

**City of Franklin
Plan Commission Meeting
December 21, 2017
Minutes**

Approved
January 4, 2018

A. Call to Order and Roll Call

Mayor Steve Olson called the December 21, 2017 regular Plan Commission meeting to order at 7:00 p.m. in the Fadrow Room at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin.

Present was Commissioners, Adam Burckhardt and Kevin Haley and City Engineer Glen Morrow. Excused was Commissioners David Fowler, Patricia Hogan and Alderman Dandrea. Also present was Planning Manager Joel Dietl and Principal Planner Nick Fuchs.

B. Approval of Minutes

1. Regular Meeting of December 7, 2017.

Commissioner Haley moved and City Engineer Morrow seconded approval of the December 7, 2017 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (4-0-3).

C. Public Hearing Business Matters

2. **JEMCO ELECTRIC ELECTRICAL CONTRACTOR BUSINESS USE.** Special Use application by John Prusinski, owner and operator of Jemco, LLC d/b/a Jemco Electric, to operate an electrical contractor business within the former Woodcrest Market building located at 11610 West Rawson Avenue, which will include numerous building and site improvements over a 2 to 3 year period, with Jemco, LLC d/b/a Jemco Electric as the primary building tenant, and remodeling of the former attached residence into office space to lease to a future tenant, upon property zoned B-2 General Business District; Tax Key No. 749-9999-000.

Planning Manager Joel Dietl presented the request by John Prusinski, owner and operator of Jemco, LLC d/b/a Jemco Electric, to operate an electrical contractor business within the former Woodcrest Market building located at 11610 West Rawson Avenue, which will include numerous building and site improvements over a 2 to 3 year period, with Jemco, LLC d/b/a Jemco Electric as the primary building tenant, and remodeling of the former attached residence into office space to lease to a future tenant, upon property zoned B-2 General Business District.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:03 and closed at 7:08.

Commissioner Haley moved and Commissioner Burckhardt seconded a motion to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use for an electrical contractor business use upon property located at 11610 West Rawson Avenue. On voice vote, all voted 'aye'. Motion carried (4-0-3).

D. Business Matters

1. WHITNALL YOUTH BASEBALL, INC. SPORTS GROUP INDOOR PHYSICAL FITNESS/PRACTICE FACILITY.

Temporary Use application by Michael Phillip Meyer, President of Whitnall Youth Baseball, Inc., for operation of a public youth baseball and softball indoor physical fitness/practice facility use for boys and girls ranging in age from 4 to 16, from communities all around southeastern Wisconsin, at approximately 6542 South Lovers Lane Road, in the Garden Plaza Shopping Center, between January 8, 2018 and April 8, 2018, from 5:00 p.m. to 9:00 p.m. Monday through Friday and from 9:00 a.m. to 6:00 p.m. on Saturdays and Sundays, on property zoned B-3 Community Business District; Tax Key No. 705-8997-004.

Planning Manager Joel Dietl presented the request by Michael Phillip Meyer, President of Whitnall Youth Baseball, Inc., for operation of a public youth baseball and softball indoor physical fitness/practice facility use for boys and girls ranging in age from 4 to 16, from communities all around southeastern Wisconsin, at approximately 6542 South Lovers Lane Road, in the Garden Plaza Shopping Center, between January 8, 2018 and April 8, 2018, from 5:00 p.m. to 9:00 p.m. Monday through Friday and from 9:00 a.m. to 6:00 p.m. on Saturdays and Sundays, on property zoned B-3 Community Business District.

Commissioner Haley moved and Commissioner Burckhardt seconded a motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary Use for an indoor physical fitness/practice facility use for property located at 6542 South Lovers Lane Road (Garden Plaza Shopping center). On voice vote, all voted 'aye'. Motion carried (4-0-3).

C. Public Hearing Business Matters

1. PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) ORDINANCE TERMS AND USES AMENDMENTS, STADIUM SPECIAL USE AND NATURAL RESOURCES SPECIAL EXCEPTIONS.

Planned Development District Amendment, Special Use and Natural Resource Features Special Exception applications by Ballpark Commons, LLC, applicant, Zim-Mar Properties, LLC, Milwaukee County, Wisconsin Department of Transportation and FF & E, LLC property owners, as follows:

Natural Resource Features Special Exception

Planning Manager Joel Dietl presented the request by Ballpark Commons, LLC, applicant, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance for the purpose of allowing impact to various wetlands, wetland buffers, wetland setbacks, mature woodlands, floodplain, and shore buffer (approximately 38.92 total acres of protected natural resource features currently exist within the subject property) in order to construct the proposed Ballpark Commons sports anchored mixed use development. And to create new wetland; restore/enhance existing wetland; create new wetland buffers associated with two proposed stormwater management ponds; and create woodlands associated with a proposed berm along the entire western boundary of the Ballpark Commons project.

Planned Development District Amendment to revise the district in the following manner: to allow additional uses as permitted uses, including but not limited to sports medicine medical offices/facilities, indoor/outdoor golf

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:17 p.m. and closed at 8:37 p.m.

Commissioner Haley moved and City Engineer Morrow seconded a motion to recommend approval of the Ballpark

driving range, and indoor/outdoor entertainment uses, music and sporting events; to allow as a special use small engine go cart racing; to revise certain district standards including but not limited to building height and building setback limits; to include additional more detailed site information pertaining to public and private infrastructure such as streets, parking lots and stormwater management facilities; to include additional more detailed site information pertaining to the proposed multi-family residential apartments to be located south of West Rawson Avenue, and to the stadium, indoor sports facility and the retail/office/commercial buildings to be located north of West Rawson Avenue and to allow a three month extension of the first building permit time limit in condition number 27 in Planned Development District No. 37, Ordinance No. 2016-2212;

Special Use

to allow for construction and operation of a proposed stadium with seating for approximately 4,000 people that will serve as the home field for: an independent minor league baseball team; the University of Wisconsin-Milwaukee baseball team; and a professional and/or summer college soccer team; the stadium is proposed to be used as an extension of the current sports programming offered at The Rock Sports Complex including baseball tournaments, league play, and practices and the stadium is envisioned to host civic and/or entertainment events including farmer's markets, expos, ice skating, concerts, weddings, corporate events, fireworks, and other special events; the perimeter of the proposed Stadium will include such accessory uses and activities as entertainment, music, and fan engagement zones consisting of games, amusement rides,

Commons, LLC Natural Resource Features Special Exception pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of the Environmental Commission recommendations and Staff recommendations. On voice vote, all voted 'aye'. Motion carried (4-0-3).

Special Use

Planning Manager Joel Dietl presented the request by Ballpark Commons, LLC, applicant, for a Special Use to allow for construction and operation of a proposed stadium with seating for approximately 4,000 people that will serve as the home field for: an independent minor league baseball team; the University of Wisconsin-Milwaukee baseball team; and a professional and/or summer college soccer team. The stadium is proposed to be used as an extension of the current sports programming offered at The Rock Sports Complex; the stadium is envisioned to host civic and/or entertainment events; the perimeter of the proposed Stadium will include such accessory uses and activities as entertainment, music, and fan engagement zones; and the proposed stadium will serve food and beverages in a variety of ways (such proposed stadium use is to be located south of the ski hill).

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 8:53 p.m. and closed at 9:17 p.m.

City Engineer Morrow moved and Commissioner Haley seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for construction and operation of a proposed outdoor baseball/soccer stadium use upon property located at 7900 West Crystal Ridge Drive. On voice vote, all voted 'aye'. Motion carried (4-0-3).

