Village Hall, 262-567-2757
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MINUTES
Village of Summit Plan Commission
June 20, 2024

CALL TO ORDER
Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday, June 20, 2024 at 5:30 pm at the Summit Village Hall, 37100 Delafield Rd, Summit, Wisconsin.

ROLL CALL AND CONFIRM POSTING
Deputy Clerk/Deputy Treasurer LaValliere took roll call and confirmed posting of the meeting to the local media as required and requested and posting on the village website and posting board. Commissioners present were: Jim Petronovich, Sandra Murray, Annette Kaja, Jay Obenberger, and Matt Katz. Also present were: Chairperson Jim Siepmann, Planner Amy Barrows, Deputy Clerk/Deputy Treasurer Sarah LaValliere Commissioners Paul Schmitter and alternate Joan Gucciardi were absent.

MINUTES

- May 16, 2024

MOTION: (Petronovich, Murray) *to approve the minutes of the May 16, 2024 meeting.* Carried

Next meeting date – proposed for Thursday, July 18th, at 5:30 p.m.
Matt Katz will not be in attendance.

PUBLIC HEARINGS

Chairperson Siepmann opened the **Public Hearing** at: 5:31 p.m. to receive comments and discuss a proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Zoning Administrator. The request includes an amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

Planner Barrows reviewed the proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Zoning Administrator. The request includes an amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

Chairperson Siepmann opened the hearing for public comment.
There was no public comment.

Chairperson Siepmann closed the public hearing at: 5:34 p.m.

Chairperson Siepmann opened the next **Public Hearing** at: 5:35 p.m. to receive comments and discuss a Conditional Use request from Travis Loften to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on property located at 35918 Genesee Lake Road (SUMT0667993).

Planner Barrows read an email from Joe Hogan, a neighbor to the east; stating he does not have any problem with pigs on the property.

Planner Barrows reviewed the Conditional Use request from Travis Loften to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on property located at 35918 Genesee Lake Road (SUMT0667993).

Chairperson Siepmann opened the hearing for public comment.
There was no public comment.

Chairperson Siepmann closed the public hearing at: 5:37 p.m.

Chairperson Siepmann opened the next **Public Hearing** at: 5:38 p.m. to receive comments and discuss a request from Sunset Family Farms, LLC as the petitioner/responsible party and property owner at 37736 Sunset Drive, and Rebekah Carsey, White Stag 1894, LLC, as the agent to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use provided conditions are met. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for private activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

Planner Barrows reviewed the request from Sunset Family Farms, LLC as the petitioner/responsible party and property owner at 37736 Sunset Drive, and Rebekah Carsey, White Stag 1894, LLC, as the agent to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use provided conditions are met. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for private activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

Planner Barrows provided additional information on the prior two (2) denials that have occurred regarding this type of request.

Planner Barrows reviewed the criteria for this public hearing (the new redlined version of the proposed text amendment which show the changes made since the applicant's previous request which was withdrawn. In addition, food trucks are being considered as part of the conditional use permit conditions.

Commissioner Jay Obenberger recuses himself from this portion of the meeting and left the room.

Chairperson Siepmann opens the public hearing up for comment from the plan commission.

Plan commission has questions about food trucks and parking.

- Would parking be outside of the allocated parking spots or considered part of total parking?
    - Planner Barrows responded Food trucks are not allowed in a parking spot.
- Does Food truck conflict with tents?
    - Planner Barrows responded if food trucks are proposed they would be considered as part of the conditional use.

Planner Barrows provided additional information regarding food trucks as part of the text amendment and conditional uses.

There was additional conversation about timing of events, and it is stated that timing is being kept as is.

Chairperson Siepmann opened the hearing up for public comment:

Rebekah Carsey, 37736 Sunset Drive stated that she has reviewed the changes in the proposal and is hopeful that the revisions are considered acceptable by the plan commission. These efforts are to