutes of the regular meeting of the Plan Commission as corrected. On voice vote, 5 voted 'aye' and 1 abstained. Motion carried (5-0-1).

**C. Public Hearing Business Matters**

1. None.

**D. Business Matters**

**3. MILLS HOTEL WYOMING, LLC LAND COMBINATION.** Right-of-Way Vacation application by Mills Hotel Wyoming, LLC, to allow the property to be attached/included with a Mills Hotel Wyoming, LLC adjacent property [vacated portion of the property located at South 116th Street, south of West Ryan Road, has an area of 0.1664 acre, abutting properties located at 11607 West Ryan Road (Mills Hotel Wyoming, LLC, owner); Tax Key No. 891-9989-004 and 11533 West Ryan Road (Wisconsin Department of Transportation, owner); Tax Key No. 892-9997-000], property zoned R-3 Suburban/Estate Single-Family Residence District and R-8 Multiple-Family Residence District.

Planning Manager Joel Dietl presented the request by Mills Hotel Wyoming, LLC, to allow the property to be attached/included with a Mills Hotel Wyoming, LLC adjacent property [vacated portion of the property located at South 116th Street, south of West Ryan Road, has an area of 0.1664 acre, abutting properties located at 11607 West Ryan Road.

City Engineer Morrow moved and Commissioner Fowler seconded a motion to recommend approval to Common Council to undertake street vacation proceedings upon the petition of Mills Hotel Wyoming, LLC to vacate approximately 0.1664 acre of right-of-way which extends along South 116<sup>th</sup> Street, directly South of 116<sup>th</sup> Street, South of West Ryan Road and West of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 and 11533 West Ryan Road bearing Tax Key No. 892-9997-000. On voice vote, all voted 'aye'. Motion carried (6-0-0).

**2. EVERGREEN PARK ESTATES RESIDENTIAL LOTS DEVELOPMENT.**

Final Subdivision Plat application by Rick J. Przybyla, President of Creative Homes, Inc., to subdivide the existing 32.67 acre property at approximately 7501 South 49th Street, to create four R-6 Suburban Single-Family Residence District lots and one outlot, including three lots north of West Evergreen Street (Lots 1, 2 and 3) and one lot and outlot south of West Evergreen Street (Lot 4), lot sizes ranging in size from 22,102 square feet to 43,504 square feet, (the Preliminary Plat was conditionally approved at the February 6, 2018 Common Council meeting), property zoned R-6 Suburban Single-Family Residence District, FC Floodplain Conservancy District and FW Floodway District.

Planning Manager Joel Dietl presented the request by Rick J. Przybyla, President of Creative Homes, Inc., to subdivide the existing 32.67 acre property at approximately 7501 South 49th Street, to create four R-6 Suburban Single-Family Residence District lots and one outlot, including three lots north of West Evergreen Street (Lots 1, 2 and 3) and one lot (Lot 4) and one outlot south of West Evergreen Street, lot sizes ranging in size from 22,102 square feet to 43,504 square feet, (the Preliminary Plat was conditionally approved at the February 6, 2018 Common Council meeting), property zoned R-6 Suburban Single-Family Residence District, FC Floodplain Conservancy District and FW Floodway District.

City Engineer Morrow moved and Commissioner Hogan seconded a motion to recommend approval of a resolution conditionally approving a Final Plat for Evergreen Park Estates subdivision (at approximately 7501 South 49<sup>th</sup> Street). On voice vote, 4 voted 'aye' and 2 voted 'nay'. Motion carried (4-2-0).

**1. PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) MINOR MENDMENT, THREE CERTIFIED SURVEY MAPS AND A SITE PLAN FOR FOUR APARTMENT BUILDINGS.**

A minor Planned Development District Amendment, Three Certified Survey Map applications and a Site Plan application by Ballpark Commons, LLC, applicant. Zim-Mar Properties, LLC, BPC County Land, LLC, and Wisconsin Department of Transportation property owners (BPC County Land LLC is excluded as property owners relative to the Site Plan), as follows:

Minor Planned Development District Amendment: To revise the District in the following manner: to revise certain district standards including but not limited to building height limits, building setback limits, and building density limits; to include additional more detailed site information

**A. Minor Amendment**

Commissioner Haley moved and Commissioner Fowler seconded a motion determining the proposed amendment to be a Minor Amendment. On voice vote, all voted 'aye'. Motion carried (6-0-0).

**B. Planned Development District Ordinance Amendment**

Alderman Dandrea moved and Commissioner Fowler seconded a motion to recommend approval of an Ordinance to codify through current in its entirety and amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to revise the district in the following manner: to revise certain district standards including but not limited to building height limits, building setback limits, and building density limits and to include additional more detailed site information pertaining to buildings and structures (at approximately 7900 West Crystal Ridge Drive, and along West Rawson Avenue, West Loomis Road, and West Old Loomis Road). On voice vote, all voted 'aye'. Motion carried (6-0-0).

**F. Site Plan**

Alderman Dandrea moved and Commissioner Fowler seconded a motion to replace "40 feet" with "34 feet", condition No. 5 of the Site Plan Resolution. On voice vote,

pertaining to buildings and structures; and to codify through current in its entirety all previously adopted amendments to Planned Development District No. 37. To accommodate in part a Site Plan for Buildings B1, B2, B3, and B4 (four proposed apartment buildings to be located south of West Rawson Avenue), an associated clubhouse (also to be located south of West Rawson Avenue), and associated public streets and private parking lots. All property located at approximately 7900 West Crystal Ridge Drive (including property south of West Rawson Avenue); zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key Nos. 754-9988-001, 754-9988-002, 755-9996-000, 755-9995-001, and 755-9995-002.

Three Certified Survey Maps: 1) a 128 acre 3 Lot and 1 Outlot Certified Survey Map to encompass the proposed right-of-way/easement (Outlot 1) of the new Ballpark Drive and the lands to the north (North 1); 2) a 10 acre 4 lot Certified Survey Map to encompass the lands between the proposed new Ballpark Drive and existing South 76th Street/West Loomis Road/West Rawson Avenue (North 2); and 3) a 34 acre 4 lot Certified Survey Map to encompass all of lands south of West Rawson Avenue (South) [the boundaries of a number of the proposed Certified Survey Map lots are based upon the proposed new locations of Ballpark Drive which has not yet been approved by the City of Franklin]. All property located at approximately 7900 West Crystal Ridge Drive (including property north and south of West Rawson Avenue), zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) and FW Floodway District; Certified Survey Map Tax Key Nos.: (North 1) 708-8996- 000, 708-8999-000, 744-8989-000, 744-8988-000, 744-

all voted 'aye'. Motion carried (6-0-0).

Commissioner Fowler moved and City Engineer Morrow seconded a motion to replace “30 feet” with “20 feet”, condition No. 6 of the Site Plan Resolution. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Hogan moved and Alderman Dandrea seconded a motion to delete condition No. 7 of the Site Plan Resolution. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Alderman Dandrea moved and Commissioner Fowler seconded a motion to replace “irrigation” with “hose bibs”, condition No. 11 of the Site Plan Resolution. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Fowler moved and Alderman Dandrea seconded a motion to delete condition No. 12 of the Site Plan Resolution. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Fowler moved and Commissioner Haley seconded a motion to add “subject to technical corrections.” On voice vote, motion was withdrawn and seconded. Commissioner Haley moved and Commissioner Fowler seconded a motion to add “public” between “such “ and “easements” and to add “subject to minor technical corrections” between “and” and “recorded”, condition No. 13 of the Site Plan Resolution. All voted 'aye'. Motion carried (6-0-0).

Commissioner Hogan moved and Commissioner Fowler seconded a motion to delete condition No. 14 of the Site Plan Resolution. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Haley moved and Commissioner Burckhardt seconded a motion to delete “decorative lighting, and” and add to add “at the internal trail intersections” between “lighting” and “for”, condition No. 16 of the Site Plan Resolution. On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Fowler moved and Commissioner Burckhardt seconded a motion to approve a Resolution approving a Site Plan for construction of four, 3-Story, 50 unit apartment buildings with one level of underground parking within Planned Development District No. 37 (The Rock Sports

8985-002, 745-8999-004, 745-0029-000, 745-8998-000, a portion of 744-8980-001 and 744-8985-001; (North 2) 744-8981-000, 744-8980-001 and 744-8985-001 and (South) 755-9996-000, 754-9988-002, 755-9995-001, 755-9995-002 and 754-9988-001. Property owners for Certified Survey Map (North 1): Wisconsin Department of Transportation and BPC County Land, LLC; (North 2): Wisconsin Department of Transportation and BPC County Land, LLC and (South): Zim-Mar Properties, LLC.

Site Plan: Four proposed apartment buildings (and a future clubhouse building), to be located south of West Rawson Avenue (this also includes a portion of the adjacent proposed Ballpark Drive, adjacent portions of shared parking lots, and adjacent portions of the landscape berm to the west). The four apartment buildings will each be 3-stories tall with one level of underground parking, and each building will have approximately 55 apartment units. All property located at approximately 7900 West Crystal Ridge Drive (including property south of West Rawson Avenue), zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Site Plan Tax Key Nos.: 754-9988-001, 754-9988-002, a portion of 755-9996-000, a portion of 755-9995-001 and a portion of 755-9995-002.

## **E. Adjournment**

Complex/Ballpark Commons) (7900 West Crystal Ridge Drive) with changes as made in the previous motions. On voice vote, all voted 'aye'. Motion carried (6-0-0).

### **C. 3 Lot and 1 Outlot Certified Survey Map #1**

Alderman Dandrea moved and Commissioner Hogan seconded a motion to recommend approval of a Resolution conditionally approving a 3 lot and 1 outlot Certified Survey Map, being a redivision of parcels 1 and 2 of Certified Survey Map No. 3931, outlot 1 of Certified Survey Map No. 3107, outlot 1 of Whitnall View addition No. 1, that vacated portion of Crystal Ridge Drive and lands in the Southwest 1/4 and Southeast 1/4 of the Northeast 1/4, the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southwest 1/4 all in Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (7900 West Crystal Ridge Drive). On voice vote, all voted 'aye'. Motion carried (6-0-0).

### **D. 4 Lot Certified Survey Map #2**

Commissioner Haley moved and Commissioner Fowler seconded a motion to recommend approval of a Resolution conditionally approving a 4 lot Certified Survey Map, being that vacated portion of Crystal Ridge Drive and lands in the Southwest 1/4, Southeast 1/4 and Northeast 1/4 of the Southeast 1/4 of the Section 4, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (7900 West Crystal Ridge Drive) On voice vote, all voted 'aye'. Motion carried (6-0-0).

### **E. 4 Lot Certified Survey Map #3**

Commissioner Burckhardt moved and Commissioner Hogan seconded a motion to recommend approval of a Resolution conditionally approving a 4 lot Certified Survey map, being part of the Northwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (7900 West Crystal Ridge Drive). On voice vote, all voted 'aye'. Motion carried (6-0-0).

Commissioner Fowler moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of April 19, 2018 at 8:30 p.m. All voted 'aye'; motion carried. (6-0-0).