

CITY OF FRANKLIN
PLAN COMMISSION MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
THURSDAY, JANUARY 5, 2023, 7:00 P.M.

*Revised

The YouTube channel “City of Franklin WI” will be live streaming the Plan Commission meeting so that the public will be able to watch and listen to the meeting.

<https://www.youtube.com/c/CityofFranklinWIGov>.

A. **Call to Order and Roll Call**

B. **Approval of Minutes**

1. Approval of regular meeting of December 1, 2022.

C. **Public Hearing Business Matters** (action may be taken on all matters following the respective Public Hearing thereon)

1. **PLANNED DEVELOPMENT DISTRICT NO. 8 (TWIN OAKS OF TUCKAWAY) ORDINANCE AMENDMENT.** Unified Development Ordinance §15-3.0413 Planned Development District No. 8 (Twin Oaks of Tuckaway) Planned Development District Amendment (Major) application by Dennis C. Sauer and Lori J. Sauer, applicants, Quail Haven LLC property owner, to revise the district to add professional services as a permitted use (to operate a surveying services business in the existing converted farmhouse on the property (property purchased with the intent of restoring and maintaining the historic building)) property zoned Planned Development District No. 8 (Twin Oaks of Tuckaway), generally located at 8482 South 76th Street, specific addresses and Tax Key Numbers within the condominium complex as follows:
7420 W TWIN OAKS CT; 837-0041-000, 7418 W TWIN OAKS CT; 837-0042-000, 7406 W TWIN OAKS CT; 837-0043-000, 7404 W TWIN OAKS CT; 837-0044-000, 7402 W TWIN OAKS CT; 837-0045-000, 7401 W TWIN OAKS CT; 837-0046-000, 7403 W TWIN OAKS CT; 837-0047-000, 7405 W TWIN OAKS CT; 837-0048-000, 7419 W TWIN OAKS CT; 837-0049-000, 7421 W TWIN OAKS CT; 837-0050-000, 8503 S COUNTRY CLUB DR; 837-0051-000, 8505 S COUNTRY CLUB DR; 837-0052-000, 8507 S COUNTRY CLUB DR; 837-0053-000, 8509 S COUNTRY CLUB DR; 837-0054-000, 7514 W MALLORY WAY; 837-0055-000, 7516 W MALLORY WAY; 837-0056-000, 7518 W MALLORY WAY; 837-0057-000, 7520 W MALLORY WAY; 837-0058-000, 7420 W MORNINGSIDE CT; 837-0059-000, 7418 W MORNINGSIDE CT; 837-0060-000, 7416 W MORNINGSIDE CT; 837-0061-000, 7404 W MORNINGSIDE CT; 837-0062-000, 7402 W MORNINGSIDE CT; 837-0063-000, 7401 W MORNINGSIDE CT; 837-0064-000, 7403 W MORNINGSIDE CT;

837-0065-000, 7515 W MALLORY WAY; 837-0077- 000, 7517 W MALLORY WAY; 837-0078-000, 7519 W MALLORY WAY; 837-0079-000, 7521 W MALLORY WAY; 837-0080-000, 7407 W HOLLYANN LN; 837-0081-000, 7409 W HOLLYANN LN; 837-0082-000, 7411 W HOLLYANN LN; 837-0083-000, 7415 W HOLLYANN LN; 837-0084-000, 7417 W HOLLYANN LN; 837-0085-000, 7419 W HOLLYANN LN; 837-0086-000, 8526 S COUNTRY CLUB DR; 837-0087-000, 8528 S COUNTRY CLUB DR; 837-0088-000, 7402 W HOLLYANN LN; 837-0089-000; 8513 S COUNTRY CLUB DR; 837-0090-000, 8515 S COUNTRY CLUB DR; 837-0091-000, 8517 S COUNTRY CLUB DR; 837-0092-000, 8523 S COUNTRY CLUB DR; 837-0093-000, 8527 S COUNTRY CLUB DR; 837-0094-000, 7417 W MORNINGSIDE CT; 837-0095-000, 7421 W MORNINGSIDE CT; 837-0096-000, 8604 S COUNTRY CLUB DR; 837-0097-000, 8608 S COUNTRY CLUB DR; 837-0098-000, 8614 S COUNTRY CLUB DR; 837-0099-000, 8618 S COUNTRY CLUB DR; 837-0100-000, 8620 S COUNTRY CLUB DR; 837-0101-000, 8628 S COUNTRY CLUB DR; 837-0102-000, 8630 S COUNTRY CLUB DR; 837-0103-000, 8629 S COUNTRY CLUB DR; 837-0104- 000, 8627 S COUNTRY CLUB DR; 837-0105-000, 8625 S COUNTRY CLUB DR; 837-0106-000, 8623 S COUNTRY CLUB DR; 837-0107-000, 8619 S COUNTRY CLUB DR; 837-0108-000, 8617 S COUNTRY CLUB DR; 837-0109-000, 8615 S COUNTRY CLUB DR; 837-0110-000, 8613 S COUNTRY CLUB DR; 837-0111- 000, 8607 S COUNTRY CLUB DR; 837-0112-000, 8603 S COUNTRY CLUB DR; 837-0113-000, 8482 S 76TH ST; 837-9998-014. **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS MATTER.**

D. **Business Matters** (no Public Hearing is required upon the following matters; action may be taken on all matters)

1. **VITALOGY DEVELOPMENT: CREATION OF A NEW RESIDENTIAL AND COMMERCIAL PLANNED DEVELOPMENT DISTRICT.**
Comprehensive Master Plan Amendment and Planned Development District and Rezoning applications by Wetland Treehouse LLC, Rawson-Loomis, LLC, current property owner, to amend the Future Land Use Map designation of an approximately 51.61 acre parcel of land from Commercial Use and Areas of Natural Resource Features Use to Mixed Use, and to create Vitalogy, a new mixed-use, luxury residential and commercial planned development district which includes 358 apartments, 2.52 acres of retail outlots, a public street connecting Terrace Drive with South Loomis Road, private drives to serve 10 multi-family buildings, 2 townhouse clusters and a clubhouse, with resident amenities including patio space with an outdoor kitchen and private pool, and adjacent outdoor uses including pickleball courts, putting and chipping green, professionally managed gardens and open green space, on the approximately 51.61 acres of land located at 8301 West Old Loomis Road, and to rezone the

property from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to Planned Development District No. 41 (Vitalogy); Tax Key No. 755-9997-000. [THE MATTER WAS OPENED AND CLOSED AT THE DECEMBER 1, 2022 MEETING AND THE SUBJECT MATTER WAS PUT OVER TO THE JANUARY 5, 2023 PLAN COMMISSION MEETING.]

- *2. **SAPUTO CHEESE USA INC. CONSUMER FOOD PRODUCT CONVERTING FACILITY DEVELOPMENT.** A Resolution to Amend Resolution No. 2022-7815, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Allow a 310,485 Square Foot “Office/Light Industrial Flex Space” to Develop a Food Processing Operation, Including the Provision of Materials Delivery, Processing, Packaging and Distribution of Food Products, with Supporting Office and Employee Welfare Facilities upon Property Located on the Eastern Half of the Parcel at the Intersection of West Oakwood Road and South 27th Street (Lot 2 of Certified Survey Map No. 9362), to Extend the Time for Commencement of the Special Use Development; and A Resolution to Amend Resolution No. 2022-001, A Resolution Imposing Conditions and Restrictions for the Approval of a Site Plan for Construction of an Approximately 310,485 Square Foot Consumer Food Product Converting Facility, Including a Two-Story Welfare and Office Area Supporting the Production Facility at the Northeast Portion of the Facility, 459 Parking Spaces for Cars in Front of the Building on West Oakwood Road and South 27th Street, Loading Areas for Trucks on the West and South Facing Sides of the Proposed Building and Stormwater Ponds on the North and South Sides of the Site for Onsite Stormwater Management and Visual Amenities (the Proposed Stormwater Elements Have Been Designed to Account for Potential Future Expansion of Key Areas of the Facility to Accommodate Growth for Saputo) upon Property Zoned Planned Development District No. 39 (Mixed-Use Business Park) Located on the Eastern Half of the Parcel at the Intersection of West Oakwood Road and South 27th Street in the Gateway Area District of Planned Development District No. 39 (Mixed-Use Business Park) (Lot 2 of Certified Survey Map No. 9362, Recorded on November 5, 2021) (Part of Tax Key No. 951-9994-001, Otherwise Known as Lot 2 of Certified Survey Map No. 9362) (Saputo Cheese USA, Applicant, H.S.A. Commercial Real Estate, Property Owner), to Extend the Time for Commencement of the Site Plan Use Development.

E. Adjournment

*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

**Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per *State ex rel. Badke v. Greendale Village Board*, even though the Common Council will not take formal action at this meeting.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional

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information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

Next Regular Plan Commission Meeting: January 19, 2023

City of Franklin
Plan Commission Meeting
December 1, 2022
Minutes

unapproved

A. Call to Order and Roll Call

Mayor Steve Olson called the December 1, 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, Alderwoman Shari Hanneman, Commissioner Patrick Leon and Adam Burckhardt, and City Engineer Glen Morrow. Absent were Commissioners Kevin Haley and Patricia Hogan. Also present was Principal Planner Régulo Martínez-Montilva, Associate Planner Marion Ecks, City Attorney Jesse Wesolowski and Director of Economic Development John Regetz.

B. Approval of Minutes

1. Regular Meeting of November 17, 2022.

Alderwoman Hanneman moved and Commissioner Leon seconded a motion to approve the November 17, 2022 meeting minutes. On voice vote, all voted ‘aye’; motion carried (4-0-2).

C. Public Hearing Business Matters

1. PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) MIXED-USE BUILDING ADDITION TO THE BALLPARK COMMONS DEVELOPMENT.

Unified Development Ordinance §15-3.0442 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Amendment (Major) application by M1 at Ballpark Commons LLC, Zim-Mar Properties, LLC, property owner, to allow for a three-story Mixed-Use building with residential units on the ground floor (as well as commercial units, allowed by the District) and upper floors, at the southeast corner of West Rawson Avenue and South Ballpark Drive, property zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key No. 754-9006-000.

The Official Notice of Public Hearing for a Unified Development Ordinance §15-3.0442 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Amendment (Major) was read in to the record by Associate Planner Marion Ecks and the Public Hearing was opened at 7:16 p.m. and closed at 7:22 p.m.

Principal Planner Regulo Martinez-Montilva presented the request by M1 at Ballpark Commons LLC, Zim-Mar Properties, LLC, property owner, to allow for a three-story Mixed-Use building with residential units on the ground floor (as well as commercial units, allowed by the District) and upper floors, at the southeast corner of West Rawson Avenue and South Ballpark Drive, property zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); Tax Key No. 754-9006-000.

Alderwoman Hanneman moved and Commissioner Leon seconded a motion to recommend approval of an Ordinance to amend §15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to allow for a three story mixed-use building with residential units on the ground floor (as well as commercial units, allowed by the district) (at approximately the southeast corner of West Rawson Avenue and South Ballpark Drive), with technical corrections by the City Attorney. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

2. THE RETREAT (TEMPORARY NAMESAKE) REDEVELOPMENT: CREATION OF A NEW RESIDENTIAL AND COMMERCIAL PLANNED DEVELOPMENT DISTRICT.

Comprehensive Master Plan Amendment and Planned Development District and Rezoning applications by Wetland Treehouse LLC, Rawson-Loomis, LLC, current property owner, to amend the Future Land Use Map designation of an approximately 51.61 acre parcel of land from Commercial Use and Areas of Natural Resource Features Use to Mixed Use, and to create The Retreat (temporary namesake), a new mixed-use, luxury residential and commercial planned development district which includes 358 apartments, 2.52 acres of retail outlots, a public street connecting Terrace Drive with South Loomis Road, private drives to serve 10 multi-family buildings, 2 townhouse clusters and a clubhouse, with resident amenities including patio space with an outdoor kitchen and private pool, and adjacent outdoor uses including pickleball courts, putting and chipping green, professionally managed gardens and open green space, on the approximately 51.61 acres of land located at 8301 West Old Loomis Road, and to rezone the property from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to Planned Development District No. 41 (*currently named The Retreat*); Tax Key No. 755-9997-000.

3. GO RITEWAY TRANSPORTATION GROUP SCHOOL BUS TRANSPORTATION OFFICE OPERATION. Special Use Amendment application by Roland J. Bast, co-owner of GO Riteway Transportation Group, for a recruitment, training and regional office for GO Riteway Transportation Group, and

The Official Notice of Public hearing for a Planned Development District was read in to the record by Associate Planner Marion Ecks and the Public Hearing was opened at 8:07 p.m. and closed at 8:41 p.m.

Principal Planner Regulo Martinez-Montilva presented the request by Wetland Treehouse LLC, Rawson-Loomis, LLC, current property owner, to amend the Future Land Use Map designation of an approximately 51.61 acre parcel of land from Commercial Use and Areas of Natural Resource Features Use to Mixed Use, and to create The Retreat (temporary namesake), a new mixed-use, luxury residential and commercial planned development district which includes 358 apartments, 2.52 acres of retail outlots, a public street connecting Terrace Drive with South Loomis Road, private drives to serve 10 multi-family buildings, 2 townhouse clusters and a clubhouse, with resident amenities including patio space with an outdoor kitchen and private pool, and adjacent outdoor uses including pickleball courts, putting and chipping green, professionally managed gardens and open green space, on the approximately 51.61 acres of land located at 8301 West Old Loomis Road, and to rezone the property from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to Planned Development District No. 41 (*currently named The Retreat*); Tax Key No. 755-9997-000.

Commissioner Burckhardt moved and Alderwoman Hanneman seconded a motion to table the Planned Development District and Comprehensive Master Plan amendment applications to January 5, 2023. On voice vote, four members voted ‘aye’; no ‘noes’; Commissioner Leon abstained (4-0-3).

Commissioner Leon left the meeting 8:07 p.m. and returned at 9:10 p.m. The Plan Commission entered into a recess at 9:11 p.m. and resumed the meeting at 9:15 p.m.

The Official Notice of Public hearing for a Special Use Amendment application was read in to the record by Associate Planner Marion Ecks and the Public Hearing was opened at 9:23 p.m. and closed at 9:23 p.m..

Associate Planner Marion Ecks presented the request by Roland J. Bast, co-owner of GO Riteway Transportation Group, for a recruitment, training and regional office for GO Riteway Transportation Group, and providing school bus transportation

providing school bus transportation for the City of Franklin School District (hours of operation from 6:00 a.m. to 5:30 p.m., Monday through Friday and a limited number of buses may have an athletic charter on Saturdays; 20 car parking spaces in the front of the building (west side of lot) and 12 bus parking spaces on the south side of the lot), commencing at the beginning of the 2023 school year (a second, current, GO Riteway location will also serve Franklin School District from the east, office located at 7433 South 10th Street, in Oak Creek, WI), upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11141 West Forest Home Avenue; Tax Key No. 704-9990-003 [the existing Special Use is for an over-the-road trucking company and school buses (Standard Industrial Code no. 4151) as well as overnight parking require a Special Use approval].

for the City of Franklin School District (hours of operation from 6:00 a.m. to 5:30 p.m., Monday through Friday and a limited number of buses may have an athletic charter on Saturdays; 20 car parking spaces in the front of the building (west side of lot) and 12 bus parking spaces on the south side of the lot), commencing at the beginning of the 2023 school year (a second, current, GO Riteway location will also serve Franklin School District from the east, office located at 7433 South 10th Street, in Oak Creek, WI), upon property zoned M-1 Limited Industrial District and C-1 Conservancy District, located at 11141 West Forest Home Avenue; Tax Key No. 704-9990-003 [the existing Special Use is for an over-the-road trucking company and school buses (Standard Industrial Code no. 4151) as well as overnight parking require a Special Use approval].

Alderman Hanneman moved and Commissioner Leon seconded a motion to recommend approval of a Resolution to amend Resolution No. 2019-7467 imposing conditions and restrictions for the approval of a Special Use for an over-the-road trucking company located at 11141 West Forest Home Avenue to allow for a recruitment, training and regional office for GO Riteway Transportation Group, and providing school bus transportation for the City of Franklin School District. On voice vote, all voted ‘aye’; motion carried. (4-0-2).

D. Business Matters

1. None.

Adjournment

Commissioner Leon moved and Commissioner Burckhardt seconded to adjourn the Plan Commission meeting of December 1, 2022 at 9:33 p.m.. On voice vote, all voted ‘aye’; motion carried (4-0-2).



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Item C.1.

Meeting of January 5, 2023

Planned Development District (PDD) Major Amendment

RECOMMENDATION: City Development Staff recommends approval of this Major Amendment to PDD No. 8 Twin Oaks to add professional services as permitted uses for the converted farmhouse.

Project name:	Metropolitan Survey Services, Planned Development District (PDD) Major Amendment
Property Owner:	Quail Haven LLC
Applicant:	Sauer, Lori J. and Dennis C.
Agent:	Darrell R. Malek
Property Address/TKN:	8482 S. 76 th Street
Aldermanic District:	District 1
Zoning District:	PDD 8 – Twin Oaks of Tuckaway
Staff Planner:	Régulo Martínez-Montilva, AICP, Principal Planner
Submittal date:	10-11-2022
Application number:	PPZ22-0164

Introduction:

This Planned Development District (PDD) only allows for a special gift and card shop in the farmhouse located on the subject property, or two 4-unit multifamily buildings in the event the farmhouse is removed per Ordinance No. 93-1280, section 1. The applicant is requesting to amend this ordinance to add professional services as a permitted use. Changes to the land use or boundaries of a PDD are considered major amendments.

If this request is approved, the applicant would be able to operate a surveying services business from the existing farmhouse. The applicant is not proposing any building additions or exterior improvements at this time, only painting and interior improvements.

Project Description and Analysis:

Given this request would affect the land use of the subject property, it is relevant to analyze the compatibility of the proposed professional services with the adjacent uses. The use of the surrounding properties is residential, single-family residential zoned R-6 to the west, single-family residential in PDD No. 8 to north, and multifamily residential in such PDD to the east and south.

Therefore, City Development staff recommends that this amendment includes only professional services that are compatible with residential areas, specifically those uses allowed in the B-1 Neighborhood Business District, which is intended to:

Unified Development Ordinance (UDO), Section 15-3.0301

B-1 Neighborhood Business District, District Intent

A.1 “Provide for the convenience of persons residing in nearby residential areas and is, thus, limited in its functions to accommodating the basic day-to-day shopping and service needs of the residents living in the adjacent area”.

Below is a list of the professional service uses allowed in the B-1 Neighborhood Business District:

- 8711 – Engineering services.
- 8712 – Architectural services.
- 8713 – Surveying services.
- 8721 – Accounting, auditing and bookkeeping.
- 8741 – Management services.
- 8742 – Management consulting services.
- 8743 – Public relations services.
- 8744 – Facilities support services.
- 8748 – Business consulting, not elsewhere classified: agricultural consulting, city planners, economic consulting, educational consulting, radio consultants and traffic consultants.

City Development staff recommends to keep the ordinance provision that states that two 4-unit multifamily buildings are allowed in the event the farmhouse is removed, Section 01(1)(C), because the Future Land Use Map of the Comprehensive Master Plan designates this area as Residential Multi-Family.

With regards to parking, the applicant indicated that the existing parking lot and 2 garages can accommodate 20 vehicles. Additionally, the parking requirement for professional office use is lower than for retail use (specialty gift and card shop), 5 stalls per 1,000 sf of floor area is required for retail while 3.33 for office use.

Staff Recommendation:

City Development Staff recommends approval of this Major Amendment to PDD No. 8 Twin Oaks to add professional services as permitted uses for the converted farmhouse.

ORDINANCE NO. 2023-_____

AN ORDINANCE TO AMEND SECTION 15-3.0413 OF THE UNIFIED
DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO.8
(TWIN OAKS OF TUCKAWAY) TO REVISE THE DISTRICT TO ADD
PROFESSIONAL SERVICES AS A PERMITTED USE
(DENNIS C. SAUER AND LORI J. SAUER, APPLICANTS)
(GENERALLY AT 8482 SOUTH 76TH STREET)

WHEREAS, Section 15-3.0413 of the Unified Development Ordinance provides for and regulates Planned Development District No. 8 (Twin Oaks of Tuckaway), same having been created by Ordinance No. 1987-0922 and later amended by Ordinance No. 1993-1280 and Ordinance No. 1998-1488, with such District generally being located at 8482 South 76th Street, bearing Tax Key Nos. as follows (and specific addresses within the condominium complex):

7420 W TWIN OAKS CT; 837-0041-000, 7418 W TWIN OAKS CT; 837-0042-000, 7406 W TWIN OAKS CT; 837-0043-000, 7404 W TWIN OAKS CT; 837-0044-000, 7402 W TWIN OAKS CT; 837-0045-000, 7401 W TWIN OAKS CT; 837-0046-000, 7403 W TWIN OAKS CT; 837-0047-000, 7405 W TWIN OAKS CT; 837-0048-000, 7419 W TWIN OAKS CT; 837-0049-000, 7421 W TWIN OAKS CT; 837-0050-000, 8503 S COUNTRY CLUB DR; 837-0051-000, 8505 S COUNTRY CLUB DR; 837-0052-000, 8507 S COUNTRY CLUB DR; 837-0053-000, 8509 S COUNTRY CLUB DR; 837-0054-000, 7514 W MALLORY WAY; 837-0055-000, 7516 W MALLORY WAY; 837-0056-000, 7518 W MALLORY WAY; 837-0057-000, 7520 W MALLORY WAY; 837-0058-000, 7420 W MORNINGSIDE CT; 837-0059- 000, 7418 W MORNINGSIDE CT; 837-0060-000, 7416 W MORNINGSIDE CT; 837-0061-000, 7404 W MORNINGSIDE CT; 837-0062-000, 7402 W MORNINGSIDE CT; 837-0063-000, 7401 W MORNINGSIDE CT; 837-0064-000, 7403 W MORNINGSIDE CT; 837-0065-000, 7515 W MALLORY WAY; 837-0077- 000, 7517 W MALLORY WAY; 837-0078-000, 7519 W MALLORY WAY; 837-0079-000, 7521 W MALLORY WAY; 837-0080-000, 7407 W HOLLYANN LN; 837-0081-000, 7409 W HOLLYANN LN; 837-0082-000, 7411 W HOLLYANN LN; 837-0083-000, 7415 W HOLLYANN LN; 837-0084-000, 7417 W HOLLYANN LN; 837-0085-000, 7419 W HOLLYANN LN; 837-0086-000, 8526 S COUNTRY CLUB DR; 837-0087-000, 8528 S COUNTRY CLUB DR; 837-0088-000, 7402 W HOLLYANN LN; 837-0089-000; 8513 S COUNTRY CLUB DR; 837-0090-000, 8515 S COUNTRY CLUB DR; 837-0091-000, 8517 S COUNTRY CLUB DR; 837-0092-000, 8523 S COUNTRY CLUB DR; 837-0093-000, 8527 S COUNTRY CLUB DR; 837-0094-000, 7417 W MORNINGSIDE CT; 837-0095-000, 7421 W MORNINGSIDE CT; 837-0096-000, 8604 S COUNTRY CLUB DR; 837-0097-000, 8608 S COUNTRY CLUB DR; 837-0098-000, 8614 S COUNTRY CLUB DR;

837-0099-000, 8618 S COUNTRY CLUB DR; 837-0100-000, 8620 S COUNTRY CLUB DR; 837-0101-000, 8628 S COUNTRY CLUB DR; 837-0102-000, 8630 S COUNTRY CLUB DR; 837-0103-000, 8629 S COUNTRY CLUB DR; 837-0104-000, 8627 S COUNTRY CLUB DR; 837-0105-000, 8625 S COUNTRY CLUB DR; 837-0106-000, 8623 S COUNTRY CLUB DR; 837-0107-000, 8619 S COUNTRY CLUB DR; 837-0108-000, 8617 S COUNTRY CLUB DR; 837-0109-000, 8615 S COUNTRY CLUB DR; 837-0110-000, 8613 S COUNTRY CLUB DR; 837-0111-000, 8607 S COUNTRY CLUB DR; 837-0112-000, 8603 S COUNTRY CLUB DR; 837-0113-000, 8482 S 76TH ST; 837-9998-014, and is more particularly described below; and

WHEREAS, Planned Development District No. 8 (Twin Oaks of Tuckaway) currently includes those lands legally described as follows:

All that part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Commencing at the Southwest corner of said Southwest 1/4 thence; N 89° 18' 36" E, along the South line of said 1/4 Section 60.00 feet to the point of beginning; thence continuing along said South line N 89° 18' 36" E, 500.02 feet to the West line of Tuckaway County Club; thence N 45° 00' 00" W along said West line 300 feet; thence N 33° 59' 00" E along said West line 542.80 feet; thence N 89° 18' 36" E, 0.66 feet; thence N 00° 28' 21" West along said West line 825.78 feet to the South line of Tuckaway Downs; thence S 89° 18' 38" W along said South line 160.00 feet; thence S 0° 28' 21" East along said South line 113.39 feet, thence S 75° 11' 22" West along said South line 231.76 feet; thence S 82° 10' 17" W along said South line, 75.81 feet; thence N 88° 31' 53" West along said South line 139.41 feet to the East line of South 76th Street, thence S 0° 32' 41" E along said East line, 1312.75 feet to the point of beginning. Said Lands Containing 707.737 sq. ft.

WHEREAS, Dennis C. Sauer and Lori J. Sauer, having petitioned for a further amendment to Planned Development District No. 8 (Twin Oaks of Tuckaway) to revise the District to add professional services as a permitted use, and

WHEREAS, the City of Franklin Plan Commission on the 5th day of January, 2023, having reviewed the proposed amendment to Planned Development District No. 8 and thereafter having recommended to the Common Council that the proposed amendment be approved subject to the conditions and restrictions included herewith; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission, and having determined that the proposed amendment to Planned Development District No. 8 (Twin Oaks of Tuckaway) is consistent with the 2025 Comprehensive Master Plan of the City of

Franklin, Wisconsin, and that it will promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: Section .01 Section 13.11(1) of the Zoning Code of Ordinance No. 221 of the City of Franklin, Wisconsin, is hereby amended to add the following professional service uses as permitted uses for the converted farmhouse described in Ordinance 93-1280, section (1) Permitted Uses, subsection (B):

- a) 8711 – Engineering services.
- b) 8712 – Architectural services.
- c) 8713 – Surveying services.
- d) 8721 – Accounting, auditing and bookkeeping.
- e) 8741 – Management services.
- f) 8742 – Management consulting services.
- g) 8743 – Public relations services.
- h) 8744 – Facilities support services.
- i) 8748 – Business consulting, not elsewhere classified: agricultural consulting, city planners, economic consulting, educational consulting, radio consultants and traffic consultants.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES __ NOES __ ABSENT __

MEMORANDUM

Date: November 22, 2022
To: Lori Sauer. Metropolitan Survey Service, Inc.
From: Department of City Development
Régulo Martínez-Montilva, AICP, Principal Planner
RE: Application for Planned Development District (PDD) Major Amendment
Metropolitan Survey Services
8482 S. 76th Street

Staff comments are as follows for the application received on October 11, 2022, requesting to amend Ordinance 93-1280 to add professional services as a permitted use.

Department of City Development comments

1. This request is to include “professional services building” to the permitted uses of Ordinance 93-1280, Section 01(1)(B). However, professional services building is a broad term, therefore, City Development staff suggests the following list of the professional service uses:
 - 8711 – Engineering services.
 - 8712 – Architectural services.
 - 8713 – Surveying services.
 - 8721 – Accounting, auditing and bookkeeping.
 - 8741 – Management services.
 - 8742 – Management consulting services.
 - 8743 – Public relations services.
 - 8744 – Facilities support services.
 - 8748 – Business consulting, not elsewhere classified: agricultural consulting, city planners, economic consulting, educational consulting, radio consultants and traffic consultants.

Each use has a Standard Industrial Classification (SIC) code which is the current land use system in the city of Franklin Unified Development Ordinance.

If you disagree with this staff suggestion, please provide a written response to the Department of City Development.

Inspection Services Department comments

2. *This proposal is viewed as a change of use for purposes of the Building Code. To the extent required, the building shall comply with all applicable provisions of the Wisconsin Commercial Building Code. The applicant will be required to provide a code analysis on the building for the intended use.*

Engineering Department comments

3. *No comments*

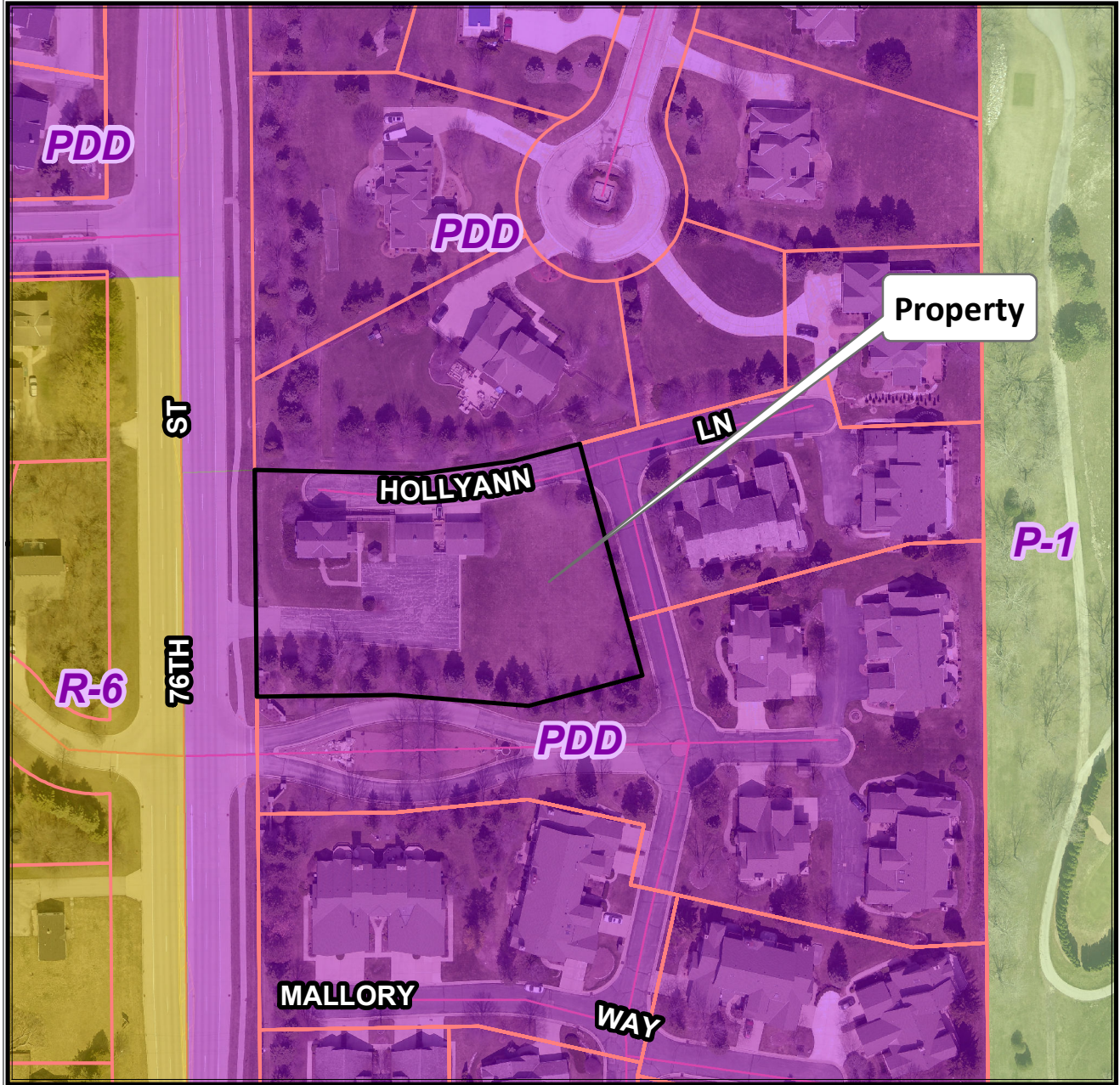
Fire Department comments

4. *The fire department has no comments at this time.*

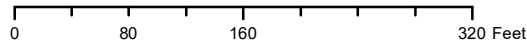
Police Department comments

5. *The PD has no comment regarding this request.*

8482 S. 76th Street
TKN: 837 9998 014

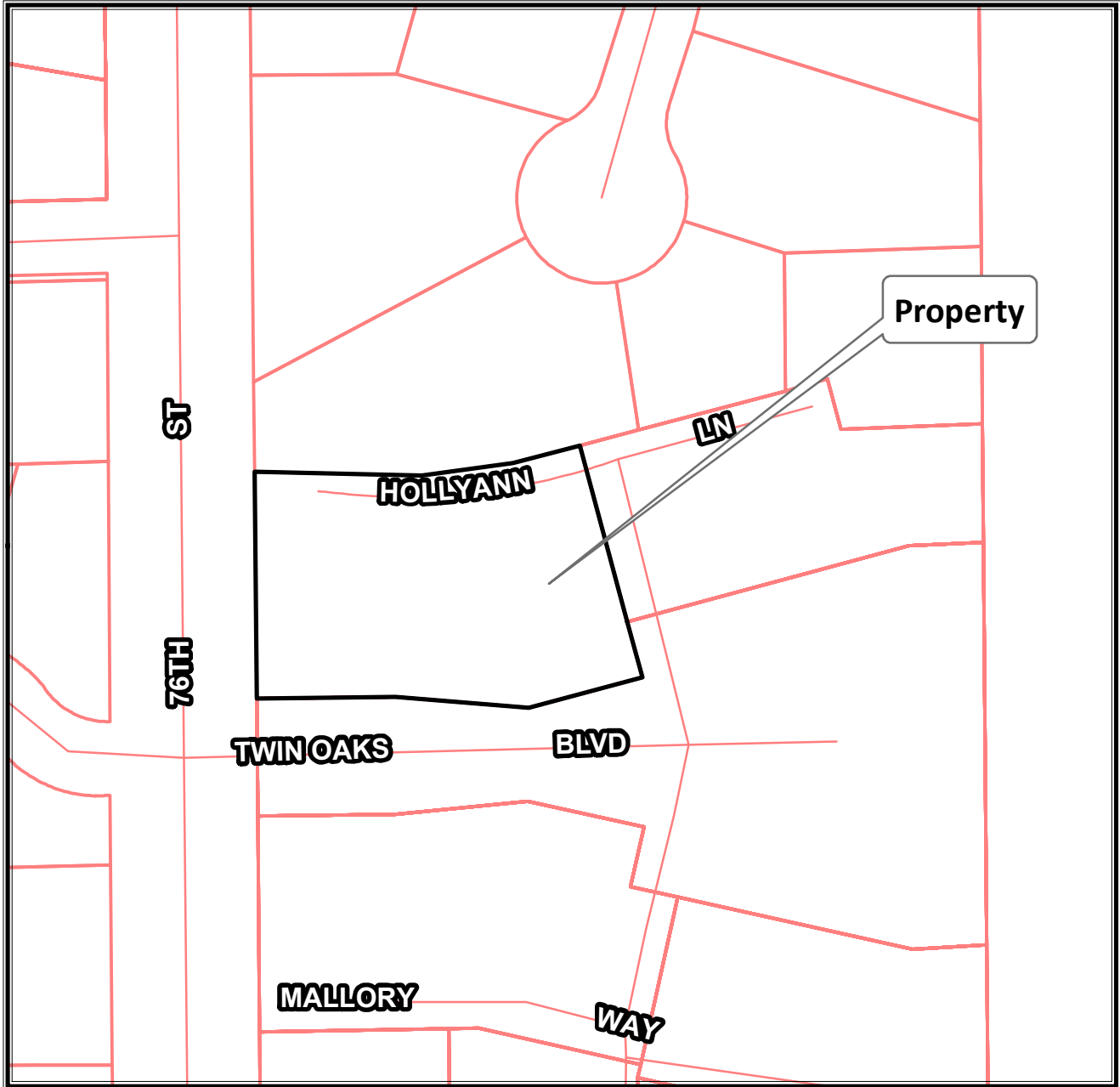


Planning Department
(414) 425-4024

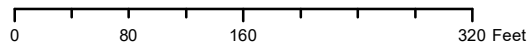


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

8482 S. 76th Street
TKN: 837 9998 014



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



NORTH
2021 Aerial Photo

Planning Department
 9229 West Loomis Road
 Franklin, Wisconsin 53132
 generalplanning@franklinwi.gov
 (414) 425-4024
 franklinwi.gov



APPLICATION DATE: 10-11-22

STAMP DATE: _____ city use only

COMMON COUNCIL REVIEW APPLICATION

PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: Lori Souer + Dennis Sauer	NAME: Darrel Malek
COMPANY: Metropolitan Survey Services	COMPANY: Starfire Electric, LLC
MAILING ADDRESS: 9415 W Forest Home Avenue, Suite 202	MAILING ADDRESS: 5445 W. Airways Ave.
CITY/STATE: Hales Corners ZIP: 53130	CITY/STATE: Franklin ZIP: 53132
PHONE: 414-529-5380	PHONE: 414-483-5959
EMAIL ADDRESS: lori@metropolitansurvey.com	EMAIL ADDRESS: darrelm@starfireusa.com

PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: 8482 So. 76th Street	TAX KEY NUMBER: 837-9998-014
PROPERTY OWNER: Quail Haven, LLC	PHONE: 414-529-5380
MAILING ADDRESS: 8869 W Lake Pointe Circle	EMAIL ADDRESS: lori@metropolitansurvey.com
CITY/STATE: Franklin ZIP: 53132	DATE OF COMPLETION: _____ office use only

APPLICATION TYPE

Please check the application type that you are applying for

- Concept Review
 Comprehensive Master Plan Amendment
 Planned Development District
 Rezoning
 Special Use / Special Use Amendment
 Unified Development Ordinance Text Amendment

Most requests require Plan Commission review and Common Council approval.
 Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

SIGNATURES

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

I, the applicant, certify that I have read the following page detailing the requirements for plan commission and common council approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE: NAME & TITLE: Lori Souer DATE: 10-11-22	APPLICANT SIGNATURE: NAME & TITLE: Darrel R. Malek, PE DATE: 10-11-22
PROPERTY OWNER SIGNATURE: NAME & TITLE: Dennis Sauer DATE: 10/11/22	APPLICANT REPRESENTATIVE SIGNATURE: NAME & TITLE: _____ DATE: _____

CITY OF FRANKLIN APPLICATION CHECKLIST

If you have questions about the application materials please contact the planning department.

CONCEPT REVIEW APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$250 Application fee payable to the City of Franklin.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) copies of the Preliminary Site/Development Plan of the subject property(ies) and immediate surroundings on 8 ½" X 11" or 11" X 17" paper (i.e., a scaled map identifying the subject property and immediate environs, including existing and proposed parcels, existing and proposed structures, existing and proposed land uses, existing and proposed zoning, existing and proposed infrastructure and utilities[approximate locations only], and existing and proposed site conditions/site constraints [i.e. approximate locations of public road access, rights-of-way, natural resources/green space and drainage issues/concerns, etc.]
 - Three (3) colored copies of building elevations on 11" X 17" paper if applicable.
- Email or flash drive with all plans / submittal materials.

COMPREHENSIVE MASTER PLAN AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$125 Application fee payable to the City of Franklin.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded copies of a Site Development Plan / Map, drawn to reasonable scale, at least 11" X 17" paper or as determined by the City Planner or City Engineer, identifying the subject property and immediate environs, including parcels, structures, land use, zoning, streets and utilities, and natural resource features, as applicable.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
 - Requires a Class I Public Hearing Notice at least 30 days before the Common Council Meeting

PLANNED DEVELOPMENT DISTRICT (PDD)

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
 - \$6,000: New PDD
 - \$3,500: PDD Major Amendment
 - \$500: PDD Minor Amendment
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded full size, of the Site Plan Package, drawn to scale copies, on 24" x 36" paper, including Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc. (See Sections 15-7.0101, 15-7.0301, and 15-5.0402 of the UDO for information that must be denoted or included with each respective plan.)
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- One (1) copy of the Site Intensity and Capacity Calculations, if applicable (see division 15-3.0500 of the UDO)
- Email or flash drive with all plans / submittal materials.
 - PDD and Major PDD Amendment requests require Plan Commission review, a public hearing, and Common Council approval.
 - Minor PDD Amendment requests require Plan Commission review and Common Council approval.

REZONING

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
 - \$1,250
 - \$350: one parcel residential.
- Word Document legal description of the subject property.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded copies of a Plot Plan or Site Plan, drawn to reasonable scale, at least 11" X 17" paper or as determined by the City Planner or City Engineer, and fully dimensioned showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
 - Additional notice to and approval required for amendments or rezoning in the FW, FC, FFO, and SW Districts
 - Requires a Class II Public Hearing notice at Plan Commission.

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- Application fee payable to the City of Franklin... [select one of the following]
 - \$1,500: New Special Use > 4000 square feet.
 - \$1,000: Special Use Amendment.
 - \$750: New Special Use < 4000 square feet.
- Word Document legal description of the subject property.
- Word Document legal description of the subject property.
- One copy of a response to the General Standards, Special Standards, and Considerations found in Section 15-3.0701(A), (B), and (C) of the UDO available at www.franklinwi.gov.
- Three (3) complete collated sets of application materials to include ...
 - Three (3) project narratives.
 - Three (3) folded copies of the Site Plan package, drawn to scale at least 24" X 36", The submittal should include only those plans/items as set forth in Section 15-7.0101, 15-7.0301 and 15-5.0402 of the UDO that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, Natural Resource Protection Report, etc.
- One (1) colored copy of the building elevations on 11" X 17" paper, if applicable.
- Email or flash drive with all plans / submittal materials.
- Additional information as may be required.
 - Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval.

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION MATERIALS

- This application form accurately completed with signatures or authorization letters (see reverse side for more details).
- \$200 Application fee payable to the City of Franklin.
- Three (3) project narratives, including description of the proposed text amendment.
 - Requires a Class II Public Hearing notice at Plan Commission.
 - The City's Unified Development Ordinance (UDO) is available at www.franklinwi.gov.

Quail Haven, LLC
8482 South 76th Street
Franklin, WI 543132
Project Narrative

Quail Haven, LLC intends to lease the subject property to Metropolitan Survey Services (the "Company"), which is currently located in Hales Corners, Wisconsin. The Owners of Quail Haven, LLC purchased the property with the intent of restoring and maintaining the historic building. Dennis and Lori Sauer are the owners of Quail Haven, LLC and the owners of Metropolitan Survey Services. They are residents of Franklin and it their strong desire to move their business to the Franklin community.

The primary use of the building will be to house the operations of the Company. This includes six to eight employees that will occupy the building on a regular basis, and four survey crews that will visit the building on an intermittent basis. The daily operations will include drafting, administration, professional and support services.

The structure and layout of the building will remain the same and only minor cosmetic updates are planned, which includes painting and flooring. Some of the plumbing fixtures and some of the lighting fixtures will also be upgraded. It is the intent of the Company to move into the building as soon as this work is completed and approval is obtained from the City of Franklin.

There is an existing parking lot and two three-care garages that collectively can accommodate 20 vehicles. It is anticipated that no more than 10 vehicles would ever be on site at the same time. There will be minimal traffic related to the operation as there is generally only a few visitors per day.

The subject property is currently part of the City of Franklin's Planned Development District Number 8 ("PPD 8"), which was formed primarily to facilitate the development of the Twin Oaks of Tuckaway project. This project and corresponding Ordinance 87-992 was approved in 1987. In 1993, an amendment to PPD 8 was approved through Ordinance 93-1280. This Ordinance defined the permitted uses of the property, which read:

(1) Permitted Uses

- (A) A maximum of a 91-dwelling unit condominium development including off-street parking, recreational area and other accessory uses, as designated on Exhibit "A".
- (B) A specialty gift and card shop for the converted farmhouse, including off-street parking and other accessory uses, as designed on Exhibit "A".

In order to obtain a Zoning Compliance Permit, PPD 8 must be amended to include an approved use that would encompass Metropolitan Survey Services operation. Therefore, the property Owners and Metropolitan Survey Services hereby request that PPD 8 and Ordinance 93-1280 be amended to include a "professional services building" in addition to the permitted uses and conditions described in the existing Ordinance.

As residents of Franklin, the Owners feel very strongly that this would be in the best interest of the City of Franklin and its residents

LEGAL DESCRIPTION:

Location: 8482 South 76th Street, Franklin, Wisconsin

Parcel 2 of Certified Survey Map No. 6424, Part of the Twin Oaks of Tuckaway, Expansion Land, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

CERTIFIED SURVEY MAP NO. 6424

Part of the Twin Oaks of Tuckaway, Expansion Land, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

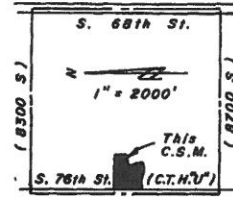
Notes:

○ - Denotes 1" x 24" iron pipe set, 1.13 lbs. per lin. ft.

Map bearings refer to Grid North of the Wisconsin State Co-ordinate System, South Zone.

[Handwritten Signature]

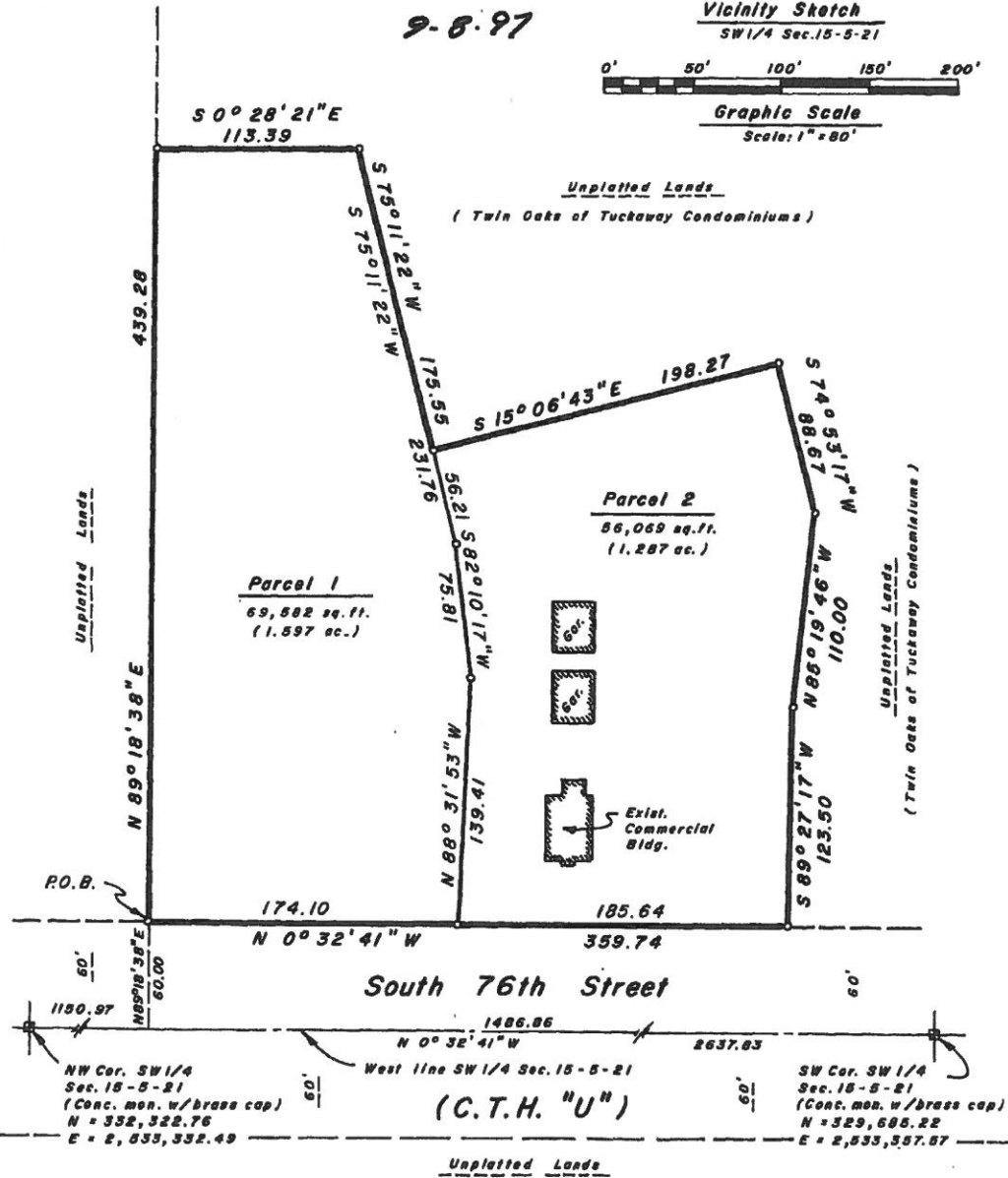
9-8-97



Vicinity Sketch
SW 1/4 Sec. 15-5-21



Graphic Scale
Scale: 1" = 80'



1400

CERTIFIED SURVEY MAP NO. 6424

Part of the Twin Oaks of Tuckaway, Expansion Land, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Gerald E. Casey, Registered Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Twin Oaks of Tuckaway, Expansion Land, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of said Southwest 1/4 of Section 15; thence N 0°32'41" W along the West line of said Southwest 1/4 Section, 1486.86 feet; thence N 89°18'38" E, 60.00 feet to the place of beginning of the lands to be described; thence N 89°18'38" E, 439.28 feet; thence S 0°28'21" E, 113.39 feet; thence S 75°11'22" W, 175.55 feet; thence S 15°06'43" E, 198.27 feet; thence S 74°53'17" W, 88.67 feet; thence N 85°19'46" W, 110.00 feet; thence S 89°27'17" W, 123.50 feet; thence N 0°32'41" W, 359.74 feet to the place of beginning. Said lands containing 2.8846 acres.

That I have made such survey, land division and map by the direction of Twin Oaks Development Corporation, owner of said land.

That such map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 21 of the City of Franklin Municipal Code in surveying, dividing and mapping the same.

9-8-97
Date


Gerald E. Casey
Registered Land Surveyor S-1329

7438179 #
RECORD 14.00

7438179

REGISTER'S OFFICE) SS
Milwaukee County, WI) 130 PM
RECORDED AT

OCT 2 2 1997 11446
REEL 4165 IMAGE 1146 incl.
Walter A. Conway REGISTER
OF DEEDS.



PREPARED FOR:
Twin Oaks Development Corp.
9809 South Franklin Drive
Franklin, WI 53132-8849

PREPARED BY:
Metropolitan Survey Service, Inc.
9415 West Forest Home Avenue
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. 6424

Part of the Twin Oaks of Tuckaway, Expansion Land, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

TWIN OAKS DEVELOPMENT CORPORATION, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, owner of the above described land does hereby certify that it has caused the land described on this map to be surveyed, divided and mapped in accordance with the provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 21 of the City of Franklin Municipal Code.

IN WITNESS WHEREOF, the said Twin Oaks Development Corporation has caused these presents to be signed by Thomas A. Lorino, President and its corporate seal to be hereunto affixed this 9th day of September, 1997.

TWIN OAKS DEVELOPMENT CORPORATION:

Thomas A. Lorino
Thomas A. Lorino, President

STATE OF WISCONSIN)
Milwaukee COUNTY) SS

PERSONALLY came before me this 8th day of September, 1997, Thomas A. Lorino, President of Twin Oak Development Corporation, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Katherine A. Moe
Notary Public-State of Wisconsin
My Commission Expires: 9/10/2000



COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of Franklin, Resolution No. 97-4627, on this 7th day of October, 1997.

Frederick F. Klimetz
Frederick F. Klimetz
Mayor
City of Franklin

James C. Payne
James C. Payne
Administrator/Clerk
City of Franklin



9.8.97

THIS INSTRUMENT WAS DRAFTED BY:
Gerald E. Casey, R.L.S. S-1329

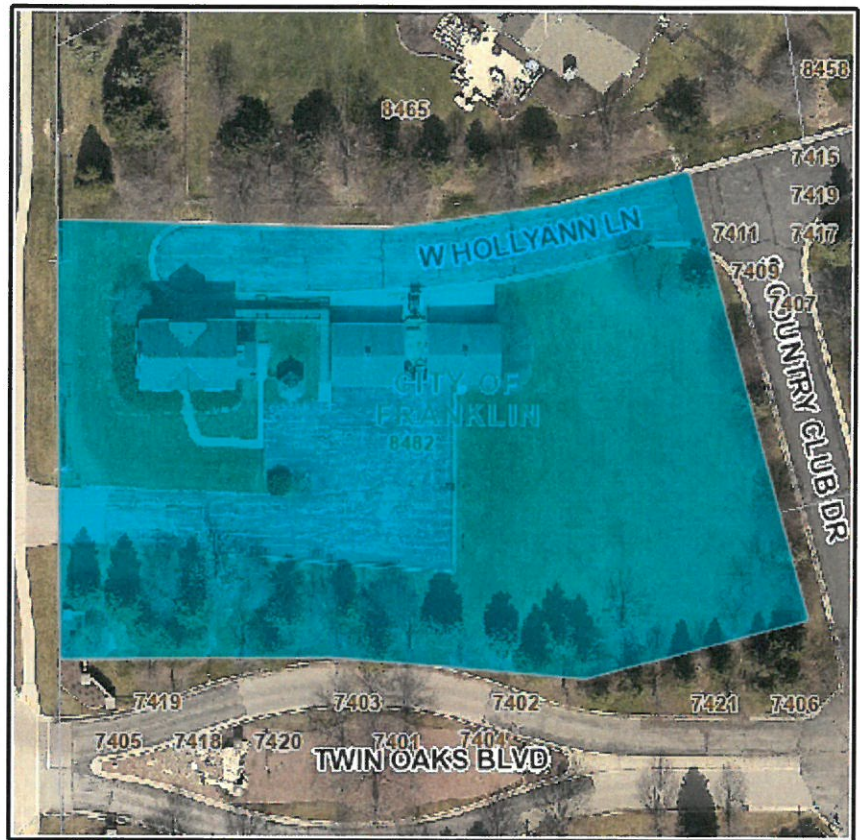
Milwaukee County Land Information Parcel Report

TAXKEY: 8379998014

Report generated 6/17/2021 7:24:49 AM



Parcel location within Milwaukee County



Selected parcel highlighted

Parcel Information

TAXKEY: 8379998014
Record Date: 12/31/2019
Owner(s): TWIN OAKS DEV CORP

Address:	8482 S 76TH ST	Assessed Value:	\$242,500
Municipality:	Franklin	Land Value:	\$123,900
Acres:	0.00	Improvement Value:	\$118,600

Parcel Description: COMMERCIAL

Zoning Description: Planned Development

Legal Description: CSM NO 6424 SW 15 5 21 PARCEL 2 INCLDNG ACCESS EASEMENT TO THE S & E

School District: FRANKLIN PUBLIC SCHOOL DISTRICT

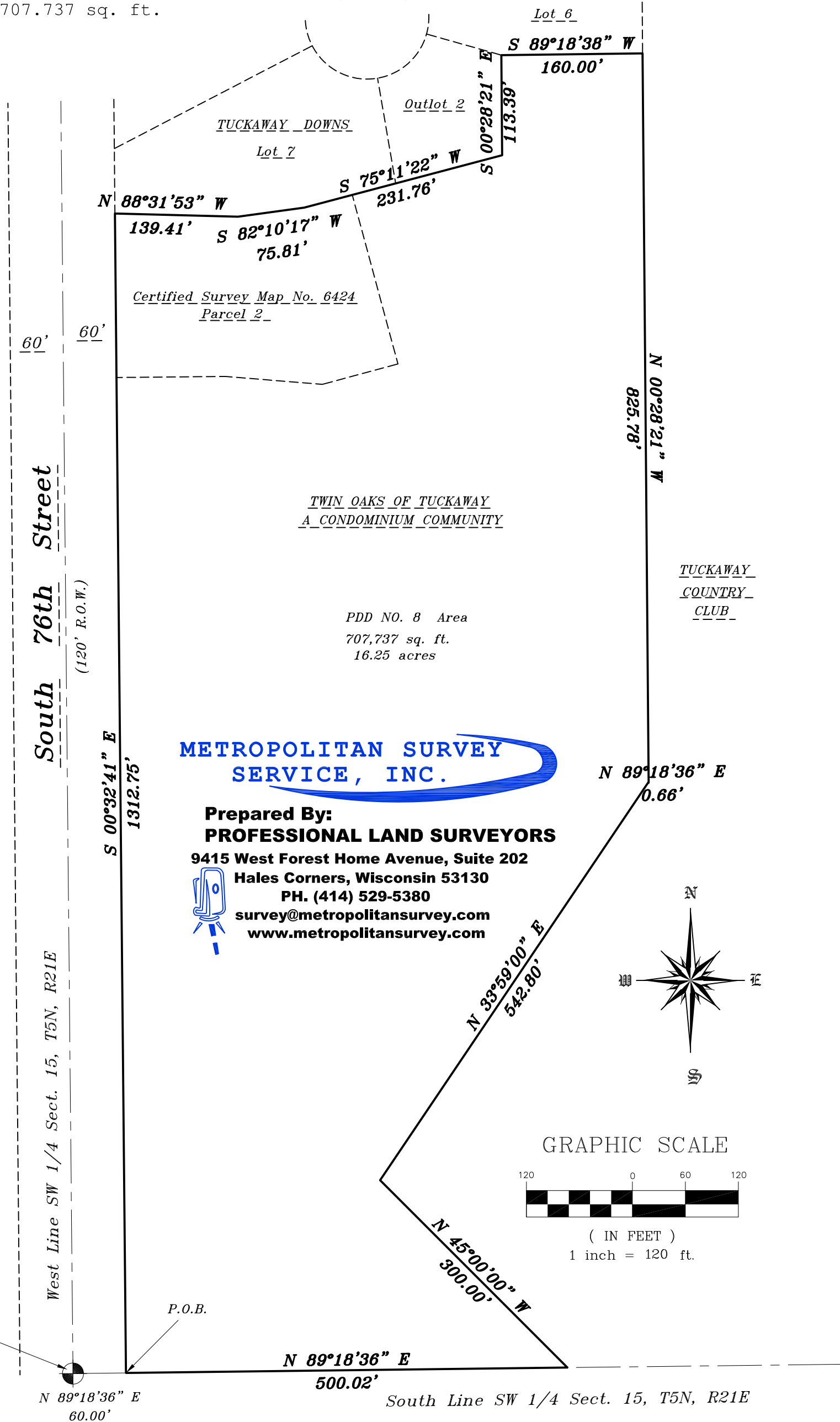
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

LEGAL DESCRIPTION OF PDD NO.8 PER CITY OF FRANKLIN GIS

All that part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

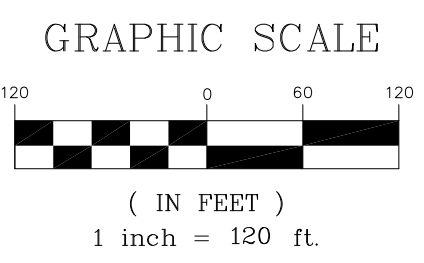
Commencing at the Southwest corner of said Southwest 1/4 thence; N 89° 18' 36" E, along the South line of said 1/ 4 Section 60.00 feet to the point of beginning; thence continuing along said South line N 89° 18' 36" E, 500.02 feet to the West line of Tuckaway County Club; thence N 45° 00' 00" W along said West line 300 feet; thence N 33° 59' 00" E along said West line 542.80 feet; thence N 89° 18' 36" E, 0.66 feet; thence N 00° 28' 21" West along said West line 825.78 feet to the South line of Tuckaway Downs; thence S 89° 18' 38" W along said South line 160.00 feet; thence S 0° 28' 21" East along said South line 113.39 feet, thence S 75° 11' 22" West along said South line 231.76 feet; thence S 82° 10' 17" W along said South line, 75.81 feet; thence N 88° 31' 53" West along said South line 139.41 feet to the East line of South 76th Street, thence S 0° 32' 41" E along said East line, 1312.75 feet to the point of beginning.

Said Lands Containing 707.737 sq. ft.



METROPOLITAN SURVEY SERVICE, INC.

Prepared By:
PROFESSIONAL LAND SURVEYORS
 9415 West Forest Home Avenue, Suite 202
 Hales Corners, Wisconsin 53130
 PH. (414) 529-5380
 survey@metropolitansurvey.com
 www.metropolitansurvey.com



SW Corner
 SW 1/4
 Sect. 15, T5N, R21E
 (Conc. mon. w/brass cap)
 N 329,685.22
 E 2,533,357.57
 (Wisconsin State Plane Co-
 Ordinate System, South Zone)

West Line SW 1/4 Sect. 15, T5N, R21E
 (120' R.O.W.)
 P.O.B.
 N 89° 18' 36" E
 60.00'

South Line SW 1/4 Sect. 15, T5N, R21E

MEMORANDUM

Date: December 28, 2022

To: Plan Commission

From: Department of City Development

RE: **Item D.1.** Vitalogy (formerly The Retreat), Planned Development District and Comprehensive Master Plan amendment.

At its December 1, 2020, regular meeting, the Plan Commission carried *a motion to table the Planned Development District and Comprehensive Master Plan amendment applications to January 5, 2023.*

City Development staff has not received revised application materials as of writing of this memorandum. The deadline for such application materials was December 27, 2022.

City Development staff sent an e-mail communication to the applicant this morning informing that the applications materials have not been received by the submittal deadline and asking for an estimated date for resubmission of such application materials, so this item can be schedule for another meeting.

Régulo Martínez-Montilva, AICP
Principal Planner - Department of City Development



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of January 5, 2023

SPECIAL USE/SITE PLAN – Time Extension

Applicant:	Saputo Cheese USA, Inc.
Property Address/Tax Key Number:	10383 S 27 th St and 2895 W Oakwood Rd/ 951-9994- 003
Aldermanic District:	District 4
Agent:	Jeff Allmann, Saputo Cheese USA, Inc. Dave Koenes, P.E., Excel Engineering, Inc.
Zoning District:	PDD-39 (Mixed Use Business Park) South 27 th Street Design Overlay District
Use of Surrounding Properties:	North: Ascension Hospital zoned B-7 South 27 th Street Mixed Use-Office District West: HSA development, and conservancy zoned PDD-39 South: XPL Logistics and Residential zoned PDD-39 East: Noncommercial Assembly zoned I-1 and Residential zoned Rs-2
Request:	Extension of approval of Site Plan and Special Use
Staff Planner:	Marion Ecks, AICP, Associate Planner

On January 6, 2022, the Plan Commission adopted Resolution No. 2022-001 approving a site plan for construction of the Saputo facility, and recommended approval of the request for a Special Use for the site. The Common Council subsequently adopted Resolution No. 2022-7815 approving that Special Use to allow for use of the space as “Office/ Light Industrial Flex Space” and overnight parking.

Both approvals require that the applicant being development within one year of their being issued. Due to a variety of circumstances, the applicant has not met this requirement. The City Attorney’s Office initiated this renewal in order to comply with requirements of the Developer’s Agreement; the applicant is not proposing any changes to the site or use. They are requesting that both the Site Plan Amendment, and the Special Use approvals be extended for a period of one (1) years, to allow adequate time for construction and finishing of the site.

CONCLUSION:

City Development staff recommends approval of time extensions for the prior approvals of the Special Use and the Site Plan, subject to the attached conditions of approval in attached draft ordinance.

RESOLUTION NO. 2023-_____

A RESOLUTION TO AMEND RESOLUTION NO. 2022-7815,
A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE TO ALLOW A 310,485
SQUARE FOOT “OFFICE/LIGHT INDUSTRIAL FLEX SPACE” TO DEVELOP
A FOOD PROCESSING OPERATION, INCLUDING THE PROVISION OF
MATERIALS DELIVERY, PROCESSING, PACKAGING AND DISTRIBUTION
OF FOOD PRODUCTS, WITH SUPPORTING OFFICE AND EMPLOYEE
WELFARE FACILITIES UPON PROPERTY LOCATED ON THE EASTERN HALF
OF THE PARCEL AT THE INTERSECTION OF WEST OAKWOOD ROAD AND
SOUTH 27TH STREET (LOT 2 OF CERTIFIED SURVEY MAP NO. 9362)
(BY SAPUTO CHEESE USA INC., APPLICANT, HSA COMMERCIAL, INC., D/B/A
HSA COMMERCIAL REAL ESTATE, PROPERTY OWNER), TO EXTEND THE TIME FOR
COMMENCEMENT OF THE SPECIAL USE DEVELOPMENT

WHEREAS, the Common Council having adopted Resolution No. 2022-7815, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Allow a 310,485 Square Foot “Office/Light Industrial Flex Space” to Develop a Food Processing Operation, Including the Provision of Materials Delivery, Processing, Packaging and Distribution of Food Products, with Supporting Office and Employee Welfare Facilities Upon Property Located on the Eastern Half of the Parcel at the Intersection of West Oakwood Road and South 27th Street (Lot 2 of Certified Survey Map No. 9362) (by Saputo Cheese USA Inc., Applicant, HSA Commercial, Inc., D/B/A HSA Commercial Real Estate, Property Owner), on January 18, 2022; and

WHEREAS, Resolution No. 2022-7815 provides in a FURTHER RESOLVED provision that “pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use”; and

WHEREAS, §15-9.0103G. of the Unified Development Ordinance provides “[i]n any case where a special use has not been established within one year after the date of granting thereof, then without further action by the Plan Commission or the Common Council, the special use authorization shall be null and void. The criteria for determining establishment of a special use may be set forth by the Common Council in the approving Special Use Resolution”; and §15-3.0701G. of the Unified Development Ordinance provides “[s]ubject to an extension of time granted by the Common Council, upon recommendation of the Plan Commission, no Special Use Permit shall be valid for a period longer than one year unless a Building Permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a Zoning Compliance Permit is issued and a use commenced within that period”; and

WHEREAS, the subject Special Use development has received a building permit and construction has begun and is being diligently pursued to completion, during these ongoing changes to markets and economics times worldwide; and

WHEREAS, the subject Special Use development is to be upon property located at 2895 West Oakwood Road, bearing Tax Key No. 951-9994-003, more particularly described as follows:

Lot 2 of Certified Survey Map No. 9362, recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on November 5, 2021, as Document No. 11183864, being part of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 36, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, State of Wisconsin; and

WHEREAS, the Plan Commission and the Common Council having reviewed the subject Special Use development with regard to the issuance of a building permit for it, construction having begun and being diligently pursued to completion, and these ongoing changes to markets and economics times, and the Common Council having determined it fair and reasonable to provide an extension of time for commencement of the Special Use development under such circumstances.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Resolution No. 2022-7815, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Allow a 310,485 Square Foot “Office/Light Industrial Flex Space” to Develop a Food Processing Operation, Including the Provision of Materials Delivery, Processing, Packaging and Distribution of Food Products, with Supporting Office and Employee Welfare Facilities Upon Property Located on the Eastern Half of the Parcel at the Intersection of West Oakwood Road and South 27th Street (Lot 2 of Certified Survey Map No. 9362) (by Saputo Cheese USA Inc., Applicant, HSA Commercial, Inc., D/B/A HSA Commercial Real Estate, Property Owner), be and the same is hereby amended, specifically and only with regard to the fourth FURTHER RESOLVED provision stated therein, which provision is immediately prior to the FINALLY RESOLVED provision on Page 3 of the Resolution, to state as follows: “BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under Resolution No. 2022-7815 adopted on January 18, 2022, be and the same is hereby granted an extension of time for the commencement of the Special Use development, which extension of time granted hereunder shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.”

BE IT FURTHER RESOLVED, that all terms and conditions of Resolution No. 2022-7815, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2023.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2023.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES ___ NOES ___ ABSENT ___

RESOLUTION NO. 2023-_____

A RESOLUTION TO AMEND RESOLUTION NO. 2022-001, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SITE PLAN FOR CONSTRUCTION OF AN APPROXIMATELY 310,485 SQUARE FOOT CONSUMER FOOD PRODUCT CONVERTING FACILITY, INCLUDING A TWO-STORY WELFARE AND OFFICE AREA SUPPORTING THE PRODUCTION FACILITY AT THE NORTHEAST PORTION OF THE FACILITY, 459 PARKING SPACES FOR CARS IN FRONT OF THE BUILDING ON WEST OAKWOOD ROAD AND SOUTH 27TH STREET, LOADING AREAS FOR TRUCKS ON THE WEST AND SOUTH FACING SIDES OF THE PROPOSED BUILDING AND STORMWATER PONDS ON THE NORTH AND SOUTH SIDES OF THE SITE FOR ONSITE STORMWATER MANAGEMENT AND VISUAL AMENITIES (THE PROPOSED STORMWATER ELEMENTS HAVE BEEN DESIGNED TO ACCOUNT FOR POTENTIAL FUTURE EXPANSION OF KEY AREAS OF THE FACILITY TO ACCOMMODATE GROWTH FOR SAPUTO) UPON PROPERTY ZONED PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED-USE BUSINESS PARK) LOCATED ON THE EASTERN HALF OF THE PARCEL AT THE INTERSECTION OF WEST OAKWOOD ROAD AND SOUTH 27TH STREET IN THE GATEWAY AREA DISTRICT OF PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED-USE BUSINESS PARK) (LOT 2 OF CERTIFIED SURVEY MAP NO. 9362, RECORDED ON NOVEMBER 5, 2021) (PART OF TAX KEY NO. 951-9994-001, OTHERWISE KNOWN AS LOT 2 OF CERTIFIED SURVEY MAP NO. 9362) (SAPUTO CHEESE USA, APPLICANT, H.S.A. COMMERCIAL REAL ESTATE, PROPERTY OWNER), TO EXTEND THE TIME FOR COMMENCEMENT OF THE SITE PLAN USE DEVELOPMENT

WHEREAS, the Plan Commission having adopted Resolution No. 2022-001, A Resolution Imposing Conditions and Restrictions for the Approval of a Site Plan for Construction of an Approximately 310,485 Square Foot Consumer Food Product Converting Facility, Including a Two Story Welfare and Office Area Supporting the Production Facility at the Northeast Portion of the Facility, 459 Parking Spaces for Cars in Front of the Building On West Oakwood Road and South 27th Street, Loading Areas for Trucks on the West and South Facing Sides of the Proposed Building and Stormwater Ponds on the North and South Sides of the Site for Onsite Stormwater Management and Visual Amenities (the Proposed Stormwater Elements have been Designed to Account for Potential Future Expansion of Key Areas of the Facility to Accommodate Growth for Saputo) Upon Property Zoned Planned Development District No. 39 (Mixed-Use Business Park) Located on the Eastern Half of the Parcel at the Intersection of West Oakwood Road and South 27th Street in The Gateway Area District of Planned Development District No. 39 (Mixed-Use Business Park) (Lot 2 of Certified Survey Map No. 9362, Recorded on November 5, 2021) (Part of Tax Key No. 951-

AMEND SAPUTO CHEESE USA INC. - SITE PLAN
RESOLUTION NO. 2022-001
RESOLUTION NO. 2023-_____

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9994-001, Otherwise Known as Lot 2 of Certified Survey Map No. 9362) (Saputo Cheese USA, Applicant, H.S.A. Commercial Real Estate, Property Owner), on January 6, 2022; and

WHEREAS, Resolution No. 2022-001 provides at condition No. 4. “[t]hat the Saputo Cheese USA consumer food product converting facility, including a two-story employee welfare and office area shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin”; and

WHEREAS, §15-7.0106 of the Unified Development Ordinance provides “[e]xcept in the case of approved PDD Planned Development Districts, no site plan approval shall be valid for a period longer than one year unless a Building Permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a Zoning Compliance Permit, Special Use Permit, or Occupancy Permit is issued and a use commences within that period”; and

WHEREAS, noting that Resolution No. 2022-001 requires the subject Saputo Cheese USA consumer food product converting facility, including a two-story employee welfare and office area be developed and constructed pursuant to such Site Plan within one year, nonetheless, the Site Plan development has received a building permit and construction has begun and is being diligently pursued to completion, in conformity with §15-7.0106 of the Unified Development Ordinance, during these ongoing changes to markets and economics times worldwide; and

WHEREAS, the Plan Commission having reviewed the subject Site Plan development with regard to the facts that the Site Plan development has received a building permit and construction has begun and is being diligently pursued to completion, during these ongoing changes to markets and economics times, and the Plan Commission having determined it fair and reasonable to provide an extension of time for commencement of the Site Plan Use development under such circumstances.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that Resolution No. 2022-001, A Resolution Imposing Conditions and Restrictions for the Approval of a Site Plan for Construction of an Approximately 310,485 Square Foot Consumer Food Product Converting Facility, Including a Two Story Welfare and Office Area Supporting the Production Facility at the Northeast Portion of the Facility, 459 Parking Spaces for Cars in Front of the Building On West Oakwood Road and South 27th Street, Loading Areas for Trucks on the West and South Facing Sides of the Proposed Building and Stormwater Ponds on the North and South Sides of the Site for Onsite

AMEND SAPUTO CHEESE USA INC. – SITE PLAN
RESOLUTION NO. 2022-001
RESOLUTION NO. 2023-_____

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Stormwater Management and Visual Amenities (the Proposed Stormwater Elements have been Designed to Account for Potential Future Expansion of Key Areas of the Facility to Accommodate Growth for Saputo) Upon Property Zoned Planned Development District No. 39 (Mixed-Use Business Park) Located on the Eastern Half of the Parcel at the Intersection of West Oakwood Road and South 27th Street in The Gateway Area District of Planned Development District No. 39 (Mixed-Use Business Park) (Lot 2 of Certified Survey Map No. 9362, Recorded on November 5, 2021) (Part of Tax Key No. 951-9994-001, Otherwise Known as Lot 2 of Certified Survey Map No. 9362) (Saputo Cheese USA, Applicant, H.S.A. Commercial Real Estate, Property Owner, be and the same is hereby amended as to condition No. 4 to read as follows: “That the Saputo Cheese USA consumer food product converting facility, including a two-story employee welfare and office area Site Plan approval granted under Resolution No. 2022-001 adopted on January 6, 2022, be and the same is hereby granted an extension of time for the Site Plan Use development, which extension of time granted hereunder shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Saputo Cheese USA consumer food product converting facility, including a two-story employee welfare and office area is developed and constructed pursuant to the Site Plan.

BE IT FURTHER RESOLVED, the Site Plan Use development time extension granted hereunder is conditioned upon the approval of a grant of time extension for the Special Use approval for the subject development having been granted by the Common Council pursuant to Resolution No. 2022-7815 on January 18, 2022, by the Common Council.

BE IT FINALLY RESOLVED, that all terms and conditions of Resolution No. 2022-001, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2023.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2023.

APPROVED:

Stephen R. Olson, Chairman

AMEND SAPUTO CHEESE USA INC. – SITE PLAN
RESOLUTION NO. 2022-001
RESOLUTION NO. 2023-_____

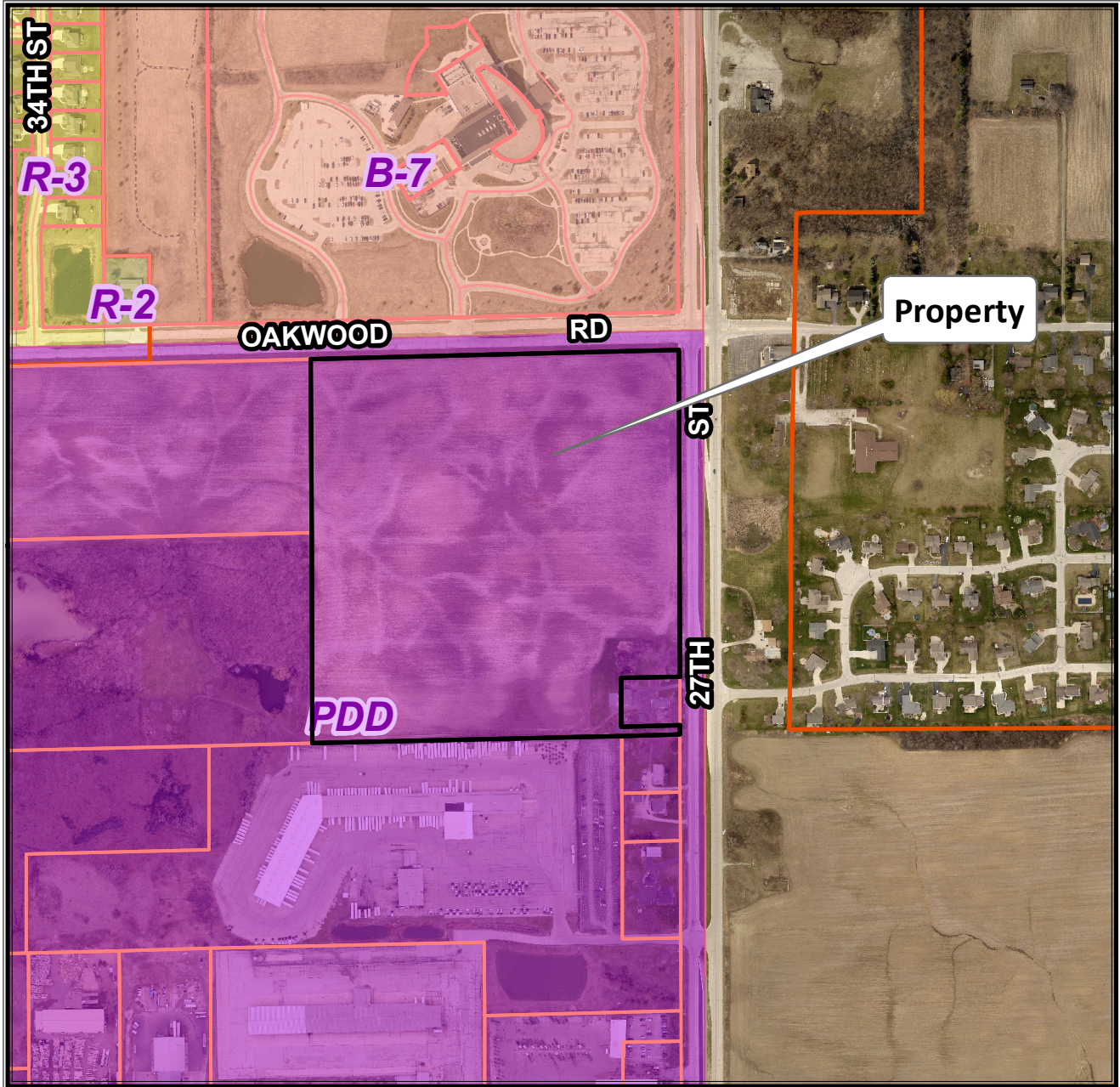
Page 3

ATTEST:

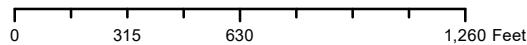
Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

2895 W. Oakwood Road & 10383 S. 27th Street
 TKN: 951 9994 003

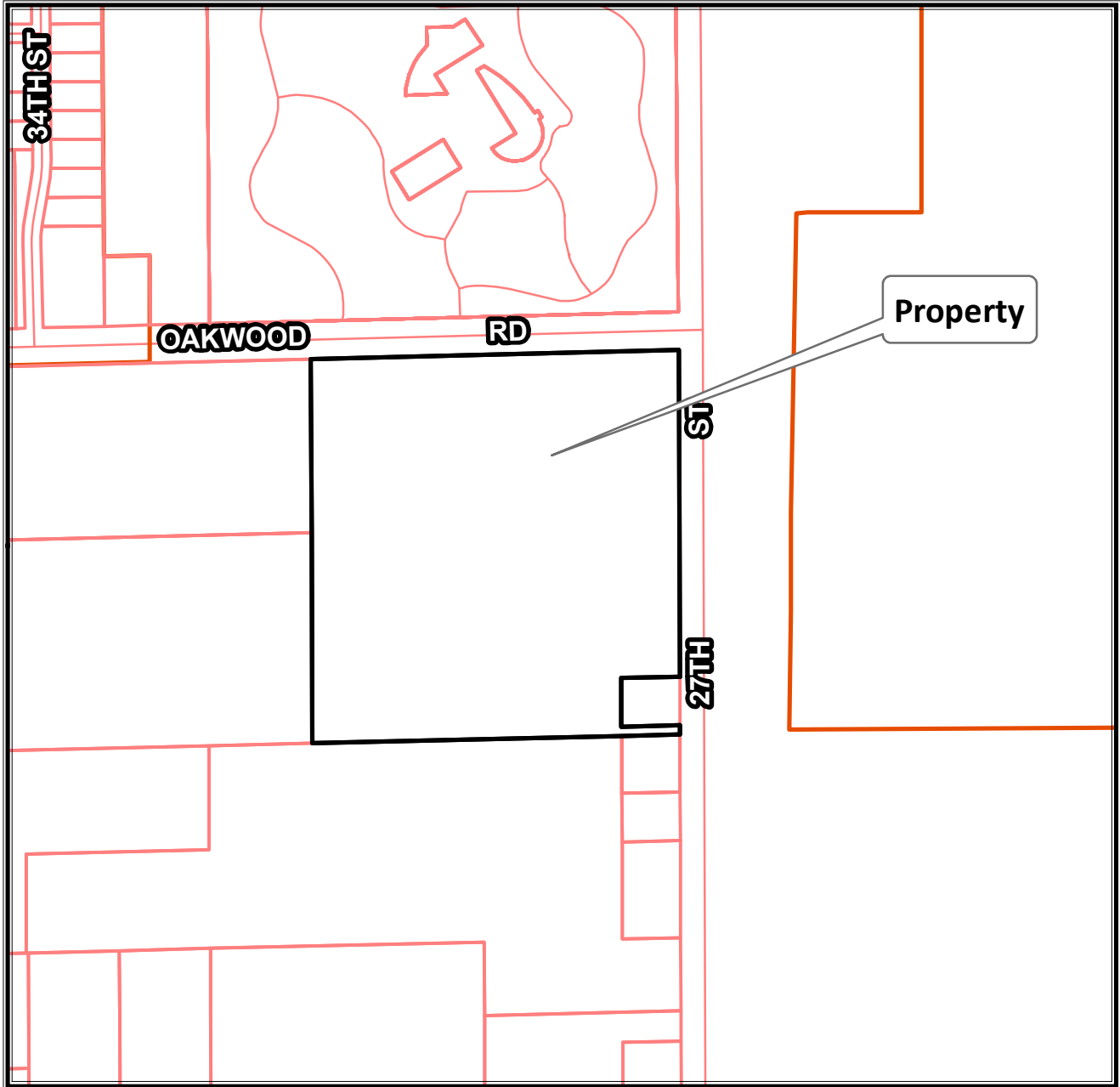


Planning Department
 (414) 425-4024

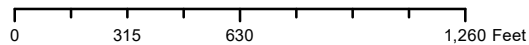


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

2895 W. Oakwood Road & 10383 S. 27th Street
TKN: 951 9994 003



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(414) 425-4024



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