

Enrolled 157-71
-PROPOSED ORDINANCE 157-73-

1
2
3 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
4 ORDINANCE DISTRICT ZONING MAP OF THE CITY OF PEWAUKEE BY REZONING
5 CERTAIN LANDS LOCATED IN PART OF THE SE ¼ AND SW ¼ OF THE SE ¼ OF
6 SECTION 23 AND THE NW ¼, NE ¼ AND SW ¼ OF THE NE ¼ OF SECTION 26, T7N,
7 R19E, TOWN OF PEWAUKEE (NOW CITY OF PEWAUKEE), FROM THE A-P
8 AGRICULTURAL LAND PRESERVATION AND C-1 CONSERVANCY DISTRICTS TO
9 THE B-3 GENERAL BUSINESS AND C-1 CONSERVANCY DISTRICTS
10 (SVZ-1462)
11
12

13 WHEREAS the subject matter of this Ordinance having been duly referred to and considered by
14 the Waukesha County Park and Planning Commission after Public Hearing and the giving of
15 requisite notice of said hearing and a recommendation thereon reported to the Land Use, Parks
16 and Environment Committee and the Waukesha County Board of Supervisors, Waukesha
17 County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.
18

19 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
20 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on
21 June 23, 1970, for the Town of Pewaukee (now City of Pewaukee), Waukesha County, is hereby
22 amended to rezone certain lands located in part of the SE ¼ AND SW ¼ of the SE ¼ of Section
23 23 and the NW ¼, NE ¼ and SW ¼ of the NE ¼ of Section 26, T7N, R19E, City of Pewaukee,
24 from the A-P Agricultural Land Preservation and C-1 Conservancy Districts to the B-3 General
25 Business and C-1 Conservancy Districts, and more specifically described in the "Staff Report
26 and Recommendation" and map on file in the office of the Waukesha County Department of
27 Parks and Land Use and made a part of this Ordinance by reference (SVZ-1462).
28

29 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
30 this Ordinance with the City of Pewaukee.
31

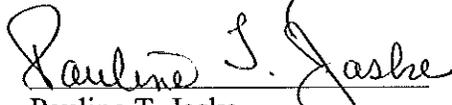
32 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
33 approval and publication.
34

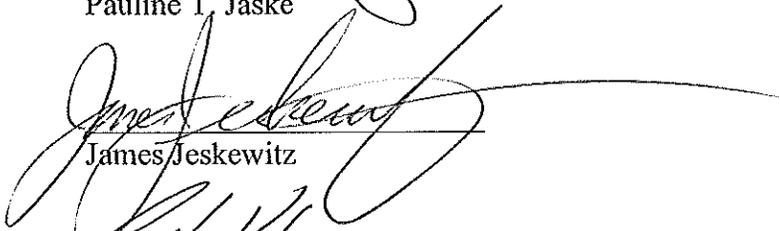
35 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of
36 provisions of this Ordinance are hereby repealed.

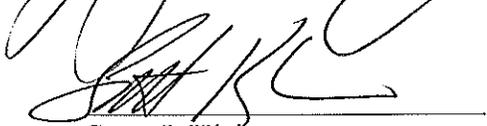
AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE
DISTRICT ZONING MAP OF THE CITY OF PEWAUKEE BY REZONING CERTAIN LANDS LOCATED IN
PART OF THE SE ¼ AND SW ¼ OF THE SE ¼ OF SECTION 23 AND THE NW ¼, NE ¼ AND SW ¼ OF
THE NE ¼ OF SECTION 26, T7N, R19E, TOWN OF PEWAUKEE (NOW CITY OF PEWAUKEE), FROM THE
A-P AGRICULTURAL LAND PRESERVATION AND C-1 CONSERVANCY DISTRICTS TO THE B-3
GENERAL BUSINESS AND C-1 CONSERVANCY DISTRICTS
(SVZ-1462)

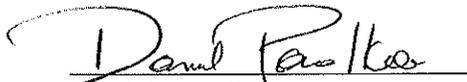
Presented by:
Land Use, Parks, and Environment Committee

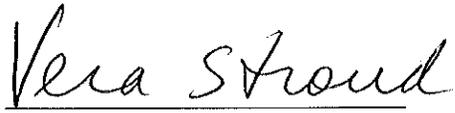

Walter L. Kolb, Chair

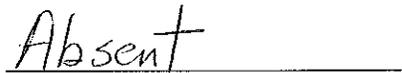

Pauline T. Jaske


James Jeskewitz

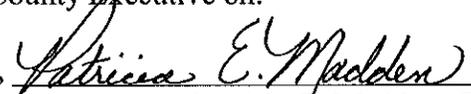

Scott J. Klein


Daniel Pavelko


Vera Stroud


Matt Thomas

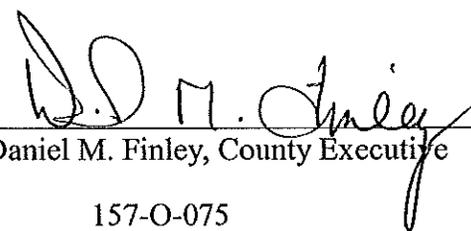
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, was presented to the County Executive on:

Date: October 25, 2002, 
Patricia E. Madden, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, is hereby:

Approved:

Vetoed:

Date: 10-28-02, 
Daniel M. Finley, County Executive

WAUKESHA COUNTY DEPARTMENT OF PARKS & LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING AMENDMENT

FILE NO: SVZ-1462

TAX KEY NUMBER: PWT 0965.998

DATE: September 26, 2002

NAME OF PETITIONER: Pewaukee Development, LLC
16250 West Rogers Drive
New Berlin, WI 53151

NAME OF OWNER: Gerald and Shirley Graf
W231 N1013 Hwy 164
Waukesha, WI 53186

LOCATION OF PROPERTY

Part of the SE ¼ and SW ¼ of the SE ¼ of Sec. 23 and the NW ¼, NE ¼ and SW ¼ of the NE ¼ of Sec. 26, T7N, R19E, City of Pewaukee, bounded and described as follows: Lands lying between the ordinary high water mark of the Pewaukee River and a line measured 300 feet normal to and south and west of the ordinary high water mark of the Pewaukee River. The property is located at the southeast corner of the intersection of S.T.H. 164 and I-94, containing approximately 58 acres. The entire site is 58 acres and the area to be rezoned is within the County's jurisdiction and is 8.9 acres in size.

PRESENT ZONING

A-P Agricultural Land Preservation and C-1 Conservancy Districts.

PROPOSED ZONING

B-3 General Business and C-1 Conservancy Districts.

PRESENT LAND USE

Residential and agricultural.

PROPOSED LAND USE

Commercial retail, office and warehouse distribution for a furniture business.

PUBLIC HEARING DATE

September 19, 2002.

PUBLIC REACTION

None

CITY OF PEWAUKEE PLAN COMMISSION RECOMMENDATION:

On September 19, 2002, the City of Pewaukee Plan Commission voted unanimously to grant approval of the rezoning request.

COMMON COUNCIL RECOMMENDATION:

The Common Council of the City of Pewaukee will be taking action on the request on Monday, October 7, 2002.

157-0075

3

COMPLIANCE WITH THE LAND USE PLAN FOR THE CITY OF PEWAUKEE AND THE WAUKESHA COUNTY DEVELOPMENT PLAN

The Land Use Plan for the City of Pewaukee has the western 1/3 of the property in residential and the eastern 2/3 of the property in commercial, with some Environmental Corridor surrounding the Pewaukee River. The preservation of the western 1/3 of the property in open space and preservation of Environmental Corridor based on plans approved by the City of Pewaukee conforms with the City's Land Use Plan.

The Waukesha County Development Plan labels the property as Low-Medium Density Residential – Pewaukee (13,000 to 19,000 sq. ft. of lot are per dwelling unit) and Primary Environmental Corridor, but since the City of Pewaukee has adopted a Land Use Plan, State Statute indicates the City's Plan takes precedence.

