

*Defeated 10/14/03
Reconsidered &
adopted*

Enrolled 158-77
PROPOSED ORDINANCE 158-77

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 NE ¼ AND SE ¼ OF SECTION 1, T7N,
6 R19E, CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN,
7 FROM THE A-P AGRICULTURAL LAND PRESERVATION DISTRICT
8 TO THE R-3 RESIDENTIAL DISTRICT
9 (SVZ-1485)

10
11 WHEREAS the subject matter of this Ordinance having been duly referred to and considered by
12 the Waukesha County Park and Planning Commission after Public Hearing and the giving of
13 requisite notice of said hearing and a recommendation thereon reported to the Land Use, Parks
14 and Environment Committee and the Waukesha County Board of Supervisors, Waukesha
15 County, Wisconsin, as required by Section 59.692 of the Wisconsin State Statutes.

16
17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
18 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on
19 June 23, 1970, for the Town of Pewaukee, Waukesha County, is hereby amended to rezone
20 certain lands located in part of the NE ¼ and SE ¼ of Section 1, T7N, R19E, City of Pewaukee,
21 Waukesha County, Wisconsin, from the A-P Agricultural Land Preservation District to the R-3
22 Residential District, and more specifically described in the "Staff Report and Recommendation"
23 and map on file in the office of the Waukesha County Department of Parks and Land Use and
24 made a part of this Ordinance by reference (SVZ-1485).

25
26 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of
27 this Ordinance with the City of Pewaukee.

28
29 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
30 approval and publication.

31
32 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of
33 provisions of this Ordinance are hereby repealed.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 NE ¼ AND SE ¼ OF SECTION 1, T7N,
R19E, CITY OF PEWAUKEE, WAUKESHA COUNTY, WISCONSIN,
FROM THE A-P AGRICULTURAL LAND PRESERVATION DISTRICT
TO THE R-3 RESIDENTIAL DISTRICT
(SVZ-1485)

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

Date: 10-31-03, Kathy Nickalaus
Kathy Nickalaus, County Clerk

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

Approved: ✓

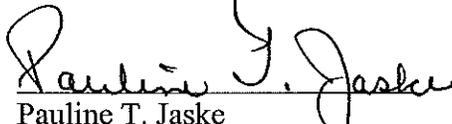
Vetoed: _____

Date: 10-31-03, D. M. Finley
Daniel M. Finley, County Executive

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 NE ¼ AND SE ¼ OF SECTION 1, T7N, R19E, CITY OF PEWAUKEE, WAUKESHA COUNTY,
WISCONSIN, FROM THE A-P AGRICULTURAL LAND PRESERVATION DISTRICT
TO THE R-3 RESIDENTIAL DISTRICT
(SVZ-1485)

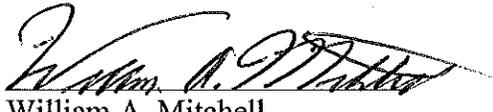
Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair

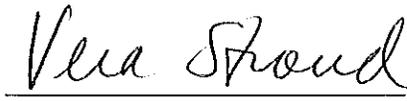
 (No)
Pauline T. Jaske


James Jeskewitz

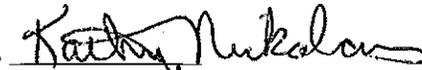

Scott J. Klein


William A. Mitchell

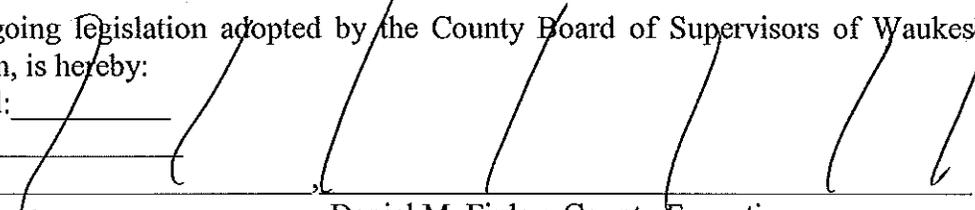

Daniel Pavelko


Vera Stroud

The foregoing legislation ^{was defeated} ~~adopted~~ by the County Board of Supervisors of Waukesha County,
Wisconsin, ^{and not} ~~was~~ presented to the County Executive on:

Date: 10/18/03, 
Kathy Nickolaus, County Clerk

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

Approved: _____
Vetoed: _____
Date: _____


Daniel M. Finley, County Executive

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance, hereby recommends approval of (SVZ-1485 – Redmond Company) in accordance with the attached “Staff Report and Recommendation.”

PARK AND PLANNING COMMISSION

September 11, 2003



Betty Willert, Chairperson

Absent

Vy Janusonis

Absent

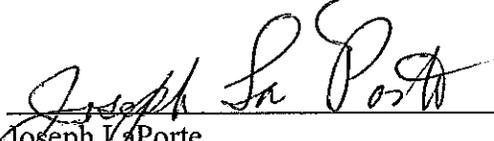
Mareth Kipp

Absent

Ellen Gennrich



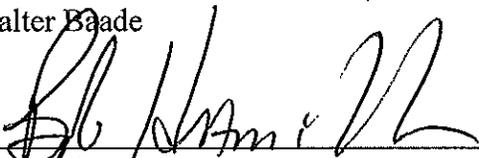
Walter Kolb



Joseph LaPorte



Walter Baade



Robert Hamilton

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

DATE: September 11, 2003

FILE NO.: SVZ-1485

PETITIONER: The Redmond Company
W228 N745 Westmond Drive
Waukesha, WI 53186

OWNERS: Haasch Farm Partnership & Schneiders Fields Partnership
20825 George Hunt Circle #703
Waukesha, WI 53186

Daniel & Nancy Holzhauer
N47 W22175 Weyer Road
Pewaukee, WI 53072

TAX KEY NO.: PWT 0865.995.002, PWT 0865.997, PWT 0865.998, PWT 0868.998
PWT 0868.999

LOCATION: Being a part of the NE ¼ and SE ¼ of Section 1, T7N, R19E, in the City of Pewaukee, Waukesha County, Wisconsin. The parcels are located on the south side of Weyer Road, at N47 W22175, N47 W22377, and N47 W22423 Weyer Road. The entire property contains approximately 142.4 acres. The area to be rezoned under the Waukesha County Shoreland and Floodland Protection Ordinance contains approximately 18.5 acres.

PRESENT ZONING: A-P Agricultural Land Preservation District, requiring a thirty-five (35) acre minimum lot size.

PROPOSED ZONING: R-3 Residential District, requiring a 20,000 sq. ft. minimum lot size (14,000 sq. ft. with "sewer reduction")

PRESENT LAND USE: The property presently contains two single-family residences and several accessory/farm buildings.

PROPOSED LAND USE: The property is proposed to be subdivided into a one hundred and thirty-two (132) lot residential subdivision.

CONFORMANCE WITH THE WAUKESHA COUNTY LAND DEVELOPMENT PLAN AND THE CITY OF PEWAUKEE LAND USE PLAN:

The property is designated Low-Medium Density Residential under the Waukesha County Land Development Plan and Medium Density Residential under the City of Pewaukee Land Use Plan. Low-Medium Density Residential under the Waukesha County Land Development Plan calls for 13,000 sq.ft. to 19,999 sq.ft. of lot area per dwelling unit, and Medium Density Residential under the City of Pewaukee Land Use Plan calls for a density of 2.3 to 4.1 dwelling units per net acre. The proposed zoning change is in conformance with both plans.

PUBLIC HEARING DATE: May 15, 2003.

PUBLIC REACTION:

Neighbors expressed concerns over the overall number of lots proposed and the size of lots, indicating they would like to see large suburban size lots. Many residents felt that the crossing of the railroad tracks at Weyer Road already causes traffic back-ups (which leads to people turning around in driveways) and the proposed train-car switching operation will exacerbate the problem. Other concerns were that Weyer Road cannot handle the amount of traffic proposed and why an emergency access is required to the property.

CITY OF PEWAUKEE PLANNING COMMISSION ACTION:

The City of Pewaukee Planning Commission, at their July 17, 2003, meeting, recommended approval of this request.

STAFF ANALYSIS:

The property is proposed to be subdivided into a one hundred and thirty-two (132) single-family lot subdivision to be known as Fields at Valley Wood. The subdivision would be served with municipal sewer and water. The single-family lots would range in size, with a majority of lots ranging in size from 15,000 sq.ft. to 20,000 sq.ft. The proposed overall density would be 0.93 dwelling units per acre. There will be one access to Weyer Road, with two (2) roads extending to the east property line and one (1) road extending to the west property line for future development. Since there is only one access to Weyer Road, a 25' temporary emergency access is being proposed through an outlot to serve properties in the event the public road access is blocked. This will be removed once developments to the east and west are constructed and connected to other public roads within the area. No road extensions are planned to the south due to the 100-Year Floodplain and wetlands within the area.

The property is currently zoned A-1 Agricultural, LC Lowland Conservancy and F-1 under the City of Pewaukee Zoning Ordinance. The proposed single-family area will be rezoned to RS-5 and RS-2 Single Family Residential and the UC Upland Conservancy District under the City of Pewaukee Zoning Ordinance. The southern portions of the property, which are within 300 ft. of a navigable stream to the southwest and within 1000' of a navigable pond to the southeast, fall under the jurisdiction of the Waukesha County Shoreland and Floodland Protection Ordinance. This area, which is approximately 18.5 acres in size, is proposed to be rezoned from A-P Agricultural Land Preservation District to the R-3 Residential District, under the Waukesha County Shoreland and Floodland Protection Ordinance. That area contains approximately seventeen proposed single-family lots, of which two (2) lots are proposed at five acres. Wetlands and floodplains within the area will remain undisturbed and remain in the C-1 Conservancy District. In addition to this, areas designated as Primary Environmental Corridor on the Waukesha County Land Development Plan will be placed within outlots and remain undisturbed, with the exception of one five-acre lot being placed within the Primary Environmental Corridor, which is acceptable under the guidelines of the County Development Plan.

Most of the land uses along Weyer Road consist of residential lots, approximately 0.75 of an acre to five acres in size, with subdivisions to the north and one quarter of a mile to the east consisting of lots approximately 0.75 of an acre in size. These properties are currently not served by municipal sewer and water.

158-0-074

4

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends **approval** of this request. The site is located entirely within the City of Pewaukee and will be served with municipal sewer and water. The proposed zoning change is consistent with the densities of other developments in the area and in conformance with the purpose and intent of the Waukesha County Shoreland and Floodland Protection Ordinance. The proposed zoning change is also in conformance with the Waukesha County Land Development Plan and the City of Pewaukee Land Use Plan.

Respectfully submitted,



Brian P. Depies
Senior Land Use Specialist

BPD

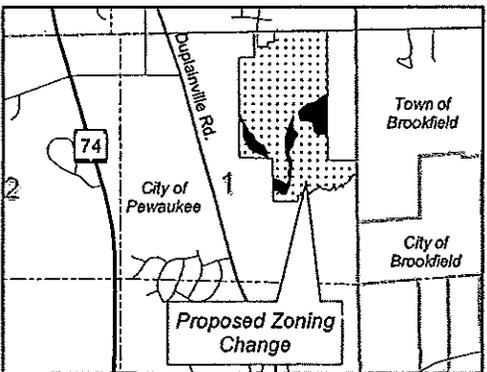
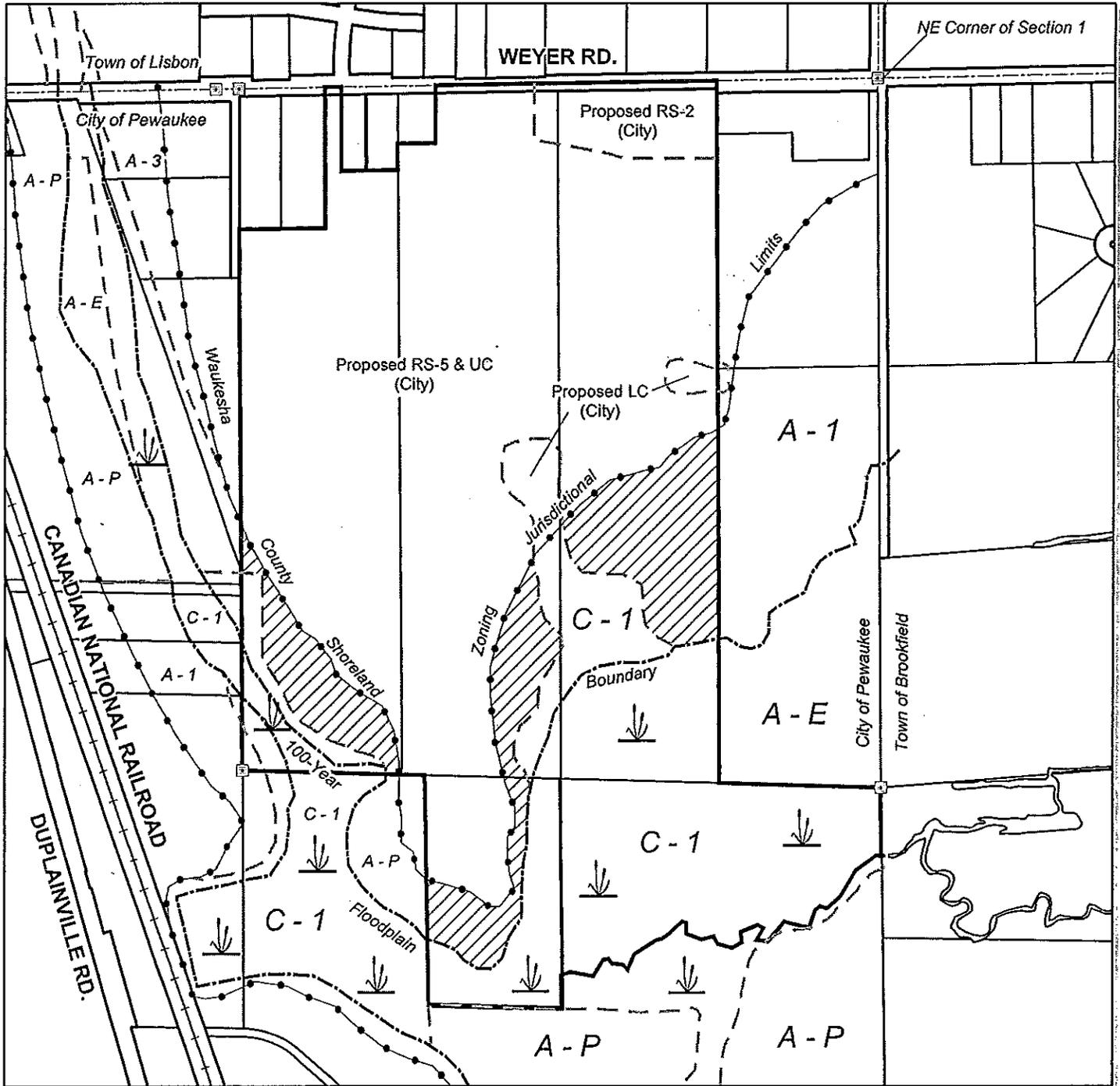
N:\PLU FILES\PLANNING & ZONING\REZONES (RZ)\STAFF REPORTS\1485 (REDMOND CO_ HAASCH_SCHNEIDERS_HOLZHAUER)_PWC.DOC

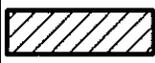
158-0-076

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ZONING MAP AMENDMENT

PART OF THE NE 1/4 & SE 1/4 OF SECTION 1
CITY OF PEWAUKEE (T7N R19E)



 SHORELAND ZONING CHANGE FROM A-P (AGRICULTURAL LAND PRESERVATION DISTRICT) TO R-3 RESIDENTIAL DISTRICT

FILE.....SVZ-1485

DATE.....9-11-03

AREA OF CHANGE.....18.5 ACRES

TAX KEY NUMBER.....PWT 0868.999
PWT 0865.997, PWT 0865.998, PWT 0868.998
PWT 0865.995.002



1 inch equals 600 feet
0 150 300 600 900 Feet

Prepared by the Waukesha County
Department of Parks and Land Use

158-0-076

To Reconsider

WAUKESHA COUNTY BOARD OF SUPERVISORS

ED 158-17

V

DATE-10/28/03

(ORD) NUMBER-1580076

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

- 2 R. THELEN.....NAY
- 4 H. CARLSON.....AYE
- 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 B. MORRIS.....NAY
- 20 M. KIPP.....AYE
- 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-26

TOTAL NAYS-07

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-33