

# **Planning Department**

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

# PLAN COMMISSION MEETING NOTICE AND AGENDA Thursday, August 20, 2020 7:00 PM

Common Council Chambers ~ Pewaukee City Hall W240 N3065 Pewaukee Road, Pewaukee, WI 53072

- 1. Call to Order and Pledge of Allegiance
- 2. Discussion and Action Regarding Approval of Meeting Minutes Dated May 21, 2020
- 3. Discussion and Action Regarding a Certified Survey Map for Swan View Farms Located at W239 N4024 Swan Road for the Purpose of Subdividing the Property Into Two Separate Lots in Order to Develop a 83 Lot Single-Family Residential Subdivision (PWC 0871996 & PWC 0871999)
- 4. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Waukesha County Department of Parks & Land Use to Rezone Vacant Land Located on North Avenue From LC Lowland Conservancy, UP Upland Conservancy and F-1 Floodplain to P-1 Park and Open Space, UC Upland Conservancy and F-1 Floodplain for the Purpose of Constructing a 5-Stall Parking Lot for the Waukesha County Pewaukee to Brookfield Recreational Trail and Trailhead (PWC 0959988001)
- Discussion and Action Regarding the Site and Building Plans for Waukesha County Parks & Land
  Use for Vacant Land on North Avenue for the Purpose of Constructing a 5-Stall Parking Lot for the
  Waukesha County Pewaukee to Brookfield Recreational Trail and Trailhead (PWC 0959988001)
- 6. Adjournment

Ami Hurd Deputy Clerk

8/13/2020

#### **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 City Planner, Nick Fuchs, at (262) 691-0770 three business days prior to the meeting so that arrangements may be made to accommodate your request.

# CITY OF PEWAUKEE PLAN COMMISSION AGENDA ITEM 2.

DATE:	August 20, 2020
DEPARTMENT:	Planning
PROVIDED BY:	
SUBJECT:	
Discussion and Action	Regarding Approval of Meeting Minutes Dated May 21, 2020
BACKGROUND:	
FINANCIAL IMPA	
RECOMMENDED I	MOTION:
ATTACHMENTS:	
Description	
5.21.20 Minutes	

#### In attendance:

Mayor S. Bierce, Alderman B. Bergman, T. Janka, and S. Sullivan.

#### 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 Approval of Meeting Minutes Dated February 20, 2020

<u>A motion was made and seconded (B. Bergman, S. Sullivan) to approve the February 20, 2020 meeting minutes.</u> Motion Passed: 4-For, 0-Against.

3. Discussion and Action Regarding the Site and Building Plans for Interstate Partners Green Road Commerce Center for the Purpose of Constructing a 165,000 Square Foot Industrial Speculative Building (PWC 0914980 & PWC 0914987)

Mr. Fuchs stated the item was previously discussed at the December 19<sup>th</sup> meeting and the Plan Commission recommended approval of the rezoning and the certified survey map. No action was taken on the site and building plans after discussing the architecture of the building. The applicant has requested condition #6 be removed that requires walkways from the side parking areas to the front of the building. They are also requesting to be allowed 9 by 18 parking stalls, as opposed to 9 by 20 or 10 by 18.

Chairman Bierce was concerned about the large, long expanses of concrete, and that is still what he was seeing in the plans. Mr. Fuchs noted that is where staff's main focus was in discussions with the applicant.

Bill Schwartz with Interstate Partners stated they did address the front elevation with some additional glazing and canopies. He referred to the side elevations and noted there is one resident to the east, and the resident to the west is a house that Interstate Partners owns. Mr. Schwartz noted it would be a warehouse and distribution building, and he felt it could be softened better with landscaping.

Mr. Fuchs mentioned an email from the neighbors to the east noting their concerns regarding berming and additional trees.

Commissioner Sullivan stated he was concerned with the stormwater issue, specifically the three detention ponds shown on the plans. Mr. Fuchs noted the stormwater review has not occurred yet, but there is a condition for approval that all Engineering requirements and standards be satisfied prior to obtaining a building permit. Mr. Schwartz felt they had adequate capacity.

Jay Knetter with JAKnetter Architects noted they have a new paint color scheme in the beige and taupe tones and there are three options for colors. He wanted the Plan Commissioners to have a say in the colors.

Neighboring resident Jeremy Gitzlaff (N30 W22695 Green Road) stated he wants to see a lot more trees along the edge, and he too is planting more. Mr. Schwartz confirmed they would add trees that parallel his house.

Mr. Schwartz noted they would lay out the front berm to screen all headlights from the two houses on the north side of the street. The location of the plantings is more important than the height of the berm.

Commissioner Bergman questioned what was changed on the building besides enlarging the clear story windows. Mr. Schwartz noted they added the canopy to accent the three entrances. Mr. Knetter added that the bump outs have been brought out by another 1 foot 9 inches, which creates more depth on the building. In addition, the parking stalls now have a smaller square footage.

The Commission did not have a problem with the walkways and parking space sizes.

No action was taken.

 Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Kent and Christine Raabe to Rezone Property Located at N22 W25012 Still River Court from LC Lowland Conservancy to Rs-4 Single-Family Residential for the Purpose of Updating the Rear Yard Zoning for Residential Improvements (PWC 0950026)

Mr. Fuchs stated the property owner wants to install a poll, fence and patio. Currently, a portion of the property is zone LC Lowland Conservancy, and they would like to rezone it to match the Rs-4 district of the rest of the property. There are no protected natural resources within the area, and Mr. Fuchs recommended approval.

Chairman Bierce opened the public hearing at 7:29pm.

Ed Hill (303 Sunset Drive, Village of Pewaukee) read aloud a portion of the City's code. He felt removing lowland conservancy areas was a disruption of the water shed.

Wendy Wiza with Century Landscape stated she was working with the Raabe's and she was requesting an 11 percent change of their lot from LC to Rs-4. She felt the City missed not changing the rear parts of the lots in the development.

Doug Kiser (N16 W24990 Bluemound Road) felt the DNR had to make a recommendation for anything in the LC district. Mr. Fuchs confirmed it was a City zoning district, not a wetland area, and the City would not need anything from the DNR.

Chairman Bierce then closed the public hearing.

Mr. Fuchs then discussed the delineation of the wetlands. He noted that there were no protected resources in this location.

<u>A motion was made and seconded (B. Bergman, T. Janka) to recommend approval of the rezoning.</u> Motion Passed: 3-For, 1-Against (Sullivan).

5. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Arce Handyman LLC to Rezone Property on Bluemound Road From Rs-1 Single-Family Residential to M-1 General Wholesale Business/Warehouse District (Lot 1 of the Concurrently Filed Certified Survey Map) and

Rs-3 Single-Family Residential (Lot 2 of the Concurrently Filed Certified Survey Map) for the Purpose of Constructing a Landscape and Handyman Building on Proposed Lot 1 and a Future Single-Family Residential Building on Proposed Lot 2 (PWC 0951995001)

Mr. Fuchs stated the applicant is proposing to create one lot for the development of a landscape business, and to the north and south he would be creating two outlots. Outlot 1 would be rezoned to Rs-3 and outlot 2 would remain as Rs-1. Lot 1 would be rezoned to M-1 to accommodate the landscape business. The wetland onsite would be rezoned to LC to protect the wetland area. Mr. Fuchs noted that a landscape contractor use is not listed in the M-1 district, therefore a conditional use is required. In addition, the site and building plans consist of a 4,000 square foot building, as well as the parking, drive, storage area, and dumpster enclosure. Staff is recommending approval with the conditions in the staff report such as limiting storage, hours of operation, times for running equipment, and requiring a landscape plan and lighting plan. All of the applications are contingent upon each other.

Chairman Bierce opened the public hearing at 7:54pm.

Gary Oberfoell (N20 W25080 Bluemound Road) stated the property is currently being used for a commercial business without being zoned for it. The parking lot has already been put in, the land has been cleared, and there are people in the road stopping traffic at 7:30am to back equipment into the property. He wanted to see this request be terminated, and expected any development in the City to be of high quality.

Doug Kiser (N16 W24990 Bluemound Road) was concerned about the hours of operation and questioned how it would be enforced. He questioned how it would be managed once it does get approved, as it is already running as a business today.

The applicant, Pedro Arce, stated the only time he goes to the property is in the morning and in the afternoon at the end of the day. He will not be running the business out of this location, and all of his materials are sent to the job sites.

Mark Augustine with Landmark Engineering stated he was representing the applicant and he explained the proposal for each parcel.

Jim Watson (N15 W24824 Bluemound Road) questioned how the City would control development along this stretch of Bluemound Road. The hours of operation were his concern.

Chairman Bierce closed the public hearing at 8:04pm.

Mr. Fuchs described that this first began as an enforcement issue with Mr. Arce removing some trees, and he also graveled an access to the property. The rezoning of Lot 1 to M-1 will be consistent with the current designation of the comp plan, but the use is not listed within the M-1 district so that is why the conditional use is needed.

Chairman Bierce stated he has some issues with the building and would not approve it tonight. He did not feel they got a good look at the site and the preliminary building needs to look more residential. Chairman Bierce also agreed with the hours of operation concerns.

Commissioner Bergman requested continuity of design on all sides of the building, especially the southern elevation. He suggested a masonry element as well, and wanted to see the landscaping and lighting plans. He also felt the roof pitch was too flat.

Commissioner Janka recommended some relief on the long wall to make it look more residential. He felt it looked like a pole barn with siding on it.

No action was taken.

6. Discussion and Action Regarding a Recommendation to the Common Council for a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for Arce Handyman LLC for Property Located on Bluemound Road From Manufacturing/Fabrication/Warehousing to Manufacturing/Fabrication/Warehousing and Flood Plains, Lowland and Upland Conservancy, and Other Natural Areas (Lot 1); and From Manufacturing/Fabrication/Warehousing to Medium Density Residential (6,500 SQ. Ft. - 1/2 AC/Dwelling Unit) and Floodplains, Lowland and Upland Conservancy, and Other Natural Areas (Lot 2) (PWC 0951995001)

No action was taken.

7. Discussion and Action Regarding a Certified Survey Map for Arce Handyman LLC for Property on Bluemound Road for the Purpose of Subdividing an Existing Lot (PWC 0951995001)

No action was taken.

8. Discussion and Action Regarding a Recommendation to the Common Council for a Conditional Use Permit and Site and Building Plans for Arce Handyman LLC for Property Located on Bluemound Road for the Purpose of Constructing a Combined Warehouse/Office Building for a Landscape and Handyman Service Company (PWC 0951995001)

No action was taken.

 Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Green Acres, LLC to rezone Property Located at N28 W25206 Bluemound Road from Rs-3 Single-Family Residential to B-4 Office District and LC Lowland Conservancy for the Purpose of Constructing a 24,000 Square Foot Two-Story Office Building (PWC 0925994004 & PWC 0925990002)

Mr. Fuchs stated the applicant was looking to combine the two existing properties into one parcel, and then rezone the property to B-4 office district to allow the development of a two-story 24,000 square foot office building. The applicant has revised the landscape plan to preserve more of the existing trees and add more evergreens and shrubs. Mr. Fuchs recommended approval with the conditions listed in the staff report. He suggested rotating the building oriented to Bluemound Road, as opposed to the current layout, but the applicant chose to keep it as it is. Mr. Fuchs felt it was less objectionable now that the parking was reduced by 24 spaces.

Chairman Bierce opened the public hearing at 8:24pm.

Ed Hill (303 Sunset Drive) questioned if a traffic study had been done.

Mr. Fuchs noted the future parking area was removed from the plans and they would not be expanding from the 61 spots being shown.

Cindy Hill (303 Sunset Drive) questioned if it would be a permanent removal of the spaces, and Mr. Fuchs noted that they could come back and ask for more parking at any point. Ms. Hill stated she was concerned about the green space, the tress being removed, and the water issue.

Chairman Bierce closed the public hearing at 8:26pm.

Mr. Fuchs stated the project would need approval from County, as it is a County road. The County would require a traffic study if they felt it was necessary based on the uses.

Paul Grzeszczak with Briohn Design Group stated he met with Waukesha County and noted that they requested the drive access be directly across from the residential development. He will take care of acceleration and deceleration on their side of road, and the other development will take care of it on their side of the road. Ms. Wagner did not believe the County required the Neumann development to have a traffic study.

Commissioner Sullivan felt the City needed to start bothering the County on the traffic study requests. Discussion took place regarding the surrounding area traffic.

Mr. Hill again discussed his concern about the traffic.

Commissioner Bergman suggested making a condition that the developer clears the trees in the vision triangle looking to the south so that people can see.

Chairman Bierce stated he had no specific issues other than whether it should be approved at all, and if the City should try to force changes in the speed limit or to the configuration of the intersection north of the property.

The Commissioners agreed that this was a good use for the site.

Discussion took place regarding the orientation of the building and the parking area. Mr. Grzeszczak noted that a rotated version of the building would have a bigger challenge fitting in the scenario.

A motion was made and seconded (T. Janka, S. Sullivan) to recommend approval of the rezoning. Motion Passed: 4-For, 0-Against.

Mr. Fuchs referred to the elevations and recommended the additional height on the entrance instead of the canopy version.

10. Discussion and Action Regarding a Recommendation to the Common Council for a Comprehensive Master Plan Amendment to Change the Year 2050 Land Use/Transportation Plan Use Designation for Green Acres, LLC for Property Located at N28 W25206 Bluemound Road from Medium Density Residential (6,500 SQ. FT. – 1/2 AC. / D. U.) to Office Commercial and Flood Plains, Lowland & Upland Conservancy, and Other Natural Areas (PWC 0925994004 & PWC 0925990002)

A motion was made and seconded (T. Janka, B. Bergman) to recommend approval of the comprehensive master plan amendment. Motion Passed: 4-For, 0-Against.

 Discussion and Action Regarding a Certified Survey Map for Green Acres, LLC for Property Located at N28 W25206 Bluemound Road for the Purpose of Constructing a 24,000 Square Foot Two-Story Office Building (PWC 0925994004 & PWC 0925990002)

# <u>A motion was made and seconded (B. Brandon, T. Janka) to approve the CSM with the addition of a delineation of the former lot lines.</u> Motion Passed: 4-For, 0-Against.

 Discussion and Action Regarding the Site and Building Plans for Green Acres, LLC for Property Located at N28 W25206 Bluemound Road for the Purpose of Constructing a 24,000 Square Foot Two-Story Office Building (PWC 0925994004 & PWC 0925990002)

Commissioner Sullivan suggested directing Chairman Bierce and the Village President to contact the County to discuss the intersection.

A motion was made and seconded (B. Bergman, T. Janka) to approve the site and building plans conditioned upon all staff recommendations, stormwater requirements and Engineering staff comments, staff approving a tree inventory, and correspondence between the City and Village with Waukesha County. Motion Passed: 4-For, 0-Against.

- Discussion Regarding the Community Development and Building Services Annual Report for 2019
   Mr. Fuchs stated the report was for informational purpose only and no action was required.
- 14. Adjournment

A motion was made and seconded (B. Bergman, S. Sullivan) to adjourn the meeting at 8:57pm. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Ami Hurd Deputy Clerk

# CITY OF PEWAUKEE PLAN COMMISSION AGENDA ITEM 3.

August 20, 2020

Swan View Farms CSM Staff Report

Swan View Farms CSM

**DATE:** 

DEPARTMENT:	Planning
PROVIDED BY:	
SUBJECT:	
for the Purpose of Subd	Regarding a Certified Survey Map for Swan View Farms Located at W239 N4024 Swan Road lividing the Property Into Two Separate Lots in Order to Develop a 83 Lot Single-Family (PWC 0871996 & PWC 0871999)
BACKGROUND:	
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FINANCIAL IMPAC	<b>T:</b>
RECOMMENDED M	MOTION:
ATTA CAN ANNO	
ATTACHMENTS: Description	



## Office of the Planning & Community Development Director

W240 N3065 Pewaukee Road Pewaukee, Wisconsin 53072 Phone (262) 691-0770

Fax (262) 691-1798

#### REPORT TO THE PLAN COMMISSION

Meeting of August 20, 2020

**Date:** August 5, 2020

**Project Name:** Swan View Farms Certified Survey Map

Project Address/Tax Key No.: W239N4024 Swan Road/PWC 0871996 and 0871999

**Applicant:** Carl Tomich, Westridge Builders

Property Owner(s): Bradley W. Swan & Cheryl L. Swan, Swan View Properties LLC and BWC

Investments LLC

**Current Zoning:** Rs-4 Single-Family Residential District **Proposed Zoning:** Rs-4 Single-Family Residential District

**2050 Land Use Map Designation**: Low-Medium Density Residential and Floodplains, Lowland &

Upland Conservancy and Other Natural Areas

**Use of Surrounding Properties:** Balmer Park and single-family residential to the north and single-family

residential to the south, east and west

#### **Project Description**

The applicant filed a Certified Survey Map Application requesting to subdivide the property located at approximately W239N4024 Swan Road into two separate lots.

The subject property is approximately 115.16 acres. The property has been used for agricultural purposes and includes an existing dwelling, barn, and about seven accessory structures. The property is now in the process of being developed as an 83 lot single-family residential subdivision called Swan View Farms. A Rezoning request and Preliminary Plat were previously approved at the September 20, 2018 Plan Commission meeting and October 15, 2018 Common Council meeting.

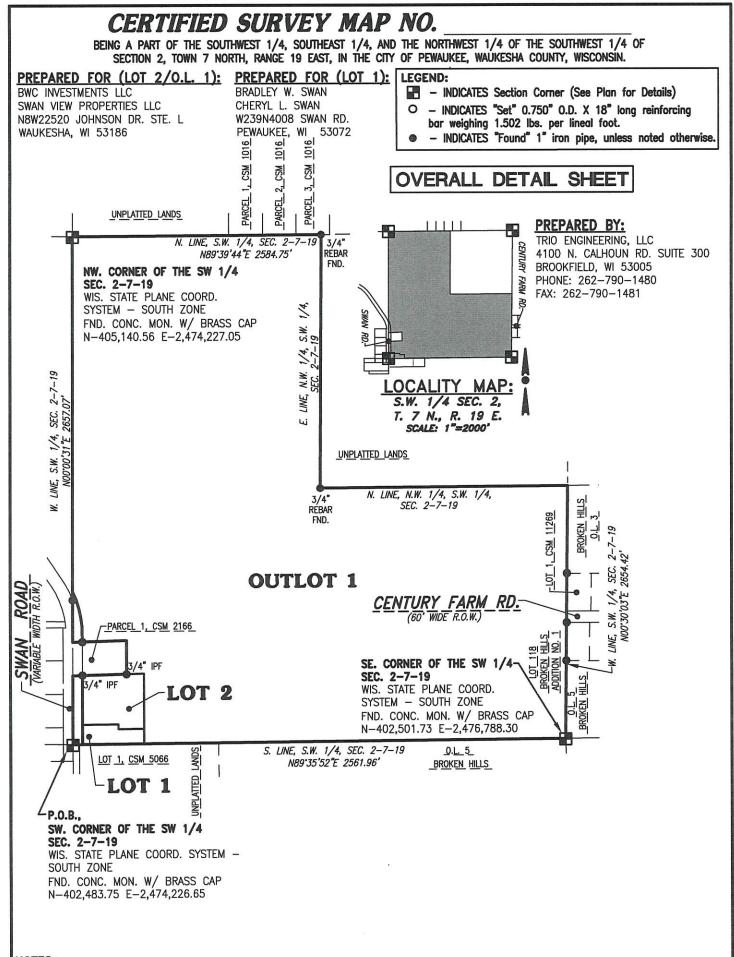
Prior to the Final Plat, the applicant is requesting to create a 2-acre parcel that includes the existing dwelling, barn, and accessory structures. The proposed Lot 2 is consistent with the boundaries of Lot 83 as shown on the Preliminary Plat.

Lot 1 has an area of 113.1610 acres and will be further divided by the Final Plat in substantial conformance with the approved Preliminary Plat of the Swan View Farms development.

Lot 2, as well as the future lots of the Swan View Farms subdivision, conform to the RS-4 District minimum lot area requirements of 20,000 square feet and a width of at least 110 feet at the building setback line.

#### Recommendation

A motion recommending approval of a 2 Lot Certified Survey Map for properties located at approximately W239N4024 Swan Road bearing Tax Key Nos. 0871996 and 0871999.



NOTES:

CSM\530CSMO

(C700\789\

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-27), IN WHICH THE SOUTH LINE OF THE S.W. 1/4 OF SECTION 2,

TOWN 7 NORTH, RANGE 19 EAST, BEAST, N89°35'52"E.

ALL TELEPHONE LINES, ELECTRIC LINES, CABLE TELEVISION LINES, TELECOMMUNICATION LINES

AND OTHER SIMILAR UTILITY SERVICES SHALL BE PLACED UNDERGROUND UNLESS THE

APPLICANT OR UTILITY CAN DEMONSTRATE THAT UNDERGROUNDING IS NOT FEASIBLE.

WETLANDS SHOWN HEREON WERE DELINEATED BY SCOTT M. HORZEN A CERTIFIED WETLAND

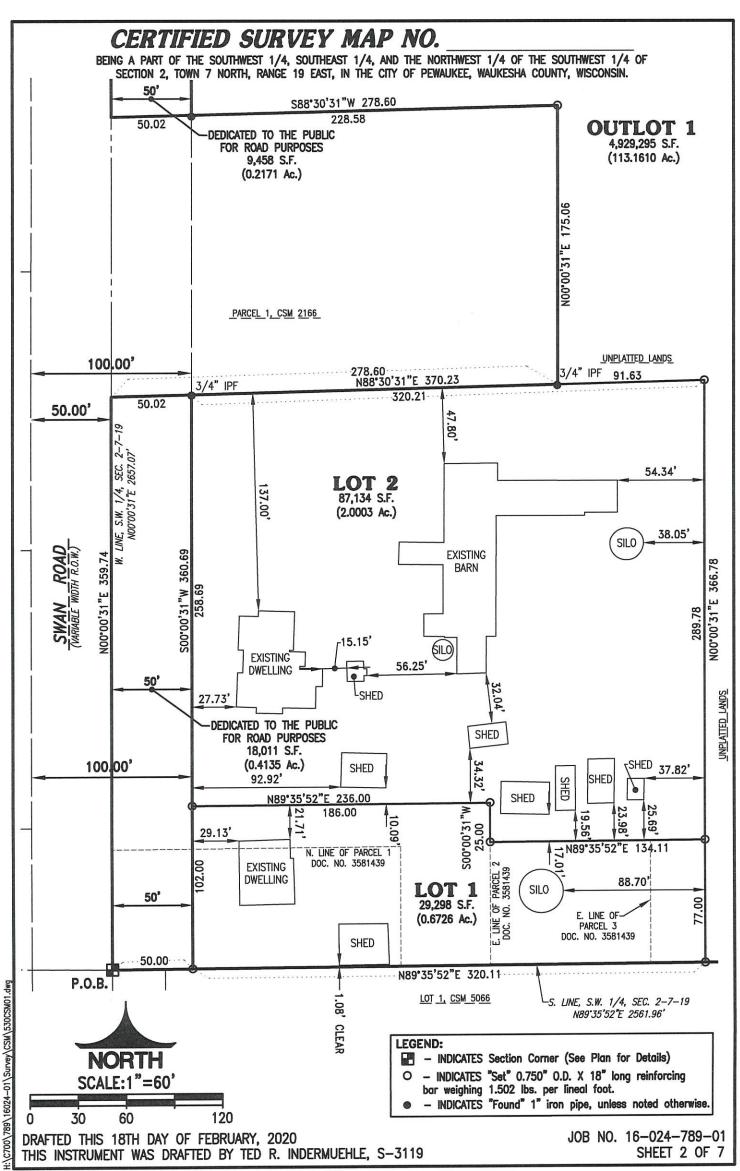
ECOLOGIST WITH ONEIDA TOTAL INTEGRATED ENTERPRISES (OTIE), ON APRIL 20, 2016 AND PROVIDED TO TRIO ENGINEERING LLC, IN DIGITAL FORMAT.

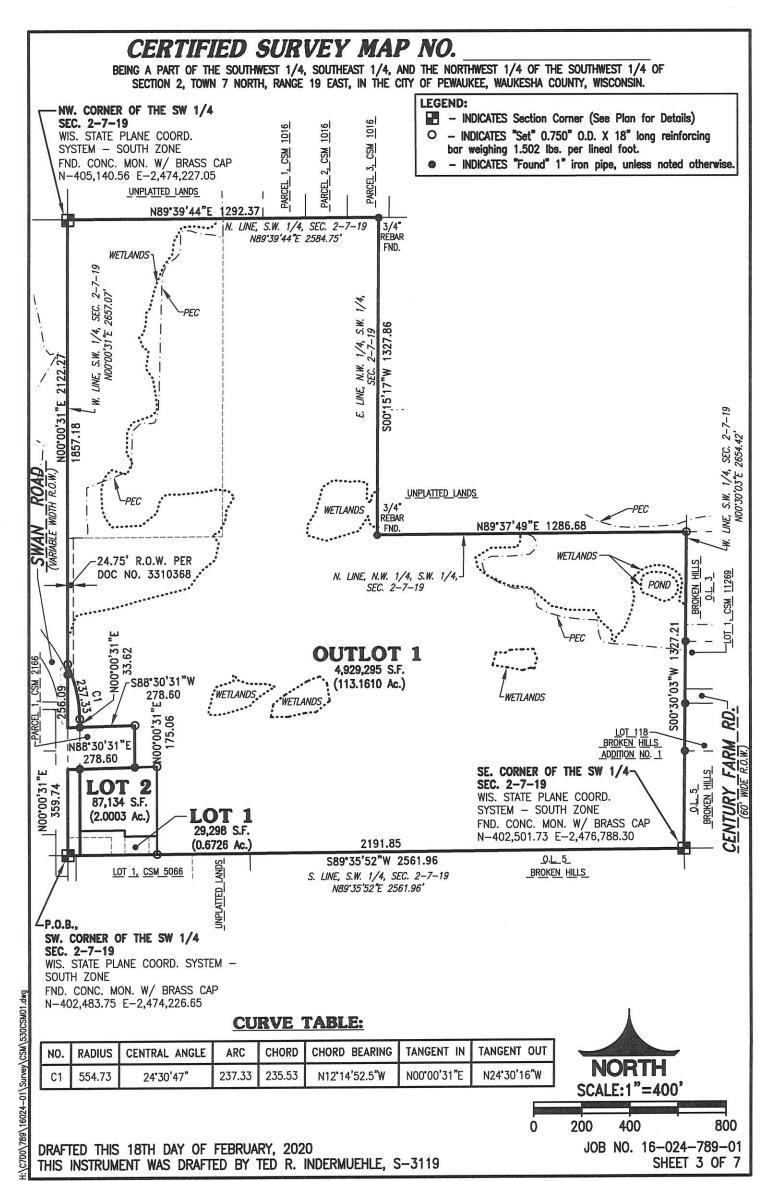
PRIMARY ENVIRONMENTAL CORRIDOR (PEC) SHOWN HEREON WAS TAKEN FROM SEWRPC

RECORDS.

DRAFTED THIS 18TH DAY OF FEBRUARY, 2020 THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119

JOB NO. 16-024-789-01 SHEET 1 OF





CERTIF	IFD	CIRI	/FV	MAP	NO
		DUM			IVU.

BEING A PART OF THE SOUTHWEST 1/4, SOUTHEAST 1/4, AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:				
STATE OF WISCONSIN )				
)ss COUNTY OF WAUKESHA )				
I, Ted R. Indermuehle, Professional Land Surveyor, do hereby certify:				
That I have surveyed, divided, and mapped all that part of the Southwest 1/4, Southeast 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 2, Township 7 North, Range 19 East, in the City of Pewaukee, Waukesha County Wisconsin, now being more particularly bounded and described as follows:				
Commencing at the Southwest corner of the said Southwest 1/4 Section said point being the place of beginning o lands hereinafter described;				
Thence North 00°00'31" East along the West line of said Southwest 1/4 Section, 359.74 feet to a point on the South line of Certified Survey Map Number 2166 and it's extension; Thence North 88°30'31" East along said South line 278.60 feet to a point on the East line of said Certified Survey Map; Thence North 00°00'31" East along said East line 175.06 feet to a point on the North line of said Southwest 1/4; Thence South 88°30'31" West along said North line, 278.60 feet to a point on the West line of said Southwest 1/4; Thence North 00°00'31" East along said West line 2122.27 feet to the Northwest corner of said Southwest 1/4; Thence North 89°39'44" East along said North line 1292.37 feet to a point; Thence South 00°15'17" West 1327.86 feet to a point; Thence North 89°37'49" East 1286.68 feet to a point on the East line of said Southwest 1/4; Thence South 00°30'03" West along said East line, 1327.21 fee to the Southeast Corner of said Southwest 1/4; Thence South 89°35'52" West along said South line, 2561.96 feet to the point of beginning of this description.				
The Gross area of said Parcel contains 5,073,196 Square Feet (or 116.4646 Acres) of land, more or less. The Net area of said Parcel after the Right-of-Way dedication of "Swan Road" contains 5,045,727 Square Feet (or 115.8340 Acres of land, more or less.				
That I have made such survey, land division and map by the direction of Bradley W. and Cheryl L. Swan, BWC Investments LLC, and Swan View Properties LLC, owners of said lands.				
That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.				
That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of Pewaukee, in surveying, dividing and the mapping the same.				
Dated this day of				

Ted R. Indermuehle, P.L.S. Professional Land Surveyor, S-3119 **TRIO ENGINEERING, LLC** 4100 N. Calhoun Rd. Suite 300 Brookfield, WI 53005 Phone: (262)790-1480 Fax: (262)790-1481

Drafted this 18th Day of February, 2020
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119
L\LOBBYS\WPDOCS\DOCUMENT\789\16024-01\530-Certified Survey Map\Swan Farms CSM.doc

Job. No. 16-024-789-01 SHEET 4 OF 7

# CERTIFIED SURVEY MAP NO.

BEING A PART OF THE SOUTHWEST 1/4, SOUTHEAST 1/4, AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN.

# CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

<b>BWC Investments, LLC and Swan View Properties, LLC,</b> Limited Liability Companies duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner of Lot 2 and Outlot 1, does hereby certify that said Limited Liability Companies has caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of Pewaukee, this day of, 20				
BWC Investments, LLC and Swan View Properties, LLC				
Carl Tomich, Member				
STATE OF WISCONSIN ) ) ss COUNTY OF )				
Personally came before me this day of, 20, Carl Tomich, Member of the above named limited liability companies, to me known to be the person who executed the foregoing instrument, and to me known to be such Member of said limited liability companies, and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability companies, by its authority.				
Print Name: County, WI  Notary Public, County, WI  My commission expires:				
WETLANDS AND PRIMARY ENVIRONMENTAL CORRIDOR PRESERVATION RESTRICTIONS:				
Those areas identified as Wetlands and Primary Environmental Corridor on this Plat shall be subject to the following restrictions:				
Those areas identified as Wetlands and Primary Environmental Corridor on this Plat shall be subject to the following restrictions:  1. Grading, filling and removal of topsoil or other earthen materials are prohibited except in connection with the construction of a proposed gravel path, unless specifically authorized by the Municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.  2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that dead, diseased, or dying vegetation may be removed, at the discretion of the landowner and with approval from the Municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use-Planning and Zoning Division. Silvicultural thinning upon the recommendation of a forester or naturalist and with approval from the Municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and land Use-Planning and Zoning Division shall also be permitted.  3. Grazing by domesticated animals, i.e., horses, cows, etc, is prohibited.  4. The introduction of plant material not indigenous to the existing environment is prohibited.  5. Ponds may be permitted subject to the approval of the Municipality in which they are located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.  6. The construction of buildings is prohibited.				

Drafted this 18th Day of February, 2020
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119
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Job. No. 16-024-789-01 SHEET 5 OF 7

# CERTIFIED SURVEY MAP NO.

BEING A PART OF THE SOUTHWEST 1/4, SOUTHEAST 1/4, AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFIC	ATE OF DEDICATION	ON:	
dedicated, and mapped as re-	presented on this map in ac	aused the land described on this map ecordance with the provisions of Char ewaukee, this day of	pter 236 of the Wisconsin
		Bradley W. Swan, Owner	
		Cheryl L Swan, Owner	
STATE OF WISCONSIN	)		
COUNTY OF	) ss )		
Personally came before me the me known to be the person wh	is day of no executed the foregoing ins	, 20, Bradley W. and strument and acknowledged the same.	Cheryl L Swan, Owners, to
		Print Name:Notary Public,My commission expires:	County, WI
CONSENT OF MORT	CACFF:		
Wisconsin, mortgagee of the a of the land described on this	above described land, does h Certified Survey Map, and	d and existing under and by virtue of ereby consent to the surveying, dividin does hereby consent to the above cer	g, dedicating, and mapping tificate of <b>BRADLEY W</b> .
STATE OF WISCONSIN	) ) ss		
COUNTY OF	)		
Personally came before me the corporation, to me known to corporation, and acknowledge its authority.	is day of be the person who executed d that she executed the foreg	, 20, d the foregoing instrument, and to me going instrument as such officer as the control of the control	deed of said corporation, by
		Print Name:	
		Print Name:	County, WI

Drafted this 18th Day of February, 2020
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119
L:\LOBBYS\WPDOCS\DOCUMENT\789\16024-01\530-Certified Survey Map\Swan Farms CSM.doc

Job. No. 16-024-789-01 SHEET 6 OF 7

# CERTIFIED SURVEY MAP NO.

BEING A PART OF THE SOUTHWEST 1/4, SOUTHEAST 1/4, AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWN 7 NORTH, RANGE 19 EAST, IN THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN.

COMMON COUCIL APPROVA		Danienkas Duadley W. and Charry I. Com	on DV	
Resolved that the Certified Survey map, in the City of Pewaukee, <b>Bradley W. and Cheryl L. Swan, BW</b> Investments, LLC, and Swan View Properties, LLC, owners, is hereby approved and dedication accepted by a city Board of the City of Pewaukee by Resolution No, on this day of, 20				
all conditions have been met as of this	day of			
Date:		Steve Bierce, Mayor		
Date:	_	Kelly Tarczewski, Clerk/Treasurer		
PLAN COMMISSION APPROVA	AL:			
APPROVED by the Planning Commission of	the City of Pew	vaukee on this day of, 20	·	
		Steve Bierce, Mayor		
		Kelly Tarczewski, City Clerk		
		Keny Tarczewski, City Clerk		

Drafted this 18th Day of February, 2020
THIS INSTRUMENT WAS DRAFTED BY TED R. INDERMUEHLE, S-3119
L:\LOBBYS\WPDOCS\DOCUMENT\789\16024-01\530-Certified Survey Map\Swan Farms CSM.doc

Job. No. 16-024-789-01 SHEET 7 OF 7

# CITY OF PEWAUKEE PLAN COMMISSION AGENDA ITEM 4.

August 20, 2020

DEPARTMENT:	Planning
PROVIDED BY:	
SUBJECT:	
& Land Use to Rezone Conservancy and F-1 I	Regarding a Petition for a Rezoning Public Hearing for Waukesha County Department of Parks vacant Land Located on North Avenue From LC Lowland Conservancy, UP Upland Floodplain to P-1 Park and Open Space, UC Upland Conservancy and F-1 Floodplain for the ag a 5-Stall Parking Lot for the Waukesha County Pewaukee to Brookfield Recreational Trail and 188001)
BACKGROUND:	

# **RECOMMENDED MOTION:**

FINANCIAL IMPACT:

# **ATTACHMENTS:**

Description

DATE:

Pewaukee to Brookfield Trail Staff Report Pewaukee to Brookfield Trail Rezoning



## Office of the Planner & Community Development Director

W240 N3065 Pewaukee Road Pewaukee, Wisconsin 53072 Phone (262) 691-0770

Fax (262) 691-1798

#### REPORT TO THE PLAN COMMISSION

Meeting of August 20, 2020

**Date:** August 5, 2020

**Project Name:** Waukesha County Pewaukee to Brookfield Trail Project Address/Tax Key No.: Not Assigned/PWC0959988001

**Applicant:** Waukesha County

**Property Owner:** Siepmann Realty

Current Zoning: LC Lowland Conservancy District, UC Upland Conservancy District, F-1

Floodplain District, and SO Shoreland Overlay District

**Proposed Zoning:** P-1 Park and Open Space District and F-1 Floodplain District

**2050 Land Use Map Designation**: Floodplains, Lowland & Upland Conservancy and Other Natural

Areas

Use of Surrounding Properties: North Avenue, single-family residential and the Fox River to the north, I-94 to the south, floodplain to the east and upland conservancy to the west

#### **Project Description/Analysis:**

The applicant submitted a Rezoning Application, Site and Building Plans, and a Variance Application for the construction of a recreational trail and trailhead for the Waukesha County Pewaukee to Brookfield Trail. The project will include a 5-stall parking lot at the south end of North Avenue (north end of the subject property) and a 10-foot wide asphalt trail heading south from the trailhead. This trail extension will connect to the main regional trail, which runs through the City of Pewaukee via an abandoned railroad right-of-way that is owned by Waukesha County.

## Rezoning

The property where the trailhead is located is currently zoned LC Lowland Conservancy District, UC Upland Conservancy District, and F-1 Floodplain District.

The applicant is requesting to rezone the LC District and a portion of the UC District to P-1 Park and Open Space District to accommodate the trailhead use, which lists "Paved off-street parking areas" as a Permitted Accessory Use.

The trail connector, connecting the trailhead to the regional trail, is located within the F-1 District and is a Permitted Use; therefore, the F-1 portion of the property does not need to be rezoned.

The main regional portion of the trail traverses through I-1, Rm-3, Rs-4, and other LC and F-1 District areas. It is recommended that the entire trail corridor (former railroad ROW) be rezoned to P-1 Park and Open Space District, except for environmental zoning districts that remain applicable, such as the F-1 District and any remaining LC District that is not disturbed.

Staff is further suggesting that the rezoning of the entire regional trail may occur in the future and in partnership with the City. This would allow the County to continue moving forward with the project while preparing the rezoning request. Additionally, as a joint application the City would not require a rezoning application fee. Staff finds and suggests this approach as the trail serves and benefits City of Pewaukee residents.

#### Site Plan

The site and building plan submittal includes details of the trailhead, connector trail, erosion control, clearing and grubbing, grading and restoration. A map illustrating the general location of the entire regional trail has also been provided.

Again, trails are allowed within the F-1 Floodplain District, which permits non-structural recreational uses, subject to certain fill limitations (see Section 17.04351.(5)). Much of the regional trail will be developed within floodplain and floodway areas. According to the applicant, the base flood elevation will not be raised and the development is in compliance with Section 17.04351.(5) and 17.0435g of the Zoning Code.

A portion of the trailhead is located within City right-of-way. <u>As such, staff recommends that an</u> <u>agreement shall be reviewed and approved by the Common Council to allow the trail within City right-of-way.</u>

#### Staff also recommends that:

- 1. <u>The applicant shall obtain and provide a copy to the City of all necessary permits from the Wisconsin Department of Natural Resources and any other required approval agency prior to any land disturbance activities.</u>
- 2. <u>Final grading, erosion control and storm water management plans shall be submitted for approval by the Engineering Department prior to any land disturbance.</u>

### <u>Signage</u>

Currently the only proposed signage are directional signs, which are allowed without a permit per Section 17.0708f.

Any other signage, if proposed in the future, must comply with all standards set forth in Section 17.0700 of the City's Zoning Code and require separate review and approval by the City Planner as well as a Sign Permit from the Building Services Department prior to installation.

#### Variance

The applicant is requesting a variance from Section 17.0432f.(2) to allow construction of the trailhead and parking lot within 75-feet of the F-1 Floodplain District (100-year floodplain) and 25-feet from a wetland as well as Section 17.0432g.(2) to allow the parking lot within 30-feet of the public right-of-way. The parking lot will be located adjacent to a wetland area, 32-feet from the floodplain and will extend to the street side property line and into the City's right-of-way.

Note the variance will be reviewed by the Zoning Board of Appeals (ZBA). <u>Any approval of the trailhead is subject to Zoning Board of Appeals approval of the concurrently submitted Variance</u>

<u>Application</u>. The variance is scheduled to be heard at the August 18, 2020 ZBA meeting, prior to the Plan Commission meeting.

#### **Recommendation:**

A motion to recommend approval of the rezoning request to rezone property bearing Tax Key No. 0959988001 from LC Lowland Conservancy District, UC Upland Conservancy District, and F-1 Floodplain District to P-1 Park and Open Space District, UC Upland Conservancy District, and F-1 Floodplain District.

A motion to approve the proposed building and site plans for the Waukesha County Pewaukee to Brookfield Trail, subject to staff recommended conditions of approval and approval of the concurrently submitted rezoning request.



# 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

#### PETITION FOR A REZONING DISTRICT MAP AMENDMENT

TO THE HONORABLE MAYOR AND COMMON COUNCIL OF THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

	I of the City of Pewaukee, Waukesha County, Wisconsin to	
rezone the following property <b>FROM</b> LC Lowland Conservancy	, UC Upland Conservancy District & F-1 Floodplain	
zoning district(s) TO P-1 Park and Open Space District, UC Uplan	nd Conservancy District, and F-1 Floodplain zoning district(s)	
<b>Legal description of property to be rezoned</b> – Please attach.	- Attached	
Common property description or name: Not applicable		
Property Address: Vacant Land	Tax Key Number(s): PWC 0959988001	
Property owner(s) (Full Legal Name): Siepmann Realty (c/	o John Siepmann)	
Owner's Address: W240N1221 Pewaukee Rd	City/State/Zip: Waukesha, WI 53188	
	@siepmannrealty.com	
This amendment to the zoning map is being proposed in order allow for the construction of a 5-stall parking lot for the regional trail the state of th		
Applicant (Full Legal Name):	Contact Person (Full Legal Name):	
Name: _ Stephen Siodlarz	Name: Lynda Fink	
Company: Waukesha County Dept of Parks and Land Use	Company: KL Engineering, Inc.	
Address: 515 W. Moreland Blvd Room AC230	Address: W175N11081 Stonewood Drive Suite 211	
City/State/Zip: Waukesha, WI 53188	City/State/Zip: Germantown, WI 53022	
Phone: (262) 548-7793	Phone: (262) 735-4856	
Email: ssiodlarz@waukeshacounty.gov	Email: Ifink@klengineering.com	

#### Rezoning submittals must include and be accompanied by the following:

- X This Application form accurately completed with original signatures.
- Application Filing Fee, payable to the City of Pewaukee:
  - o \$400.00, plus cost for publication, notice and all attorney fees related to Project
- $\Box$ **x** Five (5) complete collated sets of Application materials to include:
  - o A written project narrative detailing the request and proposed zoning as well as any future development plans or any proposed site or building improvements.
  - o A Rezoning Exhibit that illustrates the property boundaries, areas to be rezoned and specifically notes the existing and proposed zoning.
  - o Building and Site Plans as may be applicable.
- All application materials provided in a digital format (Adobe PDF). Materials may be submitted on a USB Flash Drive or emailed to hurd@pewaukee.wi.us.
- Note twelve (12) additional sets of plans will be required for Plan Commission following staff review of the initial submittal. These plans should be revised in response to staff comments as may be necessary.



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

The applicant and property owner(s) hereby certify that:

- all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge;
- 2) the applicant and property owner(s) has/have read and understand all information in this application; and
- 3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval.

By execution of this application, the property owner(s) authorize the City of Pewaukee and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

PETITIONER'S/APPLICANT'S SIGNATURE:					
NAME & TITLE (PRINT): STEPHE	EN SIDD	LARZ, LANDSCARE ARCHITECT			
SIGN AND DATED this4*	day of _	August , 2020 .			
PROPERTY OWNER'S SIGNATURE:	(email attach	ed with permission- County currently acquiring property)			
NAME & TITLE (PRINT):					
SIGN AND DATED this	day of _	·			
PROPERTY OWNER'S SIGNATURE:	The second secon				
NAME & TITLE (PRINT):					
SIGN AND DATED this	day of _	,			
City Staff-					
RECEIVED at City Hall by:		on			
Econoid, ¢	Data				

# Lynda Fink

From: John Siepmann < John@siepmannrealty.com>

**Sent:** Monday, July 6, 2020 2:48 PM

To: Lynda Fink
Cc: Stephen Siodlarz

**Subject:** RE: Pewaukee to Brookfield Trail project - City of Pewaukee preliminary permitting applications with

your permission

#### Caution External Email

Linda,

We have received the information and have no objections to the layout and concur with your commencement of the permitting process.

From: Lynda Fink < lfink@klengineering.com> Sent: Thursday, July 2, 2020 10:36 AM

To: John Siepmann < John@siepmannrealty.com>

Cc: Stephen Siodlarz <ssiodlarz@waukeshacounty.gov>

**Subject:** Pewaukee to Brookfield Trail project - City of Pewaukee preliminary permitting applications with your

permission

July 2, 2020

John-

As with all new construction projects, we will be applying for a variety of permits with different authorities. As you're aware, we're planning to construct a small parking lot (small 5-stall) and then a connector trail to the main trail on the property that you currently own (and the County is interested in acquiring from you for and currently is in process). I have attached an overview of the plan to this email as well.

I am working on the draft permits (internal City staff review) for the City of Pewaukee right now. This includes the following permits:

- Site Plan Review: For the construction of the parking lot and connector trail
- Rezoning:
  - Currently the property is zoned as floodplain (F-1) and LC (Lowland Conservancy).
  - The trail is in F-1, but where we are planning for the parking lot is currently zoned as LC. We are requesting that the LC is rezoned to to Park and Open space (P-1) as the parking lot and trail are allowable elements within that district (are not in LC)
- Variance Request:
  - o The City requires a 75' offset from floodplain and a 25' offset from wetlands.
  - As the majority of the parcel is wetlands, we aren't meeting that requirement and will be traversing directly through.
  - Although the parking lot is outside the floodplain, it is not 75' away.
  - NOTE: We will also be securing permits from WisDNR ad Army corps of Engineering for wetland fill for this area (and a WRAPP permit for grading)

In order to meet the multi-month approval process and get the construction project bid out in winter 2020, we need to start the Pewaukee permitting process now, so I am requesting your concurrence in us starting the permitting. I will also need a signature on the final permits after staff review, but for now, a concurrence via e-mail is OK.

Waukesha County is the applicant and you are listed as the property owner. You will incur no fees with the application nor are required to attend any meetings to such or have any add'l responsibilities through the process.

If you have any questions, please do not hesitate to call me at 262.804.1337 or email me as well. Otherwise, if you are OK with us applying, if you could just reply to this email with your concurrence, I would appreciate it greatly. We are hoping to submit these permits on Monday, July  $6^{th}$ .

As noted above, we would send you the final permits for signature after internal city staff review and required modifications.

Thank you very much!

Lynda

Lynda Fink, PLA Project Manager

KL Engineering, Inc. W175N11081 Stonewood Drive, Suite 211 Germantown, WI 53022 262.804.1337 - cell 262.735.4856 - office lfink@klengineering.com







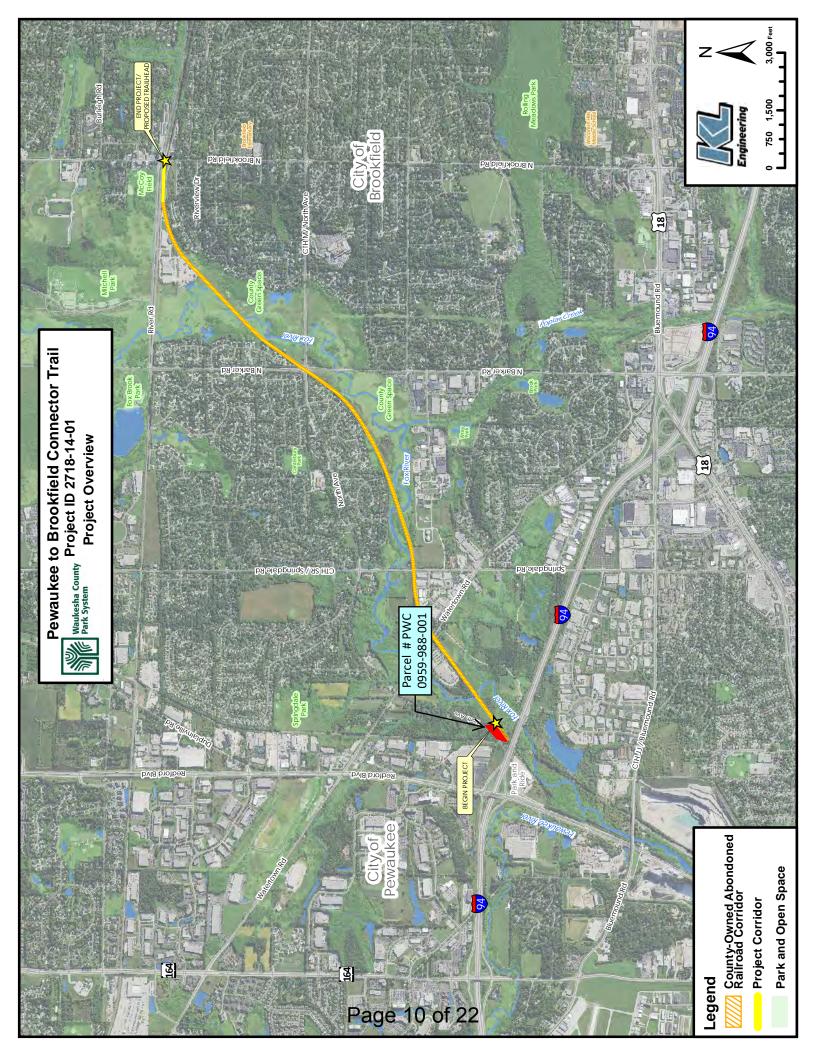
klengineering.com

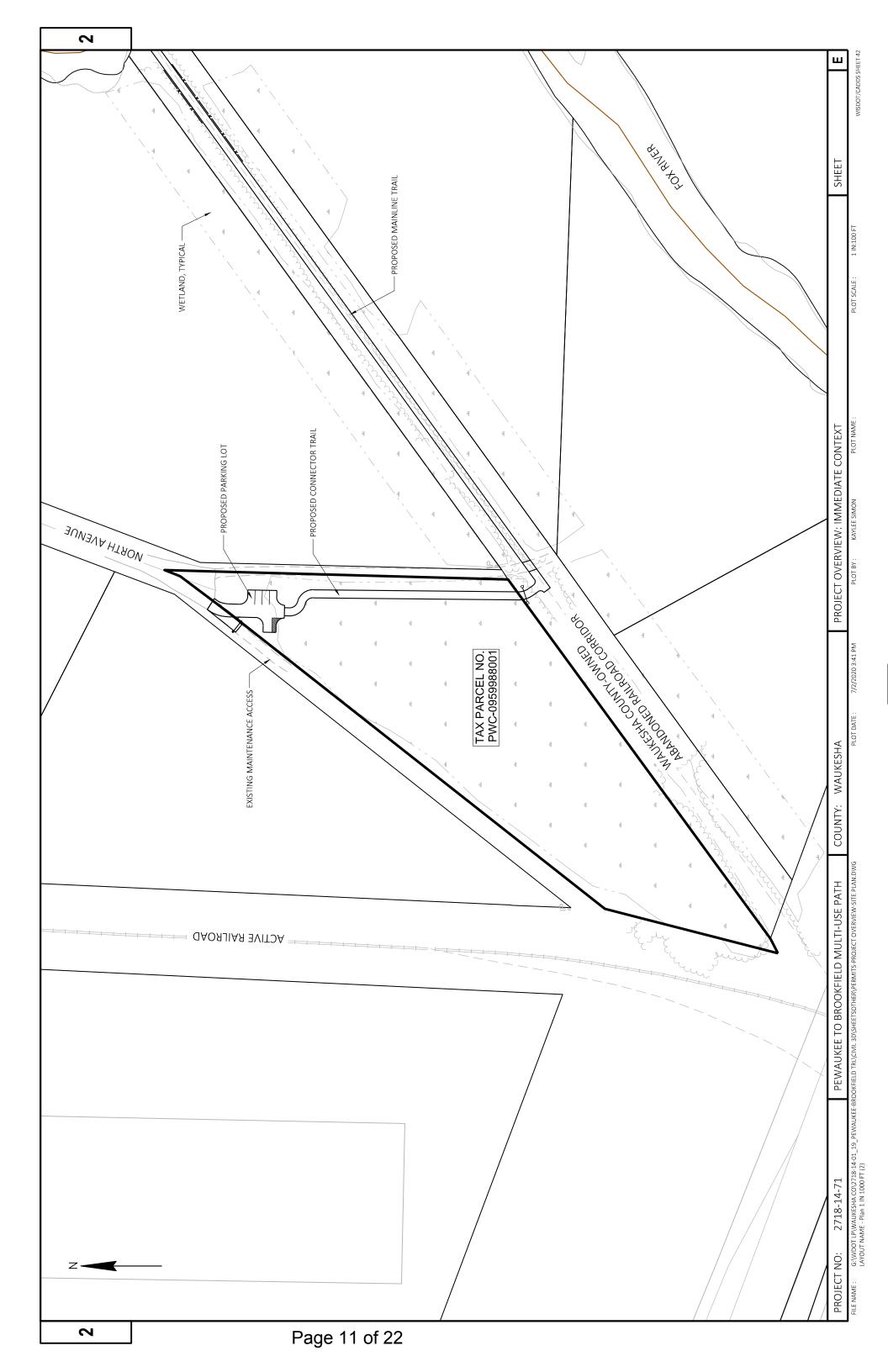


On behalf of KL Engineering, Inc., I hope you, your family, friends, and colleagues are safe and healthy. We would like to reassure you that we are open and look forward to working with you. Our main office line is open and you will either get a live greeting or an auto-attendant. If you receive an auto-attendant feel free to dial my extension 283 or dial my line direct at 262.345.3824.

# **Rezoning District Map Application Attachments**

- 1. Project Location Maps (2)
- 2. Project Narrative
- 3. Legal description
- 4. Property Plat
- 5. Existing Zoning Map
- 6. Proposed Zoning Map
- 7. Plan & Profile sheets
  - a. Parking Lot
  - b. Connector Trail
- 8. Typical Sections
- 9. Detail sheets
  - a. Grading & Layout
  - b. Signing & Marking





# **Existing Zoning City of Pewaukee Rezoning Permit Narrative**

Waukesha County in cooperation with WisDOT will be constructing the Pewaukee to Brookfield Trail (WisDOT ID #2718-14-01). The regional trail will consist of a 10' wide paved trail on the abandoned railroad corridor owned by the County and will stretch 3.5 mils from Pewaukee to downtown Brookfield.

As part of this project, the County will be constructing a small, 5-lot parking stall at the south end of North Avenue within the City of Pewaukee. The parking lot will then provide access via a 10' wide asphalt connector trail to the main trail on the abandoned rail corridor. The County is in the process of acquiring tax parcel #PWC 0959988001 to include these improvements.

The work on this site will include the following:

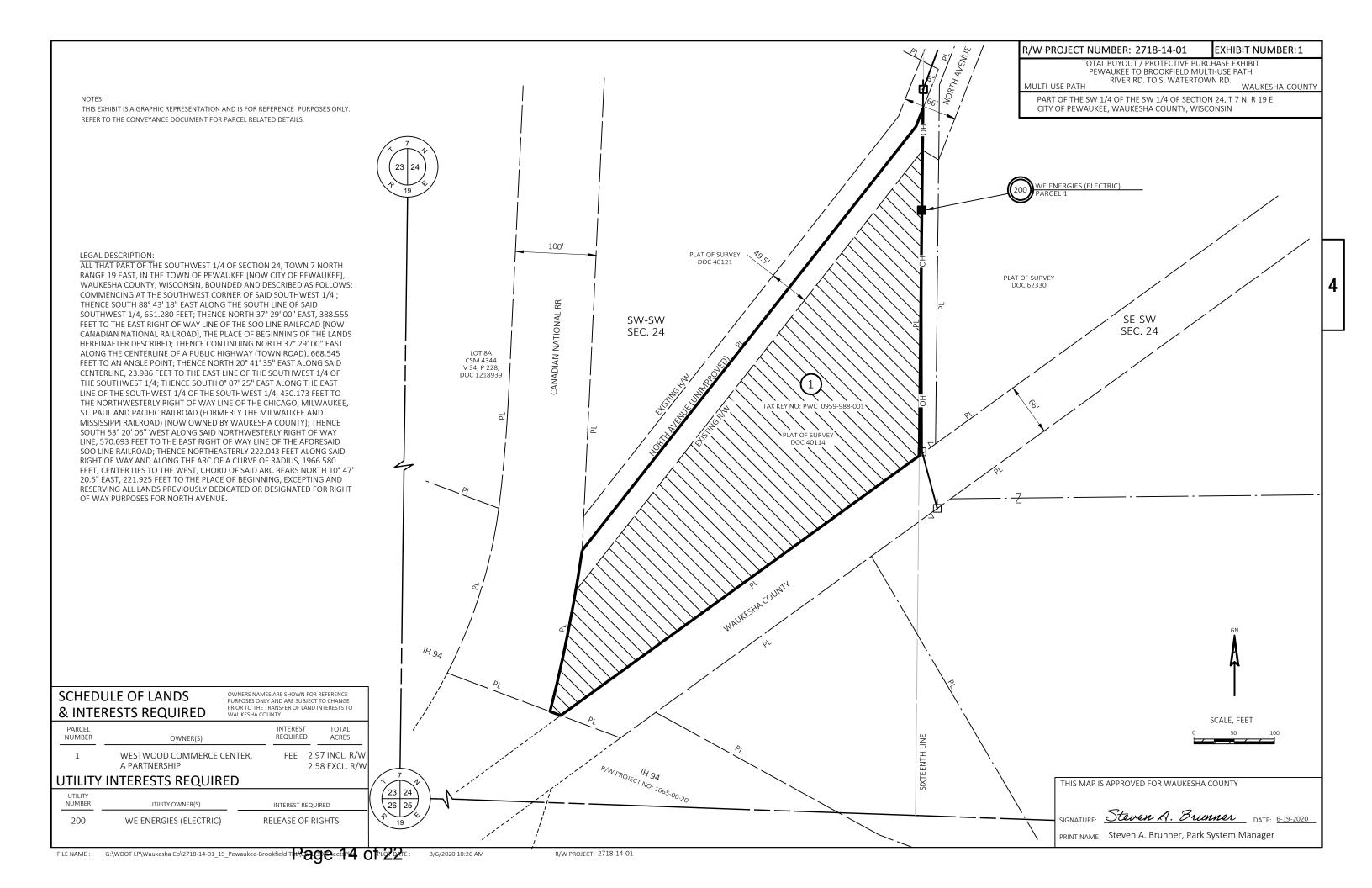
- Site preparation/finishing: Erosion control, clearing & grubbing, grading & restoration
- Construction of a 5-stall parking lot: Geogrid, stone base, HMA pavement, signing and marking.
- Construction of a 10' wide asphalt trail: geogrid, stone base, asphaltic surface, signing and marking.
- City/ RR Maintenance access improvements: formalized pavement past the parking lot entrance drive with a new maintenance gate.

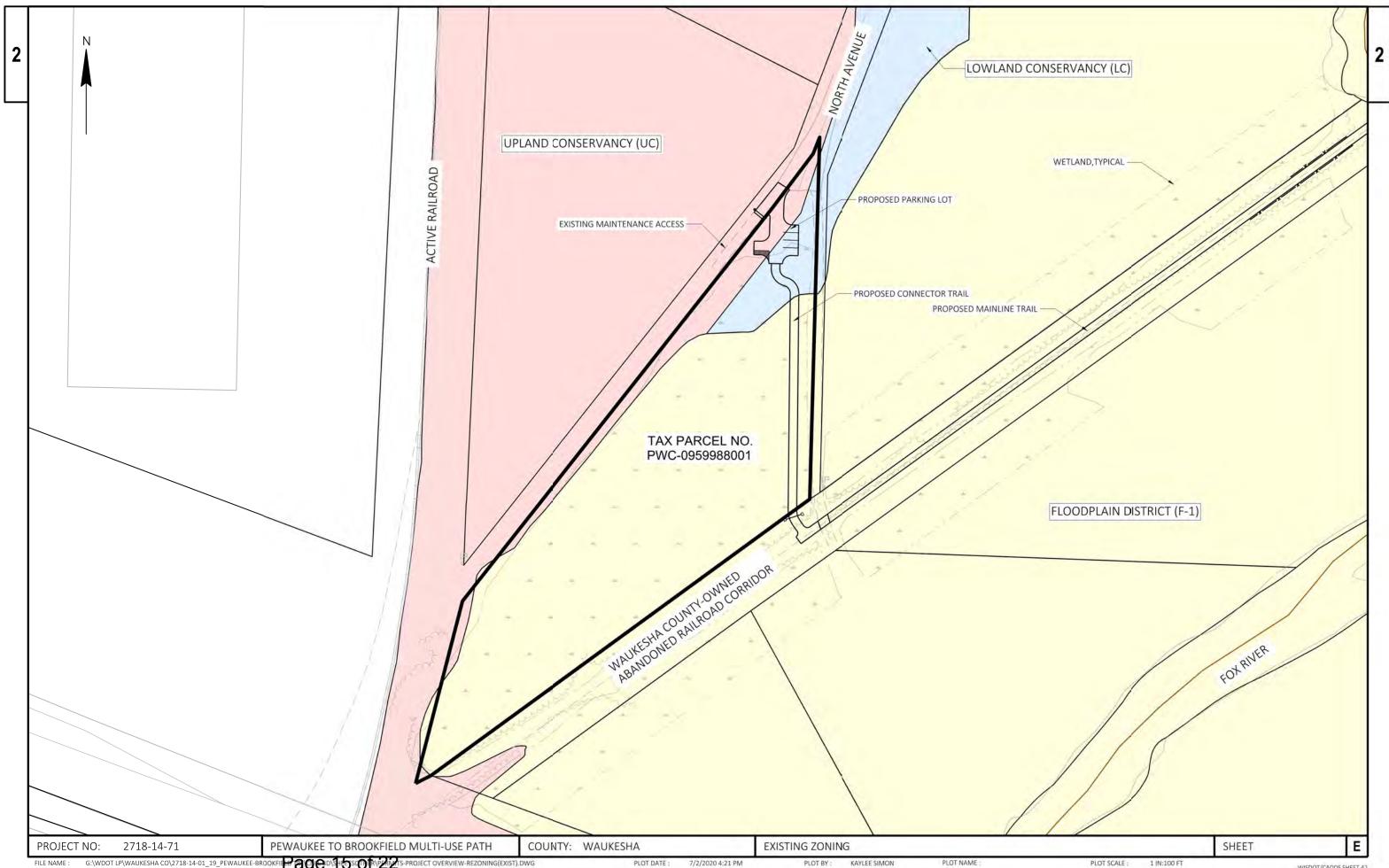
The parcel is currently zoned as Upland Conservancy (UC), Lowland Conservancy District (LC) and Floodplain District (F-1). Recreational pathways are allowed as a use in F-1 and parking lots are allowed as a use in UC. However, the area where the parking lot is planned is in both UC and LC and parking lots are not allowable accessary uses in the LC District. The rezoning to Park& Open Space District (P-1) matches the proposed new construction and paved, off-street areas are allowable accessory uses in P-1 District. Improvements will not raise the base floodplain elevation.

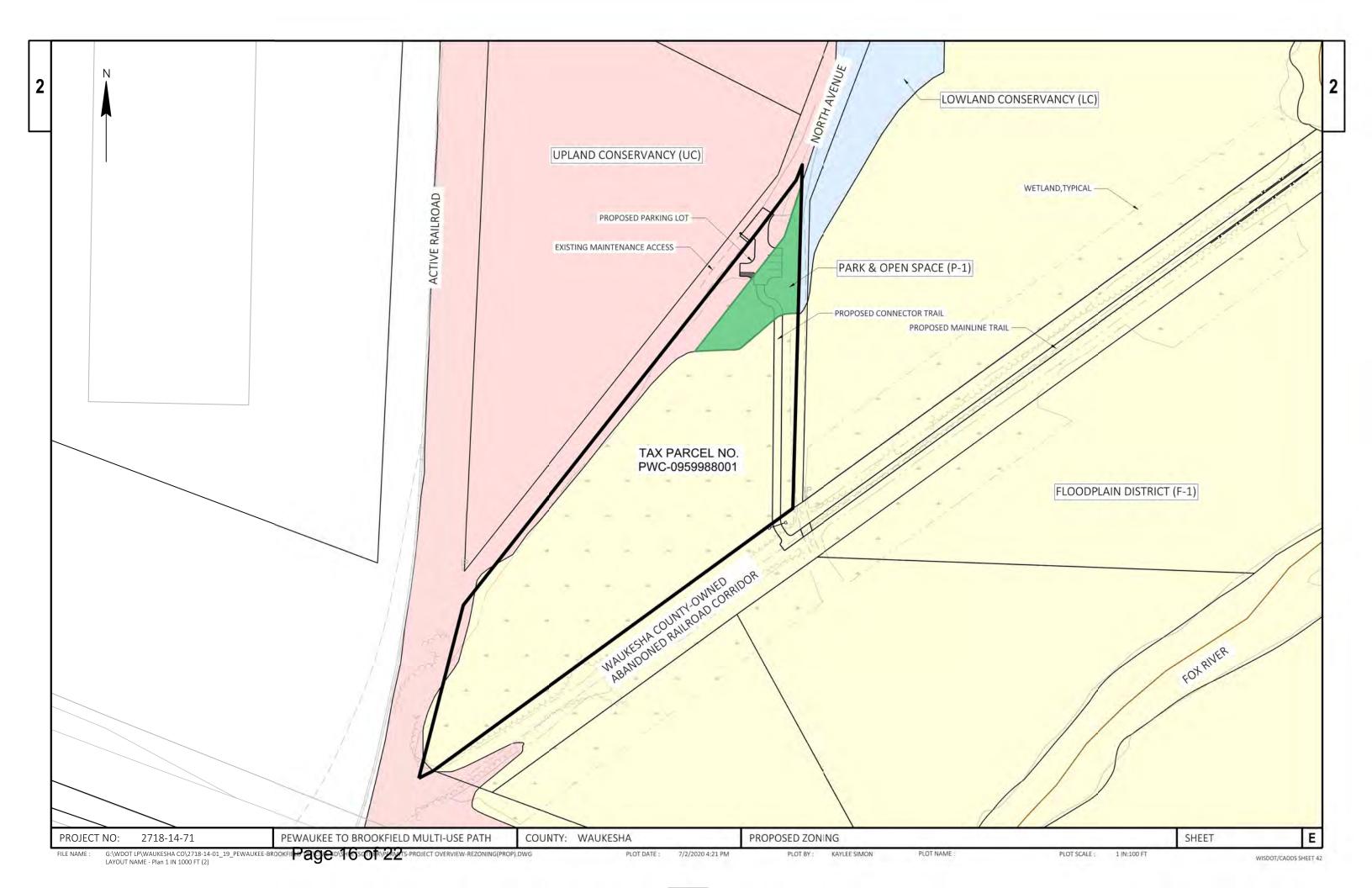
The County will also be applying for WisDNR and ACOE permits for the entire project. A "Chapter 30" (waterways) permit will be applied for for the bridge rehabilitation on the County's corridor. The County will also apply for a "Wetland Disturbance – Recreational Development" permit (general permit) as part of the project. Finally, the County will be applying for the appropriate stormwater/ grading permits with the County and WisDNR. All permits will be in place prior to the start of construction. The County will forward the approved permits to the City of Pewaukee upon receipt. The County will apply for any additional city of Pewaukee stormwater or erosion control permits that they require.

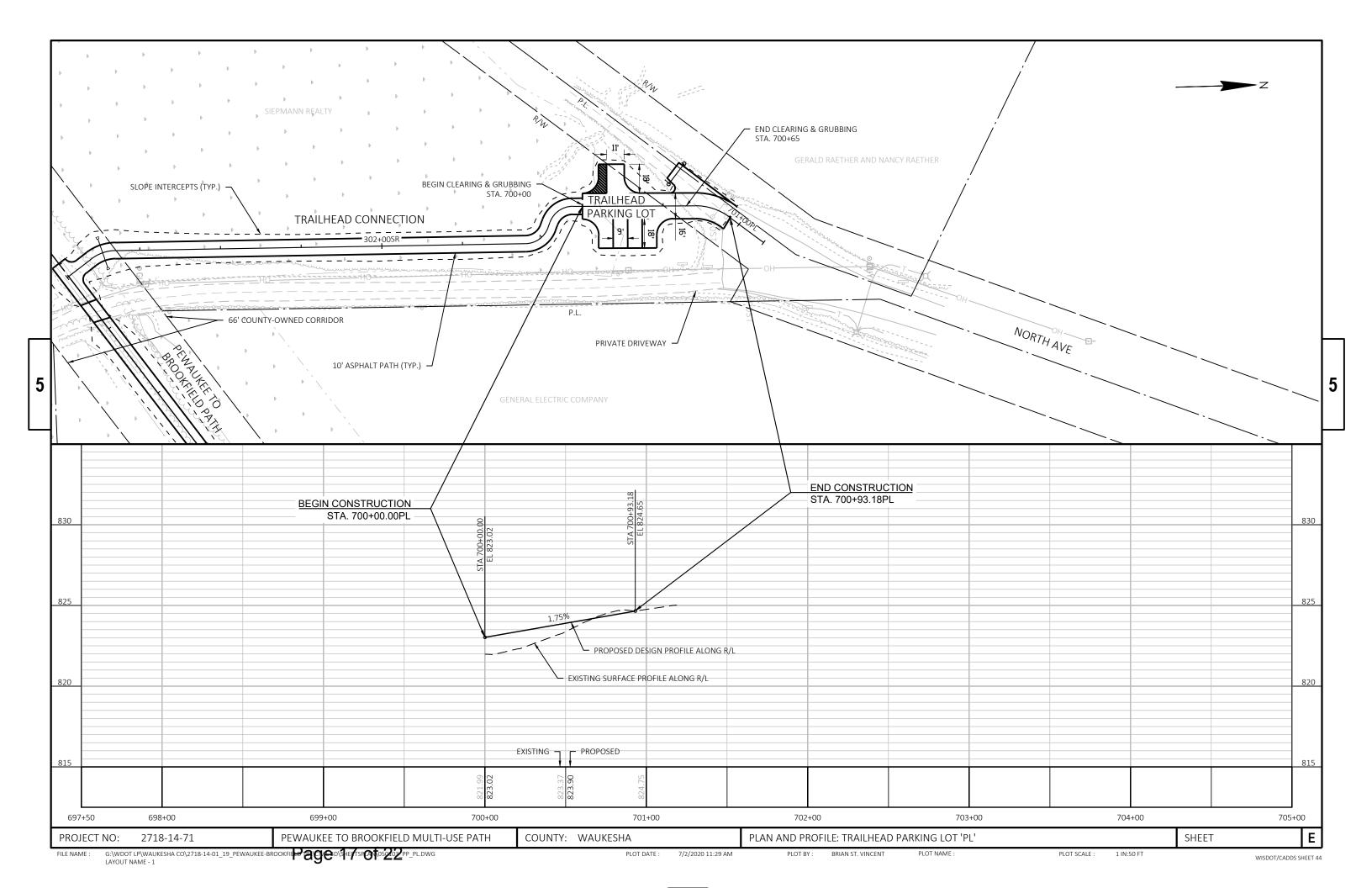
#### LEGAL DESCRIPTION:

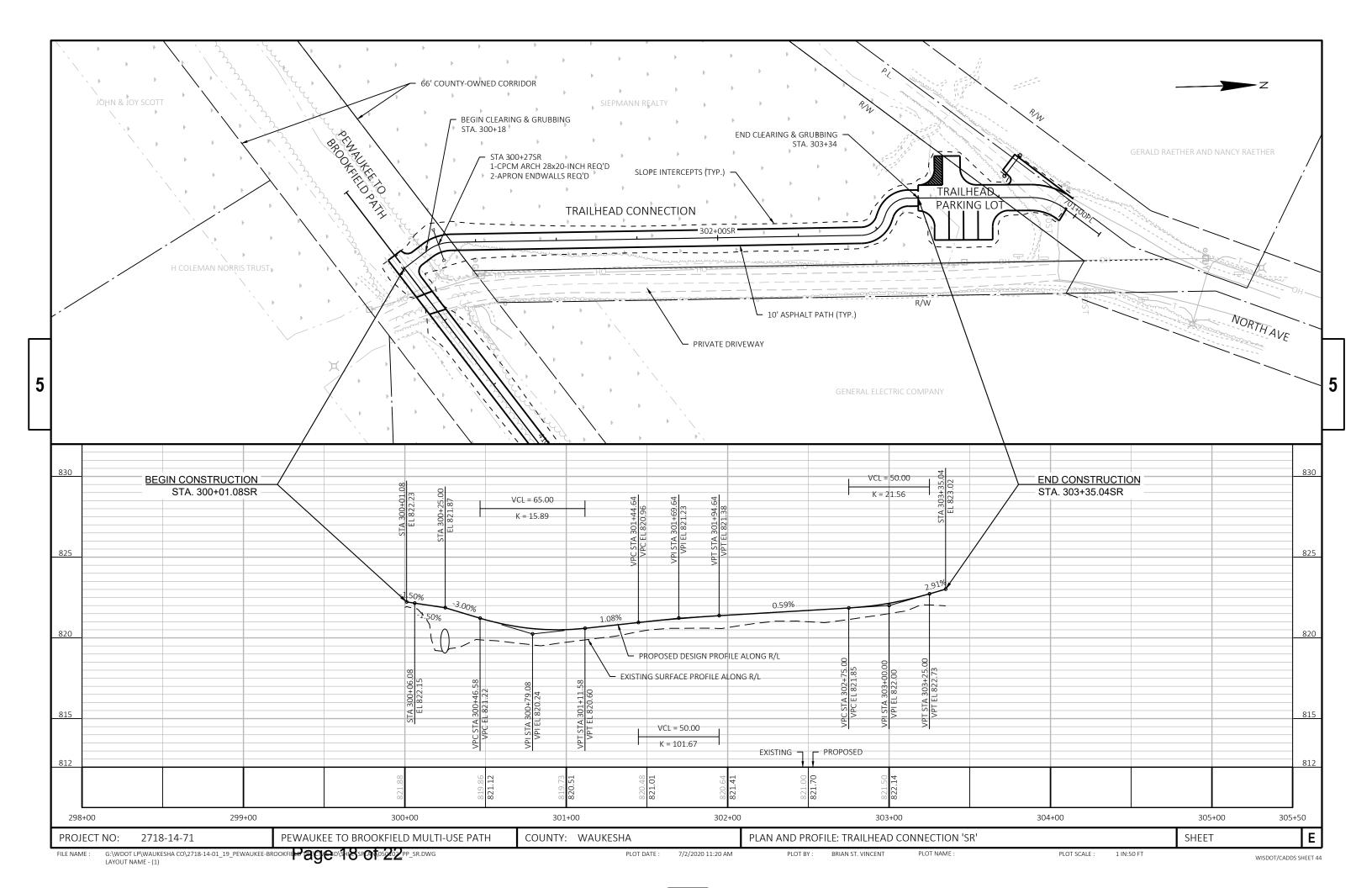
ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 7 NORTH RANGE 19 EAST, IN THE TOWN OF PEWAUKEE [NOW CITY OF PEWAUKEE], WAUKESHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 88° 43' 18" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, 651.280 FEET; THENCE NORTH 37° 29' 00" EAST, 388.555 FEET TO THE EAST RIGHT OF WAY LINE OF THE SOO LINE RAILROAD [NOW CANADIAN NATIONAL RAILROAD], THE PLACE OF BEGINNING OF THE LANDS HEREINAFTER DESCRIBED; THENCE CONTINUING NORTH 37° 29' 00" EAST ALONG THE CENTERLINE OF A PUBLIC HIGHWAY (TOWN ROAD), 668.545 FEET TO AN ANGLE POINT; THENCE NORTH 20° 41' 35" EAST ALONG SAID CENTERLINE, 23.986 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 0° 07' 25" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 430.173 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD (FORMERLY THE MILWAUKEE AND MISSISSIPPI RAILROAD) [NOW OWNED BY WAUKESHA COUNTY]; THENCE SOUTH 53° 20' 06" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, 570.693 FEET TO THE EAST RIGHT OF WAY LINE OF THE AFORESAID SOO LINE RAILROAD; THENCE NORTHEASTERLY 222.043 FEET ALONG SAID RIGHT OF WAY AND ALONG THE ARC OF A CURVE OF RADIUS, 1966.580 FEET, CENTER LIES TO THE WEST, CHORD OF SAID ARC BEARS NORTH 10° 47' 20.5" EAST, 221.925 FEET TO THE PLACE OF BEGINNING, EXCEPTING AND RESERVING ALL LANDS PREVIOUSLY DEDICATED OR DESIGNATED FOR RIGHT OF WAY PURPOSES FOR NORTH AVENUE.

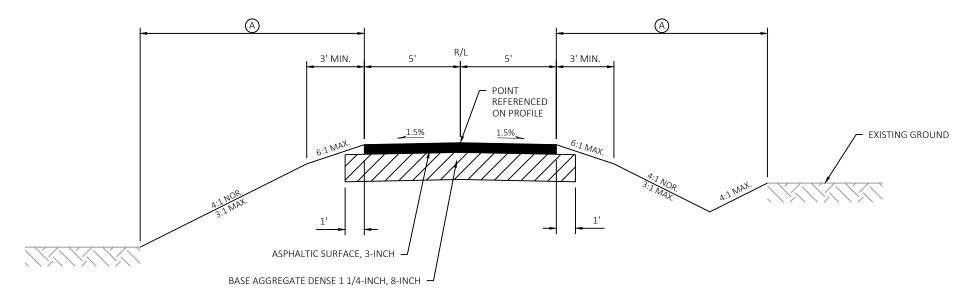








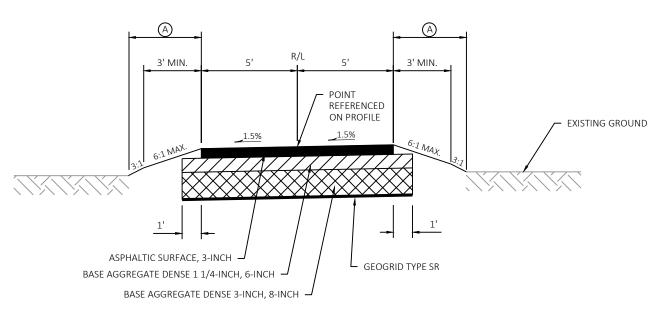




## TYPICAL PROPOSED SECTION - PATH

STA. 573+19 - STA. 573+98 STA. 578+90 - STA. 582+56

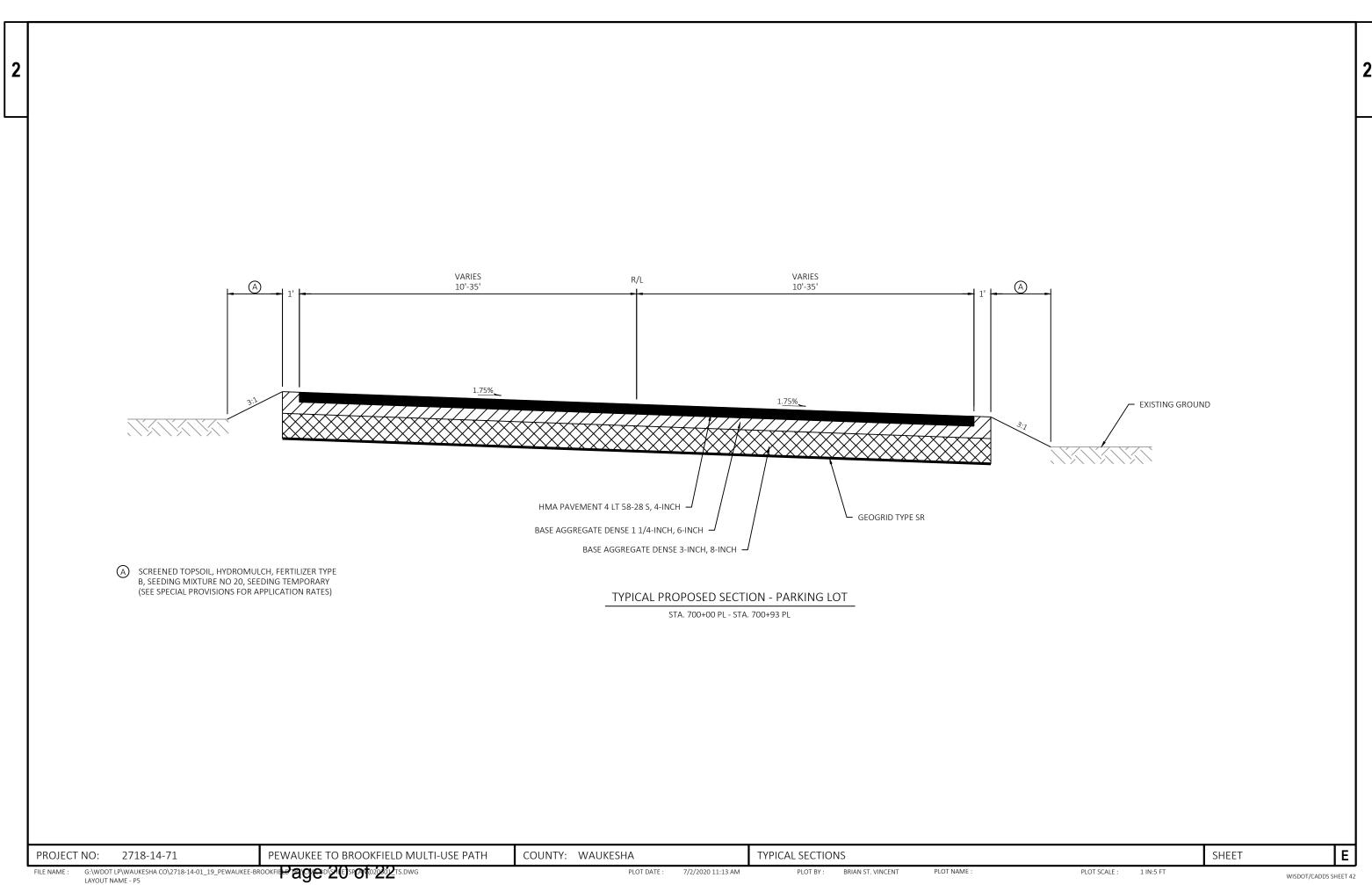
A SCREENED TOPSOIL, HYDROMULCH, FERTILIZER TYPE B, SEEDING MIXTURE NO 20, SEEDING TEMPORARY (SEE SPECIAL PROVISIONS FOR APPLICATION RATES)

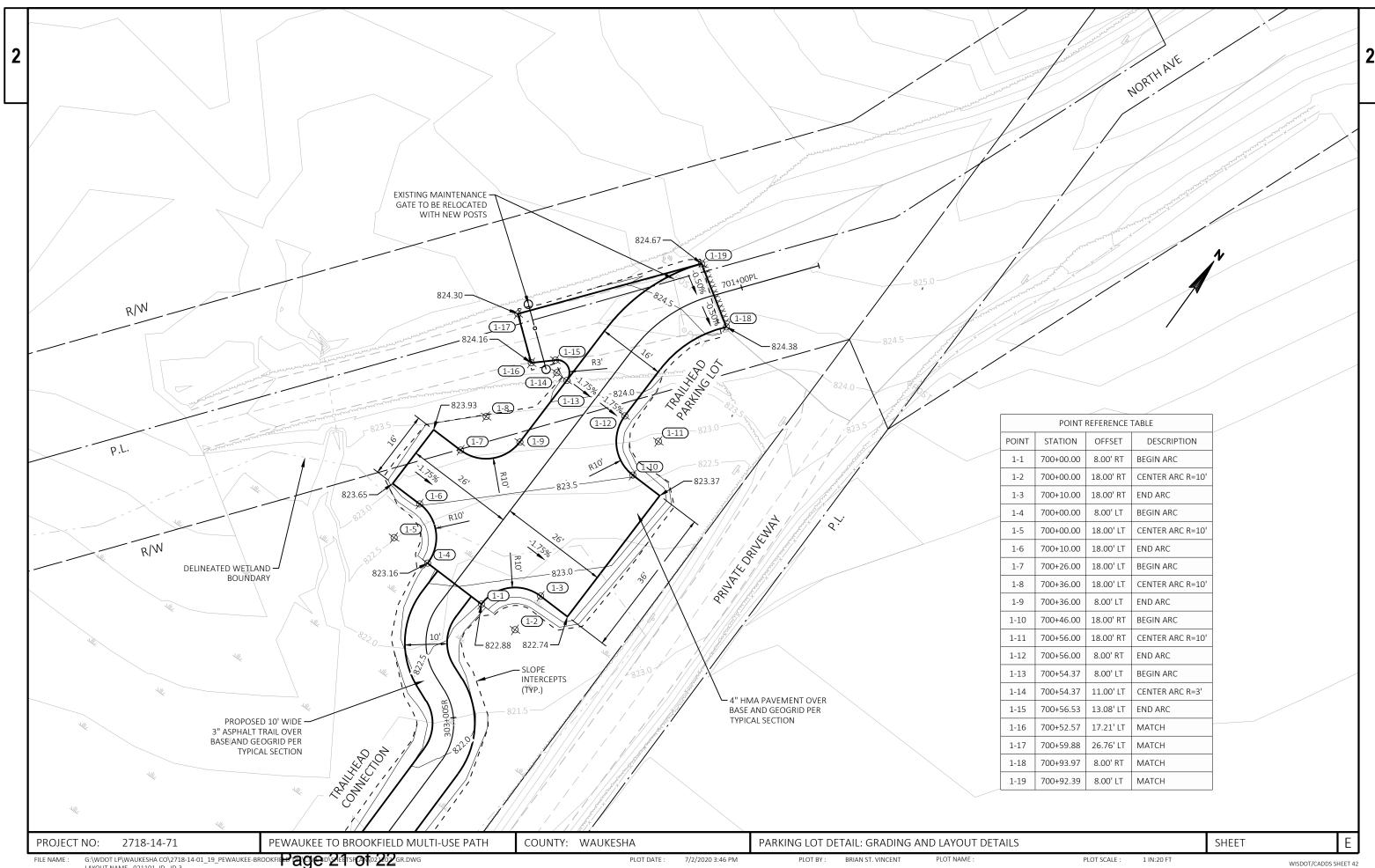


## TYPICAL PROPOSED SECTION - PATH IN WETLAND

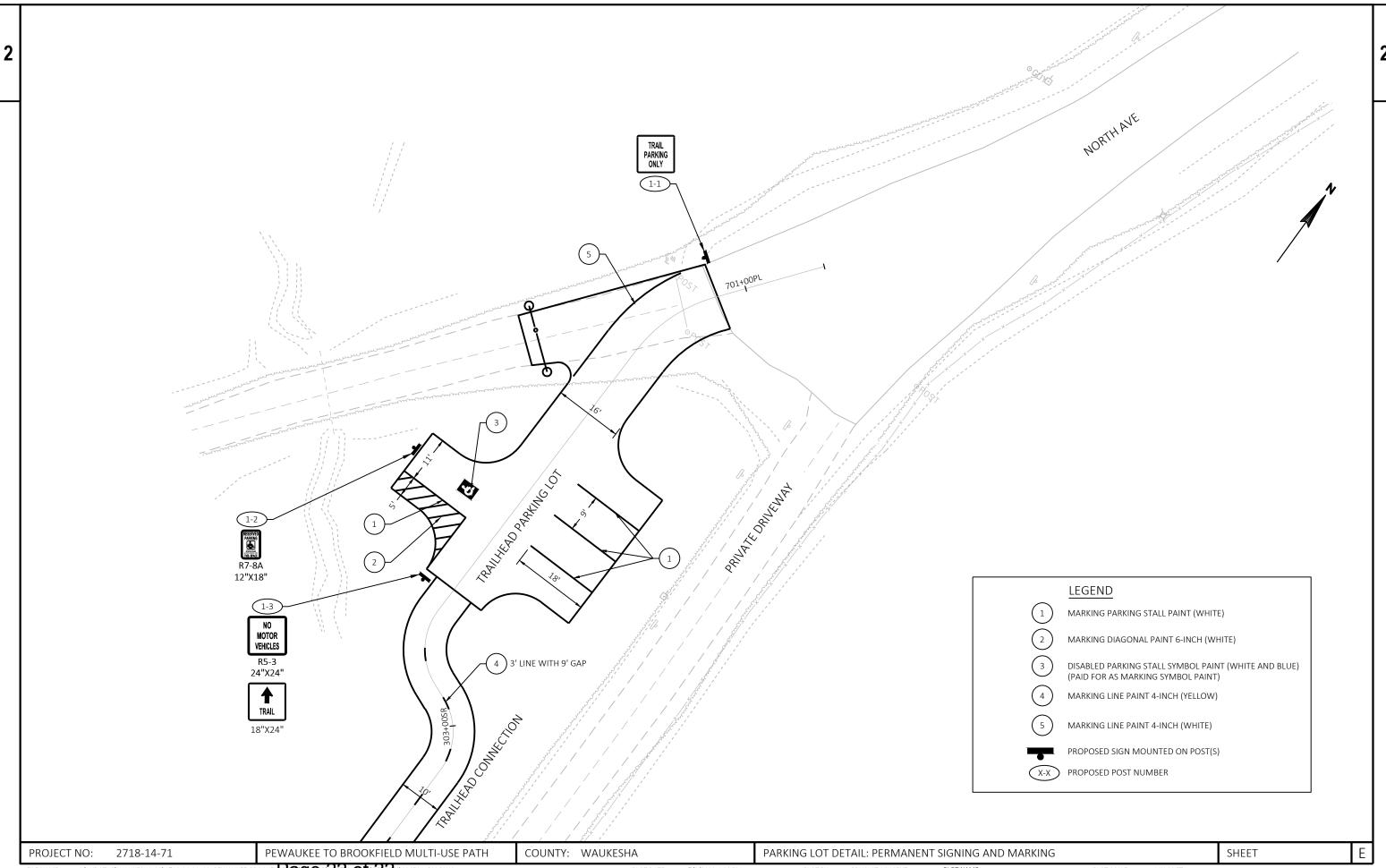
STA. 300+01 SR - STA. 303+35 SR

PROJECT NO: Ε 2718-14-71 PEWAUKEE TO BROOKFIELD MULTI-USE PATH COUNTY: WAUKESHA TYPICAL SECTIONS SHEET G:\WDOT LP\WAUKESHA CO\2718-14-01\_19\_PEWAUKEE-BROOKFILD A GOOD ON SHOSP 02202 TS.DWG FILE NAME :





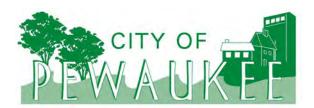
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IAME: G:\WDOT LP\WAUKESHA CO\2718-14-01\_19\_PEWAUKEE-BROOKFIFE AGE DE LOT SCALE: 1 IN:20 FT WISDOT/CADDS SHEET 42
LAYOUT NAME - 021101\_ID - ID-3

# CITY OF PEWAUKEE PLAN COMMISSION AGENDA ITEM 5.

DATE:	August 20, 2020
DEPARTMENT:	Planning
PROVIDED BY:	
SUBJECT:	
Land on North Avenue	Regarding the Site and Building Plans for Waukesha County Parks & Land Use for Vacant e for the Purpose of Constructing a 5-Stall Parking Lot for the Waukesha County Pewaukee to al Trail and Trailhead (PWC 0959988001)
BACKGROUND:	
FINANCIAL IMPA	CT:
RECOMMENDED	MOTION:
ATTACHMENTS:	
Description	
Pewaukee to Brookfie	eld Trail Site & Building Plans



# 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

#### APPLICATION FOR SITE AND BUILDING PLAN REVIEW

TO THE HONORABLE MAYOR AND PLAN COMMISSION OF THE CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN

The undersigned hereby petitions the Plan Commission	n of the City of Pewaukee, Waukesha County, Wisconsin for
site and building plan review and approval to allow for:	
the construction of a 5-stall parking lot and connector trail that on the County-owned abandoned RR corridor	will connect into the regional trail to be constructed
Legal description of property to be rezoned – Attached	
Common property description or name: Not applicable	
Property Address: Vacant land	Tax Key Number(s): PWC 0959988001
Property owner(s) (Full Legal Name): Siepmann Realty (	c/o John Siepmann)
Owner's Address: W240N1221 Pewaukee Rd	City/State/Zip: Waukesha, WI 53188
Phone: _(o) 262.650.9700/ (C) 414.491.3536	n@siepmannrealty.com
Applicant (Full Legal Name):	Contact Person (Full Legal Name):
Name: Stephen Siodlarz	Name: Lynda Fink
Company: Waukesha County Dept of Parks and Land Use	Company: KL Engineering, Inc.
Address: 515 W. Moreland Blvd Room AC230	Address: W175N11081 Stonewood Drive Suite 211
City/State/Zip: Waukesha, WI 53188	City/State/Zip: Germantown, WI 53022
Phone: (262) 548-7793	Phone: (262) 735-4856
Email: ssiodlarz@waukeshacounty.gov	Email: Ifink@klengineering.com

#### Site and Building Plan submittals must include and be accompanied by the following:

- This Application form accurately completed with original signatures. 
   Application Filing Fee, payable to the City of Pewaukee:
  - o \$500.00 for new construction
  - o \$250.00 for amendments
  - o \$75.00 for minor amendments (staff review only)
- X Five (5) complete collated sets of Application materials to include:
  - o A written project narrative detailing the request, business/use operational information, future development plans, site and building improvements, tentative development schedule, and estimated project value.
  - Scaled drawings, as may be applicable, including, but not limited to; a site plan, grading/erosion control plan, preliminary storm water management plan, landscape plan, lighting plan, building elevations, colored renderings, sign details and natural resource delineations.
- All application materials provided in a digital format (Adobe PDF). Materials may be submitted on a USB Flash Drive or emailed to hurd@pewaukee.wi.us.
- Note twelve (12) additional sets of plans will be required for Plan Commission following staff review of the initial submittal. These plans should be revised in response to staff comments as may be necessary.



# 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

The applicant and property owner(s) hereby certify that:

- all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge;
- 2) the applicant and property owner(s) has/have read and understand all information in this application; and
- 3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval.

By execution of this application, the property owner(s) authorize the City of Pewaukee and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

PETITIONER'S/APPLICANT'S SIGNA	ATURE:	00		
NAME & TITLE (PRINT): STEPHEN SIDDLARZ, LANDSCARE ARCHITECT				
SIGN AND DATED this4*	day of _	August , 2020 .		
PROPERTY OWNER'S SIGNATURE:	(email attach	ed with permission- County currently acquiring property)		
NAME & TITLE (PRINT):				
SIGN AND DATED this	day of _	·		
PROPERTY OWNER'S SIGNATURE:	The second secon			
NAME & TITLE (PRINT):				
SIGN AND DATED this	day of _	,		
City Staff-				
RECEIVED at City Hall by:		on		
Econoid, ¢	Data			

## Lynda Fink

From: John Siepmann < John@siepmannrealty.com>

**Sent:** Monday, July 6, 2020 2:48 PM

To: Lynda Fink
Cc: Stephen Siodlarz

**Subject:** RE: Pewaukee to Brookfield Trail project - City of Pewaukee preliminary permitting applications with

your permission

#### Caution External Email

Linda,

We have received the information and have no objections to the layout and concur with your commencement of the permitting process.

From: Lynda Fink < lfink@klengineering.com> Sent: Thursday, July 2, 2020 10:36 AM

**To:** John Siepmann < John@siepmannrealty.com> **Cc:** Stephen Siodlarz < ssiodlarz@waukeshacounty.gov>

Subject: Pewaukee to Brookfield Trail project - City of Pewaukee preliminary permitting applications with your

permission

July 2, 2020

John-

As with all new construction projects, we will be applying for a variety of permits with different authorities. As you're aware, we're planning to construct a small parking lot (small 5-stall) and then a connector trail to the main trail on the property that you currently own (and the County is interested in acquiring from you for and currently is in process). I have attached an overview of the plan to this email as well.

I am working on the draft permits (internal City staff review) for the City of Pewaukee right now. This includes the following permits:

- Site Plan Review: For the construction of the parking lot and connector trail
- Rezoning:
  - Currently the property is zoned as floodplain (F-1) and LC (Lowland Conservancy).
  - The trail is in F-1, but where we are planning for the parking lot is currently zoned as LC. We are requesting that the LC is rezoned to to Park and Open space (P-1) as the parking lot and trail are allowable elements within that district (are not in LC)
- Variance Request:
  - o The City requires a 75' offset from floodplain and a 25' offset from wetlands.
  - As the majority of the parcel is wetlands, we aren't meeting that requirement and will be traversing directly through.
  - Although the parking lot is outside the floodplain, it is not 75' away.
  - NOTE: We will also be securing permits from WisDNR ad Army corps of Engineering for wetland fill for this area (and a WRAPP permit for grading)

In order to meet the multi-month approval process and get the construction project bid out in winter 2020, we need to start the Pewaukee permitting process now, so I am requesting your concurrence in us starting the permitting. I will also need a signature on the final permits after staff review, but for now, a concurrence via e-mail is OK.

Waukesha County is the applicant and you are listed as the property owner. You will incur no fees with the application nor are required to attend any meetings to such or have any add'l responsibilities through the process.

If you have any questions, please do not hesitate to call me at 262.804.1337 or email me as well. Otherwise, if you are OK with us applying, if you could just reply to this email with your concurrence, I would appreciate it greatly. We are hoping to submit these permits on Monday, July  $6^{th}$ .

As noted above, we would send you the final permits for signature after internal city staff review and required modifications.

Thank you very much!

Lynda

Lynda Fink, PLA Project Manager

KL Engineering, Inc. W175N11081 Stonewood Drive, Suite 211 Germantown, WI 53022 262.804.1337 - cell 262.735.4856 - office Ifink@klengineering.com







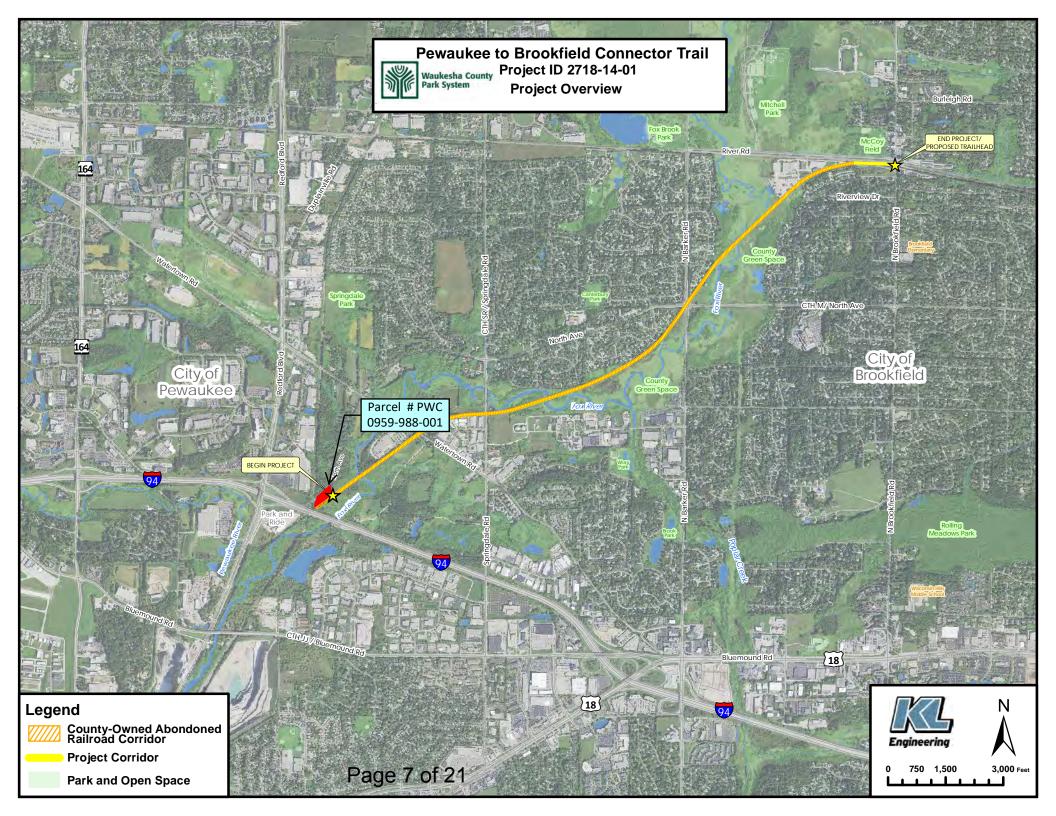
klengineering.com

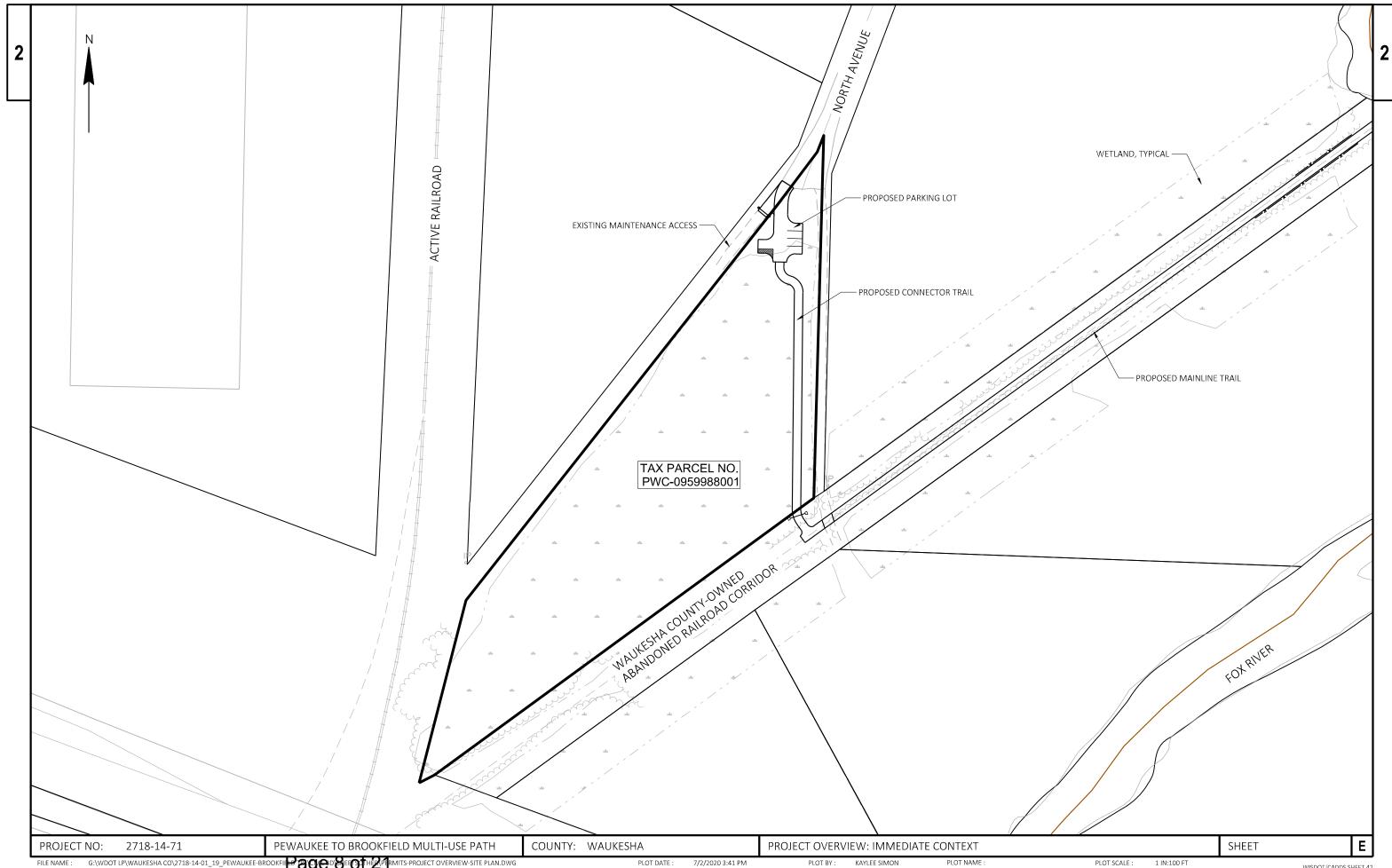


On behalf of KL Engineering, Inc., I hope you, your family, friends, and colleagues are safe and healthy. We would like to reassure you that we are open and look forward to working with you. Our main office line is open and you will either get a live greeting or an auto-attendant. If you receive an auto-attendant feel free to dial my extension 283 or dial my line direct at 262.345.3824.

# **Site Plan Review Application Attachments**

- 1. Project Location Maps (2)
- 2. Project Narrative
- 3. Legal description
- 4. Property Plat
- 5. Plan & Profile sheets
  - a. Parking Lot
  - b. Connector Trail
- 6. Typical Sections
- 7. Detail sheets
  - a. Grading & Layout
  - b. Signing & Marking
  - c. Erosion Control
- 8. Cross Sections
  - a. Parking Lot
  - b. Connector Trail





G:\WDOT LP\WAUKESHA CO\2718-14-01\_19\_PEWAUKEE-BROOKFIFE 20 EFOTHE PRMITS-PROJECT OVERVIEW-SITE PLAN.DWG LAYOUT NAME - Plan 1 IN 1000 FT (2)

WISDOT/CADDS SHEET 42

#### City of Pewaukee Site Plan Permit Narrative

Waukesha County in cooperation with WisDOT will be constructing the Pewaukee to Brookfield Trail (WisDOT ID #2718-14-01). The regional trail will consist of a 10' wide paved trail on the abandoned railroad corridor owned by the County and will stretch 3.5 mils from Pewaukee to downtown Brookfield.

As part of this project, the County will be constructing a small, 5-lot parking stall at the south end of North Avenue within the City of Pewaukee. The parking lot will then provide access via a 10' wide asphalt connector trail to the main trail on the abandoned rail corridor. The County is in the process of acquiring tax parcel #PWC 0959988001 to include these improvements.

The County has worked with the City of Pewaukee during design to allow for continual access to the railroad via an informal maintenance drive and to ensure that there is still sufficient space at the end of North Avenue to allow for city snow storage and other maintenance activities as needed.

The work on this site will include the following:

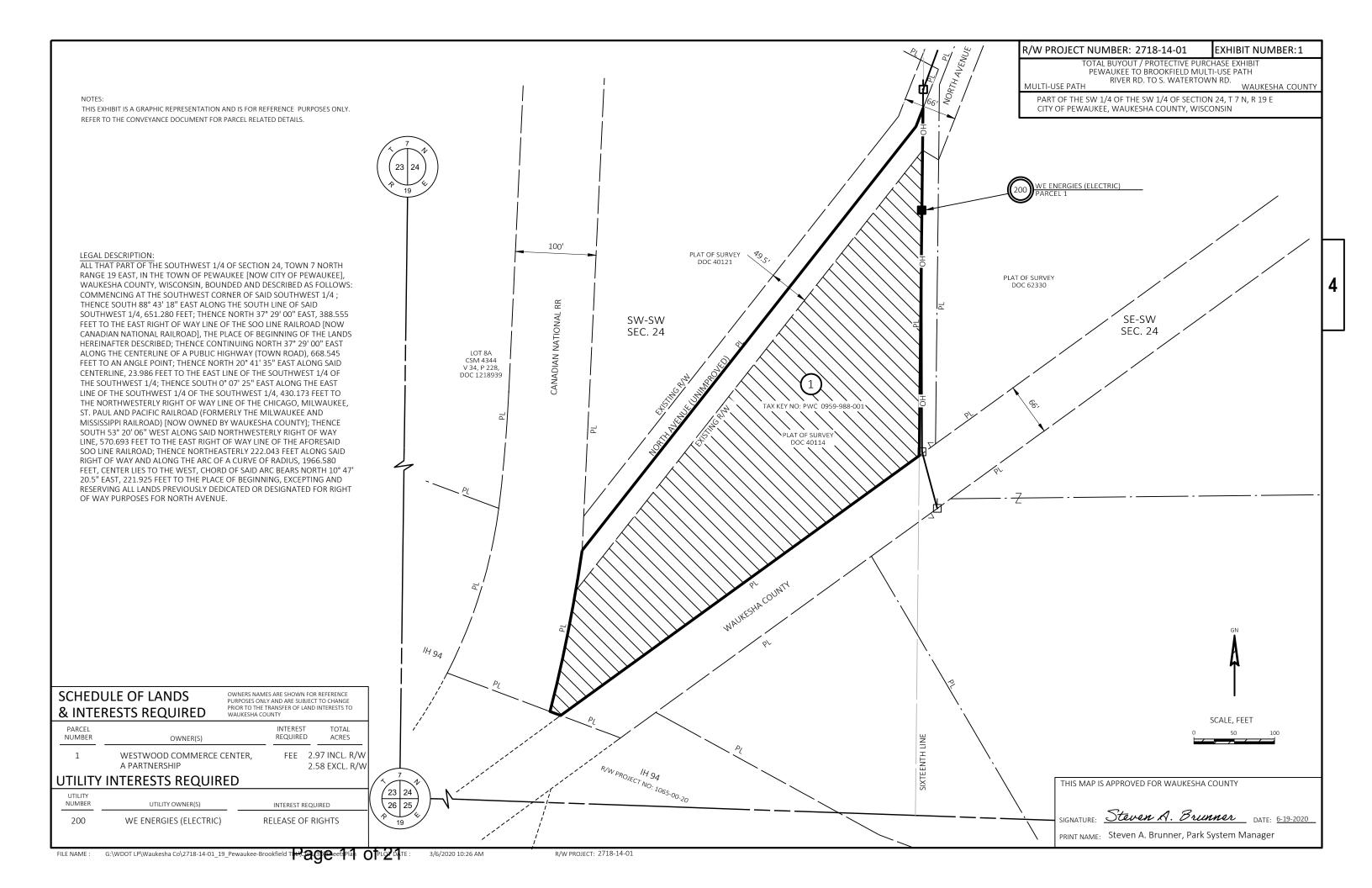
- Site preparation/finishing: Erosion control, clearing & grubbing, grading & restoration
- Construction of a 5-stall parking lot: Geogrid, stone base, HMA pavement, signing and marking.
- Construction of a 10' wide asphalt trail: geogrid, stone base, asphaltic surface, signing and marking.
- City/ RR Maintenance access improvements: formalized pavement past the parking lot entrance drive and a new maintenance gate

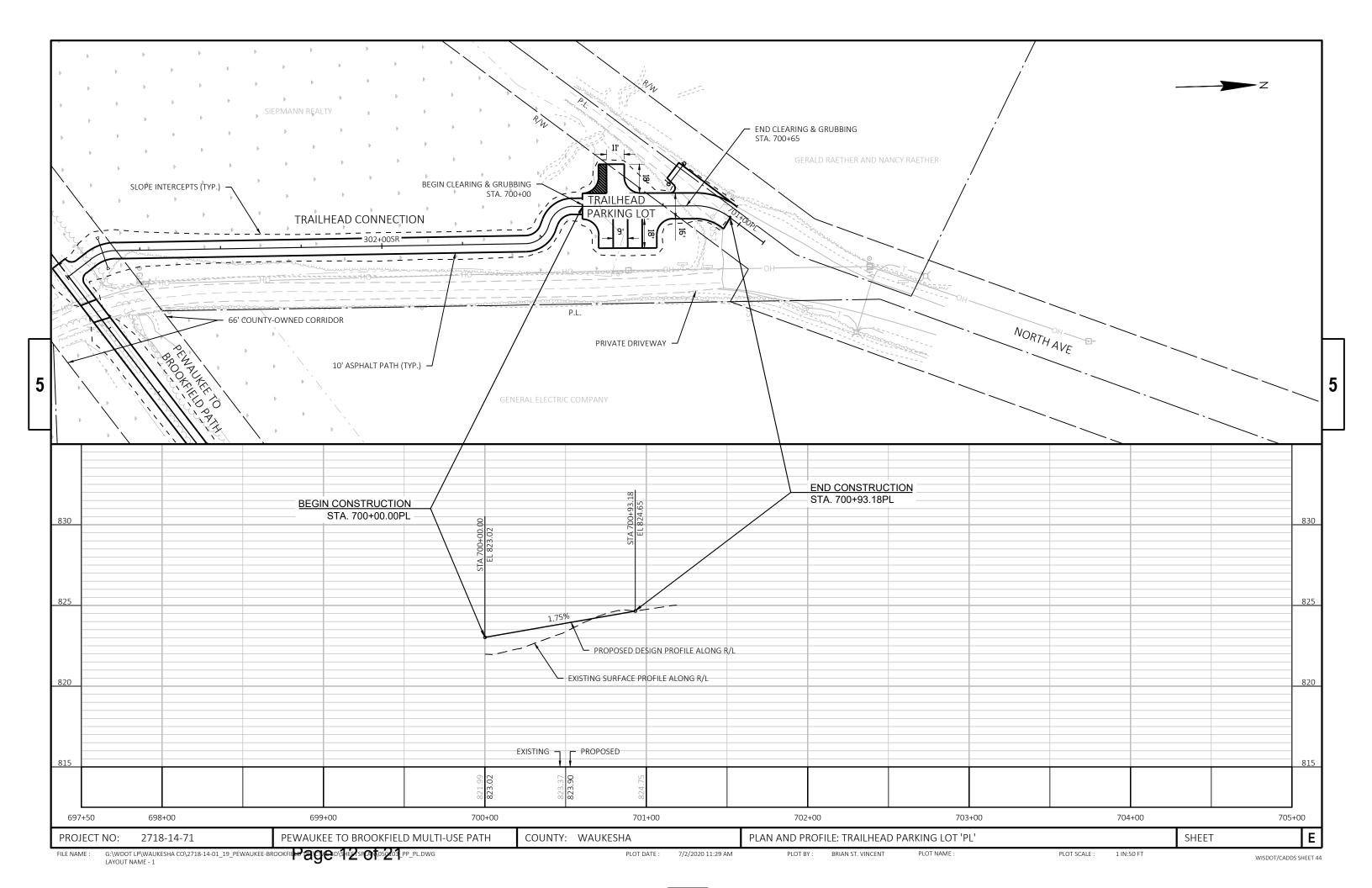
A Work within City r/W permit will also be applied for to allow for the construction of the parking lot drive and improvements to the informal maintenance drive that is located within the undeveloped City ROW of North Avenue extended. Improvements will not raise the base floodplain elevation.

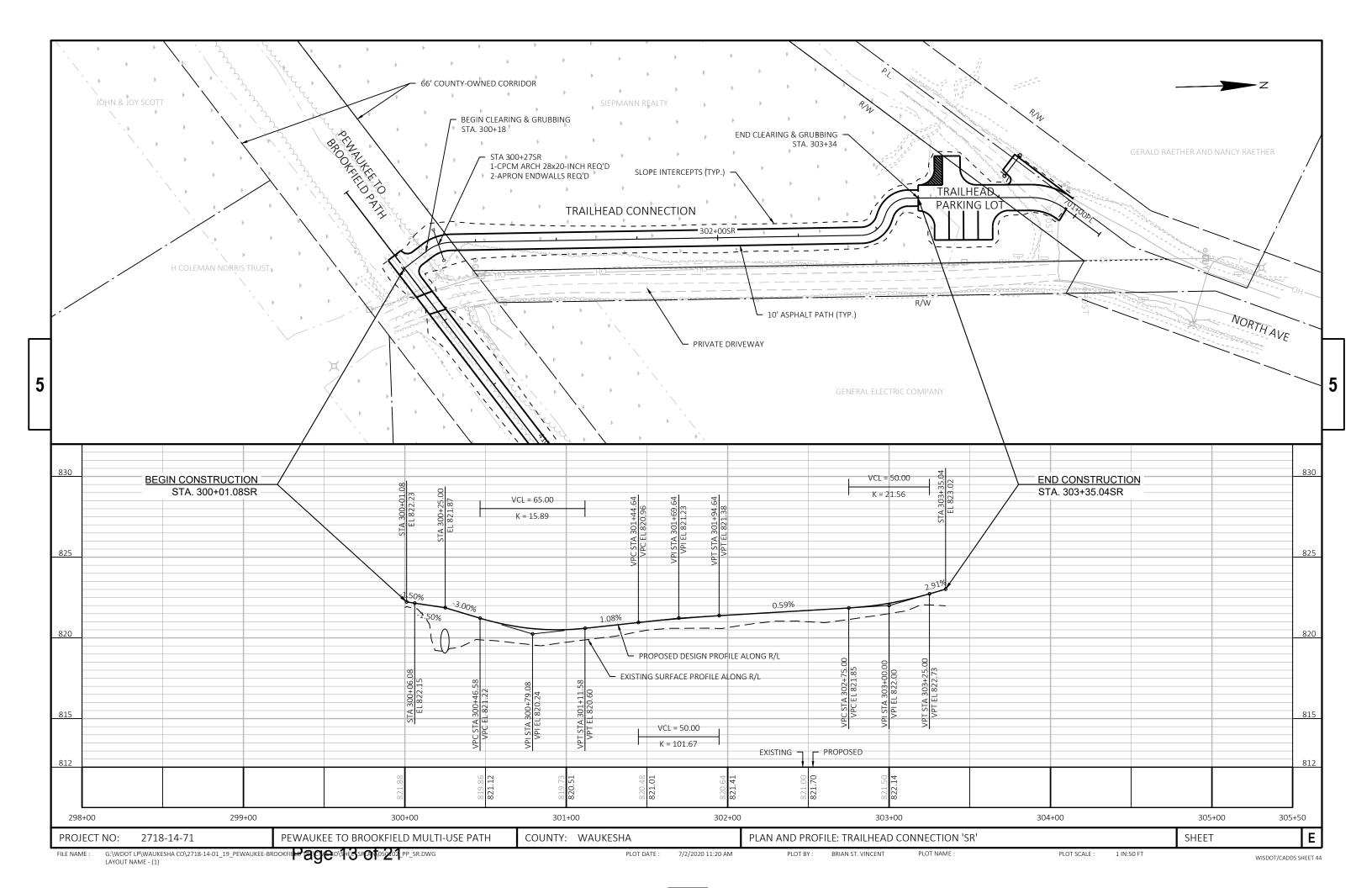
The County will also be applying for WisDNR and ACOE permits for the entire project. A "Chapter 30" (waterways) permit will be applied for for the bridge rehabilitation on the County's corridor. The County will also apply for a "Wetland Disturbance – Recreational development" permit (general permit) as part of the project. Finally, the County will be applying for the appropriate stormwater/ grading permits with the County and WisDNR. All permits will be in place prior to the start of construction. The County will forward the approved permits to the City of Pewaukee upon receipt. The County will apply for any additional city of Pewaukee stormwater or erosion control permits that they require.

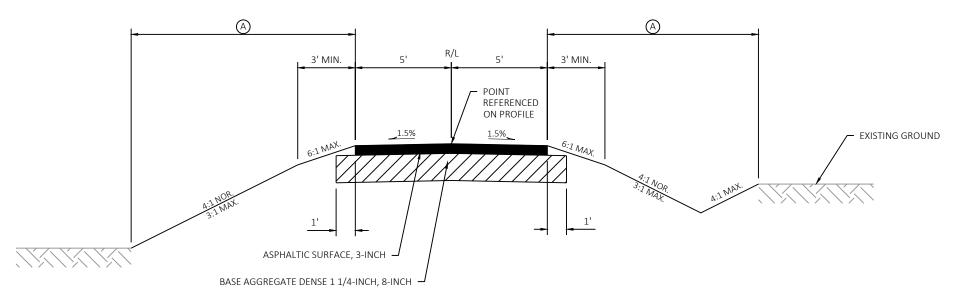
#### LEGAL DESCRIPTION:

ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24, TOWN 7 NORTH RANGE 19 EAST, IN THE TOWN OF PEWAUKEE [NOW CITY OF PEWAUKEE], WAUKESHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4; THENCE SOUTH 88° 43' 18" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, 651.280 FEET; THENCE NORTH 37° 29' 00" EAST, 388.555 FEET TO THE EAST RIGHT OF WAY LINE OF THE SOO LINE RAILROAD [NOW CANADIAN NATIONAL RAILROAD], THE PLACE OF BEGINNING OF THE LANDS HEREINAFTER DESCRIBED; THENCE CONTINUING NORTH 37° 29' 00" EAST ALONG THE CENTERLINE OF A PUBLIC HIGHWAY (TOWN ROAD), 668.545 FEET TO AN ANGLE POINT; THENCE NORTH 20° 41' 35" EAST ALONG SAID CENTERLINE, 23.986 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 0° 07' 25" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 430.173 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD (FORMERLY THE MILWAUKEE AND MISSISSIPPI RAILROAD) [NOW OWNED BY WAUKESHA COUNTY]; THENCE SOUTH 53° 20' 06" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, 570.693 FEET TO THE EAST RIGHT OF WAY LINE OF THE AFORESAID SOO LINE RAILROAD; THENCE NORTHEASTERLY 222.043 FEET ALONG SAID RIGHT OF WAY AND ALONG THE ARC OF A CURVE OF RADIUS, 1966.580 FEET, CENTER LIES TO THE WEST, CHORD OF SAID ARC BEARS NORTH 10° 47' 20.5" EAST, 221.925 FEET TO THE PLACE OF BEGINNING, EXCEPTING AND RESERVING ALL LANDS PREVIOUSLY DEDICATED OR DESIGNATED FOR RIGHT OF WAY PURPOSES FOR NORTH AVENUE.





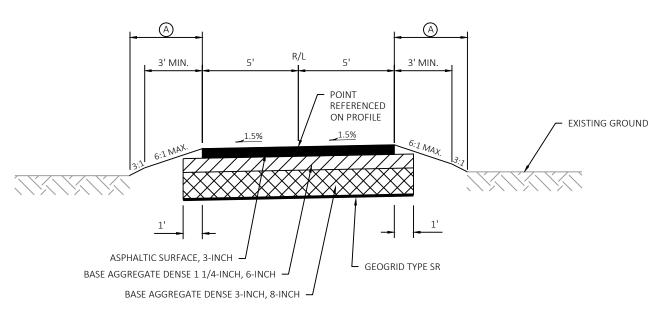




# TYPICAL PROPOSED SECTION - PATH

STA. 573+19 - STA. 573+98 STA. 578+90 - STA. 582+56

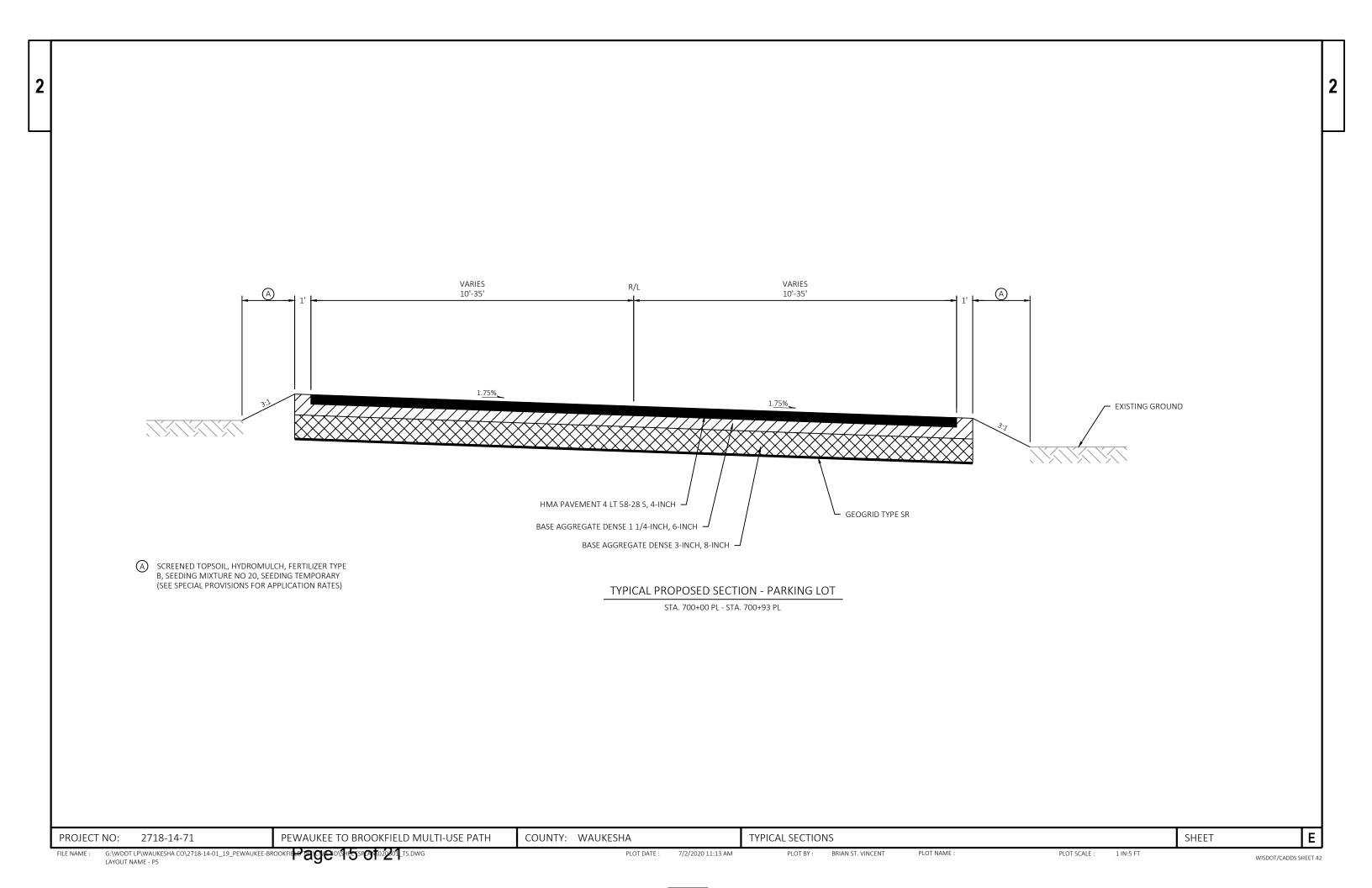
A SCREENED TOPSOIL, HYDROMULCH, FERTILIZER TYPE B, SEEDING MIXTURE NO 20, SEEDING TEMPORARY (SEE SPECIAL PROVISIONS FOR APPLICATION RATES)

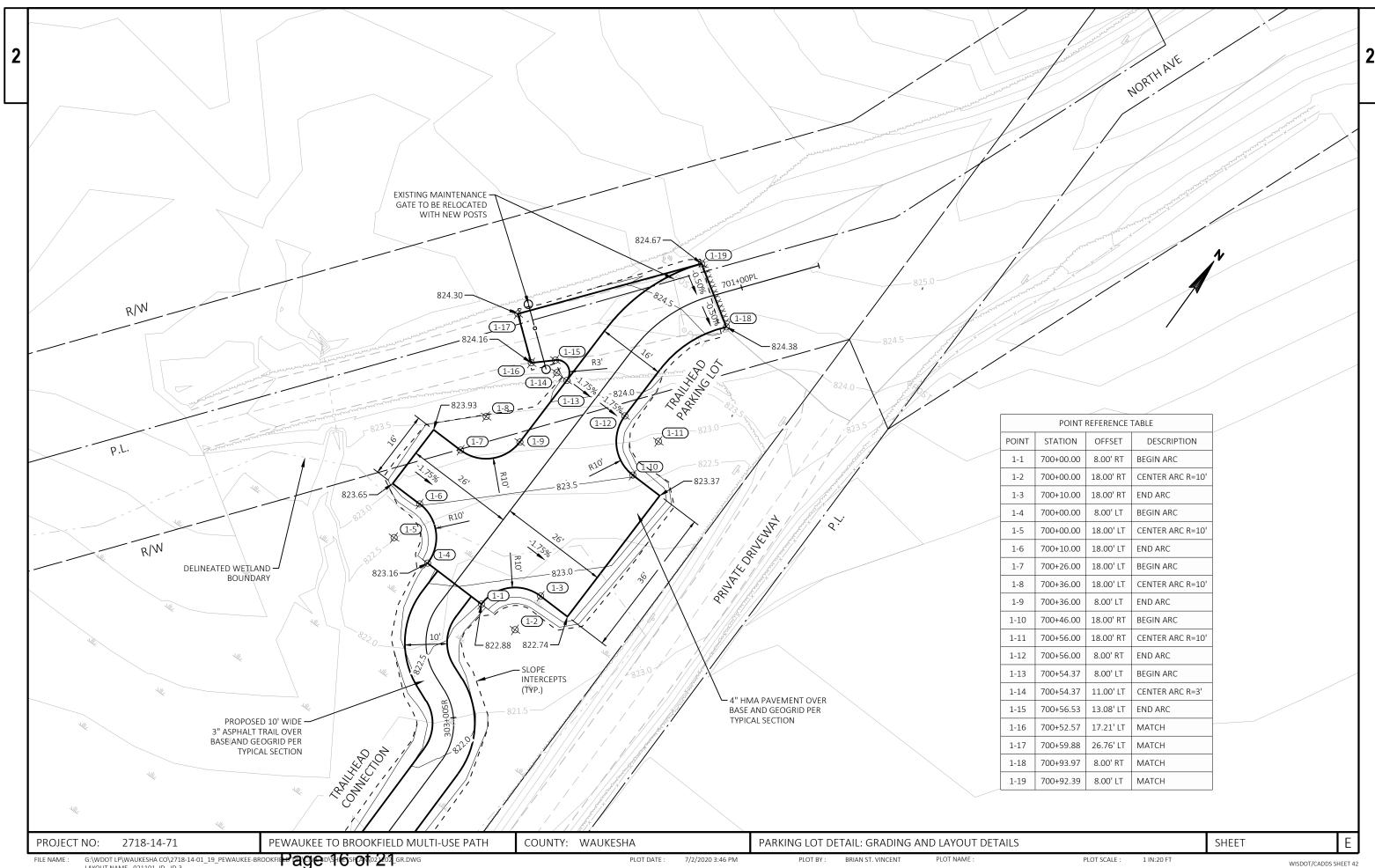


### TYPICAL PROPOSED SECTION - PATH IN WETLAND

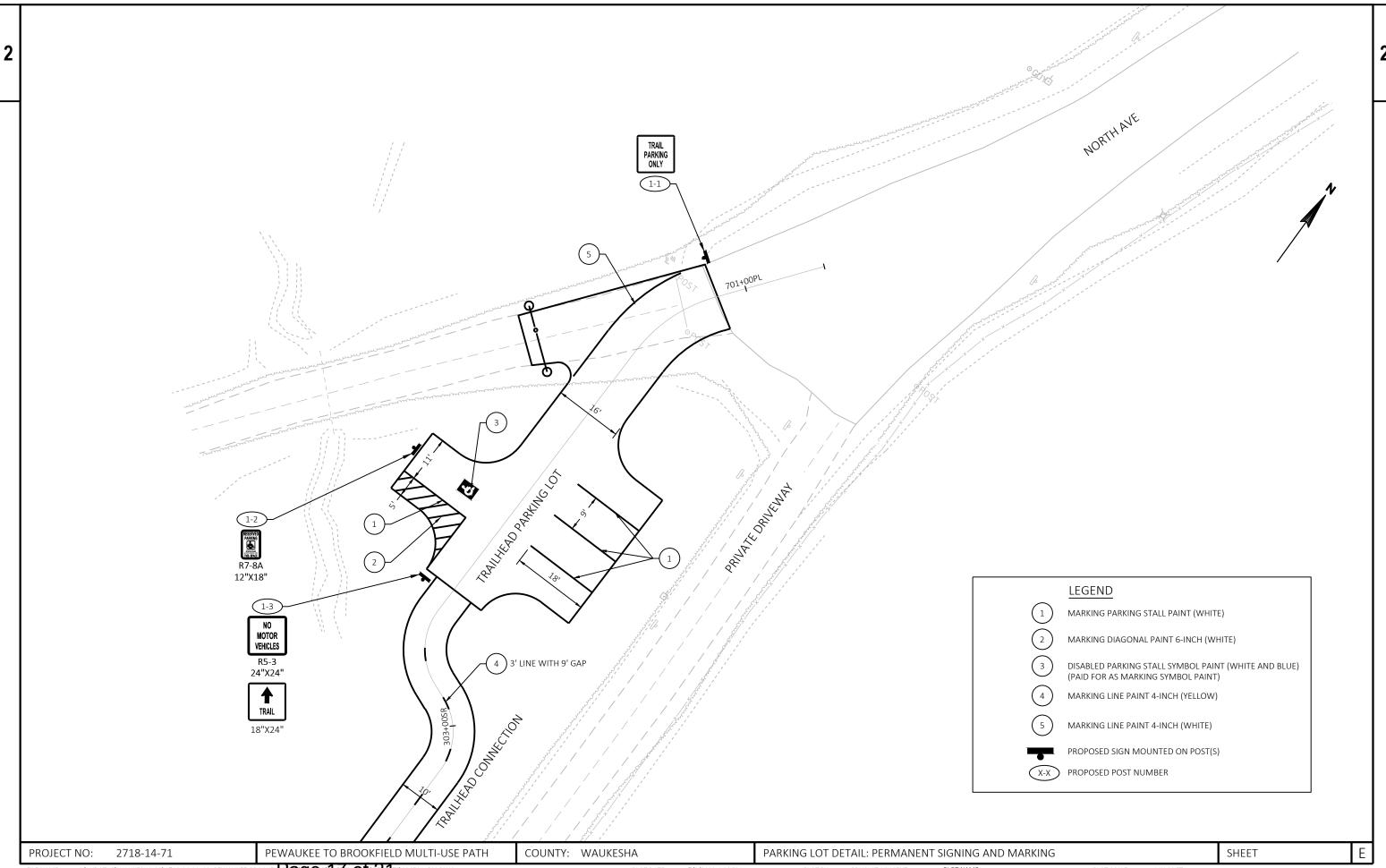
STA. 300+01 SR - STA. 303+35 SR

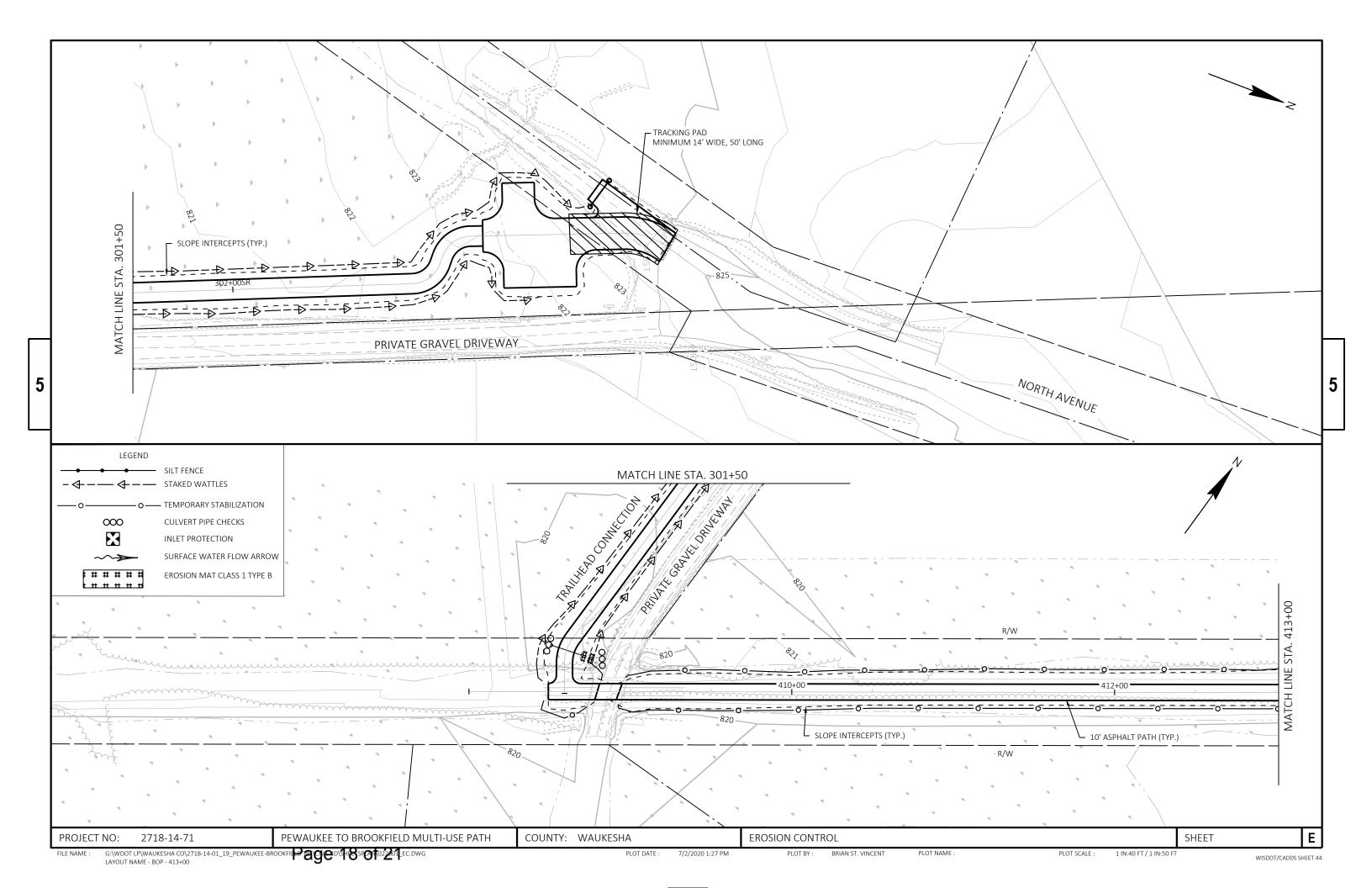
PROJECT NO: Ε 2718-14-71 PEWAUKEE TO BROOKFIELD MULTI-USE PATH COUNTY: WAUKESHA TYPICAL SECTIONS SHEET G:\WDOT LP\WAUKESHA CO\2718-14-01\_19\_PEWAUKEE-BROOKFILD AGE D\SHAESPO \02201\_TS.DWG FILE NAME : PLOT NAME : 1 IN:5 FT

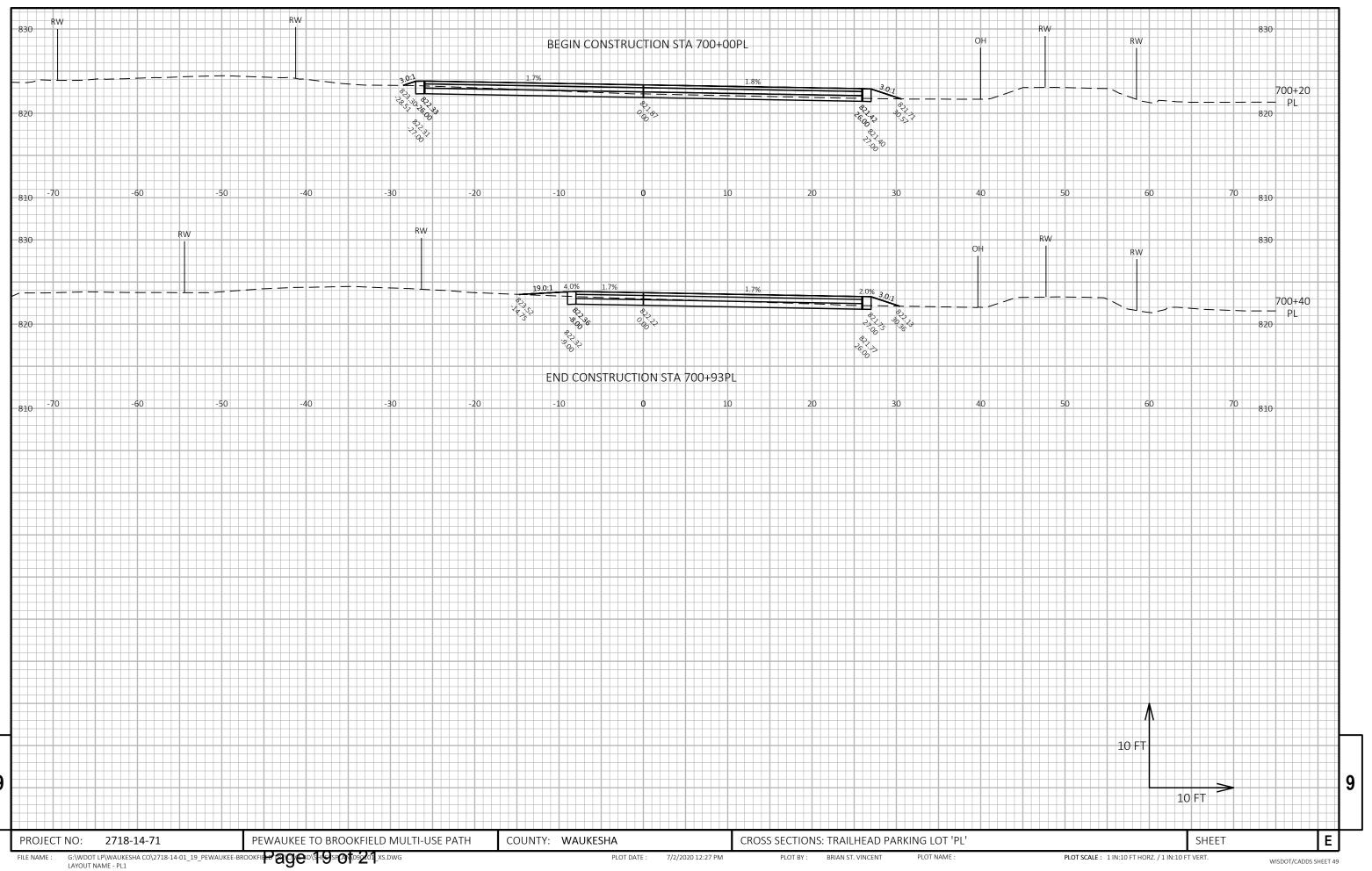


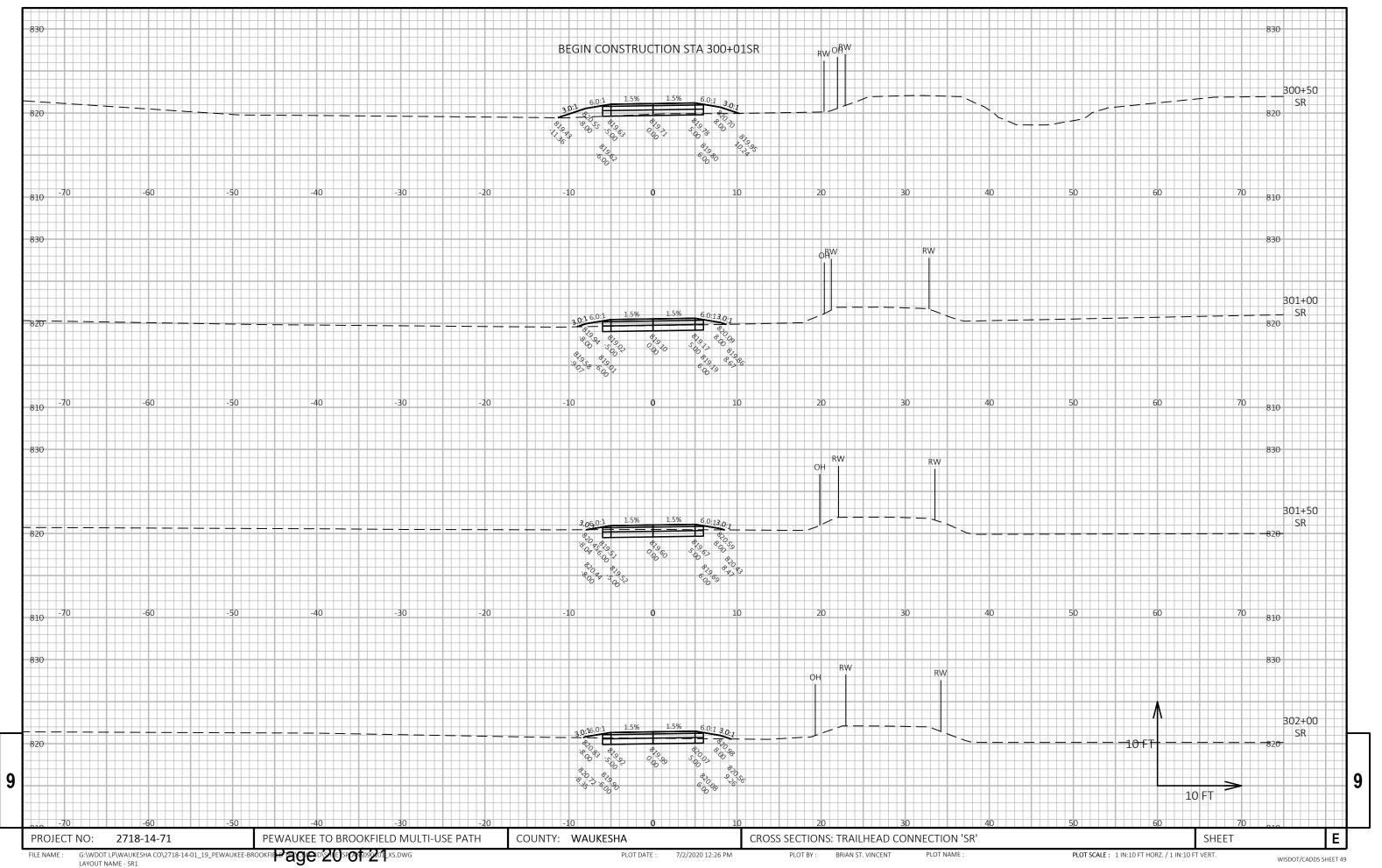


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LAYOUT NAME - SR1

