

In attendance:

Mayor S. Bierce, Alderman B. Bergman, D. Linsmeier and K. Salituro.

Also in attendance:

City Planner N. Fuchs, Administrator S. Klein, Assistant City Engineer M. Wagner and Deputy Clerk A. Hurd.

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 7:05pm and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of Meeting Minutes Dated January 17, 2019

A motion was made and seconded (D. Linsmeier, K. Salituro) to approve the January 17th, 2019 meeting minutes. Motion Passed: 4-For, 0-Against.

3. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Tom Knutson to Rezone Property Located at W267 N2920 Peterson Drive From B-5 Highway District to Rs-7 Single-Family Residential for the Purpose of Combining Property and Building an Out-Building (PWC 0930052006 & PWC 0930052007)

Mr. Fuchs stated the rezoning corrects an existing split-lot zoning issue. He recommended approval of the application.

Chairman Bierce opened the public hearing at 7:06pm. No one in the audience wished to speak so Chairman Bierce closed the public hearing at 7:06pm.

Mr. Fuchs noted the new zoning will now fit in with the surrounding Rs-7 properties.

A motion was made and seconded (K. Salituro, B. Bergman) to recommend approval of the rezoning. Motion Passed: 4-For, 0-Against.

4. Discussion and Action Regarding a Certified Survey Map for Property Located at W267 N2920 Peterson Drive Owned by Tom Knutson for the Purpose of Combining the Properties and Creating an Outlot (PWC 0930052006 & PWC 0930052007)

Mr. Fuchs stated this combines the two parcels and creates an outlot on the north end of the property, and that outlot is anticipated to be combined with the single-family parcel to the north. The applicant has submitted a revised CSM with the corrected setbacks.

A motion was made and seconded (D. Linsmeier, B. Bergman) to recommend approval of the CSM with staff recommendations. Motion Passed: 4-For, 0-Against.

5. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for the Robert J. Stenz Family Trust to Rezone Property Located on Golf Road and CTH G 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 (PWC 0940999001)

Mr. Fuchs discussed the entire proposal for the rezoning, conditional use, preliminary CSM and site and building plans for the 54-unit condo development. He stated the CSM creates three lots, with the first phase of the development being on lots 1 and 2. Lot 3 is anticipated as a second phase, but the exact use is not known at this time. Related to the rezoning, Mr. Fuchs pointed out that the applicant would have to follow up with a comprehensive master plan amendment to amend the comp plan from low-medium density to medium density residential. The conditional use is being requested to allow some flexibility with the development standards. It allows for reduced building setbacks. Mr. Fuchs noted that the site and building plans are for nine two-family and nine four-family buildings with a clubhouse. There are no impacts to the wetland, wetland setback or floodplain, but it does go into the current environmental corridor. SEWRPC has stated that they will honor the previous corridor delineation.

Mr. Fuchs noted that the City received a letter from the Lake Pewaukee Sanitary District objecting to the rezoning due to concerns regarding the proposed density and future capacity. If the developer cannot get approval for the sewer, the development would not be able to move forward. Mr. Fuchs recommended approval with the conditions noted in the staff report.

Tony Zanon with Pinnacle Engineering and Dan Scardino with Point Realty were present for this item.

Chairman Bierce opened the public hearing at 7:20pm.

Lynn Voss (W273 N1525 Lakefield Drive) questioned how this could be considered medium density. She questioned how far the buildings would be from the existing home lot lines. Mr. Zanon stated the buildings have been moved to 40 feet off of the lot line. He also mentioned that they would be adding trees to create a shield for building 3 and would be increasing the landscaping for buildings 4, 5 and 6. He confirmed that this development did fit within the medium density designation according to the City's definitions. They will preserve approximately 10 to 15 feet of the woods along the property line.

Ms. Voss questioned who was responsible for the existing temporary easements on her lot. She questioned who would remove the turn-around and finish off her yard. Mr. Zanon stated the developer will be responsible.

Ms. Voss noted she was 100 percent against this development.

Gerald Glocka (W273 N1582 Lakefield Drive) requested clarification on the distance of the buildings from the property line and the amount of trees being left. Chairman Bierce clarified that 40 feet was the distance from the building to the property line, and the 10 to 15 feet was the width of the amount of trees that will be left from woods. He felt they would now be exposed to more of the back of the buildings since the natural tree line will be almost gone. Mr. Glocka requested as big of a buffer as possible.

Mr. Glocka also questioned how many years of construction noise they would have to endure for the entire project. Mr. Scardino stated he informed the neighbors of about five years but it all depends on the market. The intent is to start on the clubhouse and buildings 7 and 8 first. The goal is to fill the westerly cul-de-sac first. Mr. Zanon noted they would have signs prohibiting construction traffic on Lakefield Drive and they would have to use Golf Road.

George Galewski (W273 N1610 Lakefield Drive) questioned how the property would be accessed if the area is to be excavated and trees are to be removed. Chairman Bierce stated they would put up signs so that all construction traffic goes on Golf Road. Mr. Zanon added that they would not connect to Lakefield Drive until the very end once the roads are paved. Mr. Galewski stated the larger the buffer the better.

Suzanne Glocka (W273 N1582 Lakefield Drive) stated when she bought her home she was told that area would be single-family residential homes. She felt it was a huge disruption to their road and felt she was not being told the whole truth. Ms. Glocka requested the bigger the buffer the better.

Mr. Zanon pointed out that from building to building it would probably be more like 80 feet.

Sherry Garcia (N19 W27059 Fieldhack Drive) stated she lives on the other side of the trail and shares the same feelings as others. She stated she currently has a lot of water problems and has three sump pumps running at one time. Ms. Garcia was concerned about where all of the water would go if the flowage behind their house increases. Mr. Zanon stated the stormwater pond feature has been expanded to two wet ponds because they cannot infiltrate the high ground water table. They will not be impacting the wetland during any of the construction.

Mike Garcia (N19 W27059 Fieldhack Drive) stated this property would be in his backyard and there would be very little physical barriers to protect from any additional noise. He stated the brook behind his house has expanded and widened over time, and they are concerned because the water has moved farther onto their property. Mr. Garcia was also concerned about the heavy traffic.

Mr. Zanon clarified that for the rezoning, they are rezoning the wetland that is delineated to be wetland. They are rezoning the field delineated wetland and they will not touch it.

Tom Casey (N16 W27447 Riverland Drive) stated he owns the pond attached to the Oak Springs South subdivision. He felt this development would devalue his property. He also felt this was too close to an intersection and a curve on Golf Road and it will cause accidents. Mr. Casey referred to the pond and stated it overflows because the wetlands come into their pond. He was concerned that anything done to the area would change the balance and they would have more flooding to the ponds and to people's basements.

Marilyn Wahlgren (N27 W27304 Lakefield Drive) stated they never had water problems until the new subdivision went in. She was concerned they would have an even bigger water problem with this development.

Mark Strong (W278 N1807 Lakefield Drive) was concerned about the traffic onto Highway G and Golf Road. He stated he values the ambiance of the neighborhood and the walking path. He felt the development should be scaled back.

Denise Strong (W278 N1807 Lakefield Drive) echoed those concerns. She felt a multi-family condo in her neighborhood would lower home values and make the roads more crowded.

Beth Block (N17 W26887 Fieldhack Drive) felt the additional traffic would necessitate stop lights to get out of her condo association.

Terry Brooks (W273 N1640 Lakefield Drive) stated he was concerned about the water because the water from the retention pond backs up to about three feet of their basement walls.

Chairman Bierce closed the public hearing at 8:18pm.

Ms. Wagner noted that any approval should be contingent upon addressing Engineering and Waukesha County's comments. She shared the County's concerns regarding the driveway to the outlot being on the corner. She then referred to the grading plan and noted the current plan shows grading up to the property line by Building 3. If the buffer of existing trees needs to remain, it should be part of the motion.

Mr. Zanon clarified that there will be a retaining wall, and Building 3 will be below the existing grade. The current residents will not see the retaining wall, as it will be set down lower.

Commissioner Bergman questioned if there would be passing lanes and acceleration and deceleration lanes coming off of Golf Road. Mr. Zanaon stated there will be acceleration and deceleration lanes, and a preliminary study has been done. There is no requirement for a bypass lane.

Commissioner Bergman then referred to construction traffic and confirmed that it would all come off Golf Road and that would be the only access during construction. Once the road is in, there will be an open, thru street.

Commissioner Bergman then questioned how the remnant parcel would be accessed if the County doesn't give a second access to the site. Mr. Zanon stated they were looking at different configurations and options for that.

Discussion then took place regarding storm water detention ponds and the requirements for a development.

Chairman Bierce felt the buffer was the main issue. Discussion took place regarding the tree buffers as relates to the property lines. The closest structure to the property line will be 40 feet. Mr. Scardino pointed out that a lot of the reason for the cleanup along the lot line was to create a swale to prevent the water from going to the subdivision to the west. If the site conditions allow for them to move the swale, they can save a few of the trees and not clear cut them all.

Commissioner Bergman suggested adding an additional buffer to Building 3.

A motion was made and seconded (B. Bergman, D. Linsmeier) to approve the rezoning conditioned on the amendment to the comprehensive plan in the staff comments. Motion Passed: 3-For, 1 Against (Bierce).

6. Discussion and Action Regarding a Recommendation to the Common Council to Approve the Conditional Use for Jim Forester for Property Located on Golf Road and CTH G for the Purpose of Developing the Robert J. Stenz Family Trust Property with Two- and Four-Family Residential Buildings Under the Rm-1 PUD Zoning Designation (PWC 0940999001)

Mr. Fuchs stated the Rm-1 PUD zoning is a multi-family residential district and allows up to six units per acre. The PUD allows for reduced and modified development standards to the front and rear setbacks. The normal setback in Rm-1 is a 35 foot setback from the street, a 25 foot setback from the side and a 35 foot rear yard setback. The PUD zoning allows for a 30 percent reduction.

Discussion took place regarding the building separations.

A motion was made and seconded (B. Bergman, D. Linsmeier) to approve the conditional use under the Rm-1 PUD zoning designation. Motion Passed: 3-For, 1-Against (Bierce).

7. Discussion and Action Regarding a Preliminary Certified Survey Map for Property Located on Golf Road & CTH G Owned by the Robert J. Stenz Family Trust (PWC 0940999001)

Mr. Fuchs stated the CSM is creating the three lots and dedicating the streets as shown on the plans and map. The CSM does have to come back to the Plan Commission and Common Council for review and approval prior to recording.

The CSM has conditions in the staff report of adding a no access restriction, adding easements to the CSM and addressing Waukesha County's comments.

A motion was made and seconded (B. Bergman, D. Linsmeier) to approve the preliminary certified survey map conditioned on staff and Engineering comments. Motion Passed: 3-For, 1-Against (Bierce).

8. Discussion and Action Regarding the Site and Building Plans for the Construction of 54 Condominium Units Requested by Jim Forester for Property Owned by the Robert J. Stenz Family Trust Located on Golf Road & CTH G (PWC 0940999001)

Mr. Fuchs stated this would cover the building elevations which have not yet been submitted, the site plan, landscaping, and lighting. If the Plan Commission wants to see a final landscape plan or request additional plantings to the buffer area, it should be noted in the motion.

Chairman Bierce stated the landscaping was why he was voting no because he did not feel enough was being done. He wanted the applicant to have to come back to the Plan Commission so he could make sure they could mitigate the long term disturbance to the people that already live there.

A motion was made and seconded (B. Bergman, D. Linsmeier to table the site and building plans. Motion Passed: 3-For, 1-Against (Bierce).

9. Discussion and Action Regarding a Recommendation to the Common Council to Approve the Conditional Use for Chris & Lisa Wills to Replace an Existing Boat House on Property Located at W267 N2955 Peterson Drive (PWC 0930025001)

Mr. Fuchs stated the boat house will be in the same location as the current boat house but will be pushed back five feet to be setback from the ordinary high water mark. He noted that the motion to approve should include requiring DNR review and approval. The suggested conditions to make sure the ordinances are being followed for boathouses include no plumbing or kitchen and cooking facilities, criteria regarding construction, and complying with NR115 and NR117.

A motion was made and seconded (D. Linsmeier, K. Salituro) to recommend approval of the conditional use for the Wills boat house with staff recommendations. Motion Passed: 4-For, 0-Against.

10. Discussion and Action Regarding a Certified Survey Map for Property Located at W226 N2974 Duplainville Road Owned by John Troutd for the Purpose of Combining Two Existing Parcels Into a Single Lot for the Surf Prep Development (PWC 0914992 & PWC 0914993)

Mr. Fuchs stated this was a follow up from the September 20th approval of a 12,157 square foot building for the property. It is currently two parcels, so as part of the approval, there was a condition to combine them so there would be no setback issues.

Mr. Fuchs stated staff was recommending approval subject to the applicant illustrating the required M-2 District setbacks on the face of the CSM.

A motion was made and seconded (K. Salituro, D. Linsmeier) to approve the certified survey map for John Troudt. Motion Passed: 4-For, 0-Against.

11. Continued Discussion and Action Regarding a Certified Survey Map for Property Located at N45 W25171 Lindsay Road Owned by Linda Uebele for the Purpose of Subdividing the Property (PWC 0877993001)

Mr. Fuchs stated the CSM matches the conceptual land division from the December 20th Plan Commission meeting. He stated staff was recommending approval with the condition to remove the existing barn in the future.

Ms. Salituro questioned if they could include something regarding the time frame for cleaning up the lots. Mr. Fuchs noted that at the December 20th meeting it was discussed that staff would work with Ms. Uebele and take a closer look at the property upon a Building Permit Application for the site to be looked at.

Mr. Fuchs also noted that lot one is under two acres, so if Ms. Uebele cannot get approval from the Village of Pewaukee to connect to sewer, the CSM would have to be revised because she could not develop lot one with a private system.

A motion was made and seconded (D. Linsmeier, B. Bergman) to approve the certified survey map for Linda Uebele contingent upon the barn being razed upon sale or widening of the road, and contingent on getting sewer from the Village of Pewaukee. Motion Passed: 4-For, 0-Against.

12. Continued Discussion and Action Regarding a Request by the Spice Creek Condominium Association to Allow for the Construction of a Detached Garage for Property Located at N16 W26554 E. Fieldhack Drive (PWC 0943003)

Mr. Fuchs stated this item was tabled at the January 17th Plan Commission meeting. Staff had a condition for adding a brick element to the garage, which the applicant has now provided.

The applicants stated they added a window and lowered the windows so that they are at the level of the brick. They will also have a tint on them. The brick is being placed on the two most visible elevations.

A motion was made and seconded (D. Linsmeier, K. Salituro) to approve the construction of the detached garage contingent upon Engineering final approval of the grading plan and condominium association approval. Motion Passed: 4-For, 0-Against.

13. Adjournment

A motion was made and seconded (K. Salituro, D. Linsmeier) to adjourn the meeting at 9:35pm. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk