

**City of Franklin
Plan Commission Meeting
February 17, 2022
Minutes**

Approved
March 3, 2022

A. Call to Order and Roll Call

Mayor Steve Olson called the February 17, 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, Commissioners Patricia Hogan, Adam Burckhardt, Patrick Leon and Kevin Haley and City Engineer Glen Morrow. Also present were City Attorney Jesse Wesolowski, Planning Manager Heath Eddy, Principal Planner Régulo Martínez-Montilva, Director of Administration Peggy Steeno, Alderwoman Kristen Wilhelm and Alderman Ed Holpfer.

B. Approval of Minutes

1. Regular Meeting of January 20, 2022 and February 3, 2022

Commissioner Hogan moved and Alderwoman Hanneman seconded a motion to approve the January 20, 2022, regular meeting minutes. On voice vote, all voted ‘aye’; motion carried (6-0-0).

Alderwoman Hanneman moved and Commissioner Hogan seconded a motion to approve the February 3, 2022, regular meeting minutes. On voice vote, all voted ‘aye’; motion carried (6-0-0).

C. Public Hearing Business Matters

**1. TESS CREEK ESTATES
SINGLE-FAMILY RESIDENTIAL
SUBDIVISION DEVELOPMENT.**

Comprehensive Master Plan Amendment, Rezoning, Special Use and Preliminary Plat applications by P. Kenneth Servi, Servi Investments, LLC

(Forest Home Investors, LLC, property owner), for construction of a residential subdivision with 17 single-family lots:

Comprehensive Master Plan

Amendment: to amend the Future Land Use Map designation for property bearing Tax Key Number 751-9001-000 located at 11595 West Forest Home Avenue, containing 3.151 acres, from Residential use to Residential – Multi-Family use;

Principal Planner Régulo Martínez-Montilva presented the request by P. Kenneth Servi, Servi Investments, LLC (Forest Home Investors, LLC, property owner), for construction of a residential subdivision with 17 single-family lots:

Comprehensive Master Plan Amendment: to amend the Future Land Use Map designation for property bearing Tax Key Number 751-9001-000 located at 11595 West Forest Home Avenue, containing 3.151 acres, from Residential use to Residential – Multi-Family use;

Rezoning: the project site is approximately 10.10 acres (two properties total, with different zoning designations; southern, previously developed property (11600 West Forest Home Avenue) is entirely zoned R-8 Multiple-Family Residence District, with an area of 5.03 acres; northern, undeveloped property (11595 West Forest Home Avenue) has several zoning designations: R-3 Suburban/Estate Single-Family Residence District, FC Floodplain Conservancy District and FW Floodway District, with an area of approximately 5 acres

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Special Use: The Unified Development Ordinance requires a Special Use permit for all residential developments in an R-8 Multiple-Family Residence District regardless of the housing type (single-family, two-family or multiple-family) and therefore, the applicant is requesting a Special Use permit to allow for a single-family residential development use; **A PUBLIC HEARING IS SCHEDULED FOR THIS MEETING UPON THIS SPECIAL USE APPLICATION;**

Preliminary Plat: the proposed subdivision consists of a single minor street to be named “Tess Creek”, with a length of 790 feet, 60 foot right-of-way, designed to the typical minor street standards of Unified Development Ordinance Table 15-5.0103 and with a temporary turnaround cul-de-sac (this street may be connected to Mission Hills

[Section 15-3.0103 “District Boundaries” of the Unified Development Ordinance does not allow newly created lots with multiple zoning designations, also known as split zoning, with the exception of floodplain districts such as FC and FW]; the applicant is requesting to rezone 3.15 acres of the northern property from R-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District in order to avoid split zoning;

Special Use: The Unified Development Ordinance requires a Special Use permit for all residential developments in an R-8 Multiple-Family Residence District regardless of the housing type (single-family, two-family or multiple-family) and therefore, the applicant is requesting a Special Use permit to allow for a single-family residential development use;

Preliminary Plat: the proposed subdivision consists of a single minor street to be named “Tess Creek”, with a length of 790 feet, 60 foot right-of-way, designed to the typical minor street standards of Unified Development Ordinance Table 15-5.0103 and with a temporary turnaround cul-de-sac (this street may be connected to Mission Hills Court providing access to future development) and in addition to the 17 residential lots, the subdivision would include an outlot for floodplain, natural resource areas, stormwater basin and existing fuel substation [a fuel line easement will cross the entire subdivision]; properties located at 11595 and 11600 West Forest Home Avenue, zoned R-8 Multiple-Family Residence District, R-3 Suburban/Estate Single-Family Residence District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 751-9001-000 and 796-9987-001.

The Official Notice of Public hearing for the Rezoning was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:13 p.m. and closed at 7:17 p.m.

The Official Notice of Public hearing for the Special Use was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:19 p.m. and closed at 7:19 p.m.

Comprehensive Master Plan Amendment

Alderwoman Hanneman moved and Commissioner Leon seconded a motion to adopt a Resolution recommending the adoption of an Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use map for a portion of the property located at 11595 W. Forest Home Avenue from residential use to residential-multi-family use, pursuant to Wis. Stat. §66.1001(4)(b). On voice vote, all voted ‘aye’; motion carried (6-0-0).

Rezoning

Alderwoman Hanneman moved and Commissioner Hogan

Court providing access to future development) and in addition to the 17 residential lots, the subdivision would include an outlot for floodplain, natural resource areas, stormwater basin and existing fuel substation [a fuel line easement will cross the entire subdivision]; properties located at 11595 and 11600 West Forest Home Avenue, zoned R-8 Multiple-Family Residence District, R-3 Suburban/Estate Single-Family Residence District, FC Floodplain Conservancy District and FW Floodway District; Tax Key Nos. 751-9001-000 and 796-9987-001. **PUBLIC HEARINGS ARE SCHEDULED FOR THIS MEETING UPON THE REZONING AND SPECIAL USE APPLICATIONS AS AFOREMENTIONED.**

2. STRAUSS BRANDS LLC MEAT PROCESSING FACILITY

CONSTRUCTION (pursuant to Court Order signed January 24, 2022 and filed January 25, 2022, in *Franklin Community Advocates, et al. v. City of Franklin, and Strauss Brands, LLC*, Milwaukee County Circuit Court, Case No. 20-CV-7031). Special Use and Site Plan applications by Strauss Brands LLC, for the development of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, including cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces

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-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District (a portion of the property located at 11595 West Forest Home Avenue) (approximately 3.15 acres). On voice vote, all voted ‘aye’; motion carried (6-0-0).

Special Use

Commissioner Hogan moved and Commissioner Burckhardt seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use to allow for a single-family residential development use in an R-8 Multiple-Family Residence District upon property located at 11595 and 11600 West Forest Home Avenue. On voice vote, all voted ‘aye’; motion carried (6-0-0).

Preliminary Plat

Commissioner Burckhardt moved and Commissioner Haley seconded a motion to recommend approval of a Resolution conditionally approving a Preliminary Plat for Tess Creek Estates subdivision (at 11595 and 11600 West Forest Home Avenue). On voice vote, all voted ‘aye’; motion carried. (6-0-0).

Commissioner Burckhardt left the meeting at 7:30 pm.

Planning manager Heath Eddy presented the request by Strauss Brands LLC, for the development of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, including cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces (this use is classified under Standard Industrial Classification No. 2011, Meat Packing Plants, which is a Special Use in the M-1 Zoning District), on approximately 30.2 acres; the proposed Site Plan includes a building positioned north/south on the site (roughly centered on the site) with employee/visitor parking on the east side of the building (280 spaces) and an access drive located along the south, west, and north sides of the building for truck traffic, with all access to the site via Monarch Drive (two access drives will be provided, one for employee auto parking and one for truck receiving and shipping) (the western portion of the site is identified as future building expansion area) [the site is designed to detain all stormwater on-site in three (3) detention ponds; the ponds are designed with a capacity to accommodate the future phases of work as indicated on the site

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drawings], property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision), zoned M-1 Limited Industrial District; Tax Key No. 891-1083-000. The City Administrative Record of the records and documents of the proceedings upon this subject matter and as filed and ordered by the Court in *Franklin Community Advocates, et al. v. City of Franklin, and Strauss Brands, LLC*, Milwaukee County Circuit Court, Case No. 20-CV-7031, are available for public inspection and review and may be accessed by entering upon: <https://franklinwi.box.com/s/3dt5qubmyim4caofk7hyine4iup4onv0>

The Official Notice of Public hearing was read in to the record by Planning Manager Heath Eddy and the Public Hearing was opened at 7:41 p.m. and closed at 8:44 p.m.

Special Use

Commissioner Leon moved and Alderwoman Hanneman seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a meat processing facility use upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (lot 83 of Ryan Meadows subdivision).

Commissioner Leon moved and City Engineer Morrow seconded to amend the motion on the floor to amend condition No. 4, “unless unforeseen conditions occur” shall be defined with further specificity by planning and engineering staff and be included in the resolution. On voice vote, all voted ‘aye’; motion carried. (5-0-1).

Commissioner Leon moved and Alderwoman Hanneman seconded to amend the motion on the floor to amend condition No. 8, to add “cleaned to applicable federal and/or state standards”. On voice vote, all voted ‘aye’; motion carried. (5-0-1).

Alderwoman Hanneman moved and Commissioner Haley seconded to amend the motion on the floor to amend condition No. 12, to replace “site plan” with “special use”. On voice vote, all voted ‘aye’; motion carried. (5-0-1).

Commissioner Leon moved and Alderwoman Hanneman seconded a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a meat processing facility use upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (lot 83 of Ryan

Meadows subdivision), with amendments to conditions 4, 8 and 12. On roll call vote, 4 voted ‘aye’, 1 voted ‘nay’ and 1 abstained; motion carried (4-1-1).

Site Plan

Commissioner Leon moved and Alderwoman Hanneman seconded a motion to adopt a Resolution approving a Site Plan for construction of a meat processing facility with associated cattle pen, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces, associated mechanical support facilities and spaces, a future development area, stormwater ponds, parking lot and truck and employee vehicle entrance drives (the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (lot 83 of Ryan Meadows subdivision). On roll call vote, 4 voted ‘aye’, 1 voted ‘nay’ and 1 abstained; motion carried (4-1-1).

D. Business Matters

1. SANIA INVESTMENTS LLC PARKING LOT EXPANSION.

Site Plan Amendment application by Dr. Vikramjit Singh Dhillon, owner of Sania Investments LLC, to expand the existing parking lot into the property immediately to the east of the existing building located at 2735 West Rawson Avenue (10 additional spaces, with the required 10 foot parking setback along the north and south property line, addition of curb and gutter and snow storage area to the proposed parking area) and to install new landscaping for the new lot and along West Rawson Avenue, properties zoned B-4 South 27th Street Mixed-Use Commercial District, located at 2735 West Rawson Avenue and 7103 South 27th Street; Tax Key Nos. 761-9950-003 and 761-9950-001 [applicant previously submitted an application to combine the corner parcel on the southwest corner of South 27th Street and West Rawson Avenue (7103 South 27th Street), recently purchased from the Wisconsin Department of Transportation, with the lot immediately to the west (2735 West Rawson Avenue), said land combination having been approved by the Common Council on November 16, 2021, by Resolution No. 2021-7797].

Commissioner Burckhardt returned to the meeting at 10:21 pm.

Principal Planner Régulo Martínez-Montilva presented the request by Dr. Vikramjit Singh Dhillon, owner of Sania Investments LLC, to expand the existing parking lot into the property immediately to the east of the existing building located at 2735 West Rawson Avenue (10 additional spaces, with the required 10 foot parking setback along the north and south property line, addition of curb and gutter and snow storage area to the proposed parking area) and to install new landscaping for the new lot and along West Rawson Avenue, properties zoned B-4 South 27th Street Mixed-Use Commercial District, located at 2735 West Rawson Avenue and 7103 South 27th Street; Tax Key Nos. 761-9950-003 and 761-9950-001 [applicant previously submitted an application to combine the corner parcel on the southwest corner of South 27th Street and West Rawson Avenue (7103 South 27th Street), recently purchased from the Wisconsin Department of Transportation, with the lot immediately to the west (2735 West Rawson Avenue), said land combination having been approved by the Common Council on November 16, 2021, by Resolution No. 2021-7797].

Commissioner Hogan moved and Commissioner Haley seconded a motion to adopt a Resolution to amend the Site Plan for properties located at 2735 West Rawson Avenue and 7103 South 27th Street for expansion of the existing parking lot, addition of curb and gutter and snow storage area and installation of new landscaping (tax key nos. 761-9950-003 and 761-9950-001). On voice vote, all voted ‘aye’; motion carried (6-0-0).

Adjournment

Commissioner Hogan moved and Commissioner Haley seconded to adjourn the Plan Commission meeting of February 17, 2022 at 10:23 p.m. On voice vote, all voted ‘aye’; motion carried. (6-0-0).