Planned Development District Amendment

Planning Manager Joel Dietl presented the request by Ballpark Commons, LLC, applicant, to revise the district in the following manner: to allow additional uses as permitted uses; to allow additional uses as special uses, to revise certain district standards; to include additional more detailed site information; and to allow a three month extension of the first building permit time limit in condition number 27 in Planned Development District No. 37, Ordinance No. 2016-2212.

and various activities for children and adults; the proposed stadium will serve food and beverages in a variety of ways utilizing traditional concession stands, open air and mobile concessions, and food trucks (such proposed stadium use is to be located south of the ski hill);

Natural Resource Features Special Exception for the purpose of allowing impact to various wetlands, wetland buffers, wetland setbacks, mature woodlands, floodplain, and shore buffer (approximately 38.92 total acres of protected natural resource features currently exist within the subject property) in order to construct the proposed Ballpark Commons sports anchored mixed use development. In summary, the applicant is requesting to: clear, grade, fill and develop approximately 23.08 acres of protected natural resource features comprised of the following: approximately 2.0 acres of wetlands which have received an Artificial/Exempt Wetland Determination from the Wisconsin Department of Natural Resources; approximately 1.35 acres of non-exempt wetlands; approximately 4.27 acres of wetland buffers; approximately 4.31 acres of wetland setbacks; approximately 10.97 acres of mature woodlands; approximately 0.18 acre of floodplain; create approximately 0.75 acre of new wetland; restore/enhance approximately 0.55 acre of existing wetland; create approximately 5.5 acres of new wetland buffers associated with two proposed stormwater management ponds and create approximately 8.5 acres of woodlands associated with a proposed berm along the entire western boundary of the Ballpark Commons project [it is noted that of the proposed impacts, approximately 2.0 acres consist of wetlands which have been exempted from regulation/protection by the

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 9:29 p.m. and closed at 10:05 p.m.

City Engineer Morrow moved and Commissioner Haley seconded a motion to recommend approval of an Ordinance to 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 allow additional uses as permitted uses, including but not limited to indoor/outdoor golf driving range, and indoor/outdoor entertainment uses, music and sporting events; to all as a Special Use small engine electric go cart racing; to revise certain district standards including but not limited to building height and building setback limits: to include additional more detailed site information pertaining to public and private infrastructure such as streets, parking lots and stormwater management facilities; to include additional more detailed site information pertaining to the proposed Multi-Family Residential apartments to be located south of West Rawson Avenue, and to the stadium, indoor sports facility and the retail/office/commercial buildings to be located north of West Rawson Avenue and to allow a three month extension of the first building permit time limit in condition number 27 in Planned Development District No. 37, Ordinance No. 2016-2212 (7900 West Crystal Ridge Drive), in reference to tracked change draft Ordinance. On voice vote, all voted 'aye'. Motion carried (4-0-3).

Wisconsin Department of Natural Resources, and that approximately 0.18 acre consist of floodplain which is being impacted by a stormwater pond's rip-rap outfall and by a sanitary sewer extension which are permitted activities within the floodplain]; all property located at 7900 West Crystal Ridge Drive, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) and FW Floodway District. Tax Key Nos. 745-8998-000, 744-8985-001, 744-8985-002, 744-8989-000, 744-8988-000, 755-9996-000, 754-9988-002, 755-9995-001, 708-8996-000, 708-8999-000, 744-8980-001, 745-0029-000, 745-8999-004, 755-9995-002, 754-9988-001, 744-8981-000 [all preceding Tax Key Nos. are Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) zoning, with the exception of Tax Key Nos. 708-8996-000 and 744-8980-001 which are zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) and FW Floodway District] [the properties which are the subject of the Special Use application bear Tax Key Nos. (all or portions of parcels) 744-8980-001, 744-8989-000, 744-8988-000 and 744-8985-001 ((The Rock Sports Complex/Ballpark Commons) and FW Floodway District (Tax Key No. 744-8980-001 only)].

E. Adjournment

Commissioner Haley moved and Commissioner Burckhardt seconded to adjourn the Plan Commission meeting of December 21, 2017 at 10:08 p.m. All voted 'aye'; motion carried. (4-0-3).