

**City of Franklin
Plan Commission Meeting
September 7, 2017
Minutes**

Approved
September 21, 2017

A. Call to Order and Roll Call

Mayor Steve Olson called the September 7, 2017 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 Kevin Haley, David Fowler and Patricia Hogan and City Engineer Glen Morrow. Excused was Alderman Mark Dandrea. Also present was Planning Manager Joel Dietl and Principal Planner Nick Fuchs.

D. Business Matters

2. VALERIE E. LUKASZEWICZ LAND COMBINATION. Land Combination application by Valerie E. Lukaszewicz, for combining a parcel of land located at 4205 West Carmel Drive with Outlot 21 of Plat of Outlots 1 through 5 of Tumblecreek (Tax Key No. 739-0111-000), for construction of a fence that will be partially located on the outlot, property zoned Planned Development District No. 2 (Tumblecreek/Hidden Lakes Development); Tax Key No. 739-0025-000.

Planning Manager Joel Dietl presented the request by Valerie E. Lukaszewicz, for combining a parcel of land located at 4205 West Carmel Drive with Outlot 21 of Plat of Outlots 1 through 5 of Tumblecreek (Tax Key No. 739-0111-000), for construction of a fence that will be partially located on the outlot, property zoned Planned Development District No. 2 (Tumblecreek/Hidden Lakes Development).

Commissioner Fowler moved and Commissioner Haley seconded a motion to recommend approval of a Resolution conditionally approving a Land Combination for Tax Key Nos. 739-0025-000 and 739-0111-000 (4205 West Carmel Drive and Outlot 21 of Plat of Outlots 1 through 5 of Tumblecreek). On voice vote, all voted 'aye'. Motion carried (4-0-1).

B. Approval of Minutes

- 1. Regular Meeting of August 17, 2017.

Commissioner Haley moved and Commissioner Fowler seconded approval of the August 17, 2017 minutes of the regular meeting of the Plan Commission. On voice vote, all voted 'aye'. Motion carried (4-0-1).

C. Public Hearing Business Matters

1. ZILBER LTD. MIXED-USE MULTI-FAMILY AND FUTURE COMMERCIAL DEVELOPMENT. Comprehensive Master Plan Amendment, Certified Survey Map and Special Use applications by Zilber LTD.

Planning Manager Joel Dietl presented the request by Zilber LTD. to amend the Future Land Use Map land use designation from Mixed Use to Residential–Multi-Family Use, Areas of Natural Resource Features Use and Commercial Use, specifically, Lots 1 and 3 of the proposed Certified Survey Map would be designated as Residential–

to amend the Future Land Use Map land use designation from Mixed Use to Residential–Multi-Family Use, Areas of Natural Resource Features Use and Commercial Use, specifically, Lots 1 and 3 of the proposed Certified Survey Map would be designated as Residential–Multi-Family Use and Areas of Natural Resource Features Use and the proposed Lot 2 designated as Commercial Use; for a 3 lot Certified Survey Map to divide the existing approximately 18.06 acre property and to dedicate a future public road; and for approval of a 180 unit multi-family residential development consisting of six 30 unit apartment buildings upon Lots 1 and 3 of the proposed Certified Survey Map, each building being 3 stories, 8,574 square feet, with exterior parking as well as underground parking, a 5,319 square foot recreation building, swimming pool and patio, dog park and playground, and approval to fill a 2,390.8 square foot wetland and associated wetland buffer and setback; property located at 7333 South 27th Street, zoned B-4 South 27th Street Mixed-Use Commercial District; Tax Key No. 761-9992-004

Multi-Family Use and Areas of Natural Resource Features Use and the proposed Lot 2 designated as Commercial Use; for a 3 lot Certified Survey Map to divide the existing approximately 18.06 acre property and to dedicate a future public road; and for approval of a 180 unit multi-family residential development consisting of six 30 unit apartment buildings upon Lots 1 and 3 of the proposed Certified Survey Map, each building being 3 stories, 8,574 square feet, with exterior parking as well as underground parking, a 5,319 square foot recreation building, swimming pool and patio, dog park and playground, and approval to fill a 2,390.8 square foot wetland and associated wetland buffer and setback; property located at 7333 South 27th Street, zoned B-4 South 27th Street Mixed-Use Commercial District.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:07 and closed at 7:19.

Commissioner Fowler moved and Commissioner Haley seconded a motion to approve a Resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use map for property located at 7333 South 27th Street from Mixed Use to Residential – Multi-Family Use, Areas of Natural Resource Features Use and Commercial Use, pursuant to WIS.STAT. §66.1001(4)(b). On voice vote, 4 voted 'aye' and 1 voted 'nay'. Motion carried (4-1-1).

Commissioner Fowler 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 multi-family residential development use upon property located at 7333 South 27th Street with striking Condition No. 7, changing Condition No. 9, which shall read that the applicant shall prepare a simple form mitigation plan that includes restoration and/or enhancements to the existing westerly wetlands, changing Condition No. 10 as per the discussion of the City Attorney, deletion of Condition No. 11 and adding a condition stating that the developer and City shall enter into a Development Agreement prior to issuance of a Building Permit. On voice vote, 4 voted 'aye' and 1 voted 'nay'. Motion carried (4-1-1).

Commissioner Haley moved and Commissioner Fowler seconded a motion to recommend approval of a Resolution conditionally approving a 3 lot Certified Survey Map (which includes the dedication of a future public road), being a part

of lot 2 of Certified Survey Map number 7905, located in a part of the Southeast 1/4 of the Northeast 1/4 of Section 12, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (7333 South 27th Street) with the inclusion of a condition stating that the developer and City shall enter into a Development Agreement prior to issuance of a Building Permit. On voice vote, all voted 'aye'. Motion carried (5-0-1).

2. TACO BELL #30410 RESTAURANT REMODEL AND SITE WORK. Special Use Amendment application by Sundance, Inc., business owner of Taco Bell #30410 restaurant, for remodeling the existing Taco Bell #30410 restaurant. Applicant’s proposals are as follows: numerous façade changes, including reconfiguration of the store entrance; replacement of the roof; replacement of the windows; installation of a brick wainscot around the perimeter of the building, etc.; replacement of signage and menu boards; site work, including replacement of lights and possible parking lot repairs; and interior remodeling, upon property zoned Planned Development District No. 16 (Franklin Centre, *formerly* Franklin Plaza/PicknSave), located at 7141 South 76th Street; Tax Key No. 755-0194-000.

Planning Manager Joel Dietl presented the request by Sundance, Inc., business owner of Taco Bell #30410 restaurant, for remodeling the existing Taco Bell #30410 restaurant. Applicant’s proposals are as follows: numerous façade changes, including reconfiguration of the store entrance; replacement of the roof; replacement of the windows; installation of a brick wainscot around the perimeter of the building, etc.; replacement of signage and menu boards; site work, including replacement of lights and possible parking lot repairs; and interior remodeling, upon property zoned Planned Development District No. 16 (Franklin Centre, *formerly* Franklin Plaza/PicknSave), located at 7141 South 76th Street.

The Official Notice of Public Hearing was read in to the record by Principal Planner Fuchs and the Public Hearing was opened at 7:58 and closed at 7:58

Commissioner Hogan moved and Commissioner Haley seconded a motion to recommend approval of a Resolution to amend Resolution No. 93-4082, imposing conditions and restrictions for the approval of a Special Use for property located at 7141 South 76th Street to allow for remodeling of the existing Taco Bell #30410 restaurant building and site work. On voice vote, all voted 'aye'. Motion carried (4-0-1).

D. Business Matters

1. OAKWOOD AT RYAN CREEK SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND OUTLOT DEVELOPMENT. Preliminary Plat application by Neumann Developments, Inc., for a 63 lot single-family residential subdivision (average lot size being approximately 14,800 square feet), which also includes a 97,054 square foot outlot to be reserved for potential future commercial uses (proposed subdivision plat is

Planning Manager Joel Dietl presented the request by Neumann Developments, Inc., for a 63 lot single-family residential subdivision (average lot size being approximately 14,800 square feet), which also includes a 97,054 square foot outlot to be reserved for potential future commercial uses (proposed subdivision plat is located at the northwest corner of South 76th Street and West Oakwood Road), upon property located at approximately 10100 South 76th Street, zoned R-5 Suburban Single-Family Residence District and FW Floodway District.

Commissioner Hogan moved and Commissioner Haley

located at the northwest corner of South 76th Street and West Oakwood Road), upon property located at approximately 10100 South 76th Street, zoned R-5 Suburban Single-Family Residence District and FW Floodway District; Tax Key No. 934-9992-010.

seconded a motion to recommend approval of a Resolution conditionally approving a Preliminary Plat for Oakwood at Ryan Creek subdivision (at approximately 10100 South 76th Street) with a change to Condition No. 6 to insert after the letter “A” the word “paved”, adding a condition stating that the Council contemplates only one sided sidewalks in cul-de-sacs, and DNR concurrence of the use of a preliminary Ordinary High Water Mark determination based upon the stream bank. On voice vote, all voted 'aye'. Motion carried (4-0-1).

E. Adjournment

Commissioner Fowler moved and Commissioner Hogan seconded to adjourn the Plan Commission meeting of September 7, 2017 at 8:24 p.m. All voted 'aye'; motion carried. (4-0-1).