

**City of Franklin
Plan Commission Meeting
October 22, 2020
Minutes**

Approved
November 5, 2020

A. Call to Order and Roll Call

Mayor Steve Olson called the October 22, 2020, 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 Mayor Steve Olson, Commissioners Patrick Leon, Adam Burchardt, Kevin Haley and Patricia Hogan, City Engineer Glen Morrow and Alderman Mark Dandrea. Also present were Planning Manager Heath Eddy, Principal Planner Regulo Martinez-Montilva and City Attorney Jesse Wesolowski. Associate Planner Marion Ecks participated remotely.

B. Approval of Minutes

1. Regular Meeting of October 8, 2020. Commissioner Hogan moved and Commissioner Haley seconded approval of the October 8, 2020 regular meeting minutes. On voice vote, all voted 'aye'. Motion carried (6-0-0).

C. Public Hearing Business Matters

1. **HSA COMMERCIAL REAL ESTATE INDUSTRIAL BUILDINGS DEVELOPMENT IN THE PROPOSED BUSINESS PARK IN PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED USE BUSINESS PARK).** Special Use and Site Plan applications by HSA Commercial, Inc., d/b/a HSA Commercial Real Estate (JHB Properties, LLC, property owner), to allow for the development of two approximately 150,000 square foot Class A speculative industrial buildings at the west end of Elm Road (eCommerce/warehousing and distribution require a Special Use per Section 15-3.0444BB.3.a.e. of the Unified Development Ordinance) and overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight (which requires Special Use approval per Section 15-3.0444B.D.1.a.iii. (Design Standards, addendum to Ordinance No. 2016-2238)

Planning Manager Heath Eddy presented the request by HSA Commercial, Inc., d/b/a HSA Commercial Real Estate (JHB Properties, LLC, property owner), to allow for the development of two approximately 150,000 square foot Class A speculative industrial buildings at the west end of Elm Road (eCommerce/warehousing and distribution require a Special Use per Section 15-3.0444BB.3.a.e. of the Unified Development Ordinance) and overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight (which requires Special Use approval per Section 15-3.0444B.D.1.a.iii. (Design Standards, addendum to Ordinance No. 2016-2238) of the Unified Development Ordinance) (tenants have yet to be identified), with parking for cars in front of the buildings on the future West Aspen Way and loading areas for trucks at the rear of the building, along with a driveway connection to the rear between the two buildings, street entrances from all future streets, three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets for pedestrian and bike access, and a stormwater detention pond on the east side of the site in a newly created outlot between the building and South Hickory Street [the proposed buildings are essentially identical, roughly two-story industrial buildings with entrance features on the front, and loading areas at the

of the Unified Development Ordinance) (tenants have yet to be identified), with parking for cars in front of the buildings on the future West Aspen Way and loading areas for trucks at the rear of the building, along with a driveway connection to the rear between the two buildings, street entrances from all future streets, three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets for pedestrian and bike access, and a stormwater detention pond on the east side of the site in a newly created outlot between the building and South Hickory Street [the proposed buildings are essentially identical, roughly two-story industrial buildings with entrance features on the front, and loading areas at the rear], properties located at 3825 West Aspen Way and 3707 West Aspen Way, zoned Planned Development District No. 39 (Mixed Use Business Park); Requested Waivers of Planned Development District No. 39 (Mixed Use Business Park) Design Standards, Section 15-3.0444B.D. Business Park Area Design Standards:

a. 15-3.0444B.D.1.a.iv. Parking required and location regulated (parking in front of buildings shall be designed primarily for visitors and high turnover usage with employee parking to be located to the side-yard or rear-yard)-**request for all employee and visitor parking in front of the buildings.**

b. 15-3.0444B.D.1.a.v.; 1.a.vi.; and 4.a.xi. Parking required and location regulated (loading and unloading areas shall be located to the side yard or rear-yard and screened so as to minimize their view from adjacent streets and sites) (all parking, loading, and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms and/or decorative fences) and Building Character and Design (outside loading docks shall be located to the side-yard or rear-yard and screened from view from adjacent streets and sites by extended building walls, berms, decorative

rear], properties located at 3825 West Aspen Way and 3707 West Aspen Way, zoned Planned Development District No. 39 (Mixed Use Business Park); Requested Waivers of Planned Development District No. 39 (Mixed Use Business Park) Design Standards, Section 15-3.0444B.D. Business Park Area Design Standards:

a. 15-3.0444B.D.1.a.iv. Parking required and location regulated (parking in front of buildings shall be designed primarily for visitors and high turnover usage with employee parking to be located to the side-yard or rear-yard)-**request for all employee and visitor parking in front of the buildings.**

b. 15-3.0444B.D.1.a.v.; 1.a.vi.; and 4.a.xi. Parking required and location regulated (loading and unloading areas shall be located to the side yard or rear-yard and screened so as to minimize their view from adjacent streets and sites) (all parking, loading, and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms and/or decorative fences) and Building Character and Design (outside loading docks shall be located to the side-yard or rear-yard and screened from view from adjacent streets and sites by extended building walls, berms, decorative fencing, and/or landscaping)-**request to waive requirement to screen the rear property line.**

c. 15-3.0444B.D.2.c.iii. Bicycle and pedestrian amenities ((sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities)-**request to provide pedestrian facilities in the parking lot.**

d. 15-3.0444B.D.4.a.iii. and iv. Building Character and Design (brick, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions) (precast concrete, cast stone, plain/smooth concrete masonry units and EIFS are acceptable accent and secondary materials for the solid portion of new buildings or additions)-**request to use articulated, painted precast concrete wall panels for the exterior walls.**

e. 15-3.0444B.D.7. Supplemental Design Guidelines (it is intended that the applicable design guidelines set forth in the South 27th Street Corridor Plan, and the applicable design standards in the South 27th Street Design Overlay District, be utilized - as a supplemental guide - to the mandatory design standards set forth elsewhere in this [Planned Development District 39] Ordinance-**request certain waivers of the South 27th Street Design Overlay District (§15-3.03051):**

Requested Waivers of South 27th Street Design Overlay District Standards:

fencing, and/or landscaping)-**request to waive requirement to screen the rear property line.**

c. 15-3.0444B.D.2.c.iii. Bicycle and pedestrian amenities ((sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities)-**request to provide pedestrian facilities in the parking lot.**

d. 15-3.0444B.D.4.a.iii. and iv. Building Character and Design (brick, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions) (precast concrete, cast stone, plain/smooth concrete masonry units and EIFS are acceptable accent and secondary materials for the solid portion of new buildings or additions)-**request to use articulated, painted precast concrete wall panels for the exterior walls.**

e. 15-3.0444B.D.7. Supplemental Design Guidelines (it is intended that the applicable design guidelines set forth in the South 27th Street Corridor Plan, and the applicable design standards in the South 27th Street Design Overlay District, be utilized - as a supplemental guide - to the mandatory design standards set forth elsewhere in this [Planned Development District 39] Ordinance-**request certain waivers of the South 27th Street Design Overlay District (§15-3.03051):**

Requested Waivers of South 27th Street Design Overlay District Standards:

a. 15-3.0352A. Parking required and location regulated (not more than 50% of the off-street parking spaces shall be located directly between the front façade of the building and the public street)-**request for all employee and visitor parking in front of the buildings.**

b. 15-3.0353C.4. Pedestrian considerations (sidewalks shall be provided along the entire length of any

a. 15-3.0352A. Parking required and location regulated (not more than 50% of the off-street parking spaces shall be located directly between the front façade of the building and the public street)-**request for all employee and visitor parking in front of the buildings.**

b. 15-3.0353C.4. Pedestrian considerations (sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds)-**request to provide pedestrian facilities in the parking lot.**

c. 15-3.0353C.7. Pedestrian considerations (the building shall provide awnings or other weather protection features within 30 feet of all customer entrances along a building)-**request for canopies or awnings only at tenant entrances.**

d. 15-3.0353E. Bicycle and pedestrian amenities required (the development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location)-**request for waiver of this requirement.**

e. 15-3.0353G. Central Areas/Features (each development which contains a building over 50,000 square feet in area shall provide public central area(s)...-**request for waiver of this requirement.**

f. 15-3.0355B.3.b. Building Materials and Colors (exterior building materials shall convey an impression of durability)-**request to use precast concrete wall panels.**

g. 15-3.0355B.5.a. Building Facades (decorative devices are expected at the roofline)-**request to use simple metal coping.**

h. 15-3.0355B.7.a. Windows (windows which allow views to the interior activity or display areas are excepted)-**request for waiver of this requirement.**

i. 15-3.0355C.4. Building Materials (building materials such as glass, brick, decorative concrete block, or stucco shall be used)-**request to use precast concrete wall panels.**

j. 15-3.0355C.5 Building Design (A minimum of 20% of all the combined facades of the structure shall employ actual façade protrusions or recesses. A minimum of 20% of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor façades that face and are on properties that are in any part within 100 feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50% of their horizontal length. The integration of windows into building design is strongly encouraged-**request: “The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 19.76% of**

façade containing a public entrance, leaving room for foundation planting beds)-**request to provide pedestrian facilities in the parking lot.**

c. 15-3.0353C.7. Pedestrian considerations (the building shall provide awnings or other weather protection features within 30 feet of all customer entrances along a building)-**request for canopies or awnings only at tenant entrances.**

d. 15-3.0353E. Bicycle and pedestrian amenities required (the development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location)-**request for waiver of this requirement.**

e. 15-3.0353G. Central Areas/Features (each development which contains a building over 50,000 square feet in area shall provide public central area(s)...-**request for waiver of this requirement.**

f. 15-3.0355B.3.b. Building Materials and Colors (exterior building materials shall convey an impression of durability)-**request to use precast concrete wall panels.**

g. 15-3.0355B.5.a. Building Facades (decorative devices are expected at the roofline)-**request to use simple metal coping.**

h. 15-3.0355B.7.a. Windows (windows which allow views to the interior activity or display areas are expected)-**request for waiver of this requirement.**

i. 15-3.0355C.4. Building Materials (building materials such as glass, brick, decorative concrete block, or stucco shall be used)-**request to use precast concrete wall panels.**

j. 15-3.0355C.5 Building Design (A minimum of 20% of all the combined facades of the structure shall employ actual façade protrusions or recesses. A minimum of 20% of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor façades that face and are on

each building's perimeter. The proposed design also provides varying parapet heights at the entrance areas with a combined percentage of varied parapet being 19.52%. The proposed elevations indicate the relative heights to vary from 1'-2" to 5'-3". An accent paint scheme and additional glazing are used to further accentuate the entrance areas. These recesses, projections and elevation changes are appropriate for the visual impact of the entrances and the proportions of each element. The north and west façades are within 100' of the streets. The entries and windows represent 47.0% of the north façade length and 38.0% of the west façade length for a combined total of 45.45%."

Tax Key Nos. 979-9002-000 and 979-9001-000.

The Official Notice of Public hearing was read in to the record by Principal Planner Regulo Martinez-Montilva and the Public Hearing was opened at 7:16 and closed at 7:16.

Special Use

Commissioner Leon moved and City Engineer Morrow seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for the development of two approximately 150,000 square foot class A speculative industrial buildings, or for one approximately 300,000 square foot class A speculative industrial building, and for the approval of a Special Use for overnight parking for vehicles exceeding 8,000 pounds manufactured gross vehicle weight upon properties located at 3825 West Aspen Way and 3707 West Aspen Way. On voice vote, all voted 'aye'. Motion carried (6-0-0).

PDD 39 Waiver Requests

The Plan Commission elected to approve or deny motions for each requested waiver of Planned Development District 39 (Mixed Use Business Park) Design Standards separately. These are as follows.

Commissioner Leon moved and Commissioner Burckhardt seconded a motion to approve a waiver of Section 15-3.0444B.D.1.a.iv. (parking required and location regulated). All voted in favor, motion carried (6-0-0).

Commissioner Leon moved and Alderman Dandrea seconded a motion to approved a waiver of Section 15-3.0444B.D.1.a.v.; 1.a.vi; and 4.a.xi. (parking required and location regulated) (building character and design regulated), subject to the provision of additional landscaping on the rear of the building. All voted in favor, motion carried (6-0-0).

properties that are in any part within 100 feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50% of their horizontal length. The integration of windows into building design is strongly encouraged-**request:** *“The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 19.76% of each building’s perimeter. The proposed design also provides varying parapet heights at the entrance areas with a combined percentage of varied parapet being 19.52%. The proposed elevations indicate the relative heights to vary from 1'-2" to 5'-3". An accent paint scheme and additional glazing are used to further accentuate the entrance areas. These recesses, projections and elevation changes are appropriate for the visual impact of the entrances and the proportions of each element. The north and west façades are within 100' of the streets. The entries and windows represent 47.0% of the north façade length and 38.0% of the west façade length for a combined total of 45.45%.”* Tax Key Nos. 979-9002-000 and 979-9001-000 [the applicant seeks to obtain special use approval as a speculative industrial property]. A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THE SPECIAL USE APPLICATION OF THIS MATTER. [SUBJECT MATTER CONTINUED FROM THE OCTOBER 8, 2020 MEETING FOR BOTH THE SPECIAL USE AND THE SITE PLAN APPLICATIONS. THIS PUBLIC HEARING WAS PREVIOUSLY NOTICED FOR AND OPENED AT THE PLAN COMMISSION MEETING ON OCTOBER 8, 2020, AND THEN POSTPONED AND CONTINUED TO THE OCTOBER 22, 2020 PLAN COMMISSION MEETING TO ALLOW FOR FURTHER PUBLIC INPUT.]

Commissioner Leon moved and Alderman Dandrea seconded a motion to approve a waiver of Section 15-3.0444B.D.2.c.iii. (bicycle and pedestrian amenities). Commissioners Burckhardt, Haley, and Leon, along with Alderman Dandrea and City Engineer Morrow voted ‘no,’ while Commissioner Hogan voted ‘aye.’ Motion defeated (1-5-0).

Commissioner Leon moved and Alderman Dandrea seconded a motion to approve a waiver of Section 15-3.0444B.D.4.a.iii. and iv. (building character and design), provided that the applicant provided that the lower quarter of the public facades reflect higher quality materials. All voted in favor, motion carried (6-0-0).

South 27th Street Overlay Waiver Requests

Commissioner Leon moved and Alderman Dandrea seconded a motion to approve waivers to the following Sections of the South 27th Street Overlay:

- Section 15-3.0352.A. (parking required and location regulated);
- Section 15-3.0353.G (central areas/features);
- Section 15-3.0355.B.3.b. (building materials and colors), provided that the applicant provide that the lower quarter of the public facades reflect higher quality materials;
- Section 15-3.0355.B.5.a. (building facades);
- Section 15-3.0355.B.7.a. (windows);
- Section 15-3.0355.C.4 (building materials), provided that the applicant provide that the lower quarter of the public facades reflect higher quality materials;
- Section 15-3.0355.C.5 (building design).

All voted in favor, motion carried (6-0-0).

Commissioner Leon moved and Commissioner Haley seconded a motion to deny waivers to the following Sections of the South 27th Street Overlay:

- Section 15-3.0353.C.4. (pedestrian considerations);
- Section 15-3.0353.C.7. (pedestrian considerations);
- Section 15-3.0353.E. (bicycle and pedestrian amenities required).

All voted in favor, motion carried (6-0-0).

Site Plan

Commissioner Leon moved and Alderman Dandrea seconded a motion to approve a Resolution approving a Site Plan for the development of two approximately 150,000 square foot class A speculative industrial buildings, or for one approximately 300,000 square foot class A speculative industrial building, with associated parking, loading areas, a driveway connection between the

two buildings, sidewalks, crosswalks and a stormwater detention pond (3825 West Aspen Way and 3707 West Aspen Way). On voice vote, all voted 'aye'. Motion carried (6-0-0).

2. ANDREW M. STEVENS AND HEATHER M. STEVENS PERMANENT ABOVE GROUND SWIMMING POOL

INSTALLATION [recommendation to Board of Zoning and Building Appeals]. Application by Andrew M. Stevens and Heather M. Stevens (Andrew M. Stevens and Heather M. Stevens, property owners) for an Area Exception from Table 15-3.0206 of the Unified Development Ordinance to allow for a maximum lot coverage of 21.7% (2,935 square feet), exceeding the R-5 Suburban Single-Family Residence District maximum lot coverage standard of 20% (2,700 square feet), for property located at 7752 West Briarwood Drive (Lot 16 in Stonewood Addition No. 1 Subdivision), for the installation of a permanent above ground swimming pool on the rear yard of the property, 10 feet from the back yard lot line and in excess of 10 feet from either side yard lot line (pool is approximately 346 square feet with a diameter of 21 feet), property zoned R-5 Suburban Single-Family Residence District; Tax Key No. 885-0052-000.

Principal Planner Regulo Martinez-Montilva presented the request by Andrew M. Stevens and Heather M. Stevens (Andrew M. Stevens and Heather M. Stevens, property owners) for an Area Exception from Table 15-3.0206 of the Unified Development Ordinance to allow for a maximum lot coverage of 21.7% (2,935 square feet), exceeding the R-5 Suburban Single-Family Residence District maximum lot coverage standard of 20% (2,700 square feet), for property located at 7752 West Briarwood Drive (Lot 16 in Stonewood Addition No. 1 Subdivision), for the installation of a permanent above ground swimming pool on the rear yard of the property, 10 feet from the back yard lot line and in excess of 10 feet from either side yard lot line (pool is approximately 346 square feet with a diameter of 21 feet), property zoned R-5 Suburban Single-Family Residence District; Tax Key No. 885-0052-000.

Alderman Dandrea moved and Commissioner Leon seconded a motion to recommend approval of an application for an Area Exception to allow for a maximum lot coverage of 21.7% (2,935 square feet) [application requests an Area Exception from table 15-3.0206 of the Unified Development Ordinance, exceeding the R-5 Suburban Single-Family Residence District maximum lot coverage standard of 20% (2,700 square feet), for the installation of a permanent above ground swimming pool on the rear yard of the property, 10 feet from the back yard lot line and in excess of 10 feet from either side yard lot line (pool is approximately 346 square feet with a diameter of 21 feet)], for property located at 7752 West Briarwood Drive (lot 16 in Stonewood Addition No. 1 Subdivision). On voice vote, all voted 'aye'. Motion carried (6-0-0).

D. Business Matters

1. KIDS CONNECTION CHILDCARE CENTER DAYCARE FACILITY. Site Plan application by Kristopher A. Kraussel/B & B Investments of Rawson, LLC (Kristopher A. Kraussel and Tina M. Kraussel, property owners) to allow for construction of a 10,509 square foot single-story building as well as an associated 3,419 square foot playground (aluminum fencing around

Principal Planner Regulo Martinez-Montilva presented the request by the Kristopher A. Kraussel/B & B Investments of Rawson, LLC for approval of a site plan for a 10,509 square foot single-story building (Kids Connection Childcare Center), with a 3,419 square foot playground (aluminum fencing around the perimeter) on the east side of the building, 45 parking spaces, two driveways with connection to Rawson Avenue, as well as associated landscaping, outdoor lighting and a bioretention basin on the west side of the property, with hours of operation Monday through Friday, upon property located at 3030-3130 West Rawson

the perimeter) on the east side of the building, 45 parking spaces, two driveways with connection to Rawson Avenue, landscaping, outdoor lighting and a bioretention basin on the west end of the property for onsite storm water management (a turn lane on Rawson Avenue, in the eastbound lane of traffic, will be constructed per Milwaukee County requirements), with hours of operation Monday through Friday [child daycare services under Standard Industrial Classification Code No. 8351 is a Permitted Use in the B-4 South 27th Street Mixed-Use Commercial District], upon property located at 3030-3130 West Rawson Avenue (northwest corner of the intersection of Rawson Avenue and Riverwood Boulevard, approximately 2.21 acres of vacant land), zoned B-4 South 27th Street Mixed-Use Commercial District and FC Floodplain Conservancy District; Requested Waivers of South 27th Street Design Overlay District Standards:

- a. 15-3.0353B. Coordination of site furnishings (lighting and site furnishings [benches, trash receptacles, bicycle racks, etc.])-**request for waiver of this requirement.**
- b. 15-3.0353C.5. Pedestrian considerations (pedestrian walkways from building entrances to public sidewalks or pedestrian/bike facilities)-**request for waiver of this requirement.**
- c. 15-3.0354B.1. Required Trees for Parking Lot Perimeter and Interior Applications (shade or decorative trees are required within the vehicular use area at a ratio of one tree for every 15 parking spaces or fraction thereof)-**request for waiver of this requirement.**
- d. 15-3.0354C.1. Interior Landscaping for Off-street Parking Areas (a minimum of 20 square feet of interior landscaped island shall be provided per parking stall)-**request for waiver of this requirement.**

Avenue (approximately 2.21 acres), zoned B-4 South 27th Street Mixed Use Commercial District; Tax Key No. 738-9991-001. The applicants are requesting several waivers from the South 27th Street Overlay, otherwise the proposed site plan would need to be tabled pending revisions to the overall design. The property has a restriction on access to the adjacent Riverwood Boulevard due to a strip of property owned by the adjacent Indian Creek Condominium Association.

Commissioner Leon moved and Alderman Dandrea seconded a motion to table the site plan and requested waivers, and directed the applicant to address the comments from Plan Commissioners as well as provide increased compliance with the South 27th Street Overlay design requirements. On voice vote, all voted 'aye'. Motion carried (6-0-0).

e. 15-3.0355A.1. Building Character and Design (buildings located on prominent sites-such as key intersections, corners, terminations of street vistas, and on high points-shall be multi-story and exhibit quality architectural design to serve as landmarks)-**request for waiver of this requirement.**

f. 15-3.0355B.8.d. Pedestrian Accessibility (buildings shall utilize a corner entrance to the building)-**request for waiver of this requirement.**

g. 15-3.0355B.10.c. External Storage (all trash collection areas must be located within the structure, or behind the building in an enclosure)-**request for waiver of this requirement.**

Tax Key No. 738-9991-001.

E. Adjournment

Commissioner Haley moved and Commissioner Leon seconded a motion to adjourn the Plan Commission meeting of October 22, 2020 at 9:24 p.m. On voice vote, all voted ‘aye’; motion carried. (6-0-0).