A. Call to Order and Roll Call

Alderman Mark Dandrea called the June 7, 2018 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 Commissioners Adam Burckhardt, David Fowler, Kevin Haley, Patricia Hogan and City Engineer Glen Morrow. Excused was Mayor Steve Olson. Also present were Planning Manager Joel Dietl, Principal Planner Nick Fuchs and City Attorney Jesse Wesolowski. Alderpersons Steve Taylor and John Nelson were also present.

B. Approval of Minutes

1. Regular Meeting of May 17, 2018.

Commissioner Fowler moved and Commissioner Haley seconded approval of the May 17, 2018 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (5-0-1).

C. Public Hearing Business Matters

1. **MCDONALD’S RESTAURANT REMODEL AND SITE WORK.**

   Special Use Amendment application by McDonald’s USA, LLC for remodeling the interior public areas and the entire exterior of the existing McDonald’s restaurant, construction of a small addition to the building along the drive-thru on the south side of the restaurant, replacement of the pavement and re-striping the area around the perimeter of the building, additional landscape plantings and revision of the accessible entrance, upon property zoned B-3 Community Business District.

   Planning Manager Joel Dietl presented the request by McDonald’s USA, LLC for remodeling the interior public areas and the entire exterior of the existing McDonald’s restaurant, construction of a small addition to the building along the drive-thru on the south side of the restaurant, replacement of the pavement and re-striping the area around the perimeter of the building, additional landscape plantings and revision of the accessible entrance, upon property zoned B-3 Community Business District.

   The Official Notice of Public Hearing was read into the record by Principal Planner Fuchs and the Public Hearing was opened at 7:05 p.m. and closed at 7:05 p.m.

   Commissioner Burckhardt moved and Commissioner Fowler seconded a motion to recommend approval of a Special Use Amendment to allow for restaurant building remodeling and site work for the existing McDonald’s drive-
2. PLANNED DEVELOPMENT DISTRICT NO. 29 (WELLNESS CENTER – MARK E. CARSTENSEN INC.) ORDINANCE TERMS AND USES AMENDMENTS FOR INNOVATIVE HEALTH & FITNESS FIELDHOUSE BUILDING CONSTRUCTION.

Planned Development District Amendment application by Scott Cole, owner of Innovative Health & Fitness Building, LLC, for: construction of a 25,500 square foot Fieldhouse building to support intermural sports, training and rehabilitation, consisting of a training area, sports courts, a management office, reception and required toilet facilities, at the north side of the property immediately adjacent to the existing Wellness Center (Fieldhouse building will be connected to the existing Wellness Center Via a link for movement between the structures); to expand the list of Permitted Uses and activities within the existing Wellness Center, including but not limited to spa services, physician services, a full restaurant, child care, bar, etc., and to allow building setbacks of 15 feet and 20 feet to the north and east property lines, respectively, to accommodate construction of the proposed Fieldhouse building at 8800 South 102nd Street, property zoned Planned Development District No. 29 (Wellness Center – Mark E. Carstensen Inc.).

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:10 p.m.

Commissioner Haley moved and Commissioner Hogan seconded a motion to postpone and continue the subject matter and public hearing to the June 21, 2018 Plan Commission meeting. On voice vote, all voted 'aye'. Motion carried (5-0-1).

D. Business Matters

1. JUBILEE CHRISTIAN FAMILY CHURCH, PRESCHOOL AND

Planning Manager Joel Dietl presented the request by Jubilee Faith Center, Inc., d/b/a Jubilee Christian Family Church, for...
DAYCARE BUILDING ADDITION. 
Site Plan Amendment application by Jubilee Faith Center, Inc., d/b/a Jubilee Christian Family Church, for construction of an approximately 4,300 square foot addition (for a dedicated sanctuary for church worship) on the south side of the existing building, for property zoned I-1 Institutional District and FW Floodway District, located at 3639 West Ryan Road.

Commissioner Hogan moved and Commissioner Haley seconded a motion to approve a Resolution amending the Site Plan for property located at 3639 West Ryan Road to allow for construction of an approximately 4,300 square foot addition to the existing Jubilee Christian Family Church, preschool and daycare building. On voice vote all voted ‘aye’. Motion carried (5-0-1).

Planning Manager Joel Dietl presented the request by Wal-Mart Real Estate Business Trust, to allow for changes to the existing building exterior, including painting a new Walmart “Brand” color scheme on the building façade, adding a new “Pick Up” sign on the front façade and replacing all existing exterior signs with updated wording signs to reflect Walmart’s new naming convention, for property zoned Planned Development District No. 13 (Wal-Mart/Sam’s Wholesale Club).

Commissioner Haley moved and Commissioner Hogan seconded a motion determining the proposed amendment to be a Minor Amendment. On voice vote all voted ‘aye’. Motion carried (5-0-1).

Planning Manager Joel Dietl presented the request by Andrew J. Genz, to change the existing structure from a 2 unit duplex building to 2 separate condominium units (Apollo Condominiums of Franklin), for property zoned R-7 Two-Family Residence District (Option 1), located at 9067 and 9069 South Cordgrass Circle.

Commissioner Hogan moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution conditionally approving a Condominium Plat for Apollo Condominiums of Franklin at 9067 and 9069 South Cordgrass Circle East, Lot 62, Prairie Grass Preserve Subdivision. On voice vote all voted ‘aye’. Motion carried (5-0-1).
East, Lot 62 in Prairie Grass Preserve. Subdivision.

C. Public Hearing Business Matters

6. WILLIAM F. ZIMMERMANN CREATION OF FOUR BUILDING SITES FOR FUTURE SINGLE-FAMILY RESIDENTIAL HOMES. Rezoning application by William F. Zimmermann, property owner, to remove the existing C-1 Conservancy District zoning from the property located at 8029 South 35th Street to allow for future construction of four single-family residential homes; Tax Key No. 808-9985-000.

Planning Manager Joel Dietl presented the request by William F. Zimmermann, property owner, to remove the existing C-1 Conservancy District zoning from the property located at 8029 South 35th Street to allow for future construction of four single-family residential homes.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:26 p.m. and closed at 7:45 p.m.

Commissioner Fowler moved and Commissioner Haley seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to remove the existing C-1 Conservancy District zoning from the property (8029 South 35th Street) (approximately 0.75 acres). On voice vote, all voted 'aye'. Motion carried (5-0-1).

5. BEAR DEVELOPMENT (AREA G) MIXED-USE DEVELOPMENT CONSISTING OF SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, COMMERCIAL, INDUSTRIAL, CONSERVANCY AND OPEN SPACE USES. Certified Survey Map and Rezoning applications by Bear Development, LLC to subdivide three existing parcels into three lots and one outlot and to rezone the approximately 135-acres of land (generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road) as follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District and Outlot 1 will maintain existing zoning of R-2 Estate Single-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-9989-002 (Lot 1), 891-9989-002 and 892-9992-001 (Lot 2), 892-9992-001 (Lot 3) and 891-9989-002, 892-9992-001 and 939-9993-000 (Outlot 1).

Planning Manager Joel Dietl presented the request by Bear Development, LLC to subdivide three existing parcels into three lots and one outlot and to rezone the approximately 135-acres of land (generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road) as follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 conservancy District to R-6 Suburban Single-Family Residence District and Outlot 1 will maintain existing zoning of R-2 Estate Single-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-9989-002 (Lot 1), 891-9989-002 and 892-9992-001 (Lot 2), 892-9992-001 (Lot 3) and 891-9989-002, 892-9992-001 and 939-9993-000 (Outlot 1).

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:55 p.m. and closed at 8:06 p.m.

Commissioner Hogan moved and Commissioner Haley seconded a motion recommend approval of an ordinance to amend the Unified Development Ordinance (zoning map) to rezone Lots 1, 2 and 3 of Certified Survey Map No. ___as
of R-2 Estate Single-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-9989-002 (Lot 1), 891-9989-002 and 892-9992-001 (Lot 2), 892-9992-001 (Lot 3) and 891-9989-002, 892-9992-001 and 939-9993-000 (Outlot 1).

3. PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) ORDINANCE TERMS AND USES AMENDMENTS. Planned Development District Ordinance Amendment application by BPC County Land, LLC and BPC Master Developer, LLC, applicants, Zim-Mar Properties, LLC, BPC County Land, LLC and Wisconsin Department of Transportation property owners, to revise the district in the following manner: to allow additional uses as permitted uses, including but not limited to senior housing, memory care residence facility, community living arrangement, athlete housing/apartments, rock crushing/batch plant, and baseball stadium; to revise certain district standards including but follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District (generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street (including 11205 West Ryan Road) (approximately 85 acres). On voice vote all voted ‘aye’. Motion carried (5-0-1).

