

In attendance:

Alderwoman C. Brown, T. Janka, D. Kiser, D. Linsmeier (arrived at 6:07pm), 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.

In attendance:

1. Call to Order and Pledge of Allegiance

In the absence of Chairman Bierce, Commissioner Brown called the meeting to order at 6:04pm and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of the May 20th, 2021, June 17th, 2021, and July 15th, 2021 Meeting Minutes

A motion was made and seconded (D. Kiser, C. Wunder) to approve the May 20th, 2021, June 17th, 2021, and July 15th, 2021 meeting minutes. Motion Passed: 5-For, 0-Against.

3. Discussion and Action Regarding the Selection of a Plan Commission Secretary

A motion was made and seconded (T. Janka, D. Kiser) to approve Colleen Brown as the Plan Commission Secretary. Motion Passed: 5-For, 0-Against.

4. Discussion and Action and Public Hearing for a Rezoning Petition for Jeff Mierow/ Yench LLC to Rezone Vacant Land Located on Yench Road From A-2 Agricultural to Rs-2 Single-Family Residential (PWC 0885996006)

Mr. Fuchs stated this was a four-lot certified survey map. The applicant was proposing a rezoning for Lots 1, 2 and 3 from A-2 Agricultural to Rs-2 Single-Family Residential and Lot 4 will remain as A-2 Agricultural, along with LC Lowland Conservancy and F-1 Floodplain. Lots 1, 2 and 3 are just under 2.5 acres and Lot 4 is a little over 23 acres. All lots will comply with the minimum area requirements of their respective zoning districts. Staff recommended approval with three conditions; approval will require final review and approval of the storm water management plan, the City will have to approve the access location for each lot, and the Plan Commission Secretary name must be revised on the CSM.

Commissioner Brown opened the public hearing at 6:07pm. After hearing no requests to speak, the public hearing was closed at 6:08pm.

A motion was made and seconded (D. Kiser, T. Janka) to recommend approval of the rezoning contingent on staff recommendations. Motion Passed: 5-For, 0-Against.

5. Discussion and Action Regarding a Certified Survey Map for Jeff Mierow/Yench LLC for Vacant Property Located on Yench Road for the Purpose of Creating Four Single-Family Lots (PWC 0885996006)

Mr. Fuchs noted that the recommended conditions previously discussed are related to the CSM.

A motion was made and seconded (D. Kiser, C. Wunder) to approve the certified survey map for Yench LLC contingent on staff recommendations. Motion Passed: 5-For, 0-Against.

6. Discussion and Action Regarding a Certified Survey Map for Klumb Holdings LLC for the Badgerland Supply Property Located at W229 N2450 Homewood Court for the Purpose of Combining Two Existing Properties Into a Single Lot (PWC 0915994001 & PWC 0915994003)

Mr. Fuchs stated the CSM was brought forward due to a condition the Plan Commission placed on a site and building plan review for the property. Because there were two properties under common ownership and utilized as a single development, it was recommended that they submit a CSM to combine the lots. Staff was recommending approval with some minor corrections and a question on the previous CSM.

A motion was made and seconded (T. Janka, D. Linsmeier) to approve the certified survey map for Klumb Holdings LLC subject to addressing staff comments. Motion Passed: 5-For, 0-Against.

7. Discussion and Action Regarding a Certified Survey Map for Christian Hansen for Property Located at W226 N4362 Duplainville Road for the Purpose of Building a Home on Lot 2 (PWC 0867994001 & PWC 0867994002)

Mr. Fuchs stated the property owner was looking to build on a current outlot. The CSM will shift the existing property line further south and remove the outlot designation in order to build on the proposed northern lot. Mr. Fuchs noted the property will need to be rezoned and as a condition before recording the CSM, the applicant will have to rezone from Rs-2 to Rs-4 so that it is consistent. He noted staff was recommending approval. A storm water management plan will need to be submitted and approved by Engineering, and the staff report also contains a list of conditions.

A motion was made and seconded (T. Janka, D. Kiser) to approve the certified survey map for Christian Hansen subject to the conditions included in the staff report. Motion Passed: 5-For, 0-Against.

8. Discussion and Action and Public Hearing for a Rezoning Petition for Interstate Partners LLC to Rezone Property Located at N18 W22670 Watertown Road from A-2 Agricultural to Rm-2 Multi-Family Residential for the Purpose of Building a Multi-Family Apartment Development (PWC 0958990005 & PWC 0958990006)

Mr. Fuchs stated the proposal was for a 174-unit multi-family development on two properties that total approximately 33.8 acres. There are 10 two-story buildings proposed. The rezoning request is from A-2 Agricultural and LC Lowland Conservancy to Rm-2 Multi-Family Residential. The Lowland Conservancy District would remain but match the current delineations on site. The applicant is proposing 6.6 dwellings per acre, which is under the 9 dwelling units per acre for the Rm-2 District. Access will be from Watertown Road and North Avenue, and the site plan includes an emergency access to Elmwood Drive. Mr. Fuchs recommended the drive be full access and not just for emergency, primarily for maintenance and enforcement concerns. The development will disturb about 6,936 square feet of wetland due to a drive connecting the north and south portions of the site. There are 452 parking spaces proposed, including 174 spaces within attached garages, which is opposed to the Rm-2 two-car attached garages. The landscape plan focuses on plantings on the bermed area separating the single-family homes on Elmwood Drive. A

Traffic Impact Analysis was included and goes through the existing conditions and the proposed development. Staff was recommending the applicant make the changes in the memorandum for the development. There is a list of Engineering conditions in the staff report, including approval of grading, erosion control and storm water management, letter of credit, utilities, and access to locations. In addition, a certified survey map would be needed if this goes through, in order to combine the two parcels.

John Heller with Interstate Partners stated the emergency access to Elmwood Drive was not in their original plans and they were indifferent about it and did not feel they needed it for the project. Caroline Brzezinski with Interstate Partners felt it may be better to isolate this site from the surrounding homes on Elmwood Drive. The significant tree lines on every side of the site will not be touched with this plan, and if they do not include the drive onto Elmwood Drive, the berm could carry through the area and there would be no access.

Ms. Brzezinski noted there would be a right turn out only lane onto Watertown Road, which would give residents the ability to cue within the site and not have to sit on Watertown Road, in the event there is a train. She also noted Waukesha County has plans to redo the intersection, and this plan incorporates their potential designs.

Mr. Heller added that the closest corner of one of the buildings is 320 feet away from the nearest home. The berm along the east property line on the north portion of the site would make it that those living on Elmwood Drive will maybe see the upper half of the second floor and some of the roof, not including plantings that would screen it even more. The buildings have been pulled as far away as they can get them, and they have left over 15 acres of wetland and greenspace. Over 55 percent of the site will remain green.

Commissioner Brown opened the public hearing at 6:26pm.

David (no last name given) (W226 N1350 North Avenue) felt police response times would now be further away. He discussed the traffic problem. He also stated this area is full of animals from the construction coming down his way because of the fields. He questioned if the residents would have to pay for the sewer treatment center if this goes through. He also felt the GE apartments on Watertown Road should fill up and the road should be fixed before this goes through.

Jean Wright (N28 W22329 Foxwood Lane) felt traffic would double for the people in the area. She then questioned how access to the park would be controlled, as the property backs up to the park.

Paul Petterson (W226 N1619 North Avenue) stated there was an average of 42 trains in that area per day and felt it was a very dangerous intersection. He felt the developer would make money off this property, but the residents have to live with it.

Jess Jarecki (W224 N2247 Elmwood Drive) felt the rezoning was inconsistent with the City's 2050 Land Use Plan and the development would fall along the lines of high density. She felt the proposed development was too dense and not compatible with the surrounding area, and she suggested a reduction in the number of buildings. Ms. Jarecki stated the increased traffic on Elmwood Drive would cause a safety threat, and the noise from the added traffic would create a public nuisance. She referred to the traffic study and felt it was done when children were out of school and there was no mention of the train. She requested significant landscaping be added to the area.

Lance Tucker (W226 N2521 Oakwood Lane) referred to the traffic in the area. He felt the traffic study should not have been done during Covid. He also felt the wildlife should not be pushed out. Mr. Tucker felt it was too small of an area to have stoplights.

Steve Miazga (W224 N2280 Elmwood Drive) stated he was a professional traffic engineer. He felt if the train blocks traffic on Watertown Road and North Avenue, people will go to Elmwood Drive. He questioned if the fire loop was required to tie into the hydrant on Elmwood Drive, and he questioned if the emergency access was required by law. He requested no access to Elmwood Drive. Mr. Miazga discussed the recommendations in the Traffic Impact Analysis and questioned why the trains and the traffic delays were not mentioned. He felt there were a lot better uses for the property and the access is horrible.

Prithwiraj Banerjee (W227 N2549 Meadowood Lane) felt the accidents at Highway F would increase because of this. He also felt people would go through the Springdale Estates subdivision because of traffic and that would risk the lives of people.

Margaret Lex (N24 W22517 Beechwood Lane) did not understand why there should be an access coming into a subdivision. She felt even if it was an emergency access, over time, it would become a standard access.

Kevin Messerschmidt (W224 N2247 Elmwood Drive) stated he has called the police department multiple times for speeding traffic on Elmwood Drive. He stated he was not against the plans and appreciated the berm, but he was concerned about increased traffic in front of his house. Mr. Messerschmidt noted that he has a video of the traffic during a train and discussed the wait times in the intersection. He did not believe the traffic study did any justice.

Guy Cariveau (W225 N2641 Alderwood Lane) felt the dense development would bring more crime. He was pleased in the reduction of units but was concerned with the access. He felt there would be an increased demand for public services. Mr. Cariveau wanted to know who was in his neighborhood and felt that would change with the transient traffic from the development. He also felt it would negatively impact property values. Mr. Cariveau requested geo-mapping regarding crime.

A girl in the audience (W224 N1993 Elmwood Drive) stated she was 15 years old and almost got hit by a truck while waiting for her bus. She felt it would be a problem for traffic, especially because of the train. She wanted to be safe.

A girl in the audience (Cedarwood Court) stated she gets picked up at the end of Elmwood Drive and she has to be in the grass because no one cares and cannot see her. She questioned her safety if more cars were added because of the development.

Adam Spiewak (W223 N2268 Meadowood Lane) discussed the community of his neighborhood. He questioned what happens as a result of the decision the Plan Commission makes. He felt renters were transient and he stated he did not care about where he lived when he was a renter. Mr. Spiewak felt this would destroy a decades-old community.

Dave Rosenberg (N25 W22588 Graywood Court) felt traffic and safety on the streets were important, and he did not believe they needed the excess traffic in the area. He stated he was very concerned about this.

Gary Lex (N24 W22517 Beechwood Lane) questioned if the traffic study was a computerized layout. He questioned if a simulation with movement was done.

Chris Lambrecht (W222 N2284 Oakwood Lane) was frustrated that he heard about this meeting by word of mouth. He questioned why the Plan Commission would approve this project in this location in the most densely populated subdivision in Pewaukee.

Karen Eidem (W226 N2518 Oakwood Lane) questioned why this meeting was not held in a larger venue. She has not heard anyone in favor of the project.

Theresa Becker (W222 N2147 Glenwood Lane) stated she has seen an increase in traffic on North Avenue throughout the years and she felt people would drive through the subdivision and the traffic would get even worse. She disagreed with the information in the traffic study.

Brett Bausch (W226 N2566 Oakwood Lane) was concerned with the development using the park in the area, and there is no parking in the area. He stated he did not want this to happen.

Steve Koper (W227 N2526 Meadowood Lane) stated he moved from West Allis because of the high traffic and apartments buildings. He stated he does not want this in his neighborhood and has discussed leaving if this goes through.

Mark Kopczynski (W222 N2807 Timberwood Court) stated people's lives depend on their community. He stated the blood of the children will be on the City's hands. He felt the Plan Commission should cancel this project.

Dave Gunderson (W226 N2828 Foxwood Lane) questioned how this project benefits the residents.

Larry Marincic (N30 W22121 Green Road) stated he owns the property under consideration. This proposal is an opportunity for the City to collect on the \$80,000 special assessment they have had on the property for 30 years. He felt this proposal would generate some revenue for the City. Mr. Marincic requested the Plan Commission consider and approve the proposal brought forward.

Scott Friedl (W225 N2537 Alderwood Lane) stated he was a professional engineer, and the concerns about this proposal are extreme and drastic. He felt the Watertown Road and North Avenue intersection was substandard and the traffic study has glaring omissions. He questioned how the traffic study could ignore future development and additional traffic. Mr. Friedl felt this would create another Springdale Estates on a smaller property and he stated the site could be used for many other things, as it does not suit the location.

Nick Griswold (N18 W22736 Watertown Road) stated he was representing his parents. He felt this was one of the better uses for the property compared to other proposals over the years. He understood the problem along Elmwood Road, but he felt the homeowners should have approached the Marincic family years ago to buy their property.

Carie Marincic (W226 N1719 North Avenue) noted Amazon was putting in a distribution center, and there would be more traffic from that.

Spencer Dominguez (W224 N2593 Springwood Lane) felt the Waukesha School District will have to deal with a lot more families if this proposal is approved, and the district is already overstretched.

Commissioner Brown closed the public hearing at 7:43pm.

Commissioner Kiser stated the intersection was an issue and he cannot move forward with this at the current density until they know the County's exact timeline for the road project. He felt it did fit with the City's 50-year plan, but it was a matter of ingress and egress.

Commissioner Linsmeier felt the proposal does fit the 2050 plan. Mr. Fuchs confirmed that the rezoning is consistent with the City's 2050 Comprehensive Plan. Commissioner Linsmeier felt the difficulty was the railroad, and he questioned if the County's project would take care of that situation.

Commissioner Janka was concerned that the development was still too dense. He stated he could not get behind this project until the traffic issue was resolved.

Mr. Heller noted that two-thirds of the units were one-bedroom units, which is not even 1.5 people per unit. There will not be 400 people coming and going.

Commissioner Brown stated she was concerned with the density. She liked the view, the positioning, and the renderings, but she was concerned about this being next to a huge subdivision. Commissioner Brown felt this would put a big strain on the people living in the area. She stated she could not vote for something like this at this density and she had an issue with the traffic in general.

Commissioner Kiser suggested coordinating with the County to see when their project will be on their construction plan and coordinate that with the development. He stated if the road gets corrected to help alleviate the existing traffic, he could get behind this.

Mr. Fuchs noted the purpose of the access on Elmwood Drive was for safety to have an additional access, as well as for maintenance and enforcement issues.

A motion was made and seconded (T. Janka, C. Wunder) to recommend denial of the rezoning petition for Interstate Partners. Motion Passed: 5-For, 0-Against.

9. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit and Site and Building Plans for Interstate Partners LLC to Construct a Multi-Family Apartment Development Located at N18 W22670 Watertown Road (PWC 0958990005 & PWC 0958990006)

A motion was made and seconded (T. Janka, C. Wunder) to recommend denial of the conditional use and site and building plans. Motion Passed: 5-For, 0-Against.

10. Adjournment

A motion was made and seconded (D. Linsmeier, T. Janka) to adjourn the meeting at 8:03pm. Motion Passed: 5-For, 0-Against.

Respectfully Submitted,

Ami Hurd
Deputy Clerk