

Office of the Clerk/Treasurer

W240N3065 Pewaukee Road
Pewaukee, WI 53072
(262) 691-0770 Fax 691-1798

**COMMON COUNCIL
MEETING NOTICE AND AGENDA**

Monday, March 4, 2019

7:00 PM

Common Council Chambers ~ Pewaukee City Hall
W240 N3065 Pewaukee Road ~ Pewaukee, Wisconsin

VIDEO

-
1. Call to Order and Pledge of Allegiance
 2. Public Comment - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your District Alderperson prior to the meeting.
 3. Consent Agenda
 - 3.1. Approval of the Common Council Meeting Minutes Dated February 18, 2019
 - 3.2. Approval of Accounts Payable Listings
 4. **PUBLIC HEARING** and Possible Action Regarding the Conditional Use for the Property Located on Golf Road and CTH G (PWC 0940-999-001) for the Purpose of Developing the Robert J. Stenz Family Trust Property Consisting of Two and Four-Family Residential Buildings Under the Rm-1 PUD Zoning Designation as Requested by Jim Forester [Fuchs]
 5. Discussion and Possible Action to Approve **Ordinance 19-09** (*Second Reading*) to Rezone the Property Located on Golf Road and CTH G (PWC 0940-999-001) from A-1 Agricultural, LC Lowland Conservancy & F-1 Floodplain District to Rm-1 PUD, LC Lowland Conservancy & F-1 Floodplain District for the Purpose of Allowing for Residential Development as Requested by Robert J. Stenz Family Trust [Fuchs]
 6. **PUBLIC HEARING** and Possible Action Regarding the Conditional Use for the Property Located at W267 N2955 Peterson Drive (PWC 0930-025-001) for the Purpose of Replacing an Existing Boat House as Requested by Chris & Lisa Wills [Fuchs]
 7. Discussion and Possible Action to Approve **Ordinance 19-10** (*Second Reading*) to Rezone the Property Located at W267 N2920 Peterson Drive (PWC 0930-052-006 & PWC 0930-052-007) from B-5 Highway District to Rs-7 Single-Family Residential for the Purpose of Combining Property and Building an Out-Building as Requested by Tom Knutson [Fuchs]
 8. Discussion and Possible Action Regarding the Certified Survey Map for the Property Located at W267 N2920 Peterson Drive (PWC 0930-052-006 & PWC 0930-052-007) for the Purpose of Combining the Properties and Creating an Outlot as Requested by Tom Knutson [Fuchs]
 9. Discussion and Possible Action Regarding the Certified Survey Map for the Property Located at W226 N2974 Duplainville Road (PWC 0914-992 & PWC 0914-993) for the Purpose of Combining Two Existing Parcels Into a Single Lot for the Surf Prep Development as Requested by John Troutd

[Fuchs]

10. Discussion and Possible Action Regarding the Certified Survey Map for the Property Located at N45 W25171 Lindsay Road (PWC 0877-993-001) for the Purpose of Subdividing the Property as Requested by Linda Uebele (PWC 0877993001)
11. Preliminary Discussion Regarding the Request of Briohn Builders to Vacate the Northmound Right-of-Way [Fuchs]
12. Discussion and Possible Action Regarding Preliminary **Resolution 19-03-04** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Steeplechase Phase II Subdivision Pavement Reconditioning and Related Facilities Under Section 66.0703, Wisconsin Statutes [Weigel]
13. Discussion and Possible Action Regarding Preliminary **Resolution 19-03-05** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Fox View Court Pavement Reconditioning and Related Facility Under Section 66.0703, Wisconsin Statutes [Weigel]
14. Discussion and Possible Action Regarding Contributing Funds to the 2019 Fireworks Display in the Village [Mayor Bierce]
15. Public Comment - Please limit your comments to two (2) minutes, if further time for discussion is needed please contact your district Alderperson prior to the meeting.
16. Adjournment

Kelly Tarczewski
Clerk/Treasurer

March 1, 2019

NOTICE

It is possible that members of other governmental bodies of the municipality may be in attendance to gather information that may form a quorum. At the above stated meeting, no action will be taken by any governmental body other than the governmental body specifically referred to above in this notice.

Any person who has a qualifying disability under the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible format must contact the Clerk/Treasurer, Kelly Tarczewski, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.1.**

DATE: March 4, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of the Common Council Meeting Minutes Dated February 18, 2019

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Minutes 2-18-2019

In attendance:

Mayor S. Bierce, Aldermen B. Bergman (arrived at 7:15 p.m.), C. Brown, B. Dziwulski, R. Grosch, J. Kara, and J. Wamser.

Also in Attendance:

Attorney V. Anderson, Administrator S. Klein, DPW Director J. Weigel, Utility Manager J. Mueller, Park and Recreation Director K. Woldanski, Lieutenant B. Ripplinger, and Clerk/Treasurer K. Tarczewski.

1. Call to Order and Pledge of Allegiance

Mayor Bierce called the meeting to order at 7:00 p.m.

2. Public Comment - None

3. Consent Agenda

- 3.1. Approval of the Common Council Meeting Minutes Dated December 3, 2018
- 3.2. Approval of the Common Council Meeting Minutes Dated January 21, 2019
- 3.3. Approval of the Common Council Meeting Minutes Dated February 4, 2019
- 3.4. Approval of the Common Council Meeting Minutes Dated February 6, 2019
- 3.5. Approval of Accounts Payable Listings
- 3.6. Approval of Bartender License
- 3.7. Approval of the Prairie Grass Apartments Second Amendment to the Development Agreement

Ms. Brown asked that Items 3.3 and 3.4 be removed for discussion.

A motion was made and seconded, (J. Wamser, C. Brown) to approve the remaining items on the consent agenda. Motion Passed: 6-For, 0-Against.

- 3.3 Approval of the Common Council Meeting Minutes Dated February 4, 2019
- 3.4 Approval of the Common Council Meeting Minutes Dated February 6, 2019

Ms. Brown stated she needs to abstain from those minutes. A motion was made and seconded, (B. Dziwulski, J. Wamser) to approve the Common Council meeting minutes from February 4th and February 6th, 2019.

Motion Passed: 5-For, 0-Against, 1-Abstain (C. Brown)

4. Presentation of the 2018 Annual Police Services Report

Lieutenant Ripplinger was present for this item. He stated there have been several changes in staffing over the last year. He reported heroin related calls continue to rise. He said safety talks are increasing and there are more community service requests.

He stated the Badges and Buddies program remains popular. They have partnered with Skipper Bud who have donated a new pontoon boat, the City just had to upgrade the motor. They also donate the use of boat, motor and gas when there is a need to run two boats. Lieutenant Ripplinger also stated Coffee with a Cop has seen an increase in interest. The Crossings restaurant has hosted three or four

sessions and have donated beverages, Danish and fruit. He said the department continues to monitor the special events throughout the City.

Lieutenant Ripplinger said the request of the speed trailer have been consistent. He further reported that the calls for service are up, and investigative reports are on the rise. He said there were more District Attorney referrals, meaning there is more criminal violations that cannot be processed on the municipal level.

Lieutenant Ripplinger mentioned the contract renewal is coming up and suggested the Council look at the statistics and determine what level of service they will want in the upcoming years. Mr. Bergman arrived at this time.

5. Discussion and Possible Action to Approve Wastewater Rate Option (Sewer Rate) Study

Mr. Weigel and Ms. Mueller were present for this item. He stated the department is doing a great deal of studies related to their operations that has lead up to this latest request. He said there are a couple hundred residents that are paying for City of Waukesha sewer services, approximately 800 residents have services through the Lake Pewaukee Sanitary District (LPSD) and the City has a portion as well. He said it is becoming more evident that we need to analyze costs more closely to ensure sewer costs equitable to all our residents and that a handful of users are not subsidizing others.

He said the consultants have knowledge that Oconomowoc is utilizing various service rates. Mr. Weigel stated they provided a quote to do a study on what our rates should really be. He asked Common Council to authorize the out of budget expenditure of \$18,000 to complete the sanitary sewer rate study.

Mr. Grosch asked if he anticipated any significant changes. Mr. Weigel stated he hoped there would be because currently the City is not collecting maintenance efforts or administration fees from those who are using other means of sanitary sewer service. Mr. Kara asked how some of his constituents came to use the Waukesha facility plant. Mr. Weigel stated back in the 1960's and 70's SEWRPC took on regional planning for treatment systems. It is more cost effective and environmentally effective to treat in regional areas verses each community doing their own. Mr. Weigel stated it is basically based on topography. Mr. Kara stated he felt this is all hodge-podge and a policy needs to be created. Mr. Weigel agreed.

A motion was made and seconded, (J. Wamser, B. Dziwulski) to authorize the Sewer Utility to enter into a contract with Ruekert & Mielke to perform a wastewater rate option analysis in the amount of \$18,000. Motion Passed: 5-For, 1-Agaisnt (R. Grosch)

6. Status of Water Utility Financial Studies

Mr. Weigel stated last June the Common Council approved two study contracts; one for water reserve and hook-up fees and the other for a water /waste water / storm water utility financial review. He stated, in December they authorized a water rate application with the Public Service Commission (PSC). He said the amount of data the department has to supply is enormous. They are hoping for submittal in late spring. He said this past January the sewer treatment facility capacity valuation study was approved. He said the City does not possess enough capacity in the Brookfield treatment plant. At the recommendation of the Public Works Director of the City of Brookfield we should work with Ruekert & Mielke to establish a fair market value to purchase more capacity. Mr. Weigel stated last

month a study by Strand Engineering was approved for individual capacity analysis for the Lake Country Commons baseball stadium.

Mr. Weigel stated there are various things to consider due to the studies performed. He said the City needs to remove the deferred and delayed special assessments, and make them active, especially those that will remain open on the books forever. He stated that will require new public hearings, engineering and impact analysis reports. The consultants are also recommending setting the water RCA hook-up fees for a single family home at \$5,431 for 2019 which is an increase of 11% from the rate that was just established at the beginning of 2019. According to the PSC the City cannot raise the rate different from the approved formulas until a new public hearing can be held.

Mr. Weigel stated another issue to review is establishing a formal cash reserve policy within the utility. He said the sewer and water utility has \$11 million dollars in the bank, mostly being sewer funds. He said the cash on hand reserve fund is recommended to be able to pay the current year's expenses and the annual debt payment scheduled when you start each year. He said that is estimated to be \$2.6 million per year. He said the water utility has been spending sewer funds and water owes sewer \$6.3 million. He is recommending that we take the dollar figure that water owes sewer as of January 1st, 2019 and calculate the reserve amount needed and put together a long term loan agreement with the sewer utility with little or no interest. He was suggesting no payment until 2020 or 2021 and equal payments over the next 23 years. Mr. Weigel stated the consultants have said the sewer utility has enough money in the bank to forgive the debt, but he didn't think the Council would agree to that.

Mr. Kara asked why we'd go through the trouble. Mr. Klein stated it may come down to being more equitable to those that are paying for water service verses those who do not. It will also be important to the water rate case to say what our needs will be. Mr. Kara asked what the long term ramifications would be. Mr. Weigel stated perhaps Ehlers could also offer their opinion in the matter when they do the City's long term financial analysis. Ms. Brown stated she feels both utilities should be self-sufficient.

Mr. Weigel stated the City extracts \$715,000 of revenues from the water and sewer utility annually. He said a major portion of that is the optional tax of \$580,000 they pay. He asked the City to consider in times where revenues exceed expenditures to share the wealth with the utility and possibly give them a credit.

7. Discussion and Possible Action to Approve the Purchase of the Water and Sewer Pick-up Truck for 2018 and the Purchase of the Sanitary Sewer and Storm Water Utility Cameral System Budgeted for 2018

Mr. Weigel stated the truck was budgeted for in 2018 and it was ordered in August but they still haven't received it. He said they over spent on that account by approximately \$5,000. He said due to the timing, the funds will be paid in 2019. Jane said they plan to replace another vehicle in 2019 as well so she requested the unspent money for the 2018 truck be rolled over into 2019 with an additional \$5000.

A motion was made and seconded, (R. Grosch, C. Brown) to approve the 2018 budgeted funds for the utility truck brought forward to the 2019 budget and utilizing additional funds as needed.
Motion Passed: 6-For, 0-Against.

Mr. Weigel stated in 2018 the storm water utility put in their capital budget \$10,000 for a shared pipe camera. The sanitary sewer budgeted \$12,000 toward the camera. Staff looked at various cameras and

decided the type they originally thought of purchasing was not what they wanted any longer. They found a self-propelled camera in the amount of \$62,864 but at the time it wasn't in the budget so they didn't purchase it. The vendor will sell the demonstration model for \$54,865. He asked Council if he should wait until 2020 and budget appropriately or take advantage of the discounted demo price. Funds would come from the sanitary sewer utility and the storm water utility. Mayor Bierce asked if this camera was actually worth three times as much. Ms. Mueller stated it was. Not only is the camera a self-propelled track vehicle verses having to be pushed in a sewer with a rod, but it has a panoramic view verses a small lens view and it has a better recorder. Jane said this would expedite their work in emergency situations verses waiting for contractor to respond.

A motion was made and seconded, (B. Dziwulski, R Grosch) to approve the purchase of the Envirotech sewer pipe camera system at the purchase price of \$54,865 with the understanding that the 2019 Storm Water Utility budget for equipment expenditures will be amended to include \$25,000 for this purchase and the 2019 Sewer Utility budget for equipment expenditures will be amended to include \$30,000 for this purchase.

Motion Passed: 6-For, 0-Against.

8. Public Comment - None.

9. Closed Session – You are hereby notified that the Common Council and staff of the City of Pewaukee will convene into closed session after all regular scheduled business has been concluded and upon motion duly made and seconded and acted upon by roll-call vote as required under §19.85(1)(a), Stats. The purpose of the closed session is for the following:

- §19.85(1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility specifically related to the Parks and Recreation Director.

You are further notified that at the conclusion of the Closed Session, the Common Council may convene into open session pursuant to 19.85(2), Stats., for possible additional discussion and action concerning any matters discussed in closed session and for adjournment.

A motion was made and seconded, (B. Dziwulski, J. Kara) to adjourn into closed session at 8:32 p.m. The motion was approved by roll call vote: 6-For, 0-Against.

10. Adjournment – Common Council adjourned from closed session at approximately 9:00 p.m.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 3.2.**

DATE: March 4, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Approval of Accounts Payable Listings

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Accounts Payable 3-4-2019

ACCOUNTS PAYABLE FOR 2019	3/4/2019	TOTAL:	\$ 298,015.02
Vendor Name	Document Date	Document Amount	Transaction Description
1ST AYD	1/17/2019	\$ 722.21	PRK Supplies
ADP, LLC	2/22/2019	\$ 1,261.53	HR ADP System
AIRGAS	2/5/2019	\$ 70.91	FD Oxygen
AIRGAS	1/31/2019	\$ 155.98	FD Oxygen
AIRGAS	1/31/2019	\$ 104.04	FD Oxygen
ASSESSMENT TECHNOLOGIES LLC	2/15/2019	\$ 40.00	PRK Drive Education Seminar
Baker Tilly Search & Staffing, LLC	2/10/2019	\$ 2,720.00	CT Consulting
Baker Tilly Search & Staffing, LLC	2/3/2019	\$ 1,989.00	CT Consulting
Baker Tilly Search & Staffing, LLC	1/27/2019	\$ 2,720.00	CT Consulting
BIELINSKI HOMES	2/8/2019	\$ 500.00	BLD Refund
BOUCHER CHEVROLET	1/11/2019	\$ 533.95	FD Inspection
BOUNDTREE MEDICAL	2/4/2019	\$ 239.43	FD Supplies
BOUNDTREE MEDICAL	2/6/2019	\$ 23.39	FD Supplies
BOUNDTREE MEDICAL	2/6/2019	\$ 81.54	FD Supplies
CORE & MAIN LP	2/7/2019	\$ 429.48	SW Parts
DAN PLAUTZ CLEANING SERVICE	2/22/2019	\$ 2,383.50	HR Janitor
DIVERSIFIED BENEFIT SERVICES	2/5/2019	\$ 300.10	CT HRA
EAGLE ENGRAVING	2/6/2019	\$ 514.15	FD Awards
ESO SOLUTIONS	3/2/2019	\$ 5,375.00	IT Firehouse System
FEI BEHAVIORAL HEALTH	12/1/2018	\$ 614.25	HR EAP
FIRNROHR, MARY	1/17/2019	\$ 180.00	PRK Tai Chi
FORT DEARBORN COMPANY	2/15/2019	\$ 3,647.88	CT 2018 Tax Refund
GRAINGER	1/29/2019	\$ 30.49	FD Parts
GRASCH, JOSEPH	2/6/2019	\$ 2,000.00	BLD Refund
HACH COMPANY	2/6/2019	\$ 482.74	SW Supplies
HAWKINS, INC.	2/5/2019	\$ 3,729.22	SW Salt
Hight Point Builders	2/6/2019	\$ 500.00	BLD Refund
HUMPHREY SERVICE PARTS, INC	2/5/2019	\$ 15.94	PRK Air Filter
HUMPHREY SERVICE PARTS, INC	2/15/2019	\$ 25.00	PRK Kubota Air Filter
HUMPHREY SERVICE PARTS, INC	2/9/2019	\$ 37.32	PRK Propane Cylinders
INFORMATION TECH. PROF. LLC	2/15/2019	\$ 1,125.00	IT Maintenance
JERRY'S AUTOMOTIVE SERIVCE LLC	2/8/2019	\$ 30.68	SW Tire Repair
KOHLER, DEBRA L	12/28/2018	\$ 145.80	2018 Property Tax Refund
KOHLER, DEBRA L	2/5/2019	\$ 12.00	CT Bank Fee
MENARDS	2/8/2019	\$ 56.33	FD Batteries
MENARDS	2/13/2019	\$ 48.79	FD Supplies
MENARDS	2/11/2019	\$ 29.94	FD Supplies
OFFICE DEPOT	2/5/2019	\$ 7.90	BLD Supplies
PHYSIO-CONTROL INC	1/28/2019	\$ 8,926.20	FD Maint
PROHEALTH CARE MEDICAL ASSOCIATES	2/1/2019	\$ 250.00	HR Fire exams
PROHEALTH CARE MEDICAL ASSOCIATES	2/1/2019	\$ 279.00	HR Fire exams
REINDERS, INC.	2/6/2019	\$ 73.22	PRK Eqpt Repair
SAFEBUILT	1/31/2019	\$ 635.00	BLD Inspections
US CELLULAR	2/2/2019	\$ 155.05	PRK Parks Cell Phone
VERIZON	2/1/2018	\$ 212.27	SW Cell Phone
WAUKESHA CO FIRE CHIEF'S ASSOC	2/9/2019	\$ 200.00	FD Membership

ACCOUNTS PAYABLE FOR 2019	3/4/2019	TOTAL:	\$ 298,015.02
Vendor Name	Document Date	Document Amount	Transaction Description
WAUKESHA CO TECHNICAL COLLEGE	2/22/2019	\$ 1,000.00	FD WCTC Fee
WAUKESHA COUNTY TREASURER	2/5/2019	\$ 36,184.55	CT Taxes 2018
WAUKESHA COUNTY TREASURER	2/15/2019	\$ 14,054.16	CT 2018 TAXES
WAUKESHA COUNTY TREASURER	2/11/2019	\$ 202,493.61	CT March Police Services
WAUKESHA COUNTY TREASURER	2/11/2019	\$ 51.03	CT Inmate Billing
WAUKESHA COUNTY TREASURER	2/12/2019	\$ 440.00	PRK Learn to Skate
WEIDEMEIER, MATTHEW & MICHELLE	12/28/2019	\$ 92.44	2018 Property Tax Refund
WEIDEMEIER, MATTHEW & MICHELLE	2/15/2019	\$ 30.00	CT Bank Fees
WI DEPT SAFETY & PROFESSIONAL SERVICES	1/31/2019	\$ 55.00	BLD Credentials

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 4.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

PUBLIC HEARING and Possible Action Regarding the Conditional Use for the Property Located on Golf Road and CTH G (PWC 0940-999-001) for the Purpose of Developing the Robert J. Stenz Family Trust Property Consisting of Two and Four-Family Residential Buildings Under the Rm-1 PUD Zoning Designation as Requested by Jim Forester [Fuchs]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Stenz Property Conditional Use Petition

LPSD Request

Stenz Conditional Use

- NOTICE OF CONDITIONAL USE PUBLIC HEARING -

PLEASE TAKE NOTICE THAT THERE WILL BE A PUBLIC HEARING ON THE PETITION OF JIM FORESTER FOR A **CONDITIONAL USE PERMIT ON THE FOLLOWING PROPERTY IN THE CITY OF PEWAUKEE:**

Legal description of property:

All that part of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin described as follows: Beginning at the northeast corner of the Southeast 1/4 of said Section 19; Thence South 00°27'04" East along the east line of said Southeast 1/4 and the west right of way line of Meadowbrook Road - County Trunk Highway "G", 328.01 feet to the north right of way line of Golf Road - County Trunk Highway "DR" - Interstate Highway "94; Thence South 22°17'34" West along said north right of way line, 224.08 feet; Thence South 50°25'48" West along said north right of way line, 1035.63 feet; Thence South 72°59'32" West along said north right of way line, 454.49 feet to the west line of the East 1/2 of the Southeast 1/4 of said Section 19; Thence North 00°24'46" West along said west line, 1258.93 feet to the north line of said Southeast 1/4; Thence North 87°00'50" East along said north line, 1326.21 feet to the Point of Beginning. Containing 1,235,817 square feet (28.3704 acres) of land more or less.

Common Description or name: Part of the SE ¼ of section 19, T7N, R19E

Tax Key Number(s): PWC 0940999001 **Current zoning:** A-1, LC & F-1 (existing)

This conditional use permit is requested in order to develop the Robert J. Stenz Family Trust property with two- and four-family residential buildings under the Rm-1 PUD zoning designation.

THE PUBLIC HEARING will be held at a meeting of the Common Council in the City Hall Common Council Chambers on **Monday, March 4th, 2019** at or after **7:00 PM.**

Dated this 29th day of January, 2019.

Kelly Tarczewski
Clerk/Treasurer

Tarczewski, Kelly

From: Thomas Koepp <thkoepp@wi.rr.com>
Sent: Thursday, February 28, 2019 11:46 AM
To: Tarczewski, Kelly
Cc: Klein, Scott; sbierce@pewaukee.wi.us; lpsd@wi.rr.com; efabyan@fabyanlaw.com
Subject: Stenz Property and LPSD Sewer Service

To the City of Pewaukee Common Council:

It is my understanding the Plan Commission has the Stenz Property on the agenda for a Monday March 4th, 2019 Common council meeting.

The Lake Pewaukee Sanitary District (LPSD) Manager and the LPSD attorney met with the developer and the Developers Engineer yesterday afternoon to express our concerns with sewer use capacity, density, the ownership of wetlands and the protection of the watershed.

The Developer and the Engineer have agreed to review the Districts concerns and revise their plans accordingly. (Adjustments to the wetland buffer providing existing trees to remain/woods as a buffer and shift some buildings. Several of the 2 families are to be removed to allow the requested buffer as well as the provision of a large level spreader to minimize effects of the concentrated storm water flow through the wetlands and to Pewaukee lake. LPSD management will walk the proposed buffer with the developer in the next 2 weeks to further discuss the issues. Ownership of the wetlands should be connected to the property of the District to the north to allow for further wetland protection and maintenance.

The Lake Pewaukee sanitary District meets on the 3rd Tuesday of the month and no final decisions on approval will be made until that meeting. To date the District has expressed the desire to only serve a residential development which would consist of 25-30 single family residential homes which is conducive of the existing neighboring residences. The developer will be providing adjusted plans for the District to review in the coming weeks.

It is the Districts recommendation to table the matter until the items are resolved as the LPSD will not approve a developers agreement as proposed.

Thomas H. Koepp, P.E. LEED AP
Lake Pewaukee Sanitary District
Manager
P.O. Box 111
Pewaukee WI, 53072
Office (262) 691-4485
Mobile (414) 333-9603
Fax (262) 691-8096
Email: thkoepp@wi.rr.com

**A COVENANT
REGARDING THE ISSUANCE OF A
CONDITIONAL USE PERMIT
BY THE
CITY OF PEWAUKEE**

**TAX KEY NUMBER(S)
OR PARCEL(S) INVOLVED:**

**CONDITIONAL USE
PERMIT:
NO. CUP-19-3-2**

PWC 0940999001

LEGAL DESCRIPTION:

All that part of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin described as follows: Beginning at the northeast corner of the Southeast 1/4 of said Section 19; Thence South 00°27'04" East along the east line of said Southeast 1/4 and the west right of way line of Meadowbrook Road - County Trunk Highway "G", 328.01 feet to the north right of way line of Golf Road - County Trunk Highway "DR" - Interstate Highway "94; Thence South 22°17'34" West along said north right of way line, 224.08 feet; Thence South 50°25'48" West along said north right of way line, 1035.63 feet; Thence South 72°59'32" West along said north right of way line, 454.49 feet to the west line of the East 1/2 of the Southeast 1/4 of said Section 19; Thence North 00°24'46" West along said west line, 1258.93 feet to the north line of said Southeast 1/4; Thence North 87°00'50" East along said north line, 1326.21 feet to the Point of Beginning. Containing 1,235,817 square feet (28.3704 acres) of land more or less.

**PERSON(S), AGENT(S) OR CORPORATION(S) PETITIONING
FOR PERMIT:**

Jim Forester

Recording area

Name & Return Address

City of Pewaukee
W240N3065 Pewaukee Rd
Pewaukee, WI 53072

WHEREAS, It is understood by all parties to this covenant that Section 62.23 of WIS. Statutes prescribes the legal basis for the granting of a conditional use permit by a City and Chapter 17 of the City Codes and Ordinances provides for the issuance of such permits as well as the standards by which all such uses will be measured; and,

WHEREAS, The City Plan Commission has held a meeting on February 21, 2019; has reviewed the various elements of the petitioners proposal; and has recommended that a Conditional Use Permit be granted to the above named petitioner for the property/parcel identified above; and,

WHEREAS, The City Common Council, held a public hearing meeting held on March 4, 2019.

NOW, THEREFORE, let it be known that the City Common Council by its action on March 4, 2019 has, hereby, granted a Conditional Use Permit for the following use(s):

Developing the Robert J. Stenz Family Trust property with two- and four-family residential buildings under the Rm-1 PUD zoning.

FURTHER, such approved use of the above designated parcel(s) are hereby allowed based on the following conditions being continually met:

1. The subject development shall be served by public sanitary sewerage and water supply facilities.

The parties hereto, namely the City of Pewaukee and the Equitable Owner of the property for which this conditional use has been sought, set their signatures or the signatures of their representatives below, thereby agreeing to the provisions and conditions set forth in this covenant.

Attest:

Signature of equitable owner

Date

Kelly Tarczewski
City Clerk

Steve Bierce
Mayor, City of Pewaukee

Date

State of Wisconsin
County of Waukesha

Signed or attested before me on _____, 2018 by Steve Bierce, Mayor and Kelly Tarczewski, Clerk.

(Seal)

Ami Hurd
My Commission expires _____

This instrument was drafted by Ami Hurd, Deputy Clerk

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 5.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Possible Action to Approve **Ordinance 19-09** (*Second Reading*) to Rezone the Property Located on Golf Road and CTH G (PWC 0940-999-001) from A-1 Agricultural, LC Lowland Conservancy & F-1 Floodplain District to Rm-1 PUD, LC Lowland Conservancy & F-1 Floodplain District for the Purpose of Allowing for Residential Development as Requested by Robert J. Stenz Family Trust [Fuchs]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Ordinance 19-09

Stenz Property Rezoning Map

Stenz Property Rezoning Petition

Stenz Property Narrative

Stenz Property Staff Report

LPSD Correspondence

ORDINANCE 19-09

**TO AMEND THE ZONING MAP OF
THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN**

The Common Council of the City of Pewaukee, Waukesha County, Wisconsin do ordain that the Zoning Map of the City of Pewaukee, Wisconsin is hereby amended to change the zoning classification of the property described below as follows:

FROM: **A-1 AGRICULTURAL DISTRICT, LC LOWLAND CONSERVANCY DISTRICT and F-1 FLOODPLAIN DISTRICT**

TO: **RM MULTI-FAMILY RESIDENTIAL DISTRICT, LC LOWLAND CONSERVANCY and F-1 FLOODPLAIN DISTRICT**

SECTION 1 - DESCRIPTION

The following described property:

Legal Description of the Land to be Rezoned from A-1 and L-C to RM-1 PUD:

All that part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 19, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of said Southeast Quarter (SE 1/4); thence South 00°27'04" East, 328.01 feet along the east line of said Southeast Quarter (SE 1/4) and the west right-of-way line of Meadowbrook Road (CTH G) to the north right-of-way line of Golf Road (CTH DR); thence South 22°17'34" West along said north right-of-way line, 224.08 feet; thence South 50°25'48" West along said north right-of-way line, 551.32 feet to the place of beginning of the land hereinafter to be described; thence continuing South 50°25' 48" West along said north right-of-way line, 484.31 feet; thence South 72°59'32" West along said north right-of-way line, 454.49 feet to the west line of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of said Section 19; thence North 00°24'46" West along said west line, 1258.93 feet to the north line of said Southeast Quarter (SE 1/4); thence North 87°00'50" East along said north line, 172.62 feet; thence South 21°50'02" East, 19.22 feet; thence South 21°20' 44" East, 22.26 feet; thence South 61°21' 39" East, 37.14 feet; thence South 42°23'42" East, 44.26 feet; thence South 51°42' 13" East, 21.37 feet; thence South 49°03'46" East, 32.34 feet; thence South 76°42'04" East, 30.37 feet; thence South 35°14'34" West, 30.49 feet; thence South 01°05' 05" East, 15.11 feet; thence South 79°53'19" East, 44.21 feet; thence South 76°10' 57" East, 40.23 feet; thence South 73°48' 57" East, 36.77 feet; thence South 39°50' 15" East, 25.71 feet; thence North 53°30' 55" East, 40.69 feet; thence North 35°18' 54" East, 33.40 feet; thence North 15°36' 58" West, 19.34 feet; thence North 59°16' 05" East, 17.21 feet; thence South 80°43'17" East, 10.15 feet; thence North 20°49' 05" East, 7.27 feet; thence South 74°35' 43" East, 8.38 feet; thence South 55°32' 39" East, 25.57 feet; thence South 13°42' 51" East, 3.99 feet; thence South 35°34' 05" East, 27.79 feet; thence South 79°38'43" East, 23.96 feet; thence South 07°22' 01" East, 52.45 feet; thence North 82°34' 03" East, 57.35 feet; thence North 50°20'32" East, 19.54 feet; thence South 70°20' 57" East, 75.25 feet; thence South 02°32' 19" West, 4.50 feet; thence South 08°46' 26" West, 14.29 feet; thence South 43°33' 38" East, 26.63 feet; thence North 87°49'43" East, 30.61 feet; thence North 88°41' 10" East, 38.60 feet; thence South 79°35'55" East, 29.90 feet; thence South 73°16'45" East, 6.49 feet; thence South 70°20 ' 57" East, 5.92 feet; thence

South 52°06'28" East, 58.38 feet; thence South 33°59'43" East, 10.46 feet; thence South 16°45' 11" East, 33.72 feet; thence South 31°03' 52" West, 28.18 feet; thence South 11°15' 09" West, 46.62 feet; thence South 09°02' 17" East, 14.49 feet; thence South 05°25' 24" West, 32.84 feet; thence South 25°33'11" West, 16.46 feet; thence South 45°45' 49" West, 12.47 feet; thence South 19°11' 13" West, 24.79 feet; thence South 10°16' 08" West, 30.42 feet; thence South 27°24'03" West, 30.78 feet; thence South

14°11'37" East, 34.00 feet; thence South 07°30'42" West, 24.85 feet; thence South 14°47' 36" East, 20.67 feet; thence South 39°14' 22" West, 7.57 feet; thence South 05°30' 51" East, 34.46 feet; thence South 42°50' 37" West, 29.13 feet; thence South 15°56' 59" West, 31.62 feet; thence South 07°36'46" West, 17.65 feet; thence South 25°39'42" West, 29.31 feet; thence South 00°47' 15" East, 31.27 feet to the north right-of-way line of Golf Road (CTH DR) and the place of beginning. Containing 805,404 square feet (18.4895 acres).

Legal Description of the Land to Remain as L-C Zoning:

All that part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 19, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of said Southeast Quarter (SE 1/4); thence South 00°27' 04" East, 328.01 feet along the east line of said Southeast Quarter (SE 1/4) and the west right-of-way line of Meadowbrook Road (CTH G) to the north right-of-way line of Golf Road (CTH DR); thence South 22°17'34" West along said north right-of-way line, 204.64 feet to the place of beginning of the land hereinafter to be described; thence North 69°49'44" West, 340.51 feet; thence North 52°06'28" West, 91.15 feet; thence North 70°20'57" West, 270.60 feet; thence North 55°32' 39" West, 132.36 feet; thence North

45°57' 55" West, 183.92 feet to the north line of said Southeast Quarter (SE 1/4); thence South 87°00'50" West along said north line, 189.48 feet; thence South 21°50' 02" East, 19.22 feet; thence South 21°20' 44" East, 22.26 feet; thence South 61°21'39" East, 37.14 feet; thence South 42°23' 42" East, 44.26 feet; thence South 51°42' 13" East, 21.37 feet; thence South 49°03' 46" East, 32.34 feet; thence South 76°42' 04" East, 30.37 feet; thence South 35°14' 34" West, 30.49 feet; thence South 01°05' 05" East, 15.11 feet; thence South 79°53' 19" East, 44.21 feet; thence South 76°10' 57" East, 40.23 feet; thence South 73°48'57" East, 36.77 feet; thence South 39°50'15" East, 25.71 feet; thence North 53°30'55" East, 40.69 feet; thence North 35°18' 54" East, 33.40 feet; thence North 15°36' 58" West, 19.34 feet; thence North 59°16' 05" East, 17.21 feet; thence South 80°43'17" East, 10.15 feet; thence North 20°49' 05" East, 7.27 feet; thence South 74°35'43" East, 8.38 feet; thence South 55°32' 39" East, 25.57 feet; thence South 13°42' 51" East, 3.99 feet; thence South 35°34'05" East, 27.79 feet; thence South 79°38'43" East, 23.96 feet; thence South 07°22' 01" East, 52.45 feet; thence North 82°34'03" East, 57.35 feet; thence North 50°20' 32" East, 19.54 feet; thence South 70°20'57" East, 75.25 feet; thence South 02°32' 19" West, 4.50 feet; thence South 08°46'26" West, 14.29 feet; thence South 43°33' 38" East, 26.63 feet; thence North 87°49'43 " East, 30.61 feet; thence North 88°41' 10" East, 38.60 feet; thence South 79°35' 55" East, 29.90 feet; thence South 73°16'45" East, 6.49 feet; thence South 70°20' 57" East, 5.92 feet; thence South 52°06' 28" East, 58.38 feet; thence South 33°59' 43" East, 10.46 feet; thence South 16°45' 11" East, 33.72 feet; thence South 31°03' 52" West, 28.18 feet; thence South 11°15' 09" West, 46.62 feet; thence South 09°02' 17" East, 14.49 feet; thence South 05°25' 24" West, 32.84 feet; thence South 25°33'11" West, 16.46 feet; thence South 45°45' 49" West, 12.47 feet; thence South 19°11' 13" West, 24.79 feet; thence South 10°16'08" West, 30.42 feet; thence South 27°24'03" West, 30.78 feet; thence South 14°11' 37" East, 34.00 feet; thence South 07°30' 42" West, 24.85 feet; thence South 14°47' 36" East, 20.67 feet; thence South 39°14' 22" West, 7.57 feet; thence South 05°30' 51" East, 34.46 feet; thence South 42°50' 37" West, 29.13 feet; thence South

15°56' 59" West, 31.62 feet; thence South 07°36'46" West, 17.65 feet; thence South 25°39'42" West, 29.31 feet; thence South 00°47' 15" East, 31.27 feet to the north right-of-way line of Golf Road (CTH DR); thence North 50°25'48" East along said north right-of-way line 551.32 feet; thence North 22°17' 34" East along said north right-of-way line, 19.44 feet to the place of beginning. Containing 134,188 square feet (3.0805 acres).

Legal Description of the Land to Remain as F-1 Zoning:

All that part of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 19, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows: Beginning at the northeast corner of said Southeast Quarter (SE 1/4); thence South 00°27' 04" East, 328.01 feet along the east line of said Southeast Quarter (SE 1/4) and the west right-of-way line of Meadowbrook Road (CTH G) to the north right-of-way line of Golf Road (CTH DR); thence South 22°17'34" West along said north right-of-way line,

204.64 feet; thence North 69°49' 44" West, 340.51 feet; thence North 52°06' 28" West, 91.15 feet; thence North 70°20' 57" West, 270.60 feet; thence North 55°32' 39" West, 132.36 feet; thence North 45°57' 55" West, 183.92 feet to the north line of said Southeast Quarter (SE 1/4); thence North 87°00'50" East along said north line, 964.11 feet to the place of beginning. Containing 296,225 square feet (6.8004 acres).

Common Description: Part of the SE ¼ of Section 19, T7N, R19E

Tax Key Number: PWC 0940-999-001

SECTION 2 –SEVERABILITY

The several sections of this Ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the Ordinance.

SECTION 3 - ACTION

This Ordinance shall take effect upon passage and posting.

Dated this 4th day of March, 2019

COMMON COUNCIL OF THE CITY OF PEWAUKEE
WAUKESHA COUNTY, WISCONSIN

Attest:

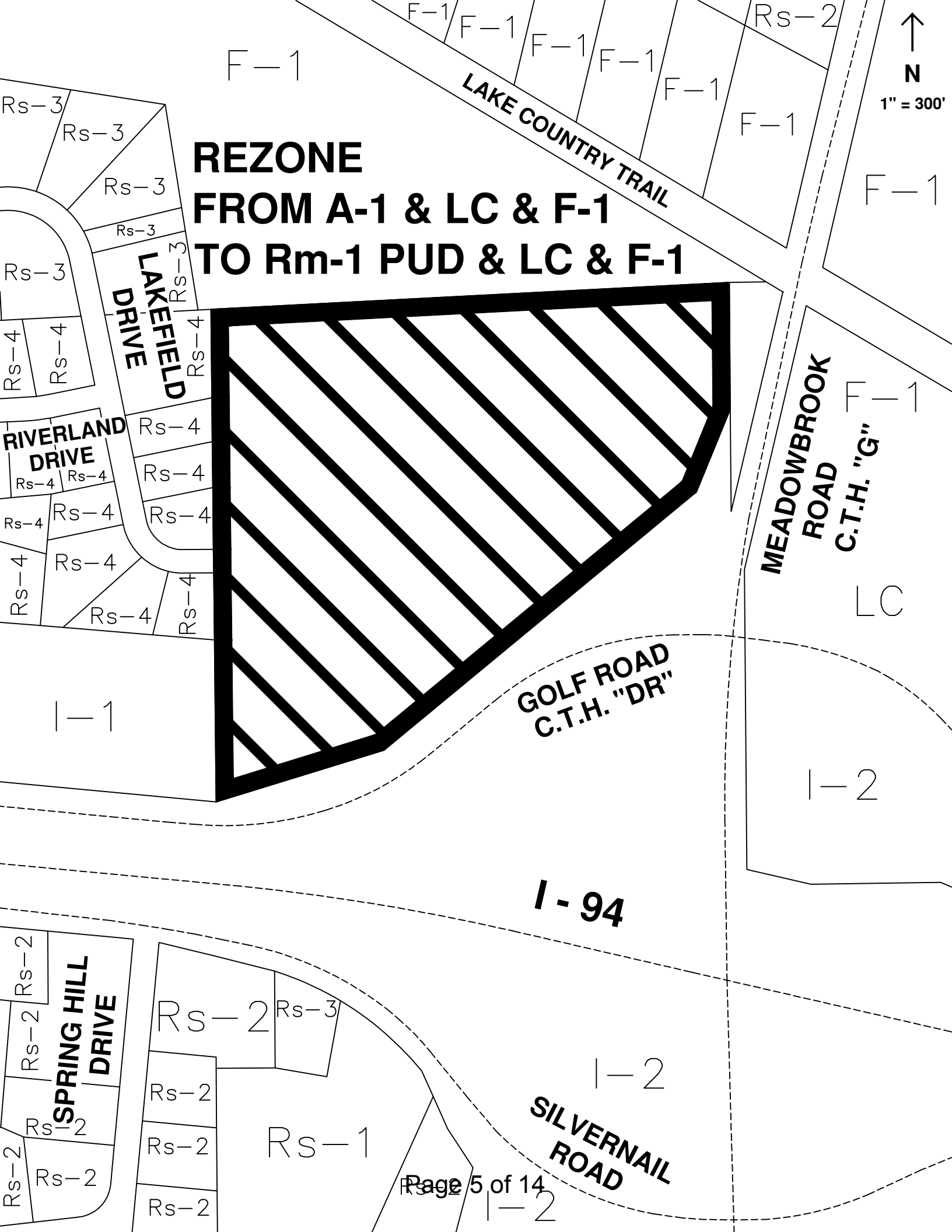
Steve Bierce, Mayor

Kelly Tarczewski, Clerk/Treasurer



1" = 300'

REZONE FROM A-1 & LC & F-1 TO Rm-1 PUD & LC & F-1



CITY OF PEWAUKEE

STATE OF WISCONSIN

WAUKESHA COUNTY

- NOTICE OF ZONING MAP AMENDMENT PUBLIC HEARING -

**PLEASE TAKE NOTICE THAT THERE WILL BE A PUBLIC HEARING ON THE PETITION OF:
ROBERT J. STENZ FAMILY TRUST TO REZONE FROM: A-1 AGRICULTURAL, LC LOWLAND
CONSERVANCY & F-1 FLOODPLAIN DISTRICT TO: RM-1 PUD, LC LOWLAND CONSERVANCY &
F-1 FLOODPLAIN DISTRICT**

THE FOLLOWING PROPERTY IN THE CITY OF PEWAUKEE:

Legal description of the property to be rezoned:

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Legal Description of the Land to Remain as F-1 Zoning:

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Common Description: Part of the SE ¼ of Section 19, T7N, R19E

Tax Key Number: PWC 0940999001

This Amendment to the Zoning Map (Change in zoning) is being proposed for the purpose of: properly zoning floodplain (F-1) and delineated wetlands (LC) and rezoning the A-1 area to Rm-1 PUD to allow for residential development.

THE PUBLIC HEARING will be held at a meeting of the City Plan Commission in the City Hall Common Council Chambers on **Thursday, February 21st, 2019** at or after **7:00 PM**.

Dated this 24th day of January, 2019.

Kelly Tarczewski,
Clerk/Treasurer, City of Pewaukee



Stenz Property Narrative
Part of the SE 1/4 of Section 19, Town 7 North, Range 19 East
City of Pewaukee, Waukesha County, Wisconsin
February 13, 2019

The Stenz Family Trust property is located at the northwest corner of Golf Road (CTH DR) and Meadowbrook Road (CTH G) and is known as tax key number PWC 0940999001. The property is 28.4 acres in size of which 8.9 acres is floodplain or delineated wetland. Jim Forester is proposing to develop the property with public roads and multi-family buildings. The property would be served by municipal sanitary sewer and water main. The current proposal is for nine four-family buildings, nine two-family buildings, a clubhouse and a 3.3-acre area for future development. In total there are 54 units proposed. The property is currently zoned A-1 (agricultural), L-C (lowland conservancy) and F-1 (floodland). The City of Pewaukee 2050 Land Use plan shows the property as floodplains, lowland & upland conservancy and other natural areas along with low-medium density residential. As part of this project, the property is proposed to be rezoned to F-1 (floodland), L-C (lowland conservancy) and Rm-1 PUD (multi-family residential). The wetland has been delineated and the delineation will be used as the zoning boundary between the wetland and upland area. The land use plan is proposed to be changed from low-medium density residential to medium density residential.

City of Pewaukee Municipal Code Chapter 17 is the Zoning Code which defines the zoning requirements for properties within the City. Upon the rezone, this property will be regulated by Chapter 17.0414, Rm-1, Multi-Family Residential District. In a development like this, clustering of the buildings and certain amenities make for a desirable development. To accomplish this, the following standards of the Rm-1 regulations are not being met and are requested to be modified by the Plan Commission per Section 17.0908:

1. **17.0414 a. Permitted Principal Uses: Three to Eight unit multiple-family structures with one 2-car attached or detached private garages per unit are allowed.** There are two-family structures being proposed with 3 of them having three car garages.
2. **17.0414 b. Permitted Accessory Uses: A yard equipment structure is allowed.** A clubhouse and associated parking lot is proposed within this development to be used by the residents.
3. **17.0414 c.(5) Conditional Uses: No detached principal structure shall be located closer than 40 feet to another structure within the development. Yards adjacent to exterior property lines shall not be less than those required for permitted principal uses.** The proposed layout has structures closer than 40 feet. Based on discussions with the Fire Chief, a minimum of 20 feet between structures is acceptable if proper materials are used.
4. **17.0414 d. Lot Area and Width: Lots shall have a minimum area of 0.5 acre, with not less than 7,260 square feet per dwelling unit. Lots shall have a width of not less than 120 feet at the building setback line.** There is no lot area or lot lines for the individual buildings since the buildings will be part of a condominium.



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of February 21, 2019

Date: February 14, 2019

Project Name: Golf Road and CTH G Condominium development Rezoning, Preliminary Certified Survey Map, Conditional Use, and Building & Site Development Plans

Project Address/Tax Key No.: Not Addressed/PWC0940999001

Applicant: Jim Forester

Property Owner: Robert J. Stenz Family Trust

Current Zoning: A-1 Agricultural District, LC Lowland Conservancy District and F-1 Floodplain District

Proposed Zoning: Rm-1 Multiple-Family Residential District, LC Lowland Conservancy District and F-1 Floodplain District

2050 Land Use Map Designation: Low – Medium Density Residential (1/2 AC – 2 AC. / D.U.) and Flood Plains, Lowland & Upland Conservancy, and Other Natural Areas

Use of Surrounding Properties: Floodplain to the north, Golf Road and I-94 to the south, WisDOT owned land to the east, and single-family residential and Lakewood Baptist Church to the west

Introduction

Mr. Jim Forester has submitted for a Rezoning, Preliminary Certified Survey Map, Conditional Use, and Building and Site Development Plans for the construction of 54 condominium units upon property located at the northwest corner of Golf Road and CTH G. Note a Condominium Plat is also required to be recorded with the Waukesha County Register of Deeds.

The applicant previously presented a concept plan to the Plan Commission at their August 16, 2018 and November 15, 2018 meetings. The initial plan included 29 two-family residential buildings for a total of 58 units. The plan also included a gated emergency access drive to Lakefield Drive, which is now shown as a through street. Other changes include replacing the circle drive with two cul-de-sacs and the addition of a clubhouse.

Below is a summary of comments made at each of those Plan Commission meetings. Complete minutes are available on the City's website for review.

August 16, 2018 Plan Commission Conceptual Review (29 two-unit buildings proposed - 58 units total)

- Comments were made by Commissioners stating the density was too high and suggested less buildings.
- A club house was suggested

- Condos preferred over apartments
- One comment supporting the connection and continuation of Lakefield Drive.
- It was suggested that the applicant hire an arborist to provide better information related to the quality of trees onsite
- Comment to check the site for other natural resources currently not shown.
- Commissioners were in favor of the use of the property for a two-unit condominium development.

November 15, 2018 Plan Commission Conceptual Review (9 two-unit and 9 four-unit buildings proposed - 54 units total)

- Applicant noted that the number of units was reduced and the combination of two and four-unit buildings allowed for the amount of greenspace onsite to be increased. The road design was also changed at this time.
- Mr. Sullivan stated he did not like the private roads.
- Discussion took place regarding making some of the drives a side-entry. Mr. Forester stated they could look at that.
- Public comment included:
 - An adjacent owner indicated that they understood that the property was planned for single-family development and did not want to see the garage doors facing the existing homes to the west.
 - A resident questioned whether the retention pond would be able to handle the increased drainage from the concrete.

Project Description/Analysis

Building & Site Development Plans

The subject property is currently vacant and has a total site area of approximately 28.37 acres. The development consists of 9 two-family and 9 four-family residential buildings, and a clubhouse with adjacent parking. The site plan also includes an "Outlot 1," which the applicant has indicated would be utilized for future development; however, the exact use is not known at this time. As the use is unknown, staff recommends that the access to the outlot from Lakefield Drive be relocated further away from the intersection of Lakefield Drive and Golf Road. This will provide more flexibility to the future use of this property. Depending upon the proposed use and density, staff could have concerns with the proximity of a drive to that intersection.

A storm water pond is anticipated in the northwest corner of the site, adjacent to an existing pond serving the abutting single-family residential subdivision. A second, smaller pond is located to the north of the two cul-de-sacs. Staff recommends that final grading, erosion control, and storm water management plans shall be approved by the Engineering Department prior to issuance of a Building Permit.

A conceptual landscape plan has been provided, which includes trees along the proposed streets. The applicant has placed these trees on Condominium Association property, outside of the public right-of-way as requested by staff.

The applicant has also included plantings to the west of Building Nos. 3, 4, 5, and 6 to provide additional screening and buffering of the existing residential homes to the west. In total, the applicant is providing 46 deciduous trees, 12 evergreens, and 29 shrubs. Additionally, the applicant has noted that each individual building will include a landscape plan at time of Building Permit submittal. Therefore, staff recommends that at the time of Building Permit submittal for each individual building, a Landscape Plan shall be provided, for review and approval by Community Development staff, which includes additional trees around the building as well as foundation plantings.

The applicant has not yet provided architectural elevations. The applicant has indicated that buildings will be different; however, the details as to the number of unit types is not known. Staff recommends that the applicant submit typical or sample building elevations for Plan Commission review and approval, illustrating the proposed building materials and demonstrating the general amount of siding, brick, stone, or other materials and architectural features that will be utilized for each building. Following approval of a general building type, staff anticipates reviewing each individual building at the time of Building Permit for consistency with the Plan Commission approved elevations.

Staff has recommended and discussed a possible trail connection to the Lake Country Recreational Trail with the applicant. The applicant appears willing to make this connection and explore options; however, additional review of possible locations is needed, along with the consideration of natural resources, WDNR permitting requirements, and the possibility of utilizing County right-of-way. These factors all need to be further examined to determine the feasibility of a trail connection. As such, staff recommends that the applicant shall continue to work with City staff to determine the feasibility of a trail or sidewalk connection to the Lake Country Trail.

A subdivision monument sign is anticipated. Section 17.0705 states that a subdivision/development sign shall be no more than six feet in height and constructed of wood, metal and/or masonry. It further states that the location, height and size shall be reviewed and approved by the Plan Commission and/or the City Planner. If the Plan Commission would like to review the sign, a condition requiring such approval should be added to the approval of the building and site plans. Otherwise, staff will review the proposed sign, prior to issuance of a Sign Permit.

Staff also recommends that the Building & Site Development Plans be contingent upon Common Council approval of the Rezoning request, a Comprehensive Master Plan Amendment, Certified Survey Map, and Conditional Use Permit.

Conditional Use

The Rm-1 District permits three to eight unit structures. The applicant is proposing Rm-1 Conditional Use PUD zoning to accommodate the proposed development, which allows for reduced setbacks and yard requirements when adequate open space is provided. The development is also not meeting several Rm-1 District standards, which are outlined in the applicant's project narrative. The applicant is requesting that the Plan Commission modify these standards based upon Section 17.0908 of the Zoning Code (below). Note that a previous project was considered mixed use as it included two-family and four-family buildings, which are allowed within separate zoning districts.

17.0908 SPECIFIC PLANNED PROJECT MODIFICATION

When a development project such as an industrial or office park, shopping center, or mixed use development is proposed which involves specific development proposals which meet the intent

of the individual district regulation(s) but cannot meet a specific requirement, and when the approval of such development would not set a precedent that would be detrimental to the City if it is approved in like circumstances, the Plan Commission may, after thorough review, make such specific modification in their approval of the specific project.

The Rm-1 District allows multiple-family residential development at densities not exceeding 6.00 dwelling units per net acre. Considering the three proposed lots, minus the proposed roads to be dedicated and wetlands onsite, the proposed density is approximately 3.2 dwelling units per acre, which is in compliance with the Rm-1 District net density requirement.

Please be aware that the Lake Pewaukee Sanitary District sent a letter (attached) objecting to the rezoning request. The letter indicates concerns with the proposed density and amount of impervious surface being added to the site. The letter states that allowing this density would “unnecessarily reduce the LPSD’s excess capacity, impacting future development.”

Public sanitary sewerage and water supply facilities are a requirement of the Rm-1 District. If the applicant is not able to receive LPSD approval, the development will not be able to move forward as currently proposed.

Natural Resources

There are protected natural resources onsite, including floodplain and wetlands. The property is also wooded and much of the site is mapped as a SEWRPC Primary Environmental Corridor. In discussions with SEWRPC, it appears that the agreed upon Environmental Corridor boundary will be the wetland delineation boundary, not the additional wooded area that is currently mapped.

The development does not encroach into the F-1 District zoning; however, development is located within the LC District. The applicant has completed wetland delineations for the site and revised the site plan to avoid any impacts to those wetlands and wetland setbacks. As the LC District is intended to protect wetlands, waterways and those areas subject to periodic flooding, the City may consider rezoning the LC District portion of the property to match the field delineated boundary identified by Wetland & Waterway Consulting, LLC.

A Wood Growth Plan has also been provided for review, which illustrates the larger trees that will be impacted by the development.

Rezoning and Comprehensive Master Plan

The applicant is proposing to rezone the property from A-1 Agricultural District, LC Lowland Conservancy District and F-1 Floodplain District to Rm-1 Multiple-Family Residential District, LC Lowland Conservancy District and F-1 Floodplain District. The attached Rezoning Exhibit illustrates the proposed boundaries of each zoning district.

The 2050 future land use designation of the property is Low – Medium Density Residential (1/2 AC – 2 AC. / D.U.) and Flood Plains, Lowland & Upland Conservancy, And Other Natural Areas. As State Comprehensive Planning law requires that re-zonings be consistent with Comprehensive Master Plans, staff is recommending that the applicant apply for a Comprehensive Master Plan Amendment to amend the Year 2050 Land Use/Transportation Plan designation of the property to Medium Density Residential to accommodate the proposed density of the development.

The applicant has submitted the necessary documentation for this amendment, which is currently being reviewed by staff.

Preliminary Certified Survey Map (CSM)

The proposed CSM creates three Lots. Lot 1 has an area of 20.0576 acres, Lot 2 has an area of 2.5470 acres, and Lot 3 has an area of 3.3218 acres. Lot 1 and Lot 2 comprise of the condominium units currently proposed. Lot 3 is the anticipated second phase of the development.

The CSM also dedicates the right-of-way for the extension of Lakefield Drive to Golf Road as well as public right-of-way for two cul-de-sacs extending north from the proposed Lakefield Drive.

Prior to recording the CSM with the Waukesha County Register of Deeds, the following technical corrections shall be made:

1. Add a no access restriction along the south property line of Lot 3 adjacent to Golf Road.
2. All easements shall be added to the CSM.
3. Shall address all Waukesha County comments.

Recommended Motion

A motion to approve the Site and Building Development Plans for the construction of 54 condominium units upon property located at the northwest corner of Golf Road and CTH G, bearing Tax Key No. 0940999001, subject to staff recommendations within the report to the Plan Commission dated February 14, 2019.

A motion recommending approval of a rezoning of the rezoning request for property bearing Tax Key No. 0940999001 from A-1 Agricultural District, LC Lowland Conservancy District and F-1 Floodplain District to Rm-1 Multiple-Family Residential District, LC Lowland Conservancy District and F-1 Floodplain District, contingent upon approval of a Comprehensive Master Plan Amendment.

A motion recommending approval of a 3 Lot Preliminary Certified Survey Map to subdivide the property located at the northwest corner of Golf Road and CTH G, subject to staff recommendations within the report to the Plan Commission dated February 14, 2019.

A motion recommending approval of a Conditional Use to allow for the construction of 54 condominium units upon property located at the northwest corner of Golf Road and CTH G, bearing Tax Key No. 0940999001, subject to staff recommendations within the report to the Plan Commission dated February 14, 2019.

LAKE PEWAUKEE SANITARY DISTRICT

N25 W27534 Oak Street • P. O. Box 111 • Pewaukee, WI 53072

(262) 691-4485 • Fax (262) 691-8096 www.lakepewaukeesd.org



February 31st, 2019

City of Pewaukee
Zoning Board and Plan Commission
W240 N3065 Pewaukee Road
Pewaukee, WI 53072

Re: Stenz Property Zoning

Dear City Officials,

The Lake Pewaukee Sanitary District (LPSD) does not believe the rezoning of the Stenz property located at PWC0940999001 is in the best interests of the protection of Pewaukee Lake.

The high density proposal creates considerable impervious surface areas, ultimately impacting Pewaukee Lake. The proposed rezoning does not fit the residential character of the neighboring properties which are Rs-3 and Rs-4, and would create a density significantly higher than anywhere else in the LPSD's boundaries.

The LPSD strives to maintain sufficient sewer capacity, and believes that allowing the proposed density would unnecessarily reduce the LPSD's excess capacity, impacting future development. There are several large undeveloped tracks in the LPSD's boundaries that the LPSD has to be cognizant of the potential future development.

Please contact our office if you have any questions,

Thomas H. Koepp, P.E., LEED AP
Lake Pewaukee Sanitary District

Cc: City of Pewaukee Zoning Board

Steve Bierce - Mayor, City of Pewaukee

Scott Klein - Administrator, City of Pewaukee

Tony Zannon - Pinnacle Engineering Group

LPSD Commissioners

RECEIVED
FEB 07 2019

CITY OF PEWAUKEE
CLERK'S OFFICE

sent to cc 2/7/19

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 6.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

PUBLIC HEARING and Possible Action Regarding the Conditional Use for the Property Located at W267 N2955 Peterson Drive (PWC 0930-025-001) for the Purpose of Replacing an Existing Boat House as Requested by Chris & Lisa Wills [Fuchs]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Wills Boat House Conditional Use Permit

Wills Boat House Building Plans

Wills Boat House Staff Report

STATE OF WISCONSIN

CITY OF PEWAUKEE

WAUKESHA COUNTY

- NOTICE OF CONDITIONAL USE PUBLIC HEARING -

PLEASE TAKE NOTICE THAT THERE WILL BE A PUBLIC HEARING ON THE PETITION OF CHRIS & LISA WILLS FOR A **CONDITIONAL USE PERMIT ON THE FOLLOWING PROPERTY IN THE CITY OF PEWAUKEE:**

Legal description of property:

LOT 1 CERT SURV 9728 VOL 90/18 LOT 25 & 26 PETERSENS SUBDIVISION NO 2 PT NW1/4 SEC 17 T7N R19E DOC# 3964878

Common Description or name: W267 N2955 Peterson Drive

Tax Key Number(s): PWC 0930025001 **Current zoning:** Rs-7

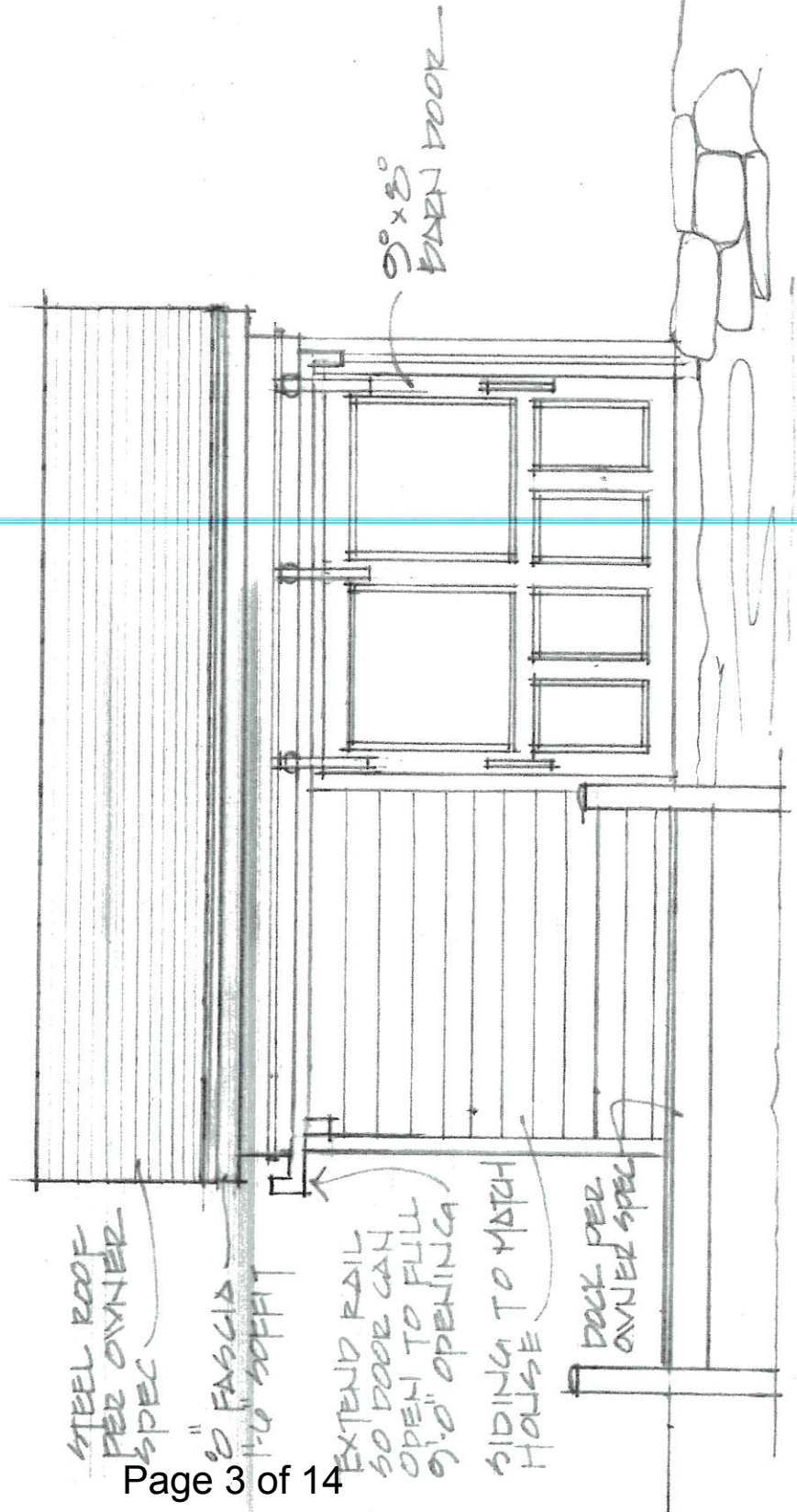
This conditional use permit is requested in order to replace the existing boat house.

THE PUBLIC HEARING will be held at a meeting of the Common Council in the City Hall Common Council Chambers on **Monday, March 4th, 2019** at or after **7:00 PM.**

Dated this 7th day of February, 2019.

Kelly Tarczewski
Clerk/Treasurer

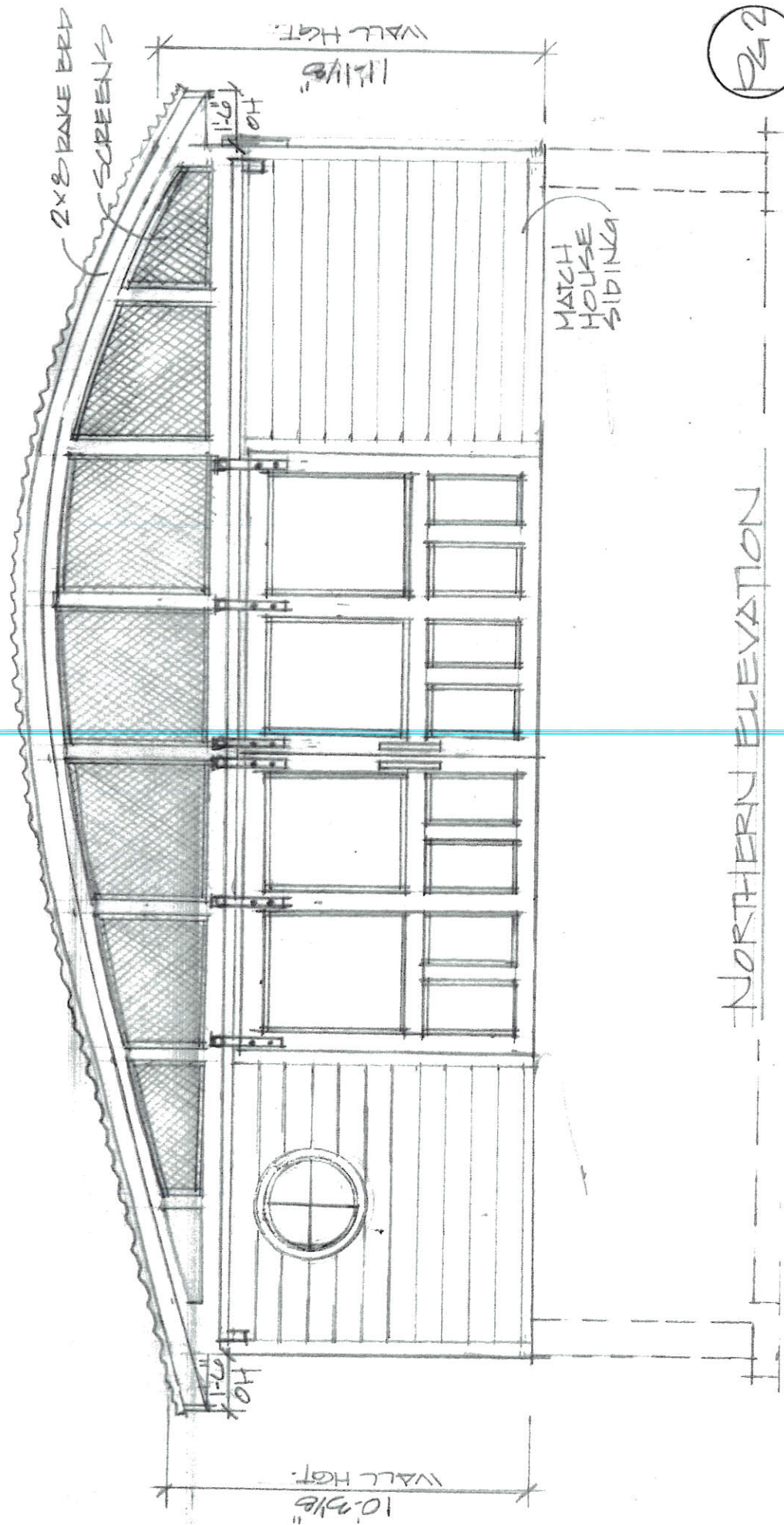
BOAT HOUSE
CHRIS VILLO
SCALE 1/4" = 1'-0"



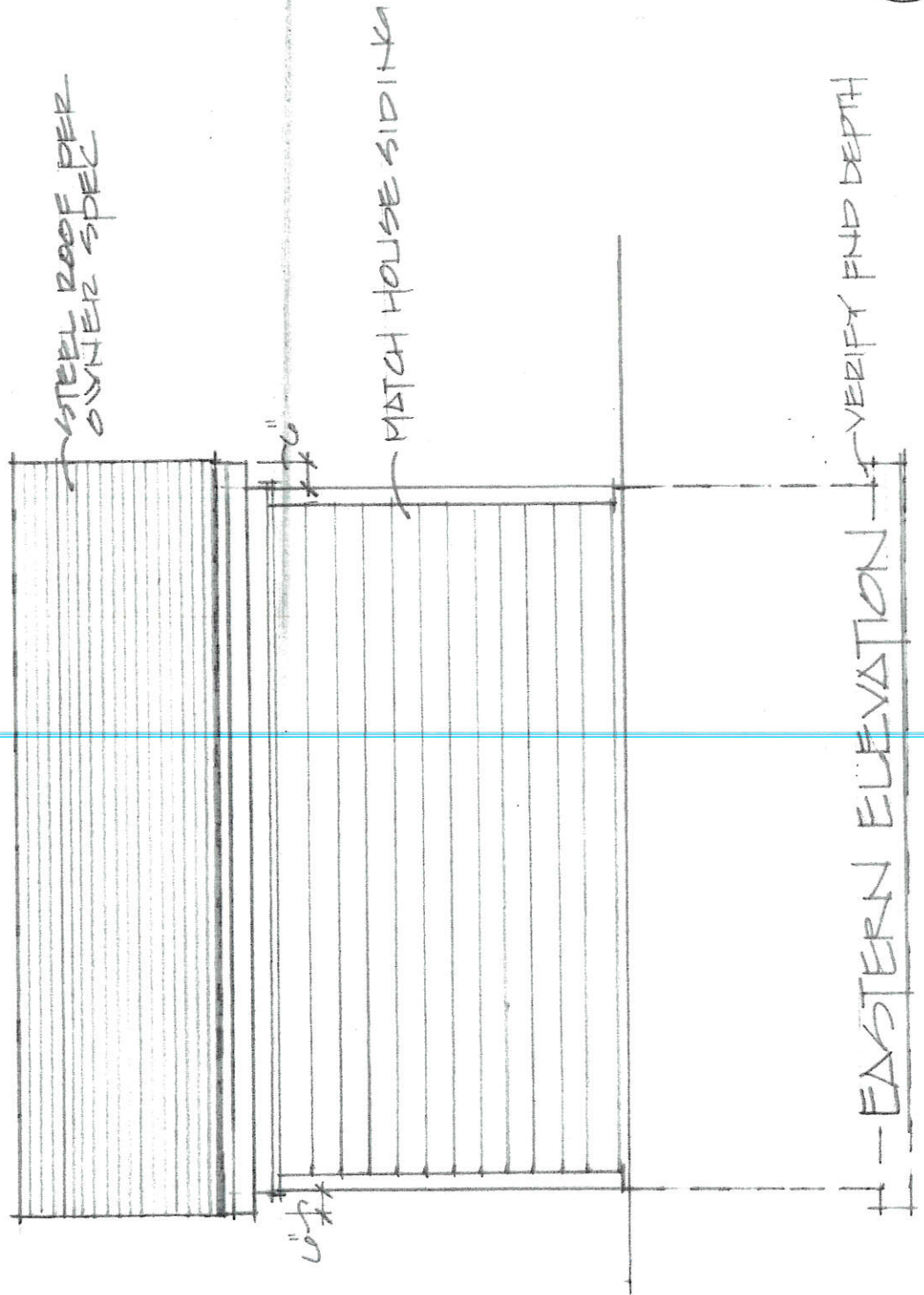
WESTERN ELEVATION

(Pg. 1)

POST HOUSE
 CHRIS WILLS
 SCALE 1/4" = 1'-0"



BOB HOUSE
CHRIS WILCOX
SCALE 1/4" = 1'-0"



PG. 3

BOAT HOUSE
CHRIS WILKS
SCALE 1/4" = 1'-0"

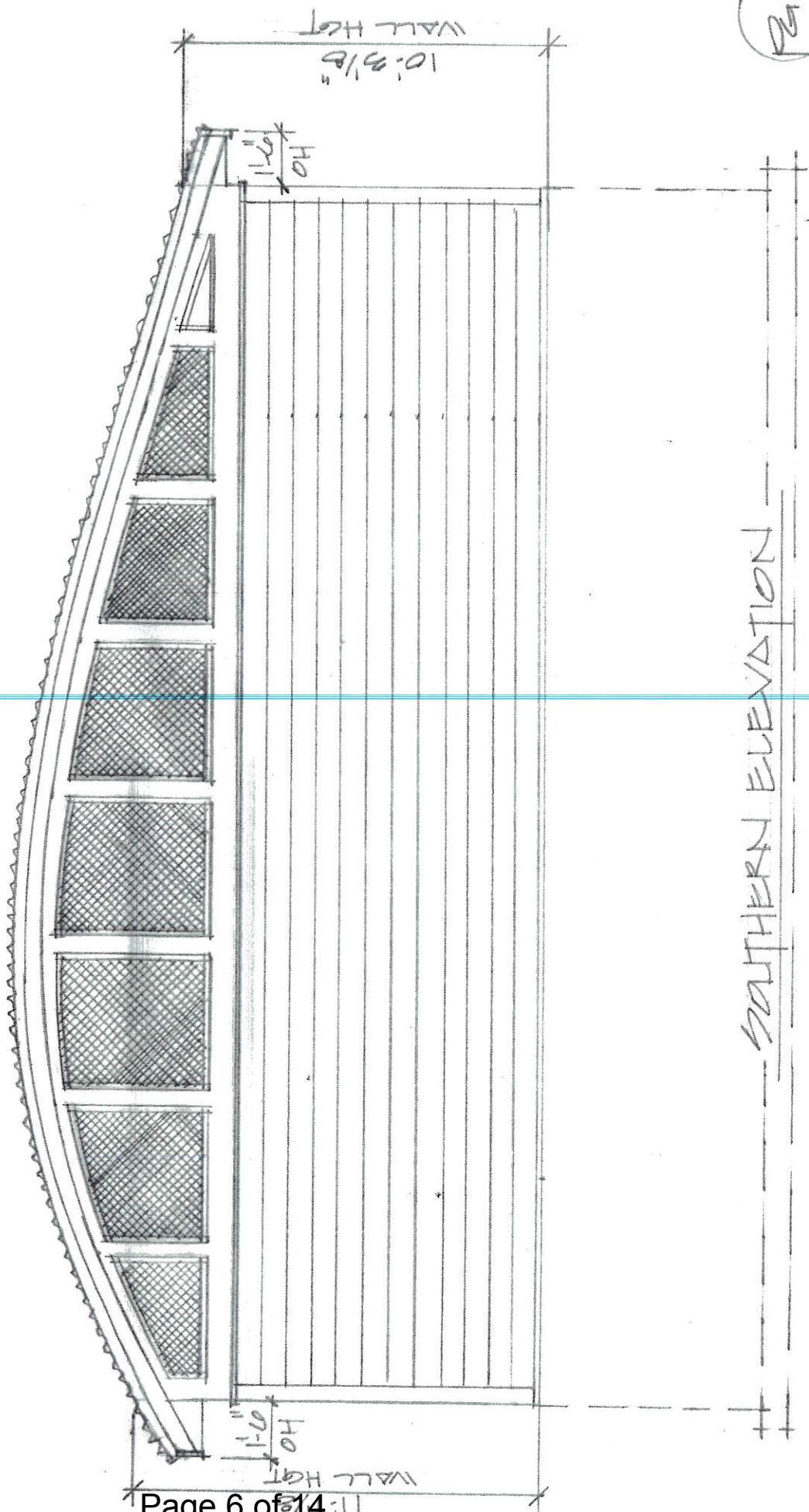
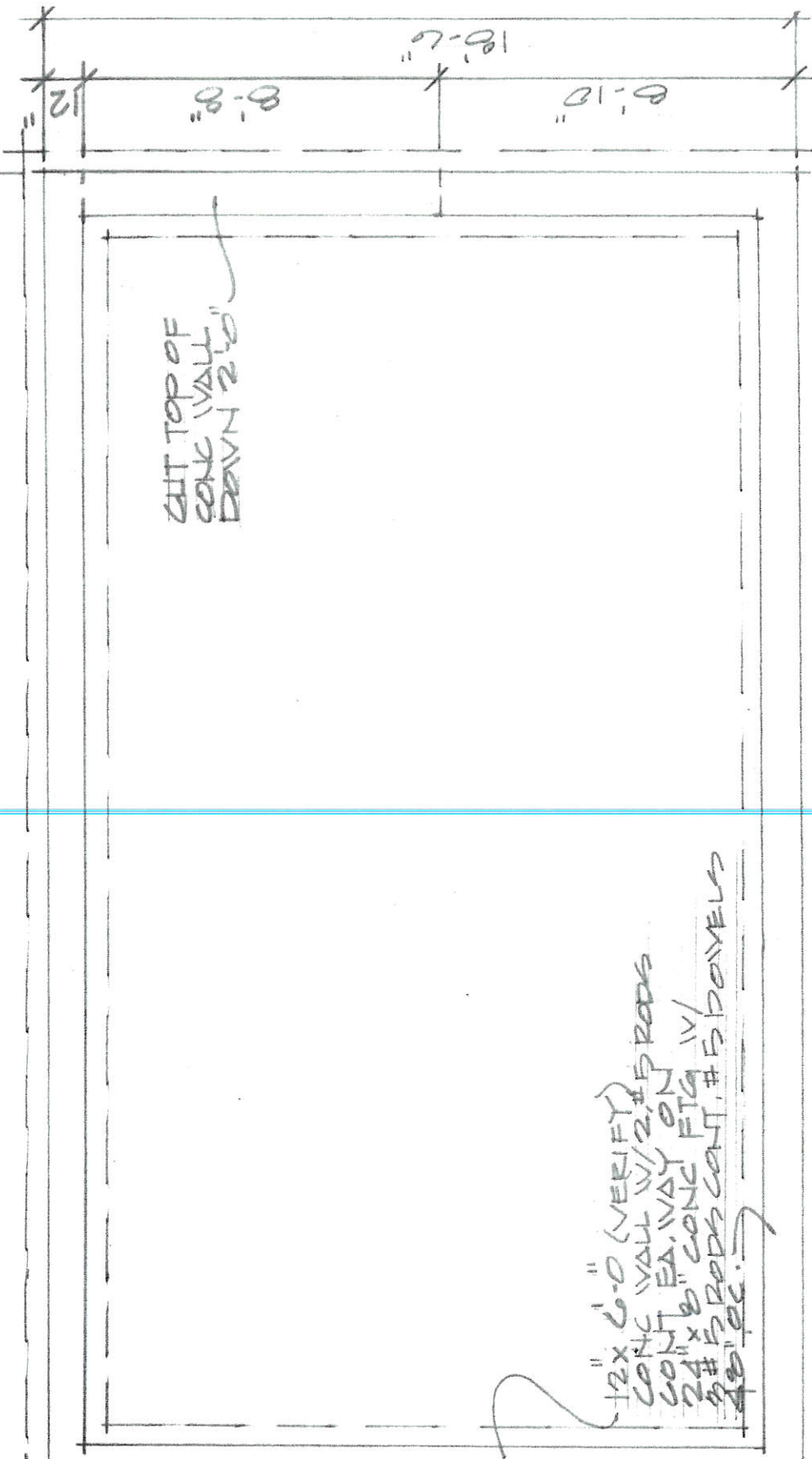


Fig 2

CHRIS WILLS
SCALE 1/4" = 1'-0"

32'-4"



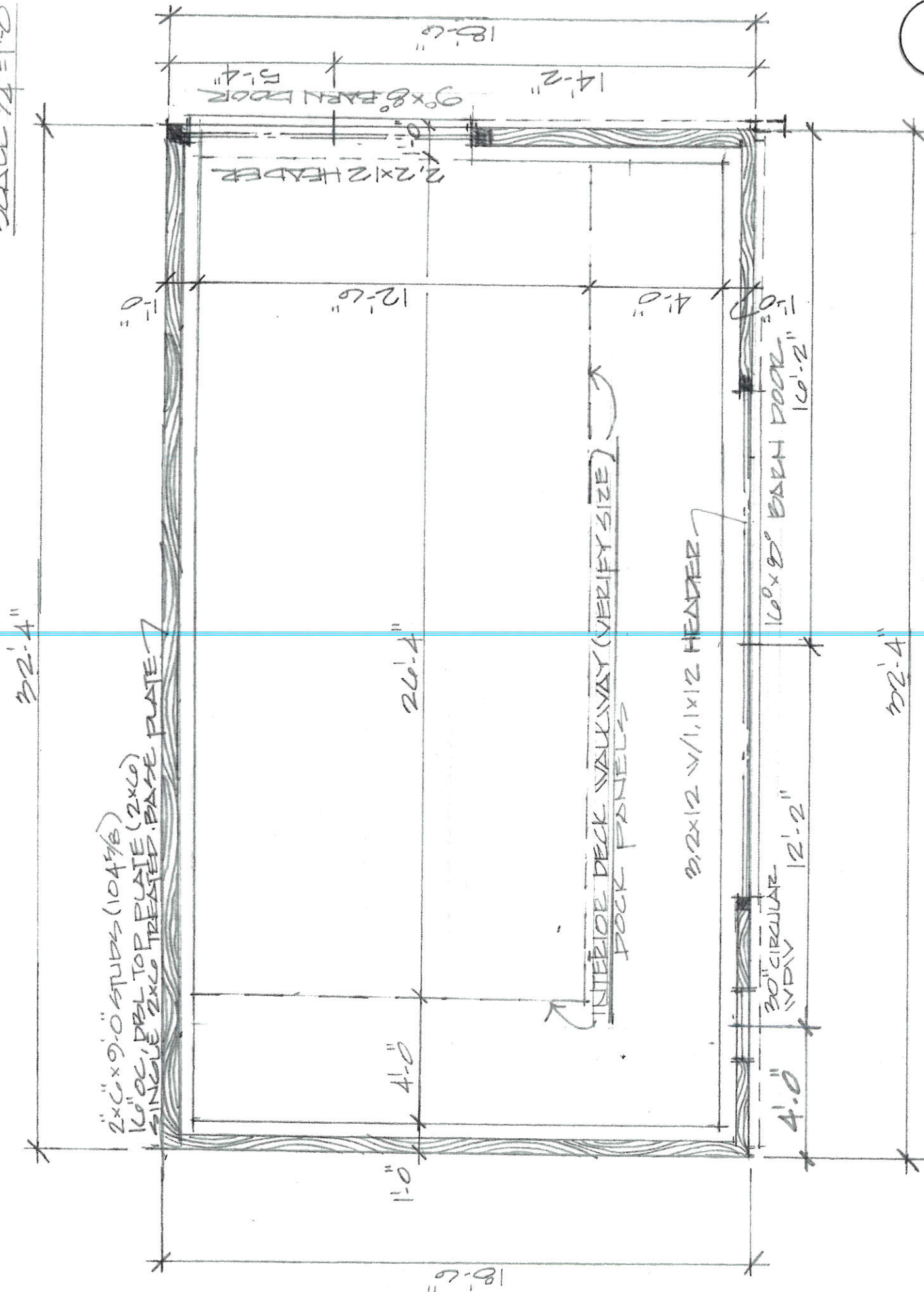
245

32'-4"

FOUNDATION PLAN

WAL HOUKE
CHRIS WILK
SCALE 1/4" = 1'-0"

(Page)



FLOOR PLAN

Page

15# FELT
1/2" 5 PLY CDX PLYWOOD
14" x 5 1/4 PARALAM, CUT 12"
WIDER THAN BLDG W/ 7" H x
6" DEEP x 5 1/4" TOP END CUTS
FOR RAKE BED. ATTACHMENT
PARALAMS TO SIT ON 6x6
POSTS TO SIT ON DEL 2x6
TOP PLATE

NOTE: ATTACH 1/2 CDX
PLYWOOD 1/4" H CLIP

DOV 2x6 TOP PLATE
2x6 STUDS (104 5/8")
7/16" PLYWOOD BRG.
SIDING TO MATCH HOUSE
SINGLE 2x6 TREATED
SILL PLATE

2x6 TOP PLATE
2x2x12. HEADER
1x1x2

2x6 TOP PLATE
2x6 STUDS (104%)
16" OC
TREATED 2x6
BASE PLATE

6x6 posts -
EITHER SIDE OF
OPENING

12" WIDE x 6'-0" CONC
FIELD WALL W/ 3, #5
RODS CONT EA. WAY
ON 24 x 8 CONC FTG W/
3, #5 RODS CONT. #5
DOVELLS 48" OC.

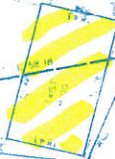
NORTHERN VALLEY REGION

CONDITIONALLY APPROVED
 PEWAUKEE DEPARTMENT OF ZONING ADMINISTRATION
 JOHN SIMS
 SIGN DATE 9/10/14
 BUILDING SERVICES
 JOHN SIMS
 SIGN DATE 9/10/14
 ENGINEERING DEPARTMENT
 JOHN SIMS
 SIGN DATE 9/10/14

TOPOGRAPHIC SURVEY/SITE GRADING PLAN

PEWAUKEE LAKE
 25.0' (10.4' x 14.6')

PEWAUKEE LAKE
 25.0' (10.4' x 14.6')



PETERSON DRIVE
 25.0' (10.4' x 14.6')

EXISTING LOT AREA = 24,553 S.F.
 PROPOSED LOT AREA = 24,553 S.F.

ASPHALT 142 S.F.
 CONCRETE 144 S.F.
 EXISTING BOY-HOUSE 198 S.F.
 EXISTING INSURANCE 140 S.F.
 TOTAL 384 S.F.

EXISTING LOT AREA = 24,553 S.F.
 PROPOSED LOT AREA = 24,553 S.F.

PROPOSED VARIANCE: 15.0' (6.1' x 8.9')
 PROPOSED VARIANCE: 15.0' (6.1' x 8.9')



I have surveyed the above site and find that the same is in compliance with the provisions of the Wisconsin Statutes and the rules and regulations of the Wisconsin Department of Transportation. I am a duly licensed Professional Engineer in the State of Wisconsin.

Michael W. Blum
 Wisconsin License No. 100000000

Surveyed By
 MICHAEL W. BLUM
 100000000
 10/10/14



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of February 21, 2019

Date: February 12, 2019

Project Name: Wills Boathouse Conditional Use

Project Address/Tax Key No.: W267N2955 Peterson Drive/PWC0930025001

Applicant: Christopher L. Wills and Lisa K. Wills

Property Owner: Christopher L. Wills and Lisa K. Wills

Current Zoning: Rs-7 Single-Family Residential District, F-1 Floodplain District, and SO Shoreland Overlay District

Proposed Zoning: Same

2050 Land Use Map Designation: Low – Medium Density Residential (1/2 AC. – 2 AC. / D.U.)

Use of Surrounding Properties: Single-Family residential to the north, south, east, and west

Project Description/Analysis:

The applicant submitted a petition for a Conditional Use Permit for the construction of an 18'-6" x 32'-4" (approximately 598 square feet) boathouse located at W267N2955 Peterson Drive. Per Section 17.0436b.(3) of the Shoreland Overlay District, the construction of a boathouse is allowed as a Conditional Use.

(3) Construction of a boathouse on property abutting Lake Pewaukee provided that such structure has no plumbing, kitchen or built-in cooking facility; is placed no closer than five feet from the OHWM or base flood and the side lot line; is not used, rented or leased for overnight habitation; and, can meet all the regulations set forth herein and in the underlying zoning district.

The proposed boathouse will replace an existing boathouse in substantially the same location. According to the applicant's 2014 survey, the total lot coverage proposed (of all structures and impervious surfaces) is 24.08%. The labels below reflect the survey at the time of home construction. Please note that the only proposed structure or impervious surface at this time is the boathouse.

Lot Area	24,553 square feet
Proposed asphalt drive	782 square feet
Existing asphalt drive	742 square feet
Modified concrete walk	389 square feet
Proposed boathouse (same as existing)	596 square feet
Existing garage	498 square feet
Proposed residence	2,906 square feet
Total impervious surface	5,913 square feet

Staff has reviewed the proposed boathouse, its location and applicable zoning code standards and has determined that the boathouse meets Rs-7, F-1 and SO District standards. The following is a summary of that review.

Rs-7 District

The Rs-7 District requires that the sum total of the first floor area of the principal building and all accessory buildings shall not exceed 30% of the lot area. The boathouse, garage, and house are approximately 4,000 square feet or 16.29% of the lot area; therefore this requirement is met.

With 100-feet of lot width, the Rs-7 District requires a 12-foot side yard setback of all structures. In review of the zoning ordinance, staff did not find an exception or reduced setback for a boathouse or accessory structure of this size. However, the applicant is utilizing the existing foundation of the existing boathouse; therefore, the same side yard setback may be utilized per Section 17.0806. The applicant is not proposing to increase the nonconformity and the foundation location is not changing, except for being altered to comply with the 5-foot setback from the OHWM.

17.0806 NONCONFORMING CHARACTERISTICS OF OLDER RESIDENTIAL STRUCTURES
Notwithstanding any other provisions of this section, residential structures which encroach upon setback and other yard requirements but which met the setback and yard requirements at the time of original construction may be structurally altered provided that they do not create a greater degree of encroachment.

SO District

The SO District states that the total building coverage or footprint of permanent structures shall be no greater than 20% for a property located within 300 feet of the OHWM or base flood elevation. Note that “permanent structures” include “houses, condo/apartment buildings, commercial, industrial or institutional buildings, garages, boathouses, storage buildings, swimming pools, cabanas, gazebos, porticos, carports and like structures.” This requirement is met as the boathouse, garage, and house are approximately 4,000 square feet or 16.29% of the lot area.

F-1 District

Section 17.0435l(2) allows an approved boathouse within the District if it meets certain criteria (see below). It appears these items are or can be met and will be reviewed in detail at the time of Building Permit.

(2) STRUCTURES

Structures accessory to permanent open space uses or functionally dependent on a waterfront location such as an approved boathouse or boat dock may be allowed by permit if the structures comply with all the following criteria:

- (a) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- (b) Has a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (c) Must be anchored to resist flotation, collapse, and lateral movement;
- (d) Mechanical and utility equipment must be elevated or flood proofed above the flood protection elevation; and

(e) Must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional or base flood.

NR115 and NR117

Staff has reviewed NR115 and NR117 standards and believe that they are met. Again, this will be confirmed at the time of Building Permit as part of the detailed review of construction plans.

Recommendation:

A motion to recommend approval of the construction of a new boathouse upon property located at W267N2955 Peterson Drive (PWC0930025001), subject to the following conditions:

1. The boathouse shall not contain any plumbing, kitchen or built-in cooking facilities nor shall it be used for overnight habitation.
2. The boathouse shall be located 5-feet from the Ordinary High Water Mark of Pewaukee Lake and entirely above the ordinary high-water mark.
3. The boathouse shall comply with all criteria outlined in Section 17.0435l(2) of the F-1 Floodplain District.
4. The boathouse shall comply with all requirements of NR115 and NR117 of the Wisconsin Administrative Code.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 7.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Possible Action to Approve **Ordinance 19-10** (*Second Reading*) to Rezone the Property Located at W267 N2920 Peterson Drive (PWC 0930-052-006 & PWC 0930-052-007) from B-5 Highway District to Rs-7 Single-Family Residential for the Purpose of Combining Property and Building an Out-Building as Requested by Tom Knutson [Fuchs]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Ordinance 19-10

Knutson Rezoning Map

Knutson Rezoning Petition

Knutson Rezoning CSM Staff Report

ORDINANCE 19-10

**TO AMEND THE ZONING MAP OF
THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN**

The Common Council of the City of Pewaukee, Waukesha County, Wisconsin do ordain that the Zoning Map of the City of Pewaukee, Wisconsin is hereby amended to change the zoning classification of the property described below as follows:

FROM: **RS-7 SINGLE-FAMILY RESIDENTIAL DISTRICT, B-5 HIGHWAY
BUSINESS DISTRICT, and SO SHORELAND OVERLAY DISTRICT**

TO: **RS-7 SINGLE-FAMILY RESIDENTIAL**

SECTION 1 - DESCRIPTION

The following described property:

Being a part of Lot 1 of CSM No. 9519 and the entire remnant of Lot 4 of CSM No. 4389. Said lands also being a part of the northeast $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 17, Township 7 North, Range 19 East, in the City of Pewaukee, County of Waukesha, State of Wisconsin; said lands are bounded and described as follows:

Commencing and beginning at the southeast corner of said Lot 4 of CSM No. 4389; thence North 73°52'00" West, a distance of 84.20 feet along the north line of Lot 5 of Block 1 of Seaview Estates a recorded Subdivision plat to a found 1" iron pipe; thence North 16°28'00" East, a distance of 301.74 feet to a found 1" iron pipe; North 82°57'00" East, a distance of 88.96 feet; thence South 16°01'10" West, a distance of 336.76 feet to the place of beginning.

Said lands containing 26,485 square feet (0.6080 Acres), more or less of land.

Common Description: W267N2920 Peterson Drive

Tax Key Number: PWC 0930-052-006 & PWC 0930-052-007

SECTION 2 –SEVERABILITY

The several sections of this Ordinance are declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the Ordinance.

SECTION 3 - ACTION

This Ordinance shall take effect upon passage and posting.

Dated this 4th day of March, 2019

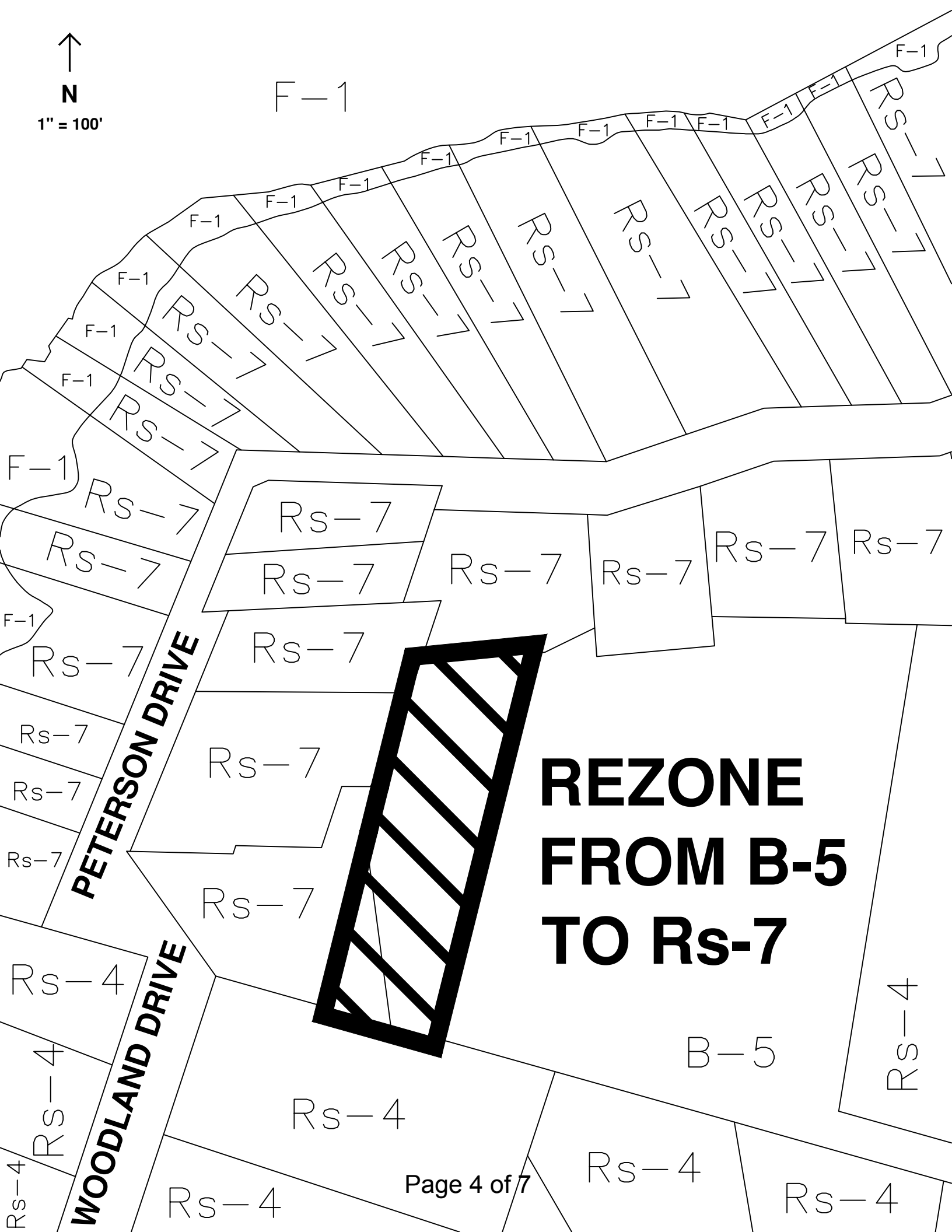
COMMON COUNCIL OF THE CITY OF PEWAUKEE
WAUKESHA COUNTY, WISCONSIN

Attest:

Steve Bierce, Mayor

Kelly Tarczewski, Clerk/Treasurer

↑
N
1" = 100'



**REZONE
FROM B-5
TO Rs-7**

CITY OF PEWAUKEE

STATE OF WISCONSIN

WAUKESHA COUNTY

- NOTICE OF ZONING MAP AMENDMENT PUBLIC HEARING -

**PLEASE TAKE NOTICE THAT THERE WILL BE A PUBLIC HEARING ON THE PETITION OF:
TOM KNUTSON TO REZONE FROM: B-5 HIGHWAY DISTRICT TO: RS-7 SINGLE-FAMILY**

A Rezoning Application requesting approval to rezone property bearing Tax Key No. 0930052006 from B-5 Highway Business District to Rs-7 Single-Family Residential District and a portion of the property located at W267N2920 Peterson Drive (Tax Key No. 0930052007) from Rs-7 Single-Family Residential District and B-5 Highway Business District to Rs-7 Single-Family Residential District. The subject properties are located within 1,000 feet of Pewaukee Lake; therefore, the properties are and will remain subject to the SO Shoreland Overlay District.

Common Description: W267N2920 Peterson Drive

Tax Key Number: PWC 0930052006 & PWC 0930052007

This Amendment to the Zoning Map (Change in zoning) is being proposed for the purpose of: combining property and building an out-building.

THE PUBLIC HEARING will be held at a meeting of the City Plan Commission in the City Hall Common Council Chambers on **Thursday, February 21st, 2019** at or after **7:00 PM.**

Dated this 24th day of January, 2019.

Kelly Tarczewski,
Clerk/Treasurer, City of Pewaukee



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of February 21, 2019

Date: February 13, 2019

Project Name: Knutson Rezoning and Certified Survey Map

Project Address/Tax Key No.: Approximately W267N2920 Peterson Drive/Tax Key Nos. 0930052006 & 0930052007

Applicant: Richard Knutson

Property Owner: Knutson Brothers and Thomas E. Knutson (PWC0930052006) and Thomas E. Knutson and Susan L. Knutson (PWC0930052007)

Current Zoning: Rs-7 Single-Family Residential District, B-5 Highway Business District, and SO Shoreland Overlay District

Proposed Zoning: Rs-7 Single-Family Residential District

2050 Land Use Map Designation: Low Density Residential (> 2 AC. / DWELLING UNIT (D.U.))

Use of Surrounding Properties: Single-family to the north, south and west and commercial (5 O'Clock Club) to the east

Project Description

Rezoning:

The applicant filed a Rezoning Application requesting approval to rezone property bearing Tax Key No. 0930052006 from B-5 Highway Business District to Rs-7 Single-Family Residential District and a portion of the property located at W267N2920 Peterson Drive (Tax Key No. 0930052007) from Rs-7 Single-Family Residential District and B-5 Highway Business District to Rs-7 Single-Family Residential District. The subject properties are located within 1,000 feet of Pewaukee Lake; therefore, the properties are and will remain subject to the SO Shoreland Overlay District.

The existing properties are designated as Low Density Residential on the City's Year 2050 Land Use/Transportation Plan; therefore, the rezoning of the B-5 District to Rs-7 is consistent with the City's Comprehensive Master Plan.

The proposed rezoning also rectifies an existing split zoning issue.

Certified Survey Map:

A Certified Survey Map was also submitted requesting to combine the subject properties and create Outlot 1 as shown on the map. The land combination results in a 40,238 square foot parcel, Lot 1. The 4,383 square foot outlot is planned to be combined with the single-family residential parcel to the north at a future date. This land combination will require another CSM to be reviewed and approved by the City.

The CSM illustrates a proposed garage. Note that the garage will require separate review and approval of a Building Permit prior to construction. It appears to meet all zoning requirements.

Recommendation

A motion recommending approval of the rezoning request to rezone property bearing Tax Key No. 0930052006 from B-5 Highway Business District to Rs-7 Single-Family Residential District and a portion of the property located at W267N2920 Peterson Drive (Tax Key No. 0930052007) from Rs-7 Single-Family Residential District and B-5 Highway Business District to Rs-7 Single-Family Residential District.

A motion recommending approval of a 1 Lot and 1 Outlot Certified Survey Map for properties located at approximately W267N2920 Peterson Drive bearing Tax Key Nos. 0930052006 & 0930052007, subject to:

1. The setbacks shall be amended to illustrate a minimum 30-foot front yard and 35-foot rear yard setback as required by the Zoning Code, prior to recording the CSM with the Waukesha County Register of Deeds.
2. The CSM shall be revised to note the zoning districts, including the Shoreland Overlay District, on the CSM prior to recording with the Waukesha County Register of Deeds.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 8.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding the Certified Survey Map for the Property Located at W267 N2920 Peterson Drive (PWC 0930-052-006 & PWC 0930-052-007) for the Purpose of Combining the Properties and Creating an Outlot as Requested by Tom Knutson [Fuchs]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

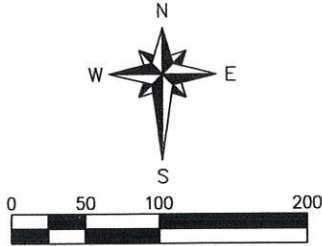
Description

Knutson CSM

PRELIMINARY REVIEW DRAFT
AUTHORITIES APPROVAL PENDING
NOT FOR RECORDING

CERTIFIED SURVEY MAP NO -

BEING LOT 1 OF CSM No. 9519 AND REMNANT OF LOT 4 OF CSM No. 4389. ALSO BEING A PART OF THE
NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 19 EAST,
IN THE CITY OF PEWAUKEE, COUNTY OF WAUKESHA, STATE OF WISCONSIN



GRAPHIC SCALE

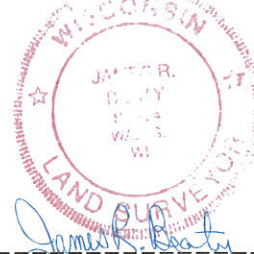
BEARING REFERENCE:

BEARINGS REFERENCED TO WISCONSIN
STATE PLANE COORD. SYSTEM, SOUTH ZONE (NAD27).
WITHIN WHICH THE SOUTH LINE OF PETERSONS SUBDIVISION NO.2
IS ASSUMED TO BEAR N87°10'00"W.

NOTE: OUTLOT 1 TO BE RETAINED BY OWNERS FOR
FUTURE TRANSFER TO ADJOINER.

OWNER(s)/SUBDIVIDER(s):

Thomas E. & Susan L. Knutson
W267 N2920 Peterson Dr
Pewaukee, WI 53072-4434
&
Knutson Brothers & Thomas E. Knutson
W267 N2920 Peterson Dr.
Pewaukee, WI 53072-4434



James R. Beaty, RLS 1834

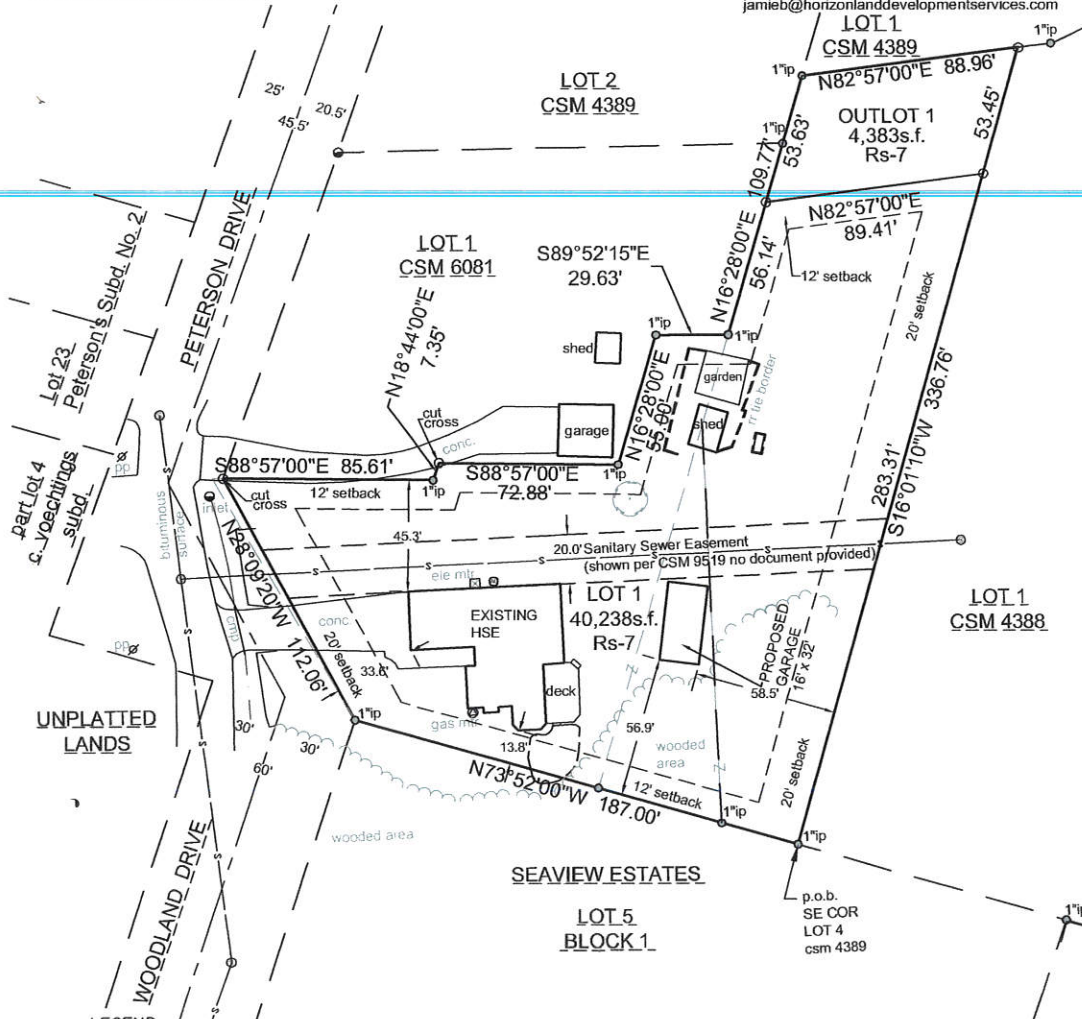
DATED: NOVEMBER 06, 2018

REVISED: JANUARY 29, 2019

PREPARED BY / SURVEYOR:

HORIZON LAND DEVELOPMENT SERVICES, LLC
W313 S2562 PENNY LANE
WALES, WISCONSIN 53183
1-262-349-1575

jamieb@horizonlanddevelopmentsservices.com



LEGEND

- - INDICATES IRON PIPE 1" x 18", 1.13 LBS./LIN.FT. SET (1.315o.d.) (unless noted otherwise)
- - 1" IRON PIPE FOUND (UNLESS NOTED)
- - CONC. MONU. W/ALUMINUM CAP FOUND
- (R) - RECORDED AS

RS-7 ZONING SETBACKS:

Front: 20 feet
Rear: 20 feet
Side: 12 feet
(Other restrictions may apply, see zoning code)

PRELIMINARY REVIEW DRAFT
AUTHORITIES APPROVAL PENDING
NOT FOR RECORDING

CERTIFIED SURVEY MAP NO — _____
BEING LOT 1 OF CSM No. 9519 AND REMNANT OF LOT 4 OF CSM No. 4389. ALSO BEING A PART OF THE
NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 19 EAST,
IN THE CITY OF PEWAUKEE, COUNTY OF WAUKESHA, STATE OF WISCONSIN

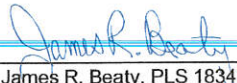
SURVEYOR'S CERTIFICATE:

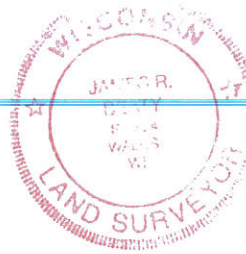
I hereby certify that by the direction of the Owner, I have surveyed, divided, and mapped the land shown and described hereon, being a redivision of Lot 1 of CSM No. 9519 and the entire remnant of Lot 4 of CSM No. 4389. Said lands also being a part of the northeast 1/4 of the northwest 1/4 of Section 17, Township 7 North, Range 19 East, in the City of Pewaukee, County of Waukesha, State of Wisconsin; said lands are bounded and described as follows:

Commencing and beginning at the southeast corner of said Lot 4 of CSM No. 4389; thence North 73°52'00" West, a distance of 187.00 feet along the north line of Lot 5 of Block 1 of Seaview Estates a recorded Subdivision plat to a point on the easterly R.O.W. line of Peterson Drive; thence North 28°09'20" West, a distance of 112.06 feet along the easterly R.O.W. line of Peterson Drive; thence South 88°57'00" East, a distance of 85.61 feet; thence North 18°44'00" East, a distance of 7.35 feet; thence South 88°57'00" East, a distance of 72.88 feet, thence North 16°28'00" East, a distance of 55.00 feet; thence South 89°52'15" East, a distance of 29.63 feet; thence North 16°28'00" East, a distance of 109.77 feet; thence North 82°57'00" East, a distance of 88.96 feet; thence South 16°01'10" West, a distance of 336.76 feet to the place of beginning. Said Lands containing 44,621 s.f. (1.0244 Acres), more or less of land.

I further certify that I have fully complied with the provisions of section 236.34 of the Wisconsin Statutes and the City of Pewaukee Land Division Ordinance in surveying, dividing, and mapping and that this Certified Survey Map is a true and correct representation of all exterior boundaries and the division of said land.

DATED: NOVEMBER 06, 2018
REVISED: JANUARY 29, 2019


James R. Beaty, PLS 1834



PRELIMINARY REVIEW DRAFT
AUTHORITIES APPROVAL PENDING
NOT FOR RECORDING

CERTIFIED SURVEY MAP NO — _____
BEING LOT 1 OF CSM No. 9519 AND REMNANT OF LOT 4 OF CSM No. 4389. ALSO BEING A PART OF THE
NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 19 EAST,
IN THE CITY OF PEWAUKEE, COUNTY OF WAUKESHA, STATE OF WISCONSIN

OWNER'S CERTIFICATE:

As owner(s), we hereby certify that we have caused the land shown and described on this Certified Survey Map to be surveyed, divided, and mapped as shown hereon.

We also certify that this map is required by section s236.34 of the Wisconsin Statutes to be submitted to the following for approval or objection: City of Pewaukee

Thomas E. Knutson, Owner

Susan L. Knutson, Owner

State of Wisconsin)
ss
Waukesha County)

Personally came before me this ____ day of _____, 20__, the above named
Thomas E. Knutson, Owner(s) and Susan L. Knutson, Owner(s), to me known to be the person(s)
who executed the foregoing instrument and acknowledged the same.

_____(SEAL)
Notary Public, State of Wisconsin
My commission expires _____
My commission is permanent.

OWNER'S CERTIFICATE:

As owner(s), we hereby certify that we have caused the land shown and described on this Certified Survey Map to be surveyed, divided, and mapped as shown hereon.

We also certify that this map is required by section s236.34 of the Wisconsin Statutes to be submitted to the following for approval or objection: City of Pewaukee

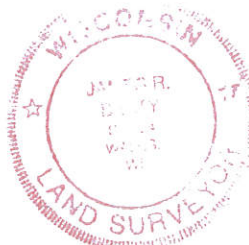
Name, Title

Name, Title

State of Wisconsin)
ss
Waukesha County)

Personally came before me this ____ day of _____, 20__, the above named
_____, _____ and _____, _____, Owner(s),
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

_____(SEAL)
Notary Public, State of Wisconsin
My commission expires _____
My commission is permanent.



James R. Beaty

James R. Beaty, RLS 1834
DATED: NOVEMBER 06, 2018
REVISED: JANUARY 29, 2019

PRELIMINARY REVIEW DRAFT
AUTHORITIES APPROVAL PENDING
NOT FOR RECORDING

CERTIFIED SURVEY MAP NO - _____

BEING LOT 1 OF CSM No. 9519 AND REMNANT OF LOT 4 OF CSM No. 4389. ALSO BEING A PART OF THE
NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 7 NORTH, RANGE 19 EAST,
IN THE CITY OF PEWAUKEE, COUNTY OF WAUKESHA, STATE OF WISCONSIN

PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Plan Commission of the City of Pewaukee
on this _____ day of _____, 20__.

Steve Bierce, Chairperson

Date

Brandon Bergman, Secretary

Date

COMMON COUNCIL APPROVAL

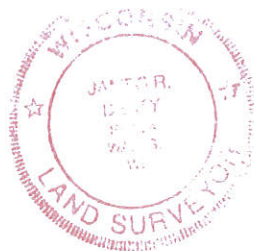
This Certified Survey Map is approved by the Common Council of The City of Pewaukee
on this _____ day of _____, 20__.

Steve Bierce, Mayor

Date

Kelly Tarczewski, Clerk/Treasurer

Date



James R. Beaty

James R. Beaty, RLS 1834
DATED: NOVEMBER 06, 2018
REVISED: JANUARY 29, 2019

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 9.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding the Certified Survey Map for the Property Located at W226 N2974 Duplainville Road (PWC 0914-992 & PWC 0914-993) for the Purpose of Combining Two Existing Parcels Into a Single Lot for the Surf Prep Development as Requested by John Troudt [Fuchs]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Troudt Surf Prep CSM

Troudt Surf Prep CSM Staff Report

CERTIFIED SURVEY MAP NO. _____

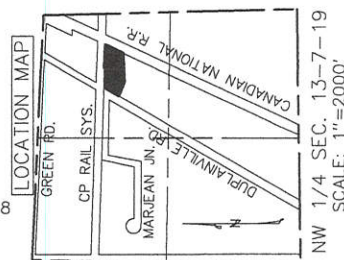
PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 7 NORTH
RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

SURVEYED BY:
MICHAEL W. BUECHL, INC.
233 OAKTON AVENUE
PEWAUKEE, WI 53072
262-691-4444

SURVEYED FOR:
JOHN D. TROUDT
AND SUSAN H. TROUDT
N21W28694 LOUIS AVE.
PEWAUKEE, WI 53072

LEGEND

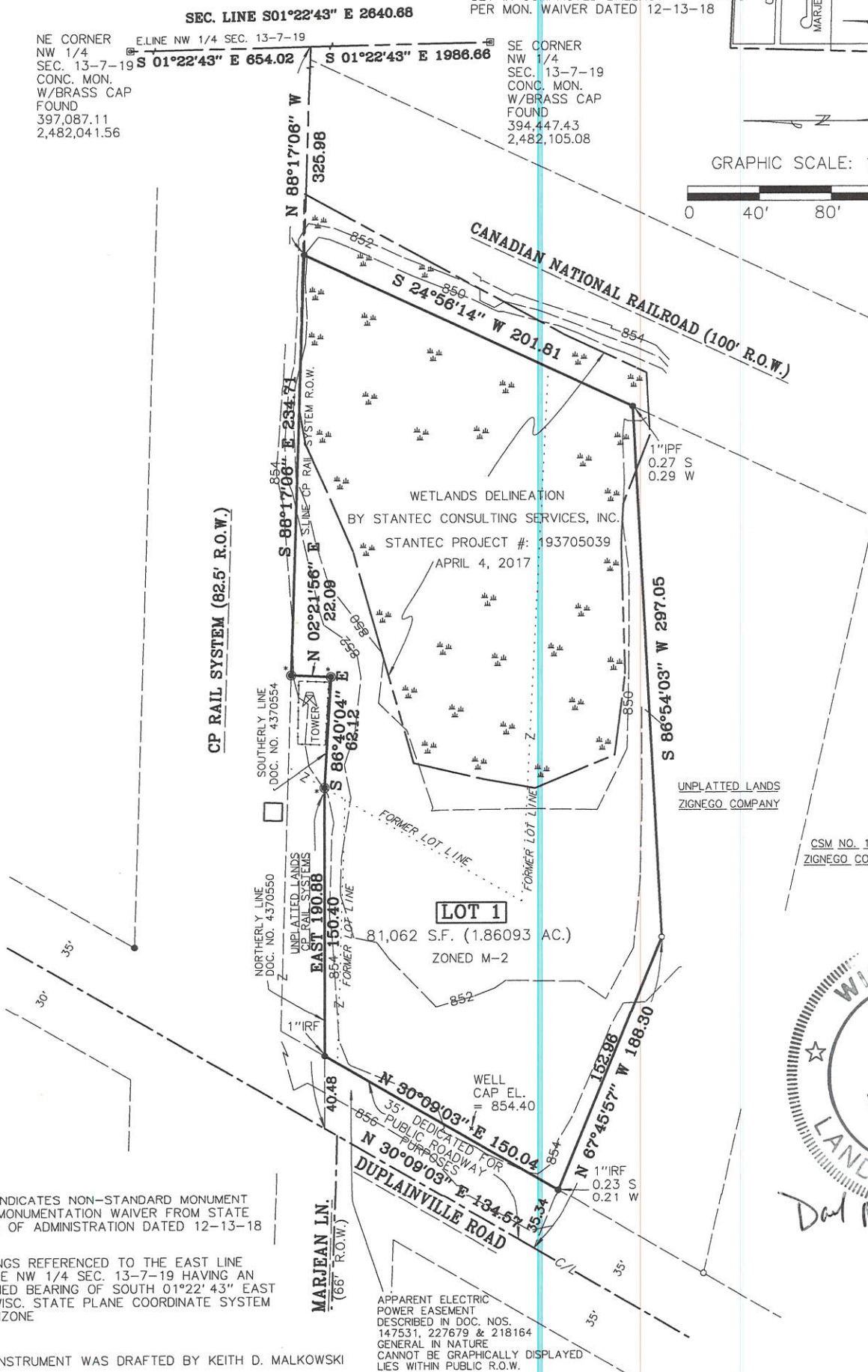
- - INDICATES 1-INCH DIA IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
- - INDICATES 1-INCH DIA. IRON PIPE SET 1.13 LBS/LIN.FT. 18" LONG
- - INDICATES 7/8-INCH DIA * STEEL MASONARY PIN 24-INCHES LONG SET IN COMPACTED BALLAST PER MON. WAIVER DATED 12-13-18



NE CORNER NW 1/4 SEC. 13-7-19
S 01°22'43" E 654.02
S 01°22'43" E 1986.68
CONC. MON.
W/BRASS CAP
FOUND
397,087.11
2,482,041.56

SE CORNER NW 1/4 SEC. 13-7-19
CONC. MON.
W/BRASS CAP
FOUND
394,447.43
2,482,105.08

GRAPHIC SCALE: 1" = 80'



* - INDICATES NON-STANDARD MONUMENT
PER MONUMENTATION WAIVER FROM STATE
DEPT. OF ADMINISTRATION DATED 12-13-18

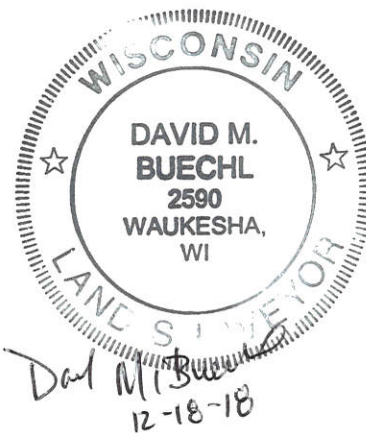
BEARINGS REFERENCED TO THE EAST LINE
OF THE NW 1/4 SEC. 13-7-19 HAVING AN
ASSUMED BEARING OF SOUTH 01°22'43" EAST
PER WISC. STATE PLANE COORDINATE SYSTEM
SOUTHZONE

THIS INSTRUMENT WAS DRAFTED BY KEITH D. MALKOWSKI

APPARENT ELECTRIC
POWER EASEMENT
DESCRIBED IN DOC. NOS.
147531, 227679 & 218164
GENERAL IN NATURE
CANNOT BE GRAPHICALLY DISPLAYED
LIES WITHIN PUBLIC R.O.W.

UNPLATTED LANDS
ZIGNEGO COMPANY

CSM NO. 10888
ZIGNEGO COMPANY



CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 7
NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

State of Wisconsin)
:ss
Waukesha County)

I, David M. Buechl, a professional land surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Northeast 1/4 of the Northwest 1/4 of Section 13, Township 7 North, Range 19 East, in the City of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Northwest 1/4; thence South 01°22'43" East, along the East line of said Northwest 1/4, 654.02 feet to the Southerly line of the CP Rail System right-of-way; thence North 88°17'06" West, along said Southerly line, 325.98 feet to the Westerly line of the Canadian National Railroad right-of-way and the place of beginning of the lands to be described; thence South 24°56'14" West, along said Westerly line, 201.81 feet; thence South 86°54'03" West 297.05 feet; thence North 67°45'57" West 188.30 feet to the centerline of Duplainville Road; thence North 30°09'03" East, along said centerline, 134.57 feet to the extension of the Northerly line of the lands described in Document No. 4370550; thence East 190.88 feet to an angle point, said point lying on the Southerly line of the lands described in Document No. 4370554; thence South 86°40'04" East. Along said Southerly line, 62.12 feet; thence North 02°21'56" East 22.09 feet to the Southerly line of the CP Rail System right-of-way; thence South 88°17'06" East 234.71 feet, along said Southerly line, to the place of beginning.

Excepting the Northwesterly 35 feet for public roadway purposes.

Containing 81,062 square feet (1.86093 acres) more or less.

That I have made this survey, land division and map by the direction of the owners of said land.

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

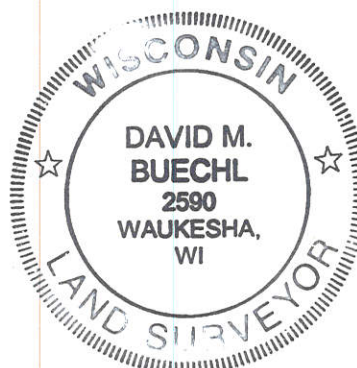
That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes pertaining to Certified Survey Maps (Section 236.34 and the Regulations of the City of Pewaukee in surveying, dividing and mapping the same.

12-18-18

Date

David M. Buechl

David M. Buechl
Professional Land Surveyor (S-2590)



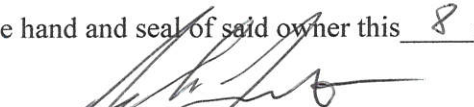
CERTIFIED SURVEY MAP NO. _____

**PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 7
NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN**

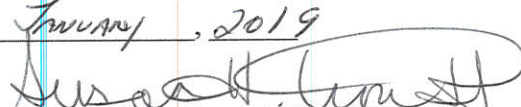
OWNER'S CERTIFICATE OF DEDICATION

AS OWNERS, John D. Troudt and Susan H. Troudt, we hereby certify that we have caused the land described in this document to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 236 of the Wisconsin Statutes pertaining to Certified Survey Maps (Section 236.34) and the Regulations of the City of Pewaukee.

WITNESS the hand and seal of said owner this 8 day of January, 2019



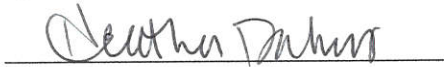
John D. Troudt, Owner



Susan H. Troudt

State of Wisconsin)
:ss
Waukesha County)

PERSONALLY came before me this 8th day of January, 2018, John and Susan Troudt, to me known to be the persons who executed the Owner's Certificate and acknowledged the same.



Notary Public:

09/11/2021
My commission expires:



CERTIFICATE OF APPROVAL

RESOLVED that the above Certified Survey Map which has been filed for approval, be and is hereby approved as required by the Subdivision Regulations and Chapter 236 of Wisconsin Statutes relating to Certified Survey Maps. I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Board of the City of Pewaukee on this _____ day of _____, _____.

Approved: _____
Steve Bierce, Chairman

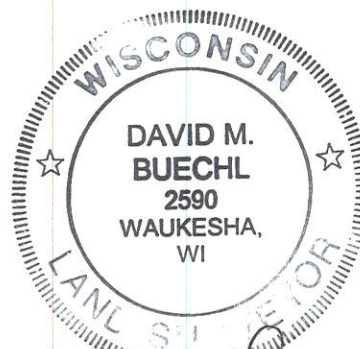
Signed: _____
Kelly Tarczewski, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the City of Pewaukee Planning Commission, this _____ day of _____, _____.

Approved: _____
Steve Bierce, Mayor

Signed: _____
Secretary



This instrument was drafted by Keith D. Malkowski


12-18-18

Sheet 3 of 3



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of February 21, 2019

Date: February 13, 2019

Project Name: Troudt/Surf Prep Certified Survey Map

Project Address/Tax Key No.: Approximately W226N2974 Duplainville Road/Tax Key Nos. 0914992 & 0914993

Applicant: Briohn Building Corporation

Property Owner: John D. Troudt

Current Zoning: M-2 Limited Industrial District

Proposed Zoning: Same

2050 Land Use Map Designation: Manufacturing/Fabrication/Warehousing

Use of Surrounding Properties: CP Rail System to the north, industrial to the south and west, and the Canadian National Railroad to the east

Project Description

At their September 20, 2018 meeting, the Plan Commission approved site and building plans for a 12,157 square foot building upon two existing parcels located along the east side of Duplainville Road at Marjean Lane.

As part of that approval, the applicant was required to submit a certified survey map combining the two existing parcels into a single lot to accommodate the development. As such, a CSM has been provided for review and approval.

With approval of the CSM, an 81,062 square foot parcel will be created. The land combination will eliminate the existing internal property, eliminating parking lot and building setback issues.

Both properties are currently zoned M-2 Limited Industrial District, so split zoning is not an issue.

Recommendation

A motion recommending approval of a 1 Lot Certified Survey Map combining the two existing properties located at approximately W226N2974 Duplainville Road, bearing Tax Key Nos. 0914992 and 0914993, subject to illustrating the required M-2 District minimum setbacks on the face of the CSM, prior to recording with the Waukesha County Register of Deeds.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 10.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding the Certified Survey Map for the Property Located at N45 W25171 Lindsay Road (PWC 0877-993-001) for the Purpose of Subdividing the Property as Requested by Linda Uebele (PWC 0877993001)

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Uebele CSM

Uebele CSM Staff Report

Waukesha County Certified Survey Map

Current Rs-3 Zoning (subject to change)
Minimum building setback from road = 40' row
Minimum building side setback = 20' ft.
Minimum building rear setback = 35' ft.
33' roadway dedicated per CSM No. 2146.
7.0' dedicated to the public for road purposes
0.090 acre (3,915 sq. ft.)
unplanted lands

All of Certified Survey Map No. 2146 as recorded in the Waukesha County Registry in Volume 15 of Certified Survey Maps on pages 139-141 as Document No. 891103, being all of Parcel 3 of Certified Survey Map No. 1439 as recorded in the Waukesha County Registry in Volume 9 of Certified Survey Maps on pages 315-316 as Document No. 795195, all in the SE 1/4 of the NE 1/4 of Section 4, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin.

unplanted lands

Lindsay Road (formerly C.T.H. "JF")

drainage easement
R 621.1 504

Owner/Subdivider
Eva Linda Uebele
N45W25171 Lindsay Rd.
Pewaukee, WI 53072
Surveyor

Northeast corner
Sec. 04-07-19
conc. mon./brass cap found
N: 407.647.34
E: 2,468.833.32
(State Plane Coordinates
South Zone MAD-27)

Donald J. Thoma
Accurate Surveying &
Engineering, LLP.
2911 Wildlife Lane
Richfield, WI 53076

N 00°00'00" W 2475.01'
east line of the NE 1/4 Sec. 4-7-19

Scale in feet
1" = 100'

(meas. S 85°44'58" W 2665.65')
N 85°45'04" E 2665.38'
2652.65'

East quarter corner
Sec. 04-07-19
N: 405.172.25
E: 2,468.833.32
(State Plane Coordinates
South Zone MAD-27)

witness corner
conc. mon./brass
cap found

Bearings are referenced to
the Wisconsin State Plane
Coordinate Grid System,
South Zone. The east line
of the NE 1/4 of Sec. 4-
7-19 has a grid bearing of
N 00°00'00" E.
(r.a.) means "recorded as"
(meas.) means "measured as"
P.O.B. - indicates Point of Beginning.
• indicates a 1.3" od iron pipe
found unless noted.
○ indicates a 1.3" od x 18" iron
pipe weighing 1.68 lbs./ft. set.



Certified Survey Map No. 4292

Lot 3

(r.a. S 11°01' W)
351.53'
S 06°46'04" W 358.61'

Floodway
Pewaukee River
Flood Zone AE
100 year flood line

Flood Zone AE
100 year flood line

S 89°33'04" W 588.65'

(r.a. S 86°12' E 414.77')

Certified Survey Map No. 2145

Lot 2
3.703 Acres
161284 Sq. Ft.

Lot 1
1.010 Acres
44012 Sq. Ft.

(r.a. N 06°45'58" E) (r.a. N 06°45' E 340.16)
N 02°29'58" E 340.08'

Parcel 2

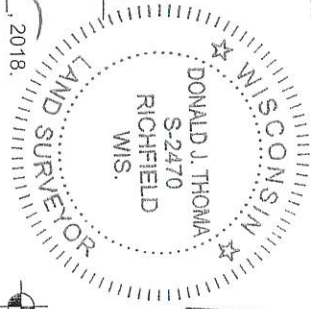
Certified Survey Map No. 1439

Parcel 4

Donald J. Thoma, S-2470

Donald J. Thoma

Dated this 16 day of December, 2018.



Center
Sec. 04-07-19
conc. mon./brass cap found

Surveyor's Certificate:

Waukesha County Certified Survey Map

All of Certified Survey Map No. 2146 as recorded in the Waukesha County Registry in Volume 15 of Certified Survey Maps on pages 139-141 as Document No. 891103, being all of Parcel 3 of Certified Survey Map No. 1439 as recorded in the Waukesha County Registry in Volume 9 of Certified Survey Maps on pages 315-316 as Document No. 795195, all in the SE 1/4 of the NE 1/4 of Section 4, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin.

Line Chart

LINE	BEARING	DISTANCE
L1	N 88°03'04" E	59.20'
L2	N 01°56'56" W	7.00'
L3	S 01°56'56" E	7.00'

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Eva Linda Uebele, I have surveyed, divided and mapped the land shown and described hereon, All of Certified Survey Map No. 2146 as recorded in the Waukesha County Registry in Volume 15 of Certified Survey Maps on pages 139-141 as Document No. 891103, being all of Parcel 3 of Certified Survey Map No. 1439 as recorded in the Waukesha County Registry in Volume 9 of Certified Survey Maps on pages 315-316 as Document No. 795195, all in the SE 1/4 of the NE 1/4 of Section 4, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin, which is bounded and described as follows:

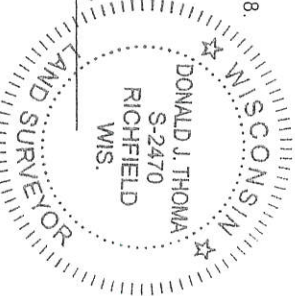
Commencing at a concrete monument with a brass cap marking the Northeast corner of said Section 4; thence S 00°00'00" E, along the east line of said NE 1/4, 2037.82 feet; thence N 90°00'00" W, 150.00 feet; thence N 00°00'00" W, 290.34 feet, to a point in the southerly right-of-way line of Lindsay Road; thence S 88°03'04" W, along said southerly right-of-way line, 205.29 feet, to the northwest corner of Lot 3 of Certified Survey Map No. 4292, as recorded in the Waukesha County Registry as Document No. 1206997; thence N 06°46'04" E, 17.20 feet, to a point in the said southerly right-of-way line of Lindsay Road, being the northeast corner of said Certified Survey Map No. 2146, and the point of beginning of lands herein described; thence S 06°46'04" W, along the westerly line of said Lot 3, 358.61 feet; thence S 89°33'04" W, along the line of said Lot 3 and the north line of Certified Survey Map No. 2145, as recorded in the Waukesha County Registry as Document No. 891102, 588.65 feet, to the southeast corner of Parcel 2 of said Certified Survey Map No. 1439; thence N 02°29'58" E, along the east line of said Parcel 2, 340.08 feet, to a point in said southerly right-of-way line of Lindsay Road, being the northwest corner of said Certified Survey Map No. 2146; thence N 88°03'04" E, along said southerly right-of-way line, 616.41 feet to the point of beginning.

Containing 4.803 acres (209,211 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes, Waukesha County and the City of Pewaukee Land Division Ordinance in surveying, dividing, and mapping said land, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 10th day of December, 2018.


Donald J. Thoma, S-2470



Owner's Certificate:

As Owner, I hereby certify that I caused the land shown and described herein to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required to be submitted to the following for approval.

City of Pewaukee Plan Commission
City of Pewaukee Common Council

Waukesha County Dept. of Parks and Land Use

Eva Linda Uebele - Owner

STATE OF WISCONSIN)

COUNTY)s.s.

Personally came before me this _____ day of _____, 201____, the above named owner is to me known to be the same person who executed the foregoing instrument and acknowledge the same.

(Notary Seal) _____, Notary Public, _____, Wisconsin.

My commission expires _____

Waukesha County Certified Survey Map

All of Certified Survey Map No. 2146 as recorded in the Waukesha County Registry in Volume 15 of Certified Survey Maps on pages 139-141 as Document No. 891103, being all of Parcel 3 of Certified Survey Map No. 1439 as recorded in the Waukesha County Registry in Volume 9 of Certified Survey Maps on pages 315-316 as Document No. 795195, all in the SE 1/4 of the NE 1/4 of Section 4, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin.

City of Pewaukee Plan Commission Approval:

This land division is hereby approved by the City of Pewaukee Plan Commission on this _____ day of _____, 201__.

Steve Bierce - Chairman

- Secretary

City of Pewaukee Common Council Approval:

This land division is hereby approved and road dedication accepted by the City of Pewaukee on this _____ day of _____, 201__.

Steve Bierce - Mayor

Kelly Tarczewski - City Clerk

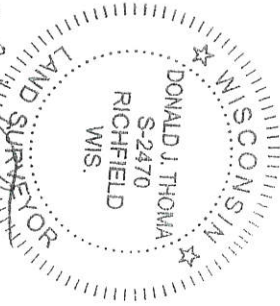
Waukesha County Department of Parks and Land Use

The above, which has been filed for approval as a required by Chapter 236 of the Wisconsin State Statutes, is hereby approved on

this _____ day of _____, 201__.

Dale R. Shaver, Director of

Waukesha County Dept. of Parks and Land Use



Donald J. Thoma, S-2470

Dated this _____ day of _____, 2018.



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE PLAN COMMISSION

Meeting of February 21, 2019

Date: February 13, 2019

Project Name: Uebele Certified Survey Map

Project Address/Tax Key No.: N45W25171 Lindsay Road/PWC0877993001

Applicant: Linda Uebele

Property Owner: Linda Uebele

Current Zoning: Rs-3 Single-Family Residential, F-1 Floodplain District and SO Shoreland Overlay District

Proposed Zoning: Same

2050 Land Use Map Designation: Low Density Residential (1/2 AC. – 2 AC. / D.U.) and Flood Plains, Lowland & Upland Conservancy, And Other Natural Areas

Use of Surrounding Properties: Single-family residential to the north, south, east, and west

Project Description

The Plan Commission previously considered a conceptual review at the December 20, 2018 Plan Commission meeting for the subject land division request. The proposed certified survey map subdivides the existing property located at N45W25171 Lindsay Road into two separate lots.

The property currently contains an existing barn and possibly other accessory or temporary structures. The property also has a substantial amount of outdoor storage, which the property owner is in the process of removing. Upon any further development of the property, the City will require that any property maintenance issues be corrected prior to issuance of building permits.

The proposed land division creates two lots anticipated for single-family residential development. Lot 1 has an area of 1.010-acres and Lot 2 has an area of 3.703-acres. The building areas shown on the concept plan are all outside of the floodplain boundary and F-1 District as well as the 75-foot floodplain setback. Development of Lots 1 and 2 shall conform to all Rs-3 District standards

The proposed lots are potentially served by public sewer and water facilities through the Village of Pewaukee. The property owner has reached out to the Village and are currently discussing the possibility and costs of connecting to their sewer and water systems. If, for any reason, public sewer or water is not provided for each lot by the Village, the lot(s) not being served must be rezoned to a zoning district that does not require public sewer and water facilities. Furthermore, the land division must be revised to provide a minimum of 2-acres for any lot that requires a private onsite septic system.

The existing barn on the property is located within the front yard setback and future right-of-way of Lindsay Road. The CSM is dedicating additional right-of-way along Lindsay Road, except for a portion adjacent to the barn. As the barn is nonconforming and the right-of-way will be needed in the future, staff is recommending:

The existing barn structure located within and adjacent to Lindsay Road right-of-way shall be razed upon development of Lot 1, sale of Lot 1 or upon the widening of Lindsay Road, whichever occurs first. The property owner shall enter into a Development Agreement with the City of Pewaukee agreeing to the removal of the barn upon the City's request for purposes of widening Lindsay Road, prior to recording the certified survey map with the Waukesha County Register of Deeds.

Natural Resources:

In addition to being zoned Rs-3, the property also has F-1 Floodplain District and SO Shoreland Overlay District zoning. The certified survey map includes a field determined floodplain boundary, which varies from the mapped F-1 District on the City's zoning map. Staff is not recommending that the F-1 District boundary be rezoned to match the field delineated boundary at this time. The field delineation is not substantially different and currently no development is proposed. If development is proposed in the future, it may be necessary to rezone the F-1 District boundary; however, the limits of disturbance would likely be far enough away that it may still not be necessary.

Per the Wisconsin Department of Natural Resources Water Surface Data Viewer, a navigable stream is located on the east side of the property. Therefore, the Shoreland Overlay District applies as it protects shoreland areas of lakes and streams, which includes all land within 300-feet of the Ordinary High Water Mark (OHWM) of all navigable streams. The certified survey map illustrates the location of the stream and shoreland boundary line.

WDNR mapping also shows a mapped wetland and hydric soils along the east side of the property. Staff's initial comment to the applicant stated, "Please be aware that as long as any development onsite is a significant distance from WDNR mapped hydric soils a wetland delineation will not be required. Note that this determination may change if areas of land disturbance become closer to these areas than currently anticipated."

Staff continues to note that a final determination has not yet been made regarding the requirement of field delineations. Once disturbance limits are determined by the applicant, staff will review and make a final determination based upon the distance from any land disturbance activities to hydric soils onsite.

SEWRPC mapping identifies the navigable stream and an approximate buffer as a Secondary Environmental Corridor. The Floodplain boundary is shown as Planned Secondary Environmental Corridor per the SEWRPC Regional Map Server.

Recommendation

A motion recommending approval of a 2 Lot Certified Survey Map subdividing property located at N45W25171 Lindsay Road, subject to the recommended condition noted above.

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 11.**

DATE: March 4, 2019

DEPARTMENT: Planning

PROVIDED BY:

SUBJECT:

Preliminary Discussion Regarding the Request of Briohn Builders to Vacate the Northmound Right-of-Way [Fuchs]

BACKGROUND:

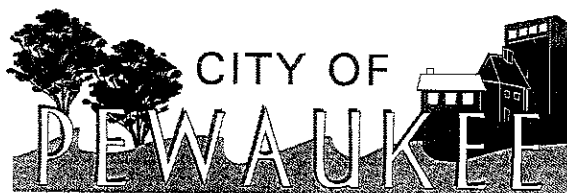
FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

Street Vacation



Office of the Planner & Community Development Director
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072
Phone (262) 691-0770 Fax (262) 691-1798
fuchs@pewaukee.wi.us

REPORT TO THE COMMON COUNCIL

Meeting of March 4, 2019

Date: February 27, 2019

Project Name: Briohn Building Corporation Northmound Industrial Site

Project Address/Tax Key No.: W226N918 Northmound Drive/PWC0962998005

Applicant: Briohn Building Corporation

Property Owner: Silver Creek Apartments

Current Zoning: M-2 Limited Industrial District

Proposed Zoning: Same

2050 Land Use Map Designation: Manufacturing / Fabrication / Warehousing

Use of Surrounding Properties: I-94 to the north, industrial to the south and east and institutional to the west

Introduction/Project Description

Attached is a request to vacate approximately 0.1320 acre (5,570 square feet) of City of Pewaukee right-of-way consisting of a portion of a planned cul-de-sac, which extends along the east side of Northmound Drive, generally located south of Interstate 94 and north of Eastmound Drive, directly adjacent to property located at W226N918 Northmound Drive bearing Tax Key No. 0962-998-005 (Silver Creek Apartments, owner), property bearing Tax Key No. 0962-998-004 (Sanitary District #3, owner), and property located along the west side of Northmound Drive at N5W23000 Bluemound Road bearing Tax Key No. 0962-995-008 (Payne & Dolan, Inc., owner).

Northmound Drive is currently improved from Eastmound Drive, extending north approximately 260-feet where the pavement then narrows and continues north for about 400-feet to the Sanitary District #3 parcel. The full cul-de-sac, however, is not improved.

The applicant and property owner of the subject parcel are requesting to attach the entirety of the vacated right-of-way to the property at W226N918 Northmound Drive to accommodate the development of a 131,400 square foot industrial building.

The attached application and materials further detail the request and illustrates the location of the subject right-of-way.

Process/Next Steps

If the Common Council chooses to entertain the vacation of the subject right-of-way and approves the recommended motion below, the Plan Commission would then consider the matter and make a recommendation whether to vacate the right-of-way or not.

Following Plan Commission recommendation, the Common Council will commence proceedings by introducing the draft resolution and setting a public hearing date. The Common Council then holds the public hearing and ultimately approves or denies the request.

Recommendation

A motion to refer the right-of-way vacation consisting of a portion of a planned cul-de-sac, which extends along the east side of Northmound Drive, generally located south of Interstate 94 and north of Eastmound Drive, directly adjacent to property located at W226N918 Northmound Drive bearing Tax Key No. 0962-998-005 (Silver Creek Apartments, owner), property bearing Tax Key No. 0962-998-004 (Sanitary District #3, owner), and property located along the west side of Northmound Drive at N5W23000 Bluemound Road bearing Tax Key No. 0962-995-008 (Payne & Dolan, Inc., owner).

January 21, 2019

Nick Fuchs
Planner & Community Development Director
City of Pewaukee
W240 N3065 Pewaukee Road
Pewaukee, WI 53072

Re: Northmound Drive – Road Vacation
BBC Northmound, LLC Project

Dear Mr. Fuchs,

This letter is being written to request that the City of Pewaukee vacate a portion of the undeveloped Northmound Drive right-of-way. Northmound Drive is located in the Northwest Quarter (NW 1/4) of Section 25, Town 7 North, Range 19 East, generally north of Bluemound Road (CTH JJ) and south of I-94.

Northmound Drive extends northerly off of Eastmound and Westmound Drives and the first 245 feet of Northmound Drive has previously been constructed. This portion of Northmound Drive serves the properties located at W226 N900 Eastmound Drive and W227 N937 Westmound Drive. The northern 400 feet of Northmound Drive was dedicated as part of Certified Survey Map No. 9037 recorded on August 28, 2000. This portion of the road was never constructed. There is an existing driveway (17.5' +/- wide) in the right-of-way that serves the City wellhouse on Lot 1 of Certified Survey Map No. 7099.

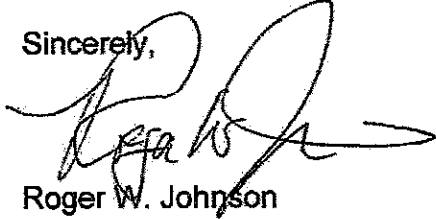
BBC Northmound, LLC is proposing to construct a 131,400 square foot building on the property located on the east side of Northmound Drive. The proposal is to construct a cul-de-sac at the end of the existing road. This cul-de-sac will provide access to the new building, to the Pewaukee Sanitary District wellhouse, and right-of-way frontage to the Payne & Dolan property on the west side of Northmound Drive. The cul-de-sac will be developed to City standards. With this proposed road layout, a portion of Northmound Drive can be vacated and that portion is the portion being requested with this letter.

The City of Pewaukee has a Street Right-of-Way Vacation Process and, in the process, it notes that the applicant shall obtain signatures of the property owners abutting the proposed vacated areas and owners within 2650' on the subject road. In this case, there are three property owners that abut the proposed vacated areas and two other property

owners that have properties on Northmound Drive. Attached to this letter are the signatures of the owners, in support of the requested street vacation.

Please contact me if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger W. Johnson', with a large, stylized initial 'R' and a long horizontal flourish extending to the right.

Roger W. Johnson
Managing Member
Silver Creek Apartments
20711 Watertown Rd
Suite A
Waukesha, WI 53186

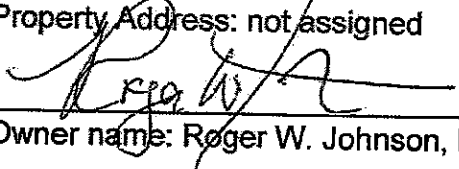
Properties abutting the proposed vacated Northmound Drive:

Tax Key Number: PWC 0962998004
Owner: City of Pewaukee Sanitary District #3
Property Address: not assigned

Owner name:

Date: _____

Tax Key Number: PWC 0962998005
Owner: Silver Creek Apartments
Property Address: not assigned

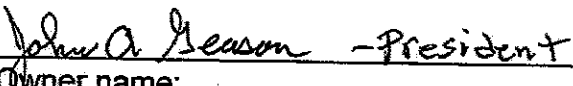


Owner name: Roger W. Johnson, Managing Member

Date: 1/22/2019

Properties also located on Northmound Drive:

Tax Key Number: PWC 0963999028
Owner: Nagawicka View Dairy Farm Inc
Property Address: W226 N900 Eastmound Drive



Owner name: John A. Season - President

Date: 1-22-19

Tax Key Number: PWC 0963999027
Owner: Nagawicka View Dairy Farm Inc
Property Address: W227 N937 Westmound Drive

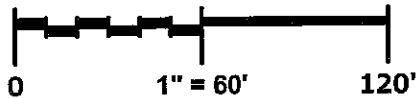


Owner name: John A. Season - President

Date: 1-22-19



GRAPHICAL SCALE (FEET)



LOT 1
C.S.M. NO. 11653
TAX KEY #
PWC0962995008
OWNER: PAYNE
& DOLAN INC

LOT 19
C.S.M. NO. 3996

SHEET 1 OF 2

S89°12'34"E
14.05'

LOT 1
C.S.M. NO. 7099
TAX KEY #
PWC0962998004
OWNER: PEWAUKEE
SANITARY DISTRICT #3

DIS=107.47' ((R) 108.08')(CSM 9037)
RAD=80.00'
CHD=99.57' ((R) 100.04')(CSM 9037)
CB=S14°34'11"E ((R) S14°47'05"E)
(CSM 9037)

VACATED
NORTHMOUND
DRIVE
5,750 SQ. FT.
0.1320 ACRES

N00°55'01"E 191.67'
PROPOSED RIGHT-OF-WAY LINE
S23°54'59"W
104.01'
((R) N23°54'53"E)
(CSM 9037)
P.O.B.

LOT 1
C.S.M. NO. 9037
TAX KEY #
PWC0962998005
OWNER: SILVER CREEK
APARTMENTS

NE CORNER, NW 1/4 SEC. 25, T7N, R19E
(FOUND CONC. MON. W/ BRASS CAP)

EXISTING RIGHT-OF-WAY LINE
N00°55'01"E 191.30'

N89°12'34"W 959.72'
((R) N89°12'34"W (CSM 7099 & 9037))
((R) N89°12'48"W (CSM 3902 & 3997))

LOT 20
C.S.M. NO. 3997

SE CORNER, NW 1/4 SEC. 25, T7N, R19E
(FOUND CONC. MON. W/ BRASS CAP)

1185.75'
EAST LINE OF THE NW 1/4 SEC. 25, T7N, R19E
S01°18'46"E 2646.02' MEASURED
1460.27'

EXHIBIT

PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE-ENGR.COM

PLAN | DESIGN | DELIVER

PEG JOB #1174.00

02/19/19

LEGAL DESCRIPTION OF VACATED NORTHMOUND DRIVE:

Being a part of the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 7 North, Range 19 East, City of Pewaukee, Waukesha County, Wisconsin, described as follows:

Commencing at the northeast corner of the Northwest 1/4 of said Section 25; thence South 01° 18' 46" East along the east line of said Northwest 1/4, 1185.75 feet; thence North 89° 12' 34" West, 959.72 feet to the east right of way line of Northmound Drive; thence North 00°55'01" East along said east right of way line, 191.30 feet to the Point of Beginning;

Thence continuing North 00°55'01" East, 191.67 feet; thence South 89°12'34" East, 14.05 feet to the aforesaid east right of way line and a point on a curve; thence southeasterly 107.47 feet along the arc of said curve to the right and said east right of way line, whose radius is 80.00 feet and whose chord bears South 14°34'11" East, 99.57 feet; thence South 23°54'59" West along said east right of way line, 104.01 feet to Point of Beginning.

Said lands containing 5,750 square feet (0.1320 acres) of Northmound Drive to be vacated.

SHEET 2 OF 2



EXHIBIT

PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE-ENGR.COM

02/19/19

PLAN | DESIGN | DELIVER

PEG JOB#1174.00

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 12.**

DATE: March 4, 2019

DEPARTMENT: PW - Engineering

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding Preliminary **Resolution 19-03-04** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Steeplechase Phase II Subdivision Pavement Reconditioning and Related Facilities Under Section 66.0703, Wisconsin Statutes [Weigel]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

19-03-04 Steeplechase

RESOLUTION 19-03-04
PRELIMINARY RESOLUTION
DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS
AUTHORIZING THE CONSTRUCTION OF STEEPLECHASE PHASE 2
SUBDIVISION PAVEMENT RECONDITIONING AND RELATED FACILITIES
UNDER SECTION 66.0703, WISCONSIN STATUTES

WHEREAS, The Common Council of the City of Pewaukee has determined that the pavement within the Steeplechase Subdivision Phase 2 Area are in need of reconditioning; and

WHEREAS, The Common Council of the City of Pewaukee has determined that all property owners abutting the Steeplechase Subdivision Phase 2 Area Roads should share in the cost of such improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED: That the Common Council of the City of Pewaukee determines that it is in the best interest of the City and in the exercise of its police power under Section 66.0703, Wisconsin Statutes, to levy special assessments upon the following described property for special benefits conferred upon such properties by the improvements of the pavement reconditioning:

Coachman Drive, from Homestead Road southerly to Deer Haven Drive, approximately 1,550 feet,
Crestview Drive, from Prospect Avenue (CTH "G") easterly to Coachman Drive, approximately 1,325 feet,
Deer Haven Drive, from Coachman Drive southerly to College Avenue (CTH "SS"), approximately 1,500 feet,
Woodburne Court, from Deer Haven Drive northerly to Deer Haven Drive, approximately 575 feet, and;

Before such improvements are made, the City Engineer is directed to prepare a report consisting of:

- a. Preliminary plans and specifications for said improvements.
- b. An estimate of the entire cost of the proposed reconstruction improvements.
- c. A schedule of the proposed assessment against each affected parcel and a statement that all property is benefited.
- d. The formula for assessing.

The exact amount of the assessment and the method of permitted payments will be determined at the public hearing, prior to the Final Resolution.

Upon receiving the report of the City Engineer, the Clerk shall publish a Class I notice to be given stating the nature of the proposed work, the general boundary lines of the proposed assessment district, a small map and the place and time at which the report can be inspected and the time of the public hearing for interested parties to appear and comment. The Clerk shall also mail the notices to the post-office address of every interested party at least 10 days before the

hearing. The public hearing shall be held at the City Hall, W240 N3065 Pewaukee Road not less than 10 and not more than 40 days after such publication.

SEVERABILITY

The several sections of this Resolution shall be declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the Resolution.

ADOPTED THIS 4th Day of March, 2019.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly M. Tarczewski, Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 13.**

DATE: March 4, 2019

DEPARTMENT: PW - Engineering

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding Preliminary **Resolution 19-03-05** Declaring Intent to Exercise Special Assessment Powers Authorizing the Construction of Fox View Court Pavement Reconditioning and Related Facility Under Section 66.0703, Wisconsin Statutes [Weigel]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION:

ATTACHMENTS:

Description

19-03-05 Fox View

RESOLUTION 19-03-05
PRELIMINARY RESOLUTION
DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS
AUTHORIZING THE CONSTRUCTION OF FOX VIEW COURT PAVEMENT
RECONDITIONING AND RELATED FACILITIES
UNDER SECTION 66.0703, WISCONSIN STATUTES

WHEREAS, The Common Council of the City of Pewaukee has determined that the pavement of Fox View Court is in need of reconditioning; and

WHEREAS, The Common Council of the City of Pewaukee has determined that all property owners abutting Fox View Court Roads should share in the cost of such improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED: That the Common Council of the City of Pewaukee determines that it is in the best interest of the City and in the exercise of its police power under Section 66.0703, Wisconsin Statutes, to levy special assessments upon the following described property for special benefits conferred upon such properties by the improvements of the pavement reconditioning:

Fox View Court, from Springdale Road (CTH "SR") westerly to its termini, approximately 200 feet, and;

Before such improvements are made, the City Engineer is directed to prepare a report consisting of:

- a. Preliminary plans and specifications for said improvements.
- b. An estimate of the entire cost of the proposed reconstruction improvements.
- c. A schedule of the proposed assessment against each affected parcel and a statement that all property is benefited.
- d. The formula for assessing.

The exact amount of the assessment and the method of permitted payments will be determined at the public hearing, prior to the Final Resolution.

Upon receiving the report of the City Engineer, the Clerk shall publish a Class I notice to be given stating the nature of the proposed work, the general boundary lines of the proposed assessment district, a small map and the place and time at which the report can be inspected and the time of the public hearing for interested parties to appear and comment. The Clerk shall also mail the notices to the post-office address of every interested party at least 10 days before the hearing. The public hearing shall be held at the City Hall, W240 N3065 Pewaukee Road not less than 10 and not more than 40 days after such publication.

SEVERABILITY

The several sections of this Resolution shall be declared to be severable. If any section shall be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the Resolution.

ADOPTED THIS 4th Day of March, 2019.

CITY OF PEWAUKEE

Steve Bierce, Mayor

ATTEST:

Kelly M. Tarczewski, Clerk/Treasurer

**CITY OF PEWAUKEE
COMMON COUNCIL AGENDA ITEM 14.**

DATE: March 4, 2019

DEPARTMENT: Clerk/Treasurer

PROVIDED BY:

SUBJECT:

Discussion and Possible Action Regarding Contributing Funds to the 2019 Fireworks Display in the Village [Mayor Bierce]

BACKGROUND:

FINANCIAL IMPACT:

RECOMMENDED MOTION: