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2
3 AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION
4 ORDINANCE OF THE TOWN OF OCONOMOWOC, BY CONDITIONALLY REZONING
5 CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 36, T8N, R17E, TOWN
6 OF OCONOMOWOC, FROM THE R-3 RESIDENTIAL AND P-1 PUBLIC AND
7 INSTITUTIONAL DISTRICTS TO THE B-2 LOCAL BUSINESS DISTRICT (SZ-1474)
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9

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

16 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES
17 ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning
18 Map for the Town of Oconomowoc, Waukesha County, Wisconsin, adopted by the Waukesha
19 County Board of Supervisors on June 23, 1970, is hereby amended to conditionally rezone from the
20 R-3 Residential and P-1 Public and Institutional Districts to the B-2 Local Business District, certain
21 lands located in part of the SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc, and more
22 specifically described in the "Staff Report and Recommendation" and map on file in the office of
23 the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by
24 reference (SZ-1474), subject to the following conditions:
25
26

- 27 1. Waukesha County Board of Supervisors must approve the 2003 request to amend the
28 Town of Oconomowoc Land Use Amendment to the County Development Plan.
29
- 30 2. A Certified Survey Map must be prepared by a registered surveyor to determine the
31 exact boundaries and acreage of the property and the location of the Ordinary High
32 Water Mark of Florence Lake. A Certified Survey must be submitted to the
33 Waukesha County Department of Parks and Land Use and the Town of
34 Oconomowoc for review and approval.
35
- 36 3. Subject to the development being limited to a maximum of 15 units per acre, served
37 by municipal sewers and a municipal size/capacity water supply.
38
- 39 4. Subject to the Waukesha County Department of Parks and Land Use, Land
40 Resources Division, approving an Erosion Control and Storm Water Management
41 Plan for the proposed use.
42
- 43 5. Subject to a minimum of 30 % of the site being retained in green space, which is
44 defined as a natural or man-made open space area, not occupied by any structure or
45 impervious surface, except trails.
46
- 47 6. Subject to the future ownership and construction status of the road on the west side
48 of the property being resolved with the Town of Oconomowoc.
49

- 50 7. The rezoning shall not be effective until the additional lands proposed for purchase
51
52 from the Okauchee Fire Department is completed and a Deed Restriction showing
53 that transfer.
54
55 8. The status (public or private) of Florence Lake shall be resolved so that it can be
56 determined what rights, if any, the project would have to said lake.
57
58

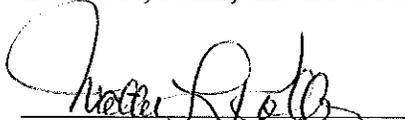
59 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this
60 Ordinance with the Town Clerk of Oconomowoc.

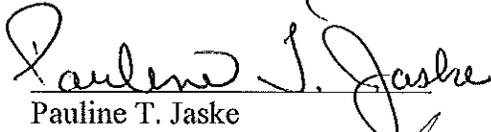
61
62 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
63 approval and publication.
64

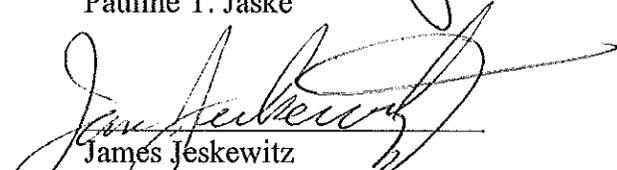
65 BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the
66 provisions of this Ordinance are hereby repealed.

AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE OF THE TOWN OF OCONOMOWOC, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 36, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE R-3 RESIDENTIAL AND P-1 PUBLIC AND INSTITUTIONAL DISTRICTS TO THE B-2 LOCAL BUSINESS DISTRICT (SZ-1474)

Presented by:
Land Use, Parks, and Environment Committee

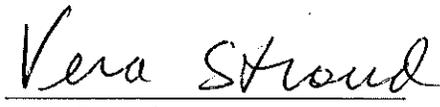

Walter L. Kolb, Chair


Pauline T. Jaske


James Jeskewitz

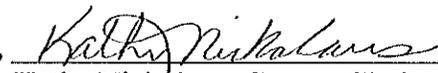

Scott J. Klein


Daniel Pavelko


Vera Stroud


Matt Thomas

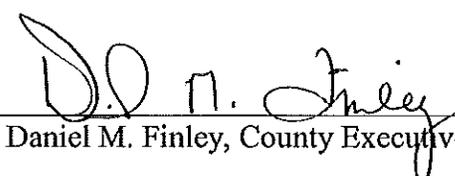
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 4-25-2003, 
Kathy Nickolaus, County Clerk

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

Approved:

Vetoed:

Date: 4-29-03, 
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 and the Waukesha County Zoning Code, hereby recommends approval of (SZ-1474 Mission Lakes) in accordance with the attached "Staff Report and Recommendation."

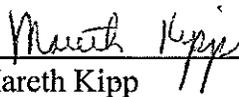
PARK AND PLANNING COMMISSION

March 20, 2003

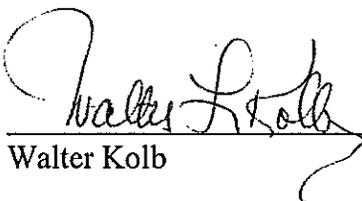
Absent

Betty Willert, Chairperson


Vy Jahusonis


Mareth Kipp


Ellen Gennrich


Walter Kolb


Joseph LaPorte


Walter Baade

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

FILE NO: SZ-1474

TAX KEY NUMBERS: OCOT 0575.939

DATE: March 20, 2003

NAME OF PETITIONER: Mission Lakes
c/o M. J. & J. Enterprises, LLC
4615 Vettleson Road
Hartland, WI 53029

LOCATION OF PROPERTY:

Part of the SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc, at N50 W34851 Wisconsin Avenue and commonly known as St. Joan of Arc Church and School, containing four acres.

PRESENT ZONING:

R-3 Residential District and P-1 Public and Institutional District.

PRESENT LAND USE:

Church, school and residence.

REQUESTED ZONING CLASSIFICATION AND USE:

B-2 Local Business District (approximately four acres) for the construction of senior housing condominiums for 55 years of age or older subject to a Conditional Use Permit.

CONFORMANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN (WCLDP) AND THE TOWN OF OCONOMOWOC MASTER LAND USE PLAN:

The Town of Oconomowoc Land Use Plan and the Waukesha County Land Development Plan designates the area as Governmental and Institutional. Currently, the Town of Oconomowoc has petitioned Waukesha County to adopt its New Development Plan, which designates this area as Commercial. If the Land Use Plan Amendment is approved by Waukesha County, that parcel will be designated as Commercial. The Town of Oconomowoc proposed Land Use Plan identifies development of this property for two uses: the Business use and/or a higher density Residential Use with municipal services. It also identifies the possibility of senior housing and the revitalization of the Downtown Okauchee area. This Commercial category allows for higher density development located close to service amenities. The Waukesha County Land Use Plan does not address mixed-use areas but does not intend to exclude senior housing developments, which would benefit from services and amenities within walking distance. The Plan identifies the parcel as Institutional by virtue of the existence of the church, which has since closed and relocated. The Plan indicates Commercial completely surrounding the site, so our interpretation would be that this change is justified in light of the church closing its facilities and putting them up for sale.

PUBLIC HEARING DATE:

March 13, 2003.

157-0-146

4.

PUBLIC REACTION:

There were approximately 45 citizens present at the public hearing and the audience was split on the proposal. Residents in favor of the proposed rezoning stated this type of development is what Downtown Okauchee needs to "jump start" the businesses. There were also residents in favor who stated this type of development would be less of a stress on the school system and would create a greater tax base for the Town. In addition, comments were made that the development would be a welcomed addition to the area. The recent Town of Oconomowoc Master Plan has this area designated for this type of use. Business owners stated this development would provide needed extra business and will create a new source of employees for area businesses. It was also stated that the petition that was in opposition of the proposal was misrepresented.

Residents were opposed to the project had concerns that the development was too intensive for this site and the extra population would cause more congestion on the roadways. Residents were concerned that no feasibility studies were completed for the project to see what type of impact this development would have on the community, including the impact on Florence Lake. Other concerns were that the round about was too close to the new road where approximately 60 extra cars would be coming from the new development. Comments were made there were not enough parking spaces for all the units. In addition, concerns that emergency services were too far away to service the development and the Fire Department did not have the type of ladders to service this type of building. Questions were asked that if the condominiums did not sell what would happen to the units?

TOWN PLANNING COMMISSION AND TOWN BOARD ACTION:

The Town of Oconomowoc Plan Commission, at their meeting of March 17, 2003, voted to recommend rezoning of the parcel with several conditions (Exhibit "A"). On March 17, 2003, the Town Board approved the request as recommended by the Town Plan Commission.

OTHER CONSIDERATIONS:

This property was the former St. Joan of Arc Church and School. The petitioners are proposing to redevelop the property into a 60-unit senior housing complex for people 55 years and older. The property currently has 3.6 acres of land but the petitioner will be purchasing about four acres of additional lands from the Okauchee Fire Department, which is currently zoned as P-I Public and Institutional, bringing the parcel to a four-acre piece with 600' of frontage on Florence Lake (a former quarry). There remains an issue as to whether said lake is public or private and said question has been presented for final resolution to the Department of Natural Resources (DNR). As stated above, the Town of Oconomowoc has designated this area as a possible senior housing location, provided municipal sewer services the property and adequate parking is provided. The Town of Oconomowoc Land Use Plan also addresses other issues necessary to support senior housing such as: municipal sewer shall service property and a municipal size/capacity water supply (per State Code) being provided; adequate parking shall be provided; the facility shall have direct access to or abut an arterial or collector street; such facilities shall be located in close proximity to retail shopping; and a maximum density of 15 units per acre shall be strictly adhered to; a minimum of 30% of the site shall be retained as green space.

The site is immediately across the street from a convenience store and gas station and within walking distance of various small businesses in Okauchee, a dental office and other professional services are also within easy walking distance, and the Okauchee Fire Department with emergency services is next door.

STAFF RECOMMENDATION

It is the opinion of the Planning and Zoning Division Staff that this request be approved subject to the

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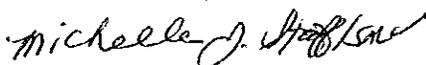
5.

following conditions:

1. Waukesha County Board of Supervisors must approve the 2003 request to amend the Town of Oconomowoc Land Use Amendment to the County Development Plan.
2. A Certified Survey Map must be prepared by a registered surveyor to determine the exact boundaries and acreage of the property and the location of the Ordinary High Water Mark of Florence Lake. A Certified Survey must be submitted to the Waukesha County Department of Parks and Land Use and the Town of Oconomowoc for review and approval.
3. Subject to the development being limited to a maximum of 15 units per acre, served by municipal sewers and a municipal size/capacity water supply.
4. Subject to the Waukesha County Department of Parks and Land Use, Land Resources Division, approving an Erosion Control and Storm Water Management Plan for the proposed use.
5. Subject to a minimum of 30 % of the site being retained in green space, which is defined as a natural or man-made open space area, not occupied by any structure or impervious surface, except trails.
6. Subject to the future ownership and construction status of the road on the west side of the property being resolved with the Town of Oconomowoc.
7. The rezoning shall not be effective until the additional lands proposed for purchase from the Okauchee Fire Department is completed and a Deed Restriction showing that transfer.
8. The status (public or private) of Florence Lake shall be resolved so that it can be determined what rights, if any, the project would have to said lake.

The proposed rezone of this property to accommodate a new higher density senior housing (condominium development) in this area of the Town is appropriate and will help revitalize the Downtown Okauchee Business area. In addition, the proposed use complies with the proposed amended Town of Oconomowoc Land Use Plan -- 2020.

Respectfully submitted,



Michelle J. Staff
Senior Land Use Specialist

MJS:smv

Attachments: Exhibit "A" and Map

N:\PLU New File System (In-Progress)\Planning & Zoning\Rezoning (RZ)\Staff Reports\1474_oct(Mission Lakes).doc

157-0-146

6.

TOWN OF OCONOMOWOC
PLAN COMMISSION
MARCH 17, 2003

TOWN OF OCONOMOWOC
PLAN COMMISSION
MARCH 17, 2003

Present: Chairman Runyard, Peregrine, Garvey, Navin, Herrmann

Chairman Runyard called the meeting to order at 8:30 p.m.

MJ&J Enterprises, LLC – Rezone/Wisconsin Ave

Appearing were Tim Michelic, Pat Johnson and Jim Jendusa. Peregrine moved to recommend to the Town Board to approve the zoning amendment request subject to the Town Planner's recommendation dated March 14, 2003 with an amendment that in condition #2 "plat of survey" be stricken and "CSM" be inserted. Seconded by Navin. Carried unanimously.

MJ&J Enterprises, LLC – CU/Senior Living/Condo's/Wisconsin Ave

Jeff read the conditions recommended in his letter of March 17, 2003. Discussion as to how to provide transportation to residents.

Peregrine moved to recommend the CU to the County, with the addition that Condition #3 state that it should show the stand pipe arrangement in the building. Seconded by Garvey. Carried unanimously.

Meeting Minutes

Navin moved to approve the minutes of the March 3, 2003 Plan Commission meeting and the minutes of the March 13, 2003 Public Hearing be approved as printed. Seconded by Peregrine. Carried unanimously.

Peregrine moved to approve the minutes of the Master Land Use Plan of January 7, 2003 as printed. Seconded by Navin. Carried unanimously.

Public Comments – None

Pro Health Care – Approve CSM/Brown Street

Peregrine moved that the CSM be approved subject to compliance with the Planner's recommendations dated March 12, 2003 and that upon satisfactory compliance the Town Planner can present the finished documents to the appropriate individuals for signing. Seconded by Navin. Carried unanimously.

B. R. Amon & Sons – CU/Quarry/Pennsylvania St.

2

Peregrine stated that he thought the Highway Superintendant and Town Attorney should be consulted about the road conditions; also what they think of widening of Pennsylvania St. south to Lang Rd. He would also like to see the Town Planner's recommendations if the request were to be granted -- before the next meeting.

Stanley Christiansen - Zoning violation determination

The Town Plan Commission made a determination that Mr. Christiansen is in violation for storing boats on his property.

Upon being notified of a violation, Mr. Christiansen filed the appropriate papers.

Stanley Christiansen - Rezone/Brown St

Peregrine moved to recommend to the Town Board that the conditional zoning of M-1 as applied for to allow storage of boats, campers and recreational vehicles on this site be approved. Further subject to the recommendations of the Town Planner dated March 16, 2003. Seconded by Navin. Carried unanimously.

Peregrine moved that Mr. Christiansen bring in a site plan and if it meets with the Town Planner's approval, it is acceptable. Seconded by Garvey. Carried unanimously

Owen Salzman - Lot not abutting Public Rd & Conceptual Land Use

Mr. Salzman produced a map showing how his property could one day be serviced by a town road. Peregrine moved to recommend to the County that they approve the application for a lot not abutting a public road provided the petitioner establishes a 33 ft wide easement on his property to match the existing 33 ft wide easement to the west end of his proposed lot. Seconded by Garvey. Carried unanimously.

Bayview Estates - Approve Final Plat

Jerry Erdman and Mark Powers appeared.

#2 of the Town Planner's recommendations dated March 10, 2003 shall be changed to include "at a location approved by the Stone Bank Fire Dept" Peregrine moved to approve the plat subject to the developer complying with the items outlined in the Planner's writing (as amended above) dated March 10, 2003, being 12 in total. Seconded by Navin. Carried unanimously.

Jeff Tjugum - Retaining Wall within 5 ft of the lot line/Elm Ave

Steve Koehler, next door neighbor, appeared for Tjugum. A shared stairway was replaced without permit. Peregrine moved to approve the request subject to the conditions outlined by the County in their approval document. Seconded by Navin. Carried unanimously.

Daniel & Barbara Hayden - Raze old/Build New/Rd B

Daniel Hayden appeared as petitioner. He requests to raze his existing residence, construct a new residence and attached garage and deck and remove existing retaining walls and construct new retaining walls.

Peregrine moved to recommend to the Board of Adjustment that petitioner be granted a variance to tear down his existing residence and build a new residence on the lot, having not more than 1800 sq ft, being located at least 20 ft from the pavement of Road B.

3

Further we recommend that the failed existing retaining wall be replaced in the same location and height, with field stone, all upon the condition that the shed down at the lake be removed. Further the existing retaining wall which appears to stabilize the ground on the lake side of the house underneath the deck also be repaired and/or replaced in accordance with the recommendation of the Dept. of Parks and Land Use, Land Conservation Division recommendation dated November 20, 2002. Seconded by Navin. Carried unanimously.

Gregory Panas - Special exception/2nd detached garage/Lake Dr.

Mr. Panas wants to build a 2nd detached garage on his property at N59 W34850 Lake Dr. He shares a driveway with his neighbor. Their garages are directly across from each other and the neighbor has to be in his garage for Mr. Panas to back out of his garage. Peregrine moved to recommend to the Board of Adjustment that they grant the special exception applied for. Seconded by Navin. Carried unanimously.

David Huijbregtse - Variance/Additions/remodel/Point Comfort Dr.

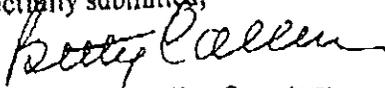
Petitioner did not appear. There is insufficient information to enable the Plan Commission to make an informed decision.

