

City of Franklin
Plan Commission Meeting
July 19, 2012
Minutes

Approved as Amended
August 9, 2012

CALL TO ORDER

- I.** Mayor Taylor called the July 19, 2012 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 Bennett, Fowler, Haley, Michlig and Ritter. Also present were City Attorney Wesolowski, Senior Planner Fuchs and Planner II Sumwalt. Also in attendance were Aldermen Olson, Solomon, Wilhelm, Taylor, and Skowronski.

MINUTES

Regular Meeting of July 5, 2012

II.

- A.** Commissioner Ritter moved and Commissioner Haley seconded approval of the July 5, 2012 minutes of the regular meeting of the Plan Commission as presented. On voice vote, Commissioners Michlig, Ritter, Haley and Bennett voted 'aye'. Commissioner Fowler abstained. Motion carried (4-0).

PUBLIC HEARINGS and BUSINESS ITEMS

David W. Behrens, Principal of GreenbergFarrow Architecture Inc. (Meijer Grocery and Department Store and Garden Center Development)

Property: Eastern corner of West Loomis Road and West St. Martins Road (STH 100); Tax Key Nos. 840-9969-000, 840-9997-003, 840-9997-002, 840-9994-000, 840-9998-000, 840-9997-001, 840-9993-000 and 840-9999-001

Zoning: B-3 Community Business District, Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) and FW Floodway District

Regarding: 1. (PDD Planned Development District Ordinance) (Public Hearing continued) AN ORDINANCE TO CREATE SECTION 15-3.0441 OF THE FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 36 (MEIJER GROCERY AND DEPARTMENT STORE DEVELOPMENT) AND TO REZONE PROPERTY FROM B-3 COMMUNITY BUSINESS DISTRICT, PLANNED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL HIGHLANDS/UNITED FINANCIAL GROUP, INC.) AND FW FLOODWAY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 36 AND FW FLOODWAY DISTRICT

III.

- A.** Representatives Mr. Brian Randall, Mr. Michael Flickinger, and Mr. David W. Behrens, Principal of GreenbergFarrow Architecture Inc. spoke on behalf of Meijer, Inc.

Mayor Taylor reopened the Public Hearing at 7:22 p.m. (continued from the Plan Commission meeting held July 5, 2012) to create and establish Planned Development District No. 36, to rezone lands to Planned Development District No. 36, to remove lands from Planned Development District No. 31, to amend the Unified Development Ordinance text, and to hear a Natural Resource Special Exception. The Public Hearing was closed at 8:12 p.m.

Mayor Taylor called a recess at 8:53 p.m. The Commission was called back into session at 9:04 p.m.

Commissioner Fowler moved to table Items III.A.1. PDD Planned Development District Ordinance, III.A.4. Special Exception to Natural Resource, III.A.5. Comprehensive Master Plan Amendment and III.A.6. 1 Lot Certified Survey Map to the next regularly scheduled meeting of the Plan Commission on August 9, 2012. Commissioner Ritter seconded the motion. On voice vote, all voted 'aye'. Motion carried.

III. A. (continued)

2. (Planned Development District Ordinance Amendment) (Public Hearing continued)
AN ORDINANCE TO AMEND §15-3.0436 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL HIGHLANDS/UNITED FINANCIAL GROUP, INC.) TO ALLOW FOR REMOVAL OF A PARCEL OF LAND FOR ITS POTENTIAL USE IN ADJOINING PROPERTY DEVELOPMENT

Commissioner Fowler moved and Commissioner Ritter seconded a motion to recommend approval of an ordinance to amend §15-3.0436 of the Unified Development Ordinance Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) to allow for removal of a parcel of land for its potential use in adjoining property development. All voted 'aye', motion carried.

3. (Unified Development Ordinance Text Amendment) (Public Hearing continued)
AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-3.0505A.2., TO REMOVE "PDD DISTRICT" FROM THE RETAIL BUILDING SIZE LIMIT PROVISIONS

Commissioner Ritter moved to recommend approval of an ordinance to amend the Unified Development Ordinance text at §15-3.0505A.2., to remove "PDD District" from the retail building size limit provisions. Seconded by Commissioner Fowler. On voice vote, Commissioners Ritter, Haley, Bennett and Fowler voted 'aye'. Commissioner Michlig voted 'no'. Motion carried (4-1).

4. (Special Exception) (Public Hearing continued) Application for a Special Exception to Natural Resource Feature Provisions pursuant to §15-10.0208 of the Unified Development Ordinance, for the purpose of allowing for the filling of 1 shore buffer with 0.139 total affected acreage, 1 floodplain with 0.100 total affected acreage, 5 wetland buffers with 2.546 total affected acreage, 5 wetland setbacks with 2.222 total affected acreage, and 5 wetlands with 0.940 total affected acreage, to allow for the grading and construction of a 191,352 square foot grocery and department store and garden center development

5. (Comprehensive Master Plan Amendment) A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR PROPERTY LOCATED AT THE EASTERN CORNER OF WEST LOOMIS ROAD AND WEST ST. MARTINS ROAD (STH 100), FROM MIXED USE TO COMMERCIAL USE AND TO CHANGE THE CITY OF FRANKLIN CROSSROADS TRADE AREA REGULATING PLAN TO ALLOW FOR SUCH COMMERCIAL USE, PURSUANT TO WIS. STAT. §66.1001 (4)(b)

III. A. (continued)

6. (1 Lot Certified Survey Map) A
RESOLUTION CONDITIONALLY
APPROVING A 1 LOT CERTIFIED
SURVEY MAP, BEING PART OF THE
SOUTHEAST 1/4 OF SECTION 17,
TOWNSHIP 5 NORTH, RANGE 21 EAST,
AND THAT PART OF THE WEST 1/2 OF
THE SOUTHEAST 1/4 OF SECTION 17,
TOWNSHIP 5 NORTH, RANGE 21 EAST
AND BEING ALL THAT PART OF THE
SOUTH 1/2 OF THE EAST 1/2 OF THE
SOUTHEAST 1/4 OF SECTION 17,
TOWNSHIP 5 NORTH, RANGE 21 EAST, IN
THE CITY OF FRANKLIN, COUNTY OF
MILWAUKEE, STATE OF WISCONSIN

**Franklin Investment Properties LLC (Sky's
Public Horse Stable Business)**

Property: 11052-11056 South 76th Street;
Tax Key No. 983-9999-000

Zoning: R-1 Countryside/Estate Single-
Family Residence District

Regarding: 1. (Rezoning) (Public Hearing)

AN ORDINANCE TO AMEND THE
UNIFIED DEVELOPMENT ORDINANCE
(ZONING MAP) TO REZONE A CERTAIN
PARCEL OF LAND FROM R-1
COUNTRYSIDE/ESTATE SINGLE-FAMILY
RESIDENCE DISTRICT TO A-1
AGRICULTURAL DISTRICT

2. (Special Use) (Public Hearing) A
RESOLUTION IMPOSING CONDITIONS
AND RESTRICTIONS FOR THE
APPROVAL OF A SPECIAL USE FOR A
PUBLIC HORSE STABLE BUSINESS USE
UPON PROPERTY LOCATED AT 11052-
11056 SOUTH 76TH STREET

**3. (Comprehensive Master Plan
Amendment) AN ORDINANCE TO AMEND
THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO
CHANGE THE FUTURE LAND USE MAP
USE DESIGNATION FOR PROPERTY
LOCATED AT 11052-11056 SOUTH 76TH
STREET FROM RESIDENTIAL USE TO
AGRICULTURE USE**

**Wheaton Franciscan Healthcare-Franklin,
Inc. (Wheaton Franciscan HealthCare
Center 64,800 Square Foot Three-Story
Medical Office Building Development, as
Part of an Intended Plan for the Potential**

B. Senior Planner Fuchs presented the request for rezoning from R-1 Countryside/Estate Single-Family Residence District to A-1 Agricultural District, Comprehensive Master Plan Amendment, and Special Use for a public horse stable business use upon property located at 11052-11056 South 76th Street.

Planner II Sumwalt read the Official Notice of Public Hearing for Rezoning and Special Use for Franklin Investment Properties LLC into the record. The Public Hearing was opened at 10:07 p.m. and closed at 10:13 p.m.

No action was taken.

C. Commissioner Ritter 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 a new medical office building greater than 40,000 square feet in area use upon property located at

III.C. (continued)

Future Development of a Total of Four Such Buildings, Adjacent to the Existing Wheaton Franciscan HealthCare Center Facility) (Potential development agreement condition to address terms of general property taxation of existing and future development and uses is pending review.)

Property: 9969 South 27th Street;

Tax Key No. 928-9996-007

Zoning: B-7 South 27th Street Mixed-Use Office District

Regarding: 1. (Special Use) A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A NEW MEDICAL OFFICE BUILDING GREATER THAN 40,000 SQUARE FEET IN AREA USE UPON PROPERTY LOCATED AT 9969 SOUTH 27TH STREET

2. (Requested Waivers of South 27th Street Design Overlay District Standards)

- a. 15-3.0352C.2. Allowance for reduction of approximately 27.4% in the amount of parking for a reason other than shared parking.
- b. 15-3.0355C.5. Allowance for a roof line without differences in height.
- c. 15-3.0355C.5. Allowance for less than twenty (20) percent of the combined facades of the structure to employ façade protrusions or recesses.
- d. 15-3.0355C.6. Allowance for exclusion of a public entrance on the south side of the building, which faces a public street.
- e. 15-3.0355C.9. Allowance for a dumpster enclosure adjacent to a parking lot (visible to the public).

approximately 9969 South 27th Street (Wheaton Franciscan Healthcare-Franklin, Inc., Applicant) and add to Condition No. 13, "and that if the City Engineer so recommends and the City determines that traffic signalization is required or the Wisconsin Department of Transportation so determines upon its review of the analysis, applicant shall obtain approval of a development agreement requiring and securing same prior to the issuance of a building permit" and add a new Condition No. 14 stating, "As a condition of the approval of this Special Use, the property and all improvements and uses to be developed and operated thereon shall at all times remain taxable and not tax-exempt, for the reasons set forth in the development agreement for the existing developed parcel." All voted 'aye', motion carried.

Commissioner Ritter moved and Commissioner Haley seconded a motion to waive the required South 27th Street Design Overlay District Standards under 15-3.0352C.2. pertaining to an allowance for reduction of approximately 27.4% in the amount of parking for a reason other than shared parking. All voted 'aye', motion carried.

Commissioner Ritter moved and Commissioner Fowler seconded a motion to waive the required South 27th Street Design Overlay District Standards under 15-3.0355C.5. pertaining to the allowance for a roofline without differences in height. All voted 'aye', motion carried.

Commissioner Ritter moved and Commissioner Bennett seconded a motion to waive the required South 27th Street Design Overlay District Standards under 15-3.0355C.5. pertaining to the allowance for less than twenty (20) percent of the combined facades of the structure to employ façade protrusions or recesses. All voted 'aye', motion carried.

Commissioner Ritter moved and Commissioner Haley seconded a motion to waive the required South 27th Street Design Overlay District Standards under 15-3.0355C.6. pertaining to the allowance for exclusion of a public entrance on the south side of the building, which faces a public street. All voted 'aye', motion carried.

Commissioner Ritter moved and Commissioner Fowler seconded a motion to waive the required South 27th Street Design Overlay District Standards under 15-3.0355C.9. pertaining to an allowance for a dumpster enclosure adjacent to a parking lot (visible to the public). All voted 'aye', motion carried.

Charles G. Crump and Renee M. Crump / Sarah A. Amble, Owners, and Antoinette M. Wotnoske, Co-Owner of FW Construction & Custom Carpentry LLC, Applicant (Duplex Conversion Into 2 Condominium Units)

Property: 8977 and 8979 South Cordgrass Circle West, Lot 32 Prairie Grass Preserve Subdivision; Tax Key Nos. 847-0131-000 and 847-0132-000

Zoning: R-7 Two-Family Residence District

Regarding: 1. (Condominium Plat) A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR 8977-8979 CORDGRASS CIRCLE CONDOMINIUM AT 8977 AND 8979 SOUTH CORDGRASS CIRCLE WEST, LOT 32, PRAIRIE GRASS PRESERVE SUBDIVISION to allow for conversion of a duplex into 2 condominium units

People's Choice Corporation (Planned Development District No. 34 [Hampton Inn and Suites Plus Mixed Use Commercial] (Redevelopment of an Existing Commercial Car Care Facility by Scrub Plus RA, LLC)

Property: 6901 South 76th Street and 7700 West Rawson Avenue; Tax Key Nos. 744-8998-004 and 744-8998-005

Zoning: Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial)

Regarding: 1. (Certified Survey Map Re-approval) A RESOLUTION REAPPROVING A CERTIFIED SURVEY MAP CONDITIONALLY APPROVED BY RESOLUTION NO. 2008-6467 ON AUGUST 5, 2008

City of Franklin (Franklin Trails Committee)

Property: City-wide

Zoning: City-wide

Regarding: 1. Status report

ADJOURNMENT

D. Commissioner Fowler moved and Commissioner Ritter seconded a motion to recommend approval of a resolution conditionally approving a Condominium Plat for 8977-8979 Cordgrass Circle Condominium at 8977 and 8979 South Cordgrass Circle West, Lot 32, Prairie Grass Preserve Subdivision to allow for conversion of a duplex into two (2) condominium units. All voted 'aye', motion carried.

E. Senior Planner Fuchs presented the application by People's Choice Corporation for reapproval of a Certified Survey Map for property located at 6901 South 76th Street and 7700 West Rawson Avenue.

Commissioner Bennett moved to recommend approval of a resolution reapproving a Certified Survey Map conditionally approved by Resolution No. 2008-6467 on August 5, 2008, amending the terms of condition No. 3 of Resolution No. 2008-6467 to provide that the Development Agreement shall be required prior to any hotel construction or development or permits therefore and not prior to recording, and further, that should any determination be made by a property owner that sewer and water laterals are to be installed upon the car care use area of the property, a development agreement shall be required and approved prior to any construction or development or permits therefore. Seconded by Commissioner Fowler. All voted 'aye', motion carried.

F. Commissioner Fowler informed Plan Commission members of the request to by the Franklin Trails Committee to Common Council for approval of the Complete Streets & Connectivity Advisory Board and Rules and Regulations thereof. No action needed, none taken.

IV. Commissioner Michlig moved and Commissioner Ritter seconded to adjourn the meeting at 10:28 p.m. All voted 'aye'; motion carried.