OTHER CONSIDERATIONS

The petitioner is proposing to rezone lands under the Waukesha County Shoreland and Floodland Protection Ordinance to allow the construction of a furniture retail, office and warehouse distribution facility, to establish new floodplain limits within the area based on a hydraulic analysis, and to allow a minor disturbance of wetlands and the floodplain during construction. The site will house the new Steinhafel's Furniture facility. Areas being rezoned from the Agricultural Land Preservation District will house the office/warehouse and parking areas, while a small area being rezoned from the C-1 Conservancy will allow the construction of a new bridge at the site to cross the Pewaukee River. Construction of the bridge will require some floodplain disturbance, but based on the hydraulic analysis and the existing bridge being removed from the site, the filling will not increase the 100-year flood stages off of the subject property.

The project will also involve the disturbance of a 0.13-acre wetland on the site. The bridge will require the disturbance of a 0.08-acre wetland, a swale from the north detention pond will disturb a 0.04 acre wetland, and a swale from the south detention pond will disturb a 0.01 acre wetland. Both the Army Corp. of Engineers and the Wisconsin Department of Natural Resources have reviewed the hydraulic analysis, the proposed bridge construction and disturbance of the wetlands and have approved the project as proposed.

STAFF RECOMMENDATION

It is the opinion of the Planning Division Staff this request be **approved** subject to the request being approved by the City of Pewaukee Common Council prior to review by the Waukesha County Land Use, Parks and Environment Committee. The approval of a large furniture retail and warehouse along state and interstate highways is within the best interest of the community. The disturbance of the wetlands and floodplain appear to be minimal and the end land use will be consistent with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance and City's Land Use Plan.

Respectfully submitted,

Brian Depies / kb

Brian Depies
Senior Land Use Specialist

BD:kb

Attachments: Map

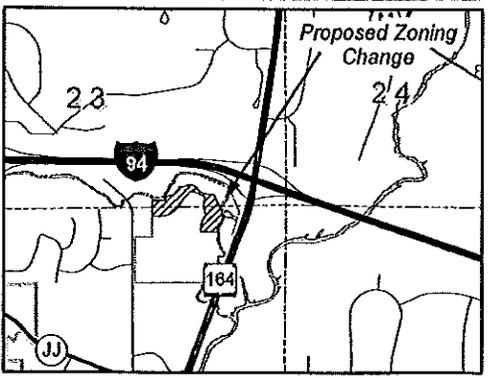
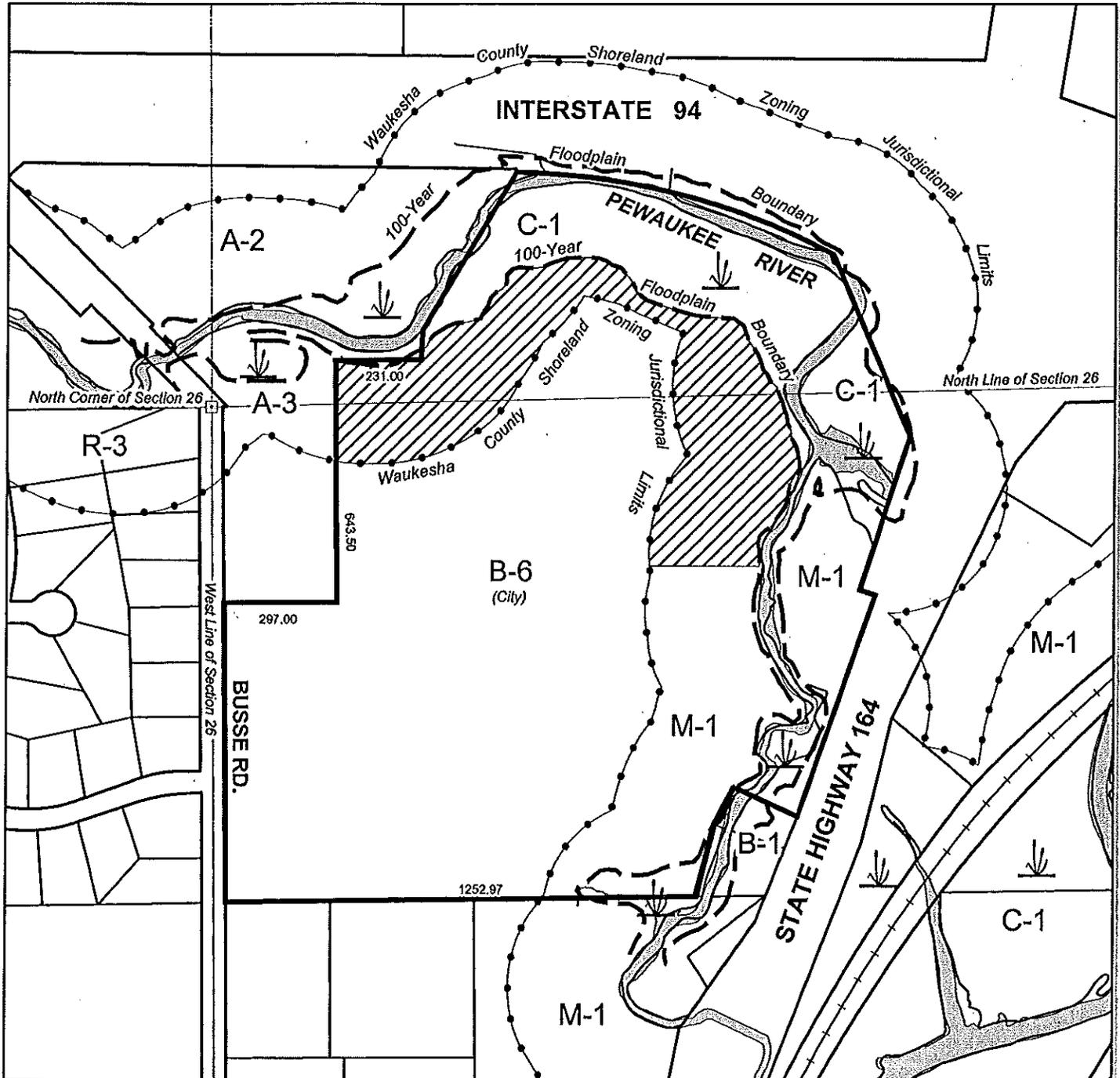
NAPLU New File System (In-Progress)\Planning & Zoning\Rezoning (RZ)\Staff Reports\1462.pwc (Pewaukee Development LLC).doc

157-0-075

4

ZONING MAP AMENDMENT

PART OF THE SE 1/4 OF SECTION 23 & NE 1/4 OF SECTION 26
CITY OF PEWAUKEE



CONDITIONAL ZONING CHANGE FROM A-P (AG. LAND PRES. DISTRICT) TO B-3 (GENERAL BUSINESS DISTRICT)

FILE.....SVZ-1462

DATE.....9-26-02

AREA OF CHANGE.....8.9 ACRES

TAX KEY NUMBER.....PWT 0965.998

1 Inch equals 400 feet

0 100 200 400 600 Feet

Prepared by the Waukesha County Department of Parks and Land Use

157-0-075

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-10/22/02

(ORD) NUMBER-1570075

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....NAY
- 11 K. HARENDA.....AYE
- 13 J. MORRIS.....
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....
- 19 M. SONNENTAG.....AYE
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....NAY
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 M. THOMAS.....AYE
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....AYE

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....NAY
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....AYE
- 14 J. LA PORTE.....AYE
- 16 R. MANKE.....AYE
- 18 D. FANFELLE.....AYE
- 20 M. KIPP.....NAY
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....NAY
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....NAY

TOTAL AYES-27

TOTAL NAYS-06

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-33