

Rezoning backed, but not project

Written by Mark Jaeger

Wednesday, 19 January 2011 18:31

Village's Plan Commission balks at conceptual approval of 72-unit apartment project on Riverside Dr.

The Saukville Village Board on Tuesday unanimously approved rezoning a 6.6-acre parcel on South Riverside Drive despite the Plan Commission's rejection of conceptual plans to erect an apartment complex on the site.

On Jan. 6, the commission turned down plans by developer Michael Lerner to create a 72-unit apartment project on land owned by Peter Briggs.

According to the plan detailed by Lerner at the commission's December meeting, the project would have offered what he termed "workforce housing" using WHEDA funds.

The commission tabled action on the concept at that meeting, feeling more time was needed to study the impact a multifamily development of that size would have on the community.

The primary concern was how the project would affect the school district, since Lerner said it could draw as many as 80 additional school-age children.

Despite the extra time to mull the project, the commission didn't warm up to approving what would become the village's largest residential development in the Foster Commons entertainment corridor.

The Harvest Meadows apartment complex is currently the village's largest residential development with 64 units.

Community Development Director Brian Biernat said the Lerner project was the first time the commission had to test the appropriateness of the overlay zoning put into place for the Foster Commons district.

That district was crafted to encourage a mix of land uses, with commercial and residential components. The district grew out of the desire by village officials to capitalize on the presence of the Marcus Cinema as an anchor attraction.

"From the vote of the commission, it is pretty clear that the intention is to incorporate condominiums and high-end apartments that meet the needs of the commuter demographic in the Foster Commons area, so it was appropriately denied," Biernat told the Village Board.

Village President Barb Dickmann, who is chairman of the planning body, said the affordable apartment concept was not what commission members envisioned for the corridor.

"This would have been the largest residential development in the village and we all agreed it just didn't feel right," Dickmann said.

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Even though that door was slammed shut, a public hearing on rezoning the parcel from institutional to residential was still held Tuesday at the request of Briggs, who was not at the meeting.

Riverside Drive resident Bruce Klein used the hearing to cast even more doubt on the benefits of the Lerner proposal.

Klein said it would be difficult for private wells to provide water to the parcel adequate for multifamily development. He also said the property is challenged by floodplain concerns and the extensive amount fly ash dumped there decades ago.

The critique was cut short by Dickmann, who said, "There is no proposal at this time."

Even without a plan on the table, Biernat told the commission that retaining the institutional zoning on the Briggs land — and the types of development allowed with that zoning designation — failed to match the Foster Commons goal of a "unifying theme of entertainment, hospitality and urban recreation."

Biernat said the property owner remains convinced that multi-family residential zoning is the "highest and best use" of the property.

It was rezoned for institutional use years ago when the property was eyed as a possible church site.

When Klein questioned why residential zoning was being sought when future commercial interest in the parcel is likely, Village Administrator Dawn Wagner said the village can only react to the wishes of the owner.

"The property owner has made the request because he feels it is in his best interest to make the change," Wagner said.

Trustee Robert Hamann, who also serves on the Plan Commission, said he too questions why the rezoning is being sought.

"There is some question what the highest and best use of that property would be when it is surrounded by commercial zoning, but institutional is obviously not the correct zoning," Hamann said.

While he called the push to bring the zoning in line with its intended use "good zoning practice," Biernat said the Foster Commons overlay would dictate what future development would be permitted.

"The residential component embedded within the district is intended to support the commercial development that occurs," he said.

Since the Foster Commons district was created, the only residential interest for the area has

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been of the high-density nature, Biernat said.