David & Erin Waldron - Variances/Additions/Remodel/Wisconsin Ave.

Petitioner did not appear. There is insufficient information to enable the Plan Commission to make an informed decision.

Peregrine moved to adjourn. Seconded by Garvey. Carried unanimously.
Adjourned at 10:10 p.m.

Respectfully submitted,



Betty Callen, Recording Secretary

49

TOWN OF OCONOMOWOC
BOARD MEETING – March 17, 2003

Chairman St. Thomas called the Town Board meeting of March 17, 2003 to order at approximately 7:30 p.m. with the Pledge of Allegiance.

Present: Chairman St. Thomas, Supervisors Baade, Napgezek, Husak and Case, Attorney William Chapman, Sergeant Wallis and Clerk/Treasurer Lemley.

Absent: Police Chief Roelandts (vacation) and Highway Superintendent Brown

Minutes: A motion was made by Case and seconded by Baade to approve the minutes from the March 3, 2003 board meeting and passed unanimously.

Correspondence: None

Comments from the Floor: Town resident Mike Fitzsimmons – N50 W34701 Wisconsin Avenue – was present to again request that the Town draft an ordinance to ban gas motors on Florence Lake. Atty. Chapman said that it still has not been determined if the lake is public or private and questions whether the Town has jurisdiction over a private lake. Any further action needs to wait for the results of the investigations.

Old Business: None

New Business:

1. Joe Eberle from Ruckert Mielke was present to answer questions and present the proposal for purchasing a chemical adding system to control odors at certain pump stations. Supervisor Case moved and Husak seconded to approve the purchase of equipment for a chemical feed system to control odors at the West Lake Drive and Hwy 16 pump station from U. S. Filter. The cost will be paid by the Utility District and is reimbursable under the Clean Water Fund loan. Carried unanimously.
2. Supervisor Case moved, Husak seconded, to authorize Hogen Electric to install the chemical feed system described in item #1. Carried unanimously.
3. Supervisor Baade moved to approve the Ordinance creating section 1.15(2A) of the General Code of Ordinances to compensate the Plan Commission members per meeting and reimburse mileage at amounts established by resolution by the Town Board. Seconded by Husak. Unanimous roll call vote: Baade-yes, Napgezek-yes, St. Thomas-yes, Husak-yes, and Case-yes.
4. Supervisor Husak moved to approve the resolution establishing the Plan Commission per-meeting payment at \$40.00 and the mileage reimbursement at \$10.00 per month. Seconded by Case. Carried unanimously.
5. Supervisor Husak moved and Case seconded to approve the 2003 Ambulance Service Contract from the City of Oconomowoc. Passed unanimously.
6. Supervisor Case moved to approve the Resolution amending the 2002 Budget of the Town of Oconomowoc. Husak seconded and carried unanimously by roll call vote: Case-yes, Husak-yes, Napgezek-yes, Baade-yes, St. Thomas-yes.
7. Supervisor Case moved, and Husak seconded to select Welch Hanson Associates as the firm to perform the Facility Needs Assessment for the Town of Oconomowoc. The motion carried unanimously.
8. Supervisor Case moved to approve the rezone request for the parcel formerly known as St. Joan of Arc Church and School property, as requested by MJ&J Enterprises, LLC, from the current R-3 residential and P-1 institutional to B-2 Local Business District, pursuant to and subject to the Plan Commission's recommendations and conditions. Husak seconded. Carried unanimously by roll call vote: Baade-yes, Case-yes, Napgezek-yes, St. Thomas-yes, Husak-yes.
9. **Supervisor Reports and Concerns:** Supervisor Baade reported that wetland delineation is needed on the Town's 60+ acres of parkland. Jeff Herrmann will do a letter requesting that SEWRPC perform this service on behalf of the Town.
10. **Chairman St. Thomas:** Chairman St. Thomas reported that Road B developed a gaping hole as a result of the recent sewer repairs, but that the Town's highway department repaired it.
11. **Attorney Chapman:** Nothing
12. **Highway Superintendent Brown:** Absent
13. **Police Sergeant Wallis:** Nothing

157-0-146

- 14. **Clerk/Treasurer** –Supervisor Husak moved to accept the informal proposal from a company called **Shred-It** to destroy those files that are no longer necessary to keep. Sergeant Wallis indicated that the Police Dept. has files that it needs to get rid of also, so the two offices will work together on scheduling. Supervisor Case seconded. Passed unanimously. The clerk reminded the Board that the Annual Meeting is scheduled for Tuesday - April 8th at 7:00 p.m.
- 15. **Vouchers and Checks** – No list provided – will be approved at next meeting.
- 16. **Other Business:** None
- 17. At approximately 8:25 p.m., Supervisor Husak moved to adjourn into closed session Pursuant to ss. 19.85 (1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved, specifically the pending Higgins lawsuit. Seconded by Baade, passed unanimously by roll call vote: Husak-yes; Napgezek-yes; Case-yes; Baade-yes; St. Thomas-yes.
- 18. Discussion was held regarding the details of the lawsuit, the history and possible courses of action. At 8:35 p.m., Husak moved and Napgezek seconded to re-convene into open session. This passed by unanimous roll call vote: St. Thomas-yes, Napgezek-yes, Husak-yes, Case-yes, Baade-yes. Supervisor Husak moved, Supervisor Case seconded to authorize Attorney Chapman to defend the pending Higgins lawsuit on behalf of the Town. Carried unanimously
- 19. At approximately 8:36 p.m., Husak moved and Baade seconded to adjourn. Carried unanimously.

Respectfully submitted,

Christine Lemley
 Christine Lemley
 Clerk/Treasurer

**TOWN OF OCONOMOWOC PLAN COMMISSION & TOWN BOARD
PLANNER'S REPORT & RECOMMENDATION
ZONING MAP AMENDMENT**

PROJECT NAME: MJ & J Enterprises, LLC
PROJECT NO.: 13052.064

TAX KEY NUMBER: OCOT 0575.939

DATE: March 14, 2003

NAME OF PETITIONER: MJ & J Enterprises, LLC
4615 Vettleson Road
Hartland, WI 53029

LOCATION OF PROPERTY:

A part of the SW 1/4 of Section 36, T8N, R17E, Town of Oconomowoc. The parcel is located approximately 120 feet east of the intersection of Wisconsin Avenue and West Lake Drive, containing approximately 4.0 acres.

PRESENT ZONING:

R-3 Residential District.
P-I Public and Institutional District.

PROPOSED ZONING:

B-2 Local Business District.

PRESENT LAND USE:

Vacant, former home of St. Joan of Arc Church and School.

PROPOSED LAND USE:

60-unit Senior Condominium Development.

PUBLIC HEARING DATE:

March 13, 2003.

COMPLIANCE WITH THE TOWN OF OCONOMOWOC MASTER LAND USE PLAN:

The Town of Oconomowoc Land Use Plan - 2020 designates this area in a commercial category. The Land Use Plan also indicates that this area should be developed into restricted type business uses and/or higher density residential uses with municipal services. Therefore, the proposed use is compatible with the Town of Oconomowoc Land Use Plan - 2020.

Town of Oconomowoc Plan Commission & Town Board
MJ & J Enterprises, LLC
March 14, 2003
Project No. 13052.064
Page 2

OTHER CONSIDERATIONS:

The petitioners are proposing to rezone approximately 4 acres of land from R-3 Residential District and P-I Public and Institutional District to B-2 Local Business District. The purpose of the rezone is to allow the petitioners to redevelop the site into a 60-unit senior condominium development. The proposed development will incorporate the existing church and school facilities and utilize the existing architecture of the church in the design of the new condominium buildings. The project is broken down into two (2) Phases with Phase 1 resulting in the existing school building being converted into 18, two (2) bedroom units. The square footage of the remodeled building will be 30,000 square feet with three (3) stories for living purposes and an exposed basement area. This phase will also result in the remodeling of the church, which will eventually be used as a multi-functional clubhouse. The second phase of the project consists of 42 units in a 60,000 square foot building. The petitioners are also proposing underground parking beneath the buildings. Currently the petitioners are working with Ruckert & Mielke and Waukesha County on the erosion control and the storm water management issues

It is important to note, that the Town of Oconomowoc Plan Commission recently amended their land use plan to allow for higher density senior housing development to help revitalize the Okauchee downtown area. This type of use may be permitted; provided the property is served by municipal sewer and adequate parking was provided. Several other conditions are provided for in the plan, which must be complied with, are discussed as part of the Conditional Use Permit.

Planner's Recommendation

It is the opinion of the Town Planner that this request be **approved**, subject to the following conditions:

1. Subject to the development being limited to a maximum of 15 units per acre, serviced by municipal sewer and a municipal size/capacity water supply (per State Plumbing Code).
2. Subject to a Plat of Survey of the property being prepared by a licensed Land Surveyor in Wisconsin to determine the exact boundaries and acreage of the property and the location of the Ordinary High Water Mark of Florence Lake. Said Survey shall be completed prior to the submittal of a Site Plan/Plan of Operation.
3. Subject to Waukesha County Department of Parks and Land Use approving an Erosion Control and Storm Water Management Plan for the proposed use.

Town of Oconomowoc Plan Commission & Town Board
MJ & J Enterprises, LLC
March 14, 2003
Project No. 13052.064
Page 3

4. Subject to the road issue regarding access to the western portion of the property being resolved with the Town of Oconomowoc.
5. Subject to the Waukesha County Board adopting the Town of Oconomowoc's updated Land Use Plan – 2020, as it pertains to this property.
6. Subject to a minimum of 30 per cent of the site being retained in green space, which is defined as a natural or man-made open space area not occupied by any structure or impervious surface, except trails.

The proposed rezone of this property to accommodate a new higher density senior housing (condominium development) in this area of the Town is appropriate and will help revitalize the Downtown Okauchee Business Area. In addition, the proposed use complies with the newly amended Town of Oconomowoc Land Use Plan - 2020.

Respectfully submitted,

Jeffrey C. Herrmann
Town Planner

JCH/de

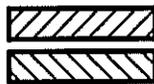
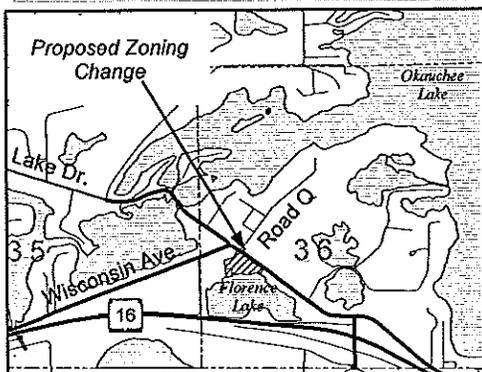
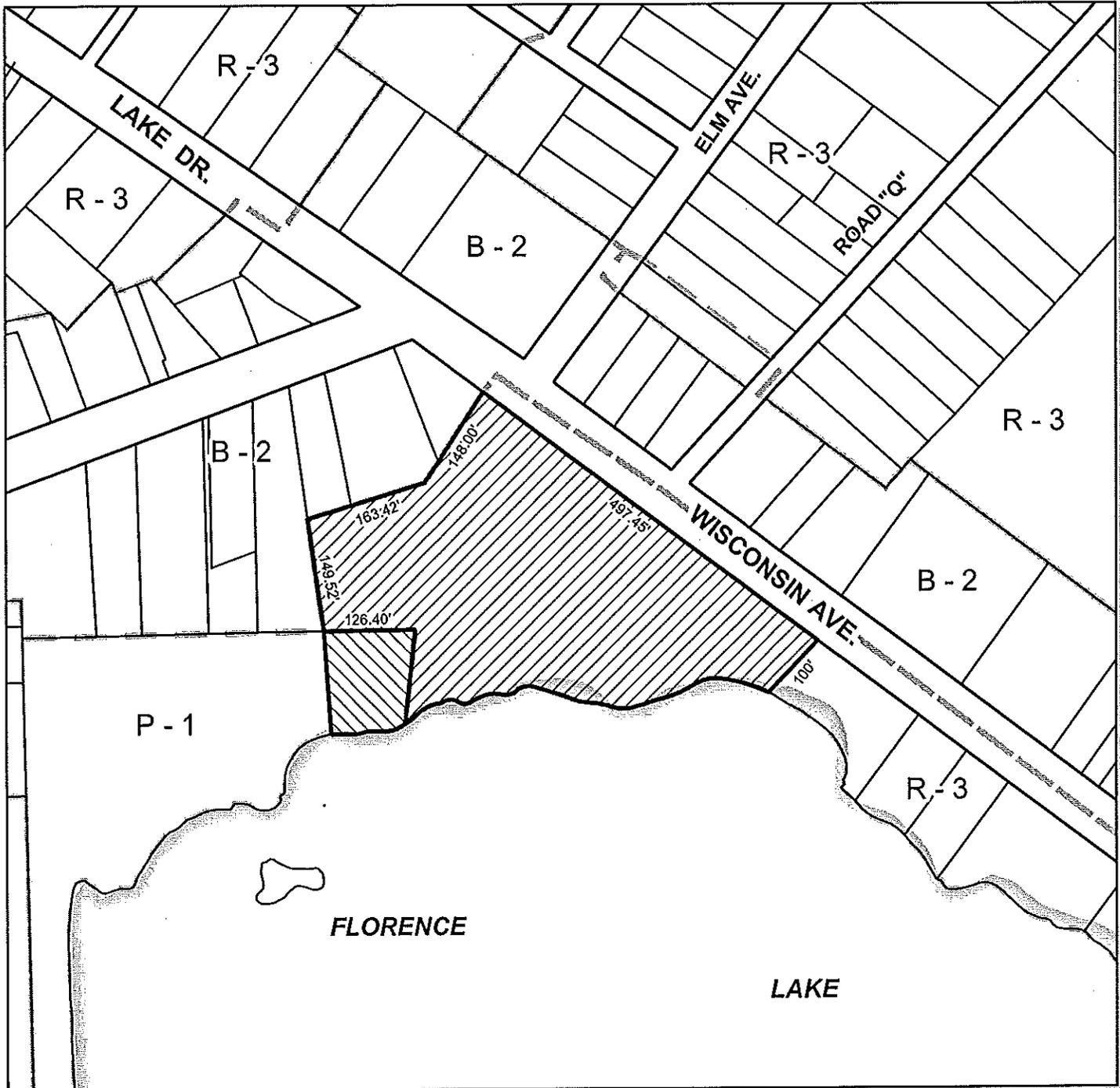
cc: Town of Oconomowoc Clerk
Town Attorney, G. William Chapman
MJ & J Enterprises
Ruekert & Mielke
Waukesha County Department of Parks and Land Use

157-0-146

14.

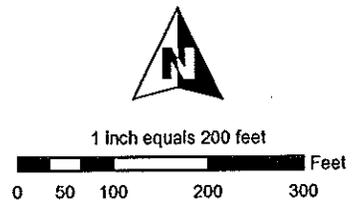
ZONING MAP AMENDMENT

PART OF THE SOUTHWEST 1/4 OF SECTION 36
TOWN OF OCONOMOWOC



CONDITIONAL ZONING CHANGE FROM R-3 TO B-2
CONDITIONAL ZONING CHANGE FROM P-1 TO B-2

FILE.....SCZ-1474
DATE.....3-20-03
AREA OF CHANGE.....4.0 ACRES
TAX KEY NUMBER.....OCOT 0575.939



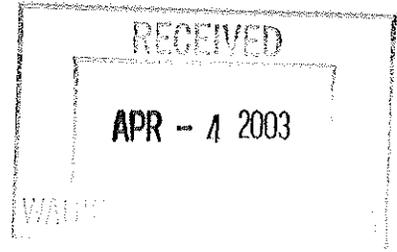
Prepared by the Waukesha County Department of Parks and Land Use

157-0-146

ORDINANCE/RESOLUTION REVIEW COVER SHEET

Title of Draft Ordinance/Resolution: AMEND THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE OF THE TOWN OF OCONOMOWOC, BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ OF SECTION 36, T8N, R17E, TOWN OF OCONOMOWOC, FROM THE R-3 RESIDENTIAL AND P-1 PUBLIC AND INSTITUTIONAL DISTRICTS TO THE B-2 LOCAL BUSINESS DISTRICT (SZ-1474)

Department: Parks and Land Use
 Contact Person: Richard Mace
 Phone Number: 548-7790
 Anticipated County Board Date: 04/22/2003
 Committee Review Date Target:



Review	Signatures	Date of Review	Changes?
Corporation Counsel	<i>Annika Calhoun</i>	<u>4/1/03</u>	Yes <input type="radio"/> No <input checked="" type="radio"/>
Administration	<i>John [unclear]</i>	<u>4/2/03</u>	Yes <input type="radio"/> No <input checked="" type="radio"/> <i>N/A</i>
County Executive			

Approve: _____ *D.D.C.*
 Changes Required: _____
 Reject: _____



Password: smartly

File name: 70-2

*referred to:
 LL
 4.4.03
 157-0-146*

WAUKESHA COUNTY BOARD OF SUPERVISORS

EO 158-1

V

DATE-04/22/03

(ORD) NUMBER-1570146

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....
- 11 K. HARENDA.....
- 13 J. MORRIS.....AYE
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 M. SONNENTAG.....
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....AYE
- 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.....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 D. FANFELLE.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-32

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-32