

In attendance:

Mayor Steve Bierce, Alderwoman C. Brown, T. Janka, and D. Linsmeier.

Also in attendance:

City Planner & Community Development Director N. Fuchs, Administrator S. Klein, Department of Public Works Director M. Wagner, and Deputy Clerk A. Hurd.

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 6:00pm and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of the December 16, 2021 Meeting Minutes

A motion was made and seconded (T. Janka, D. Linsmeier) to approve the December 16, 2021 meeting minutes. Motion Passed: 4-For, 0-Against.

3. Discussion and Action Regarding Approval of the January 20, 2022 Meeting Minutes

A motion was made and seconded (T. Janka, D. Linsmeier) to approve the January 20, 2022 meeting minutes. Motion Passed: 4-For, 0-Against.

4. Discussion and Action and Public Hearing Regarding a Rezoning Petition for Jeff Wistl to Rezone Property Located at W262 N4521 Ryan Street from Rs-2 Single-Family Residential to A-2 Agricultural for the Purpose of Constructing a 5,670 Square Foot Building (PWC 0881998005)

Mr. Fuchs stated the rezoning was being proposed so that the owner could construct an accessory building for both agricultural and personal use as part of the single-family residence. The rezoning would be contingent upon recording a lot line adjustment with the County to shift the property line between their property and the property to the south to achieve the ten-acre lot minimum. Staff also has a condition for the lot line to be at least 100 feet from the farm building to the south. Mr. Fuchs referred to the setback from the proposed building and stated the A-2 zoning district lists several setbacks. The property owners are requesting a 25-foot setback. Mr. Fuchs noted the final condition was that the building be constructed of the same siding as the principal dwelling, as opposed to the proposed steel siding. Mr. Fuchs recommended approval of the rezoning and site and building plans.

Chairman Bierce opened the public hearing at 6:05pm. He then closed the public hearing at 6:06pm.

Chairman Bierce stated he was concerned about the way the building was supposed to be constructed because of CELA to the north, as it is a fancy building. To the south of this is another farm, and the outbuildings on that property are much nicer than this proposal. He felt the plans would need some work. Chairman Bierce questioned if this was a building for agricultural use or for personal use. He felt it should fall within the rules of agricultural use or residential zoning.

The applicant, Jeff Wistl, was present. He stated it will be mostly used for agricultural storage but there will also be personal items in it. Mr. Wistl noted the 100-foot setback was an issue because of the mound system and they did not want to put the building in front of the house.

Commissioner Linsmeier felt the building should meet City standards since it is so close and visible to the school next door. He did not think the building should be metal, and he felt they should break up the long stretch if it was only going to have a 25-foot setback.

Commission Brown questioned if there was a landscaping plan for the 25-foot setback. Mr. Fuchs noted landscaping would be allowed. Mr. Wistl noted there was only a tree line between the school and the proposed building, and the school would most likely only see the roof of his building.

Chairman Bierce stated he did not have an issue with the setbacks, but he had concerns with the look of the building in general. He felt it would stick out like a sore thumb in the area and felt the building needed work. Mr. Wistl mentioned that he added a lean-to, porch, and gables so that the building would look better. He mentioned that most of the buildings around him are all steel. Chairman Bierce felt the proposed building should match the surrounding buildings a little better style-wise.

Commissioner Janka mentioned he was concerned about the long wall with no windows. Commissioner Linsmeier also felt it needed to be broken up, especially since it would be visible to people at the school next door.

A motion was made and seconded (D. Linsmeier, C. Brown) to recommend approval of the rezoning.

Motion Passed: 4-For, 0-Against.

5. Discussion and Action Regarding the Site and Building Plans for Jeff Wistl for Property Located at W262 N4521 Ryan Street for the Purpose of Constructing a 5,760 Square Foot Building (PWC 0881998005)

A motion was made and seconded (T. Janka, C. Brown) to table the Site and Building Plans for Jeff Wistl. Motion Passed: 4-For, 0-Against.

6. Discussion and Action and Public Hearing for Interstate Partners to Rezone Vacant Land Located on Ridgeview Parkway from A-2 Agricultural, UC Upland Conservancy and LC Lowland Conservancy to Rm-3 Multi-Family, UC Upland Conservancy and LC Lowland Conservancy for the Purpose of Creating a Multi-Family Apartment Development (PWC 0953984005)

Mr. Fuchs stated the request was for 161 market rate apartments within five separate buildings. There are two 2-story buildings and three 3-story buildings. In order for the development to be accommodated, there would be some required changes and amendments to the Rm-3 zoning district. Mr. Fuchs summarized the requirements that were currently not being met with the proposal and gave a review of the Rm-3 zoning district changes.

Mr. Fuchs noted the two conditions in the staff report were Engineering Department final review and approval of erosion control, grading and storm water management plans, and a condition regarding landscaping. The condition leaves it open for staff to meet with the applicant on-site and discuss any infill plantings that may be needed. Staff was recommending approval subject to the text amendments of the Rm-3 zoning district.

Chairman Bierce open the public hearing at 6:31pm. He then closed the public hearing at 6:31pm.

Commissioner Brown referred to the Rm-3 zoning district changes and did not have a problem with reducing the parking or the acreage. She stated she enjoys the look of the buildings and did not have a problem with the density.

Mr. Fuchs noted that the Fire Chief did review the plan and had no concerns.

It was pointed out that Commissioner Sullivan emailed his comments about the development. He felt there were issues with the landscaping, and he wanted to allow for more greenspace on the lot line between this development and the Ruekert and Mielke building to the south. Commissioner Sullivan wanted more of a buffer.

Fran Brzezinski, with Interstate Partners, stated traffic will not be an issue. He described the surrounding area and why this development was the best use of the property.

A motion was made and seconded (T. Janka, C. Brown) to recommend approval of the rezoning.

Motion Passed: 4-For, 0-Against.

7. Discussion and Action Regarding a Recommendation to the Common Council for a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for the City of Pewaukee for Interstate Partners for Vacant Land Located on Ridgeview Parkway from Office Commercial and Floodplains, Lowland & Upland Conservancy and Other Natural Areas to High Density Residential (< 6,500 SQ. FT / D.U.) and Floodplains, Lowland & Upland Conservancy and Other Natural Areas (PWC 0953984005)

A motion was made and seconded (S. Bierce, D. Linsmeier) to recommend approval of the Comprehensive Master Plan Amendment.

Motion Passed: 4-For, 0-Against.

8. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit and Site and Building Plans for Interstate Partners for Vacant Land Located on Ridgeview Parkway for the Purpose of Creating a Multi-Family Apartment Development (PWC 0953984005)

Ms. Wagner noted that there should be a five-foot setback from any retaining wall.

Chairman Bierce felt the power for City staff to negotiate landscaping should be included in the motion. Mr. Fuchs confirmed that the Plan Commission was looking to have the development shifted to the north and adding landscaping.

A motion was made and seconded (D. Linsmeier, T. Janka) to recommend approval of the Conditional Use Permit and the Site and Building Plans.

Motion Passed: 4-For, 0-Against.

9. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit and Site and Building Plans for Momentum Early Learning for the Construction of a Proposed Childcare Facility Located at N19 W24135 Riverwood Drive (PWC 0949998015)

Mr. Fuchs stated the proposal includes a 14,579 square foot building and a 7,354 square foot outdoor play area. The staff report notes several conditions including a revised landscape plan with additional plantings,

light fixture details, fencing details, and a requirement to address the staff comment letter that was sent to the applicant. Mr. Fuchs recommended approval subject to the conditions in the staff report. He added that two sets of elevations were provided, and the applicant was requesting approval of both sets as options as they move forward with bidding and pricing.

The applicant stated they would have a black ornamental, aluminum fence on the property.

Commissioner Brown stated she preferred the second rendering and liked the changes, but she felt either would be fine. She liked the windows and the fence that were added.

The applicant noted that they will be licensed for 150 children and will have approximately 30 to 40 employees.

A motion was made and seconded (D. Linsmeier, C. Brown) to recommend approval of the Conditional Use Permit and the Site and Building Plans with the option for the applicant to use either of the designs. Motion Passed: 4-For, 0-Against.

10. Discussion and Possible Action Regarding Conceptual Review of a Proposed Medium-Density Residential Neighborhood on Property Located at N18 W22670 Watertown Road at the Northwest Corner of Watertown Road and North Avenue for ICAP Development (PWC 0958990005 & PWC 0958990006)

Mr. Fuchs stated the conceptual plans include 126 dwelling units, 67 of which are single-unit buildings, and 11 townhome-style buildings. The gross density is 3.7 units per acre and the net density is about 5.6 units per acre, which would fall within the Rm-1 zoning district. Mr. Fuchs noted a drive would connect the north and south portions of the site, but would require DNR approval, as it impacts a wetland area. He also noted that the Rm-1 district standards would have to be amended to accommodate the development and he reviewed the changes that would be needed. Mr. Fuchs added that the developer was requesting private roads, but the City prefers public roads.

Mr. Fuchs stated he did receive neighborhood comments with concerns about traffic and density.

Jerad Protaskey, with ICAP Development, stated the property is planned by the City as medium-density residential. He gave a brief presentation regarding area homes as it relates to sales data and the housing market.

Mr. Protaskey stated the single-family rentals would be a community of purpose-built homes for rent, ranging from two to four bedrooms with attached garages and individual front yards and back yards. The properties would be professionally managed and maintained as far as lawn care and snow removal, and things associated with apartment living. The area would also include a playground, sport courts, walking paths, and a clubhouse. Mr. Protaskey noted the home rental footprints would be between 1,700 square feet and 2,000 square feet, with various styles of homes and different layouts.

The site also includes townhome units with a private attached garage and a smaller living space than the home rentals. Rent is planned to be about \$2,000 to \$3,000 per month.

Commissioner Brown liked the single-family homes next to the residential subdivision. She felt there were problems with the accesses and eliminating the Elmwood Drive access would ease a lot of the resident concerns. She stated she did not care for the private roads, and discussion took place regarding public and private roads.

Commissioner Janka loved the concept but felt it would be hard to get behind the project until the traffic situation was solved.

Discussion took place regarding traffic and access points as relates to the density of the project, as well as the potential for private roads. Mr. Protaskey stated the private roads were simply a matter of being one parcel and giving the City the right-of-way would create multiple parcels within the development.

Alderman Brian Dziwulski (N24 W22637 Meadowood Lane), representing District 3, stated he was not against rentals, but he felt the project was too dense. He stated he was against the access from Elmwood Drive, as there is already a lot of traffic from the residents, and they do not need more. He questioned if the development would still be maintained if ICAP sells the property.

Theresa Becker (W222 N2147 Glenwood Lane) felt the traffic study was poorly done during the Pandemic and during the middle of summer. She felt adding any more population to the area until that section of road is changed was a huge mistake. Ms. Becker also mentioned the demand on emergency services and the school system.

Tasha Spransy (W224 N2326 Elmwood Drive) stated she was concerned about traffic and safety. She felt the traffic study was poor and requested a new study be done by a reputable and unbiased source, and not in the summer.

Tom Kustner (N24 W22429 Meadowood Lane) felt nothing should be done until North Avenue is fixed. He requested to see the lighting information for the development and questioned the entrances. Mr. Kustner also had traffic concerns about people cutting thru on Elmwood Drive.

Kevin Messerschmidt (W224 N2247 Elmwood Drive) stated he was concerned about traffic and the drivers accelerating off of North Avenue. He felt they needed to find a way for the traffic to disperse and eliminate the Elmwood Drive exit altogether.

Chairman Bierce felt there were issues with the access, safety, and density, and he didn't know if the development would get over those hurdles. Mr. Protaskey noted that they did not have a problem exploring how to eliminate the access.

No action was taken.

11. Discussion and Possible Action Regarding Conceptual Review of a Proposed Marina on Property Located at W278 N2387 Prospect Avenue for Dean Harms (PWC 0935990)

Mr. Fuchs stated the plans include razing the existing structure on the property, paving a 22-stall parking lot and installing two piers with a total of 26 boat slips. He noted that the pier would extend to the north property line, which has caused issues with the neighboring property in the past. The property would be rezoned to the P-1 Park District and would need a conditional use permit as well as site and building plans. Mr. Fuchs stated staff's biggest concern was the overall use of this property and what would best serve the City and the area uses. He felt there should be a use that would bring in more revenue for the City and have more development to it.

It was noted that the boat slips would require DNR approval. The City would have to allow the marina use, the parking lot, and the site improvements. The City would have no say on the amount of boat slips.

Commissioner Janka felt there were a couple of issues. He questioned if there would be a bathroom and felt there were not enough parking spaces for 26 boat slips. Commissioner Janka also felt there would need to be a retaining wall put in along the roadway. He did not feel it was a good concept.

Attorney Ed Lawton, representing the property owner, stated the site is limited by the amount of its area. He felt there was not a better commercial use that would be viable in this area. It is designed to be a self-contained site with no off-site parking. It leaves open the possibility for future commercial development, and he felt it was a major aesthetic improvement.

Commissioner Linsmeier felt the parking lot was not sufficient for the number of boat slips.

Commissioner Brown felt the area was run down, but she did not believe this was the right development for the area.

Gina Schwister, owner of the Sports Dock, felt a minimum of 52 parking spots would be needed for 26 boat slips. She stated there are already parking and traffic issues in the area, and the corridor cannot handle the traffic. Ms. Schwister requested the Plan Commission cut the request down to eight slips, because that is all the room there is for parking.

Rick Molloy (W278 N2352 Prospect Avenue) did not believe 26 cars could be parked in the area and he stated he was against it.

Bernie Kook, owner of Sunset Grill, felt it was a misuse of the property and suggested a home be built on the property if it is zoned residential.

Chris Williams (W278 N2418 Prospect Avenue) felt traffic and safety were the two themes. He felt there was more traffic than the area could handle and there is not enough room for parking. He also felt there was already too much boat traffic on the lake. Mr. Williams suggested building a new home on the property instead of putting in a commercial property.

Joseph Nelson (W278N2433 Prospect Avenue) questioned what would happen if a fire truck had to get into the area. He stated there is too much traffic in the area already. Mr. Nelson also mentioned the environmental issues that would be caused from this.

Matt Dunder (W278 N2409 Prospect Avenue) felt the traffic was too much, and he felt a residential home should be built on the property. He stated he opposed the project.

Marsha Galla (W278 N2392 Prospect Avenue) felt a residential home would be a better option for the property than a commercial lot.

Attorney Ed Lawton stated the use would not have an impact on the traffic, as it would only be used in the summer months.

No action was taken.

12. Discussion and Action and Public Hearing Regarding Proposed Amendments to Chapter 17 of the City of Pewaukee Zoning Ordinance Including Sub-Sections 17.0302a., 17.0302a.1., 17.0302a.2., and 17.0302a.3. Related to the City's Current Needs Assessment Study and Impact Fee Analysis

Mr. Fuchs stated the amendment is being brought forward to update the impact fees as the ordinance requires. The goal is to get the set impact fees out of the zoning code and just in the fee schedule so that when the City adopts the new fee schedule every year, the impact fees can be adjusted accordingly. It eliminates it from the Zoning Code and thus eliminates the need for a public hearing.

Chairman Bierce opened the public hearing at 8:34pm. He then closed the public hearing at 8:34pm.

A motion was made and seconded (D. Linsmeier, C. Brown) to approve the amendments to the Zoning Code. Motion Passed: 4-For, 0-Against.

13. Discussion Regarding the Community Development and Building Services Annual Report for 2021

Mr. Fuchs stated that the report details the goals and activity of the department and pointed out various figures from the report.

14. Adjournment

A motion was made and seconded (T. Janka, D. Linsmeier) to adjourn the meeting at 8:36pm. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk