

In attendance:

Mayor S. Bierce, Alderman B. Bergman, D. Kiser, D. Linsmeier, S. Sullivan and C. Wunder.

Also in attendance:

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

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 7:00pm and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding the Site and Building Plans for Waukesha Gun Club Located at N22 W23170 Watertown Road for the Purpose of Building a Five-Stand Shooting Structure (PWC 0920997, PWC 0920998, PWC 0920999)

Mr. Fuchs stated the applicant was not ready to move forward and he recommended tabling the item indefinitely.

A motion was made and seconded (D. Kiser, S. Sullivan) to table the item indefinitely. Motion Passed: 6-For, 0-Against.

3. Discussion and Action Regarding a Certified Survey Map for the Century Fence Company Located at Approximately 1300 Hickory Street in Order to Combine 2.07 Acres of City of Pewaukee Vacant Land With an 11.43 Acre Parcel in the Village of Pewaukee (PWC 0921997003 & PWV 0921995)

Mr. Fuchs stated the applicant was looking to combine the two properties with a total acreage of 13.55 acres. The larger parcel contains the Century Fence building and main office within the Village of Pewaukee, and the smaller outlot is within City. The CSM will require both City and Village approval.

The proposed use for the City portion of the land will be outdoor storage. They have no current plans for buildings, although that could change in the future.

Mr. Fuchs recommended approval, noting there were three conditions in the staff report. The previous lot line must be labeled as the lot line to be removed, the 25-foot wetland setback must be accurately depicted, and the name of the Plan Commission Secretary must be changed.

Ms. Wagner added that the legal description has errors on page 2, paragraph 3, line 5. It is listed as 388.7 feet from the northeast corner, but it should be the northwest corner. In Line 7, it lists south 89 degrees, 58 minutes, but it should be north 89 degrees, 58 minutes.

John Connell of Century Fence stated the 11.5 acre parcel in the Village has 52 percent green space, and he questioned if this was looked at as one parcel to get to the required 40 percent. Mr. Fuchs stated the City would be applying its standards to the portion of the property within the City.

A brief discussion took place regarding items to be discussed when a site plan is submitted.

A motion was made and seconded (B. Bergman, D. Kiser) to approve the Certified Survey Map combining the two properties, including staff comments and corrections. Passed: 6-For, 0-Against.

4. Discussion and Action and Public Hearing Regarding Amending Section 17.0900f to Include Multi-Family Residential Buildings and Creating Section 17.0900g Related to Increasing the Height of Single-Family and Two-Family Residential Buildings to 3-Stories or 45-Feet if the Structure is Located No Closer than 40-Feet to Another Structure

Mr. Fuchs stated staff was approached with a concern about the building height standard and how it is measured for single-family homes. After researching other communities' codes, a provision was added to the Zoning Code to allow the Plan Commission to allow a possible increase in height. The draft ordinance states three stories or 45 feet, and would require a 40-foot building separation in order to be granted. Staff felt it was appropriate to also include multi-family uses in Sub-Section f. to allow increases to industrial or other commercial buildings. This would allow up to six stories with the Fire Chief's approval.

Chairman Bierce opened the public hearing at 7:17pm. The public hearing was closed at 7:17pm.

Chairman Bierce questioned if there was any proof that the City has been breaking its own rule. Mr. Fuchs noted that builders did mention some homes in Broken Hill violated the rule.

Discussion took place regarding the measurement of a home as it relates to adjusting grades and adding retaining walls. Mr. Fuchs noted the building height definition of 45-feet would be measured from the front of a home up to the peak if it was a flat lot, or measured from the median, or middle, of home on the side up to the highest peak of a home if it is a sloped lot.

Mr. Fuchs noted the proposed language was under a section in the ordinance that was for modifications authorized by the Plan Commission. The maximum would be 35-feet unless the Plan Commission grants approval otherwise. There is no language that would prevent someone from trying to re-grade or build a retaining wall. It is simply operating as it is now, except that if the Plan Commission so chooses to approve the 45 feet, that is what City staff would apply.

Commissioner Kiser referred to the six-story height for commercial buildings and questioned what the floor to ceiling maximum heights were for commercial buildings. He felt six stories was arbitrary. Mr. Fuchs stated that is how it has always been worded, but they could add a maximum height footage.

A motion was made and seconded (D. Linsmeier, C. Wunder) to approve the changes to the ordinance. Motion Passed: 6-For, 0-Against.

5. Discussion and Possible Action Regarding a Request by Westridge Builders, LLC to Allow a Maximum Height of 3-Stories/45-Feet for All Lots Within the Swan View Farms Subdivision Development Located at Approximately W239 N4024 Swan Road

Mr. Fuchs stated if the Plan Commission wanted to approve this for Swan View Farms, it would have to be contingent upon Common Council approval of the zoning code change. He noted the language would be added to the final plat as a reference so it would be a good catch to City staff that the homes in this subdivision could go up to 45-feet.

Carl Tomich of Westridge Builders noted they do not allow three-story houses unless it is a full walk-out, and not on a flat lot, according to the deed restrictions. He added that 50 percent of the homes will end up being ranches and 50 percent will probably be two-stories. Of those two-stories, only 50 percent will be walk-out basements, so that is only 25 percent of the subdivisions, and not every one of those two-stories would need the height restriction. He stated it was simply a compromise and would only be a select number.

Discussion took place regarding the wording of the deed restrictions and the Homeowner's Association documents in regards to contingencies for City approval. Mr. Fuchs noted there could be a restriction on the final plat to note the building height allowance using wording to limit the non-sloping lots to have a maximum of 35-feet.

A motion was made and seconded (D. Linsmeier, D. Kiser) to approve the maximum height allowance of 3-stories/45 feet, to include the contingencies discussed. Motion Passed: 6-For, 0-Against.

6. Adjournment

A motion was made and seconded (D. Kiser, C. Wunder) to adjourn the meeting at 7:50pm. Motion Passed: 6-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk