

**City of Franklin
Plan Commission Meeting
May 5, 2022
Minutes**

Approved
May 19, 2022

A. Call to Order and Roll Call

Mayor Steve Olson called the May 5, 2022, 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 and Patricia Hogan, Alderwoman Shari Hanneman and Assistant City Engineer Tyler Beinlich. Excused was Adam Burckhardt. Absent was Commissioner Kevin Haley. Also present were City Attorney Jesse Wesolowski, Planning Manager Heath Eddy, Principal Planner Régulo Martínez-Montilva and Associate Planner Marion Ecks.

B. Approval of Minutes

1. Regular Meeting of April 21, 2022.

Commissioner Leon moved and Alderwoman Hanneman seconded a motion to approve the April 21, 2022, regular meeting minutes. On voice vote, all voted ‘aye’; motion carried (4-0-2).

C. Public Hearing Business Matters

**1. BEAR DEVELOPMENT, LLC
RISE COMMERCIAL DISTRICT
WAREHOUSE/OFFICE MULTI-
TENANT INDUSTRIAL
DEVELOPMENT AND
ASSOCIATED PARKING WITHIN
RYAN MEADOWS SUBDIVISION.**

Natural Resource Features Special Exception application by Stephen R. Mills, President of Bear Development, LLC (Loomis & Ryan, Inc. and Gurjit Singh and Gurmit Kaur, property owners) and Site Plan application by Jim R. Sapp, President of RISE Commercial District (Loomis & Ryan, Inc., property owner), as follows:

Natural Resource Features Special Exception: for the purpose of impacting approximately 14,939 square feet of wetland buffer (11,558 square feet of temporary impacts (grading and site disturbance) and 3,381 square feet of permanent impacts (paving and partial locations of five of the proposed buildings) and approximately 13,416

Planning Manager Heath Eddy and Principal Planner Régulo Martínez-Montilva presented the request by Stephen R. Mills, President of Bear Development, LLC (Loomis & Ryan, Inc. and Gurjit Singh and Gurmit Kaur, property owners) and Site Plan application by Jim R. Sapp, President of RISE Commercial District (Loomis & Ryan, Inc., property owner), as follows:

Natural Resource Features Special Exception: for the purpose of impacting approximately 14,939 square feet of wetland buffer (11,558 square feet of temporary impacts (grading and site disturbance) and 3,381 square feet of permanent impacts (paving and partial locations of five of the proposed buildings) and approximately 13,416 square feet of wetland setback (228 square feet of temporary impacts (grading and site disturbance) and 13,188 square feet of permanent impacts (paving and partial locations of five of the proposed buildings), with proposed impacts to mature woodland [the applicant has proposed mitigation], properties generally located at the end of South Monarch Drive in the Ryan Meadows subdivision (south of West Loomis Road, west of South 112th Street, north of West Oakwood Road and east of South 124th Street), zoned M-1 Limited Industrial District, R-2 Estate Single-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-1084-000 and 938-9994-004;

square feet of wetland setback (228 square feet of temporary impacts (grading and site disturbance) and 13,188 square feet of permanent impacts (paving and partial locations of five of the proposed buildings), with proposed impacts to mature woodland [the applicant has proposed mitigation], properties generally located at the end of South Monarch Drive in the Ryan Meadows subdivision (south of West Loomis Road, west of South 112th Street, north of West Oakwood Road and east of South 124th Street), zoned M-1 Limited Industrial District, R-2 Estate Single-Family Residence District and C-1 Conservancy District; Tax Key Nos. 891-1084-000 and 938-9994-004;

Site Plan: to allow for a new warehouse/office facility (RISE Commercial District) to be located in the Ryan Meadows subdivision, southeast of the dead end of newly created South Monarch Drive, said facility providing co-warehousing services for up to 120 businesses, including business storage, warehouse space, private office space, contractor storage and storage with electricity [the project consists of 18 buildings with a total building footprint of 3.14 acres; the site would have 117 parking stalls, 5.70 acres of pavement and access to South Monarch Drive; other improvements including 3 new stormwater management areas, landscaping, fencing, a monument sign and outdoor lighting (23.08 acre site area)], property generally located south of West Loomis Road, west of South 112th Street, north of West Oakwood Road and east of South 124th Street, zoned M-1 Limited Industrial District, current Tax Key No. 891-1084-000 (definitive Tax Key No. will be determined with the recording of the recently approved Certified Survey Map (Resolution No. 2022-7825)). Requested Waivers (as provided for in the below Sections) of the Unified Development Ordinance:

a. Section 15-5.0207.B: Openings for vehicular ingress and egress shall not exceed 24 feet at the street right-of-way line and 30 feet at the roadway

Site Plan: to allow for a new warehouse/office facility (RISE Commercial District) to be located in the Ryan Meadows subdivision, southeast of the dead end of newly created South Monarch Drive, said facility providing co-warehousing services for up to 120 businesses, including business storage, warehouse space, private office space, contractor storage and storage with electricity [the project consists of 18 buildings with a total building footprint of 3.14 acres; the site would have 117 parking stalls, 5.70 acres of pavement and access to South Monarch Drive; other improvements including 3 new stormwater management areas, landscaping, fencing, a monument sign and outdoor lighting (23.08 acre site area)], property generally located south of West Loomis Road, west of South 112th Street, north of West Oakwood Road and east of South 124th Street, zoned M-1 Limited Industrial District, current Tax Key No. 891-1084-000 (definitive Tax Key No. will be determined with the recording of the recently approved Certified Survey Map (Resolution No. 2022-7825)). Requested Waivers (as provided for in the below Sections) of the Unified Development Ordinance:

a. Section 15-5.0207.B: Openings for vehicular ingress and egress shall not exceed 24 feet at the street right-of-way line and 30 feet at the roadway.

b. Section 15-5.0202.E.1: Concrete curb and gutter shall be installed surrounding all new driveway, parking lot and landscape islands.

The Official Notice of Public hearing for a Natural Resource Special Exception was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:20 p.m. and closed at 7:25 p.m..

Natural Resource Special Exception

Alderwoman Hanneman moved and Commissioner Leon seconded a motion to recommend approval of the Stephen R. Mills, president of Bear Development, 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, conditioned and contingent upon the adoption of an amendment to the boundaries of Tax Incremental District No. 6 and the execution of, and obtaining the recording of the Certified Survey Map for the subject property by the city. On voice vote, all voted 'aye'; motion carried. (4-0-2).

Waivers

a) Section 15-5.0207.B: Openings for vehicular ingress and egress shall not exceed 24 feet at the street right-of-way line and 30 feet at the roadway

Commissioner Leon moved and Commissioner Hogan

exceed 24 feet at the street right-of-way line and 30 feet at the roadway.

b. Section 15-5.0202.E.1: Concrete curb and gutter shall be installed surrounding all new driveway, parking lot and landscape islands.

seconded a motion to waive the required standards under Section 15-5.0207B.: openings for vehicular ingress and egress shall not exceed 24 feet at the street right-of-way line and 30 feet at the roadway. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

b) Section 15-5.0202.E.1: Concrete curb and gutter shall be installed surrounding all new driveway, parking lot and landscape islands.

Alderwoman Hanneman moved and Commissioner Leon seconded a motion to waive the required standards under Section 15-5.0202E.1.: concrete curb and gutter shall be installed surrounding all new driveway, parking lot and landscape island, with the exception of the areas outlined by Planning staff. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

Site Plan

Commissioner Hogan moved and Commissioner Leon seconded a motion to adopt a Resolution approving a Site Plan for the development of a warehouse/office facility providing co-warehousing services for up to 120 businesses, consisting of 18 buildings with associated parking, stormwater management areas, landscaping, fencing, a monument sign and outdoor lighting (generally located within Ryan Meadows subdivision, southeast of the dead end of South Monarch Drive), conditioned and contingent upon the adoption of an amendment to the boundaries of Tax Incremental District No. 6 and the execution of, and obtaining the recording of the Certified Survey Map for the subject property by the city. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

2. KARLEY J. BLAKE AND JACOB W. MUTTER FUTURE SINGLE-FAMILY RESIDENCE DEVELOPMENT. Rezoning and Natural Resource Features Special Exception applications by Karley J. Blake and Jacob W. Mutter (Crescent Construction Inc., property owner): Rezoning: to rezone a 3.45 acre parcel from R-8 Multiple-Family Residence District to R-6 Suburban Single-Family Residence District; **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS REZONING APPLICATION;** Natural Resource Features Special Exception: for the purpose of permanent impacts to approximately 1,730 square

Associate Planner Marion Ecks presented the request by Karley J. Blake and Jacob W. Mutter (Crescent Construction Inc., property owner): Rezoning: to rezone a 3.45 acre parcel from R-8 Multiple-Family Residence District to R-6 Suburban Single-Family Residence District; Natural Resource Features Special Exception: for the purpose of permanent impacts to approximately 1,730 square feet of wetland setbacks for grading, installation of a driveway and installation of green infrastructure stormwater areas as well as impacts to 8,410 square feet of mature woodland not exceeding the standards of allowable disturbance of the Unified Development Ordinance.

The Official Notice of Public hearing for a Rezone was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:36 p.m. and closed at 7:43 p.m..

feet of wetland setbacks for grading, installation of a driveway and installation of green infrastructure stormwater areas as well as impacts to 8,410 square feet of mature woodland not exceeding the standards of allowable disturbance of the Unified Development Ordinance; **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS NATURAL RESOURCE FEATURES SPECIAL EXCEPTION**

APPLICATION; property zoned R-8 Multiple-Family Residence District, specifically located at the abrupt, west dead end of West Lake Pointe Drive (on the east property line of the parcel, abutting the northwest portion of Lake Pointe Estates subdivision); Tax Key No. 839-9996-007.

3. TIMOTHY S. TRECEK AND KARYN K. TRECEK SINGLE-FAMILY RESIDENCE INGROUND POOL, PERGOLA AND PAVED AREAS INSTALLATION

[recommendation to Board of Zoning and Building Appeals]. Application by Timothy S. Trecek and Karyn K. Trecek for an Area Exception from Table 15-3.0204 of the Unified Development Ordinance to allow for the installation of an inground pool, pergola and paved areas (17.68% lot coverage (4,923 square feet)), exceeding the 15% (4,177 square feet) maximum lot coverage standard in a R-3E Suburban/Estate Single-Family Residence District, by approximately 2.68%, for property located at 9023 West Warwick Way, property zoned R-3E Suburban/Estate Single-Family Residence District; Tax Key No. 754-0084-000

Rezone

Alderwoman Hanneman moved and Commissioner Leon seconded a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from R-8 Multiple-Family Residence District to R-6 Suburban Single-Family Residence District (specifically located at the abrupt, west dead end of West Lake Pointe Drive) (approximately 3.45 acres). On voice vote, all voted ‘aye’; motion carried. (4-0-2).

The Official Notice of Public hearing for a Natural Resource Special Exception was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:54 p.m. and closed at 8:14 p.m..

Natural Resource Special Exception

Alderwoman Hanneman moved and Commissioner Hogan seconded a motion to recommend approval of the Karley J. Blake and Jacob W. Mutter 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, with the exception of the requirement for financial surety (Condition 4). On voice vote, all voted ‘aye’; motion carried (4-0-2).

Planning Manager Heath Eddy presented the request by Timothy S. Trecek and Karyn K. Trecek for an Area Exception from Table 15-3.0204 of the Unified Development Ordinance to allow for the installation of an inground pool, pergola and paved areas (17.68% lot coverage (4,923 square feet)), exceeding the 15% (4,177 square feet) maximum lot coverage standard in a R-3E Suburban/Estate Single-Family Residence District, by approximately 2.68%, for property located at 9023 West Warwick Way, property zoned R-3E Suburban/Estate Single-Family Residence District; Tax Key No. 754-0084-000

The Official Notice of Public hearing for an Area Exception was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 8:31 p.m. and closed at 8:32 p.m..

Commissioner Hogan 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 17.97% (5,006 square feet) [application requests an Area Exception from table 15-3.0204 of the Unified Development Ordinance to exceed the R-3E Suburban/Estate Single-Family Residence District maximum lot coverage standard of 15%

(4,177 square feet) by approximately 2.97%, to allow for the installation of an inground pool, pergola and paved areas, for property located at 9023 West Warwick Way. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

4. ANDREAS BOURAXIS SINGLE-FAMILY RESIDENCE CONSTRUCTION [recommendation to Board of Zoning and Building Appeals]. Application by Andreas Bouraxis for an Area Exception from Table 15-3.0204 of the Unified Development Ordinance to allow for construction of a single-family home in the Oakes Estates subdivision (17.6% lot coverage (5,718.8 square feet)), exceeding the 15% (4,862.7 square feet) maximum lot coverage standard in a R-3E Suburban/Estate Single-Family Residence District, by approximately 2.6%, for property located at 9044 West Warwick Way, property zoned R-3E Suburban/Estate Single-Family Residence District; Tax Key No. 754-0074-000.

Planning Manager Heath Eddy presented the request by Andreas Bouraxis for an Area Exception from Table 15-3.0204 of the Unified Development Ordinance to allow for construction of a single-family home in the Oakes Estates subdivision (17.6% lot coverage (5,718.8 square feet)), exceeding the 15% (4,862.7 square feet) maximum lot coverage standard in a R-3E Suburban/Estate Single-Family Residence District, by approximately 2.6%, for property located at 9044 West Warwick Way, property zoned R-3E Suburban/Estate Single-Family Residence District; Tax Key No. 754-0074-000.

The Official Notice of Public hearing for an Area Exception was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 8:36 p.m. and closed at 8:37 p.m..

Aldерwoman Hanneman 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 17.6% (5,718.8 square feet) [application requests an Area Exception from table 15-3.0204 of the Unified Development Ordinance to exceed the R-3E Suburban/Estate Single-Family Residence District maximum lot coverage standard of 15% (4,862.7 square feet) by approximately 2.6%, to allow for construction of a single-family home in the Oakes Estates subdivision, property located at 9044 West Warwick Way. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

D. Business Matters

1. THE ROCK SPORTS COMPLEX AREA CHALLENGE TOWER INSTALLATION WITHIN PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS). Site Plan Amendment application by Michael R. Schmitz, owner of Rock Snow Park, LLC, applicant (BPC County Land, LLC, property owner), to allow for the installation of a proposed 50 foot high Challenge Tower (compact aerial courses or high rope courses, comprised of numerous swinging, climbing and balancing challenges) with 3 levels of

Planning Manager Heath Eddy presented the request by Michael R. Schmitz, owner of Rock Snow Park, LLC, applicant (BPC County Land, LLC, property owner), to allow for the installation of a proposed 50 foot high Challenge Tower (compact aerial courses or high rope courses, comprised of numerous swinging, climbing and balancing challenges) with 3 levels of obstacles and 50 elements, including a kids course, an observation deck at the top, with a 50 foot by 50 foot octagonal footprint, also to be located east of the existing Ski Chalet in The Rock Sports Complex, property located at approximately 7011 South Ballpark Drive, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key No. 744-1003-000 [the Site Plan Amendment is to change the location of the previously approved, but not yet constructed Challenge Tower, the Challenge Tower Site Plan being approved on

obstacles and 50 elements, including a kids course, an observation deck at the top, with a 50 foot by 50 foot octagonal footprint, also to be located east of the existing Ski Chalet in The Rock Sports Complex, property located at approximately 7011 South Ballpark Drive, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key No. 744-1003-000 [the Site Plan Amendment is to change the location of the previously approved, but not yet constructed Challenge Tower, the Challenge Tower Site Plan being approved on April 23, 2020, by Plan Commission Resolution No. 2020-014; a Special Use permit was also approved for the Challenge Tower on May 5, 2020.

April 23, 2020, by Plan Commission Resolution No. 2020-014; a Special Use permit was also approved for the Challenge Tower on May 5, 2020.

Commissioner Leon moved and Alderwoman Hanneman seconded a motion to adopt a Resolution amending the Site Plan for property located at approximately 7011 South Ballpark Drive to allow for installation of a proposed 50 foot high challenge tower (tax key no. 744-1003-000). On voice vote, all voted ‘aye’; motion carried. (4-0-2).

Adjournment

Commissioner Hogan moved and Commissioner Leon seconded to adjourn the Plan Commission meeting of May 5, 2022 at 8:39 p.m.. On voice vote, all voted ‘aye’; motion carried. (4-0-2).