

ENROLLED RESOLUTION 160-1

YEAR 2005

APPROVAL OF AMENDMENTS TO THE
WAUKESHA COUNTY DEVELOPMENT PLAN

WHEREAS on November 26, 1996, the Waukesha County Board of Supervisors in Resolution No. 151-13 approved a Development Plan for Waukesha County to take effect January 1, 1997, and

WHEREAS on May 27, 1997, the Waukesha County Board of Supervisors adopted Resolution No.152-R-002 entitled, "Technical Refinements and Implementation of a Development Plan for Waukesha County" which, among other matters, provided for annual update and amendment procedures, and

WHEREAS on February 15, 2005, the Waukesha County Park and Planning Commission and the Waukesha County Land Use, Parks and Environment Committee held a joint Public Hearing to receive testimony on proposed changes to the Waukesha County Development Plan, and

WHEREAS the staff has identified in a "Staff Report and Recommendation" dated April 5, 2005, a summary of the hearing, comments and Staff Recommendations for and against the various proposed changes to specific properties in the Waukesha County Development Plan, and

WHEREAS said "Staff Report and Recommendation" has been reviewed by the Waukesha County Park and Planning Commission on April 5, 2005, and a recommendation thereon reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors as required by Resolution No. 152-R-002 which endorses the recommendations set forth in the "Staff Report and Recommendation" along with some modification and additional conditions to various properties.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE WAUKESHA COUNTY BOARD OF SUPERVISORS that the following amendments are hereby approved, or approved with conditions, to the Year 2010 and the Buildout Map of the Waukesha County Development Plan:

1. In the Town of Brookfield, the following requests are being made:
 - A. *S & T North Shore, LLC*, P.O. Box 347, Brookfield, WI 53008, requests property owned by Poplar Creek Associates and under contract for purchase, located in part of the SW ¼ of Section 29, Town of Brookfield, and more specifically located north of Bluemound Road, east of and adjacent to the Elite Tennis Club property, (part of Tax Key No: BKFT 1123.977.004), be amended from the Commercial category to the High Density Urban Residential (HDR) category (less than 6,000 sq. ft. per dwelling unit) for the purpose of developing a multi-family project (37 units) on 4.45 acres, subject to the following condition:
 - A total of 22 dwelling units will be permitted on the 4.45-acres of land unless the Shoreland Ordinance is amended to allow higher densities and the Shoreland zoning on the property is changed to the R-3 Residential District and

a Conditional Use Permit issued for multiple family structures.

2. In the Town of Genesee, the following requests are being made:

A. **Donald J. Murn**, W298 S5694 Holiday Road, Waukesha, WI 53189, requests his property located in part of the SW ¼ of Section 25, and the NW ¼ of Section 36, Town of Genesee, (Tax Key No. GNT 1539.988), and more specifically located south of C.T.H. "X" and west of Holiday Road, be amended from the Rural Density Residential and Other Agricultural Lands (RDROAL) category (five or more acres per dwelling unit) and the Agricultural and Other Open Space Lands categories to the Suburban II Density Residential (SDRII) category (3 to 4.9 acres per dwelling unit) to permit the development of a 27-unit rural residential cluster for single-family development, subject to the following condition:

- The project be developed as a residential cluster/conservation design.

B. **The Waukesha County Department of Parks and Land Use**, requests the property owned by William and Patricia Johns, S50 W29959 Saylesville Road, Waukesha, WI 53188 (GNT 1573.998), be amended from the Recreational category to the RDROAL category. The property in question has been utilized as former horse boarding and riding stables and are now being proposed for residential use.

3. In the Town of Lisbon, the following requests are being made:

A. **The Town Board of Lisbon**, has requested approval and incorporation into the Waukesha County Development Plan, the recently adopted Land Use Plan prepared for the entire Town of Lisbon, in response to an inter-municipal agreement between the Town of Lisbon and the Village of Sussex.

4. In the Town of Oconomowoc, the following requests are being made:

A. **The Oconomowoc Town Board and Plan Commission**, request that changes either to the Land Use category or conditions of the existing land use category for seven properties in the Town of Oconomowoc, be amended as modified and set forth in the Town Planners Report and Recommendation dated December 28, 2004. The properties in question, include:

1. Edward Weide property, (Tax Key No's. OCOT 0463.999 and OCOT:1464.994) McMahan Road, Section 8, be retained in its RDROAL category) subject to the following conditions:

- a. The development of the property should only be an open space (clustered) conservation design having a density not to exceed one unit per five acres and lot sizes no less than one acre and no larger than two acres.

- b. No portion of any lot shall contain wetland conservancy or environmental corridor designated lands. The wetland conservancy and environmental corridors would be preserved in their natural state and the developer of the property should consider dedication of those conservancy lands to the Town for additional parkland to augment the existing park use to the east of the property. Further, a walking trail system connecting said Town parkland to this development should be incorporated in the Plan for this property.
2. David Robinson property, (Tax Key No. OCOT 0485.999.001) Norwegian Road, Section 14, be retained in the RDROAL category, subject to the following conditions:
 - a. The maximum number of lots may not exceed 10, with lot sizes ranging from one (1) to 1½ acres in size. No portion of any of the lots shall consist of wetlands and/or corridor and said conservancy or corridor areas shall be preserved in their natural state.
 - b. The development would be limited to the south end of the property on the former farmed area.
 - c. The development needs to be served by a public road, meeting Town road standards with its location to be reviewed and approved by the Town Engineer.
 - d. The overall density resulting on this site will be one unit for every 7.7 acres.
3. Rodney Barnes, (Tax Key No. OCOT 0553.986.003) Chaffee Road, Section 31, be amended from the Industrial category to the Low Density Residential category.
4. Donald and Kay Kratz, (Tax Key No. OCOT 0466.997.003) Mill Street, Section 9, be changed from the Agricultural Preservation category to the Suburban II Density Residential category, subject to the following conditions:
 - a. There shall be no more than one dwelling unit for every three acres and lot sizes shall be a minimum of one acre in size, with no lots having direct frontage or abutting the Mill Pond.
 - b. The road to service the development shall be public and shall extend to the north and east property lines for future development of adjacent lands.
 - c. It is also recommended the adjacent land to the west (Kratz), containing 7.1 acres (OCOT 0466.997.004), along with the Charles parcel

(OCOT 0466.997.002) containing 3.37 acres in size, be changed from the RDROAL category to the Suburban II Density Residential category, to be consistent with the larger Kratz parcel.

6. Claude and Terrance Sondag (Tax Key No. OCOT 0495.999) and Larry and Joanne Jones (Tax Key No. OCOT 0495.990), Sondag Road, Section 16, be changed from the RDROAL category to the Agricultural Preservation category.
7. Herbert and Mary Jochims, (Tax Key No. OCOT 0525.999.004) C.T.H. “K”, Section 24, be changed from the RDROAL category to the Low Density Residential category, subject to the following conditions:
 - a. Any future access would be aligned with the Breezy Point Road intersection and the additional right-of-way along C.T.H. “K” shall be dedicated and in conformance with the Street and Highway Width Ordinance and with any terms and conditions in conformance with Waukesha County Department of Public Works terms and conditions. Proper vision corners provided and a Type B intersection will also be required, along with acceleration and deceleration lanes, at the petitioner’s expense, and additional right-of-way along the south side of C.T.H. “K” may need to be dedicated in order to accommodate the Type B intersection design.
 - b. No more than four (4) dwelling units are permitted and all lot sizes must be a minimum of one acre in size with no lots fronting directly or having direct access onto C.T.H. “K”. No building envelope shall be located in the Primary Environmental Corridor (PEC).
 - c. A public road be extended to the north property line to allow for any future development.

4. In the Town of Summit, the following requests are being made:

- A. ***The Summit Town Board and Plan Commission***, requests that the property owned by the Town located in the N ½ of Section 28, Town of Summit, south of Genesee Lake Road and west of Dousman Road (Tax Key No. SUMT 0685.979.001), be amended from the SDRI category to the Recreational category (70 acres) and Government and Institutional category (8 acres) to accommodate the development of a new community park and municipal building. A second area, located in the SE ¼ of Section 9, of the Town of Summit, occupied by a number of residential properties in the William Jones Silver Lake Beach Subdivision, (Tax Key No.’s SUMT 0612.004, 003, 006, 007, 009, 010, 011, 013, 014, 017, 018, 020, 021, 023, 024, 025, 026, 029, 031, 034, 035, 036, 038, 040, 041, 042, 044, 046 and SUMT 0612.015.002 and 0612.015.001) previously shown in the Commercial category, is being requested to be changed to the MDR category to more accurately identify the residential uses of the area

and the DNR land (SUMT 0612.001.002) to the Recreational category and the former restaurant property owned by Thomas Miller (SUMT 0612.963) to the Commercial category.

B. **Lloyd Williams**, W289 N2850 Elmhurst Road, Waukesha, WI 53188, for property owned by Homer and V. Adcock Revocable Trust, 2208 North Summit Avenue, Oconomowoc, WI 53066 (Tax Key No. SUMT 0661.997 and SUMT 0661.998, 42 acres), be amended from the Commercial Special Use category to the Commercial and MDR categories, to accommodate a mixed use development consisting of residential, office and retail uses, subject to the following condition:

1. The units which will front directly upon Silver Maple Lane and directly across the street from the single-family residences on Silver Maple Lane or adjacent to said single-family uses shall be limited to not more than two units per acre with the remainder portion of the residential portion of the site being limited to not more than four units per acre and the commercial area being allowed to have retail office use combinations. Additional screening and separation distances of at least 100' from the Silver Maple Lane right-of-way shall be maintained and the Town shall review these conditions and formally accept them or revise them, in which case the more restrictive design will apply.

6. In the Town of Vernon, the following request is being made:

A. **The Vernon Town Board and Plan Commission**, is requesting incorporation of the new 2010 Master Plan for the Town of Vernon, which is a revision of the original 1993 Town of Vernon Master Plan, be adopted as an amendment to the Waukesha County Development Plan. Only those portions of the new 2010 Plan outside of the Village of Big Bend extraterritorial planning area, shall be included in the Waukesha County Development Plan with the following exceptions:

1. The entire Morning Star Golf Course, located in Sections 8 and 9, shall be designated in the Recreational category.
2. That area located south of C.T.H. "ES" and north of I-43 immediately west of Center Drive shall be designated as SDRII.
3. That area located east of Center Drive and north of Maple Avenue, be retained in the Recreational category (Bartholomew property).
4. In Section 4 those areas west of Center Drive, shall not be removed from the isolated natural resource area.

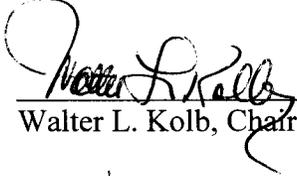
BE IT FURTHER RESOLVED that a more detailed description and maps of the aforementioned properties are on file in the office of the Waukesha County Department of Parks and Land Use.

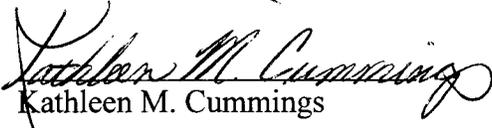
BE IT FURTHER RESOLVED that the Waukesha County Clerk shall file a certified copy of this

Resolution with the affected Municipal Clerks of Waukesha County.

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WAUKESHA COUNTY DEVELOPMENT PLAN

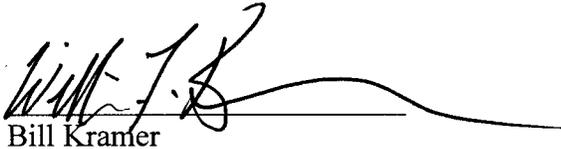
Presented by:
Land Use, Parks, and Environment Committee


Walter L. Kolb, Chair

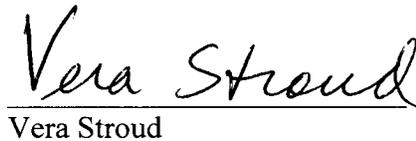

Kathleen M. Cummings


Pauline T. Jaske


Scott J. Klein


Bill Kramer


Daniel Pavelko


Vera Stroud

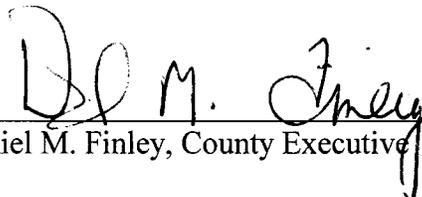
The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 4-29-2005, 
Kathy Nidkolas, County Clerk

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

Approved:

Vetoed:

Date: 5-2-05, 
Daniel M. Finley, County Executive

With exclusion of
Town of Summit, the
Curona Health Care amendment.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-04/26/05

(RES) NUMBER-1600001

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

- 2 R. THELEN.....AYE
- 4 R. HUTTON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 B. RONCKE.....AYE
- 14 A. KALLIN.....AYE
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....AYE
- 22 G. BRUCE.....AYE
- 24 B. KRAMER.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....AYE
- 34 R. SINGERT.....AYE

TOTAL AYES-34

TOTAL NAYS-00

CARRIED X

DEFEATED _____

UNANIMOUS _____

TOTAL VOTES-34