Commissioner Fowler moved and City Engineer Morrow seconded a motion to recommend approval of a Resolution conditionally approving a 3 Lot and 1 Outlot Certified Survey Map being that part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road). On voice vote all voted ‘aye’. Motion carried (5-0-1).

Alderman Dandrea called for a recess at 8:11 p.m. The Plan Commission meeting reconvened at 8:23 p.m.

Planning Manager Joel Dietl presented the request by BPC County Land, LLC and BPC Master Developer, LLC, applicants, Zim-Mar Properties, LLC, BPC County Land, LLC and Wisconsin Department of Transportation property owners, to revise the district in the following manner: to allow additional uses as permitted uses, including but not limited to senior housing, memory care residence facility, community living arrangement, athlete housing/apartments, rock crushing/batch plant, and baseball stadium; to revise certain district standards including but not limited to building height and building size limits, lot area requirements, density requirements, signage amounts, hours of operation and lighting curfew, public water service, fencing requirements, landscaping requirements, and certain design standards; to revise certain financial surety requirements in condition no. 15 in the Standards, Findings and Decision of the City of Franklin Common Council for a Special Exception to Certain Natural Resource Provisions dated January 9, 2018; and to revise the Comprehensive Sound and Light Study Requirements in condition nos. 2 and 3 in Planned Development District No. 37, Ordinance No. 2018-2324.
not limited to building height and building size limits, lot area requirements, density requirements, signage amounts, hours of operation and lighting curfew, public water service, fencing requirements, landscaping requirements, and certain design standards; to revise certain financial surety requirements in condition no. 15 in the Standards, Findings and Decision of the City of Franklin Common Council for a Special Exception to Certain Natural Resource Provisions dated January 9, 2018; and to revise the Comprehensive Sound and Light Study Requirements in condition nos. 2 and 3 in Planned Development District No. 37, Ordinance No. 2018-2324, for the properties located at 7900 West Crystal Ridge Drive. The properties which are the subject of this application bear Tax Key Nos./zoning as follows: 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 and 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 Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 8:31 p.m. and closed at 9:18 p.m.

Commissioner Fowler moved and Commissioner Haley seconded a motion to strike Condition No. 10. On voice vote all voted ‘aye’. Motion carried (5-0-1).

Commissioner Fowler moved and Commissioner Haley seconded a motion to strike Condition No. 12. On voice vote all voted ‘aye’. Motion carried (5-0-1).

Commissioner Fowler moved a motion to strike Condition No. 13 of the draft Ordinance. Motion failed due to lack of second.

City Engineer Morrow moved and Commissioner Burckhardt seconded a motion to revise Condition No. 15 to add a “d.ii.” to the PDD Ordinance to limit the Outdoor Golf operations from 7:00 a.m. to midnight and to allow Indoor Baseball from 5:00 a.m. to midnight. On voice vote all voted ‘aye’. Motion carried (5-0-1).

Commissioner Hogan left at 10:25 p.m.

Commissioner Fowler moved and Commissioner Haley seconded a motion to strike Condition No. 24. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Fowler moved and Commissioner Haley seconded a motion to strike Condition No. 23. On voice vote 4 voted ‘aye’ and 1 voted ‘nay’ (with Alderman Dandrea voting). Motion carried (4-1-1).

Commissioner Haley moved and Commissioner Fowler seconded a motion to revise Condition No. 2 to add that the applicant shall provide a report to the Plan Commission after one year from the date of Occupancy Permit of the new stadium to review the results of the noise monitoring. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Alderman Dandrea called for a recess at 11:42 p.m. The Plan Commission meeting reconvened at 11:47 p.m.

Commissioner Fowler moved and City Engineer Morrow seconded a motion to revise Condition No. 3 to require that the applicant prepare a comprehensive photometric plan for
4. **PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) BASEBALL STADIUM CONSTRUCTION AND OPERATION USES (SECOND OF THREE PHASES).**

Special Use

Planning Manager Joel Dietl presented the request by BPC County Land, LLC, applicant, Zim-Mar Properties, LLC, BPC County Land, LLC and Wisconsin Department of Transportation, property owners, related to the Special Use Amendment and Site Plan Applications.

The Official Notice of Public Hearing was read in to the
Amendment and Site Plan applications by BPC County Land, LLC, applicant, Zim-Mar Properties, LLC, BPC County Land, LLC and Wisconsin Department of Transportation, property owners, as follows: Special Use Amendment and Site Plan: to allow for construction/use of the Proposed stadium with capacity 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 this phase of the stadium construction may include the conduct of ballgames and limited civic, entertainment, and other special events]; construction/use consists of the following components of the proposed Baseball Stadium: the hard surfaces (the concrete seating bowl, concourse areas, and some of the adjacent parking); utilities; the playing field; fences, netting, and lights; and landscaping; the subject Site Plan also includes the Stadium lights, and a request to increase the height of the light poles to 110 feet to allow downward cast lighting at a more aggressive angle to mitigate glare. [this Site Plan does not include the permanent and semi-permanent structures and associated architecture for the press box, restrooms, locker-rooms, retail and entertainment buildings, etc., or any changes to the previously approved uses] (Those changes will be the subject of a future Special Use Amendment/Site Plan Amendment.). Such proposed stadium use to be located south of the ski hill, upon property zoned Planned Development District No. 37 (The Rock Sports Complex), located at 7900 West record by Principal Planner Fuchs and the Public Hearing was opened at 12:13 a.m. and closed at 12:15 a.m.

Commissioner Fowler moved and Commissioner Haley seconded a motion to revise Condition No. 5 to match the comprehensive lighting study language established in the Planned Development District No. 37 Ordinance. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Burckhardt moved and Commissioner Haley seconded a motion to revise Condition No. 6 to match the comprehensive sound study established in the Planned Development District for this condition. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Haley moved and Commissioner Fowler seconded a motion to revise Condition No. 7 to delay it to Occupancy Permit. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Burckhardt moved and Commissioner Haley seconded a motion to revise Condition No. 8 to delay it to Occupancy Permit. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Fowler moved and Commissioner Haley seconded a motion to revise Condition No. 9 to match the Planned Development District Ordinance. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Fowler moved and Commissioner Haley seconded a motion to recommend approval of a Special Use Amendment in Planned Development District No. 37 (the Rock Sports Complex/Ballpark Commons) pursuant to Section 15-3.0442 of the City of Franklin Unified Development Ordinance, and Resolution No. 2018-7339 a resolution imposing conditions and restrictions for the approval of a Special Use for a proposed outdoor baseball/soccer stadium use upon property located at 7900 West Crystal Ridge Drive, to allow for construction and operation of the second of three phases of a proposed stadium with capacity of 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, subject to all of the prior Commission actions on the record at this meeting on the provisions of this Resolution. On voice vote all voted ‘aye’. Motion carried (4-0-2).
Crystal Ridge Drive. The properties which are the subject of the applications bear Tax Key Nos. 708-8996-000, 708-8999-000, 744-8980-001, 744-8985-001, 744-8985-002, 744-8988-000, 744-8989-000, 745-0029-000, 745-8998-000 and 745-8999-004.

Commissioner Haley moved and Commissioner Fowler seconded a motion to revise Condition No. 5 of the draft Site Plan Resolution to address the condition prior to Occupancy Permit and to add “approximately” before “1,176.” On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Haley moved and Commissioner Fowler seconded a motion to revise Condition No. 8 to be completed prior to Occupancy Permit. On voice vote all voted ‘aye’. Motion carried (4-0-2).

Commissioner Haley moved and Commissioner Fowler seconded a motion to approve a Resolution approving a Site Plan for construction of various components of a proposed baseball stadium and to increase the height of the stadium light poles within Planned Development District No. 37 (the Rock Sports Complex/Ballpark Commons) (approximately 7900 West Crystal Ridge Drive), subject to all of the prior Commission actions on the record at this meeting on the provisions of this Resolution. On voice vote all voted ‘aye’. Motion carried (4-0-2).

E. Adjournment

Commissioner Haley moved and Commissioner Burckhardt seconded to adjourn the Plan Commission meeting of June 7, 2018 at 12:38 a.m. All voted ‘aye’; motion carried. (4-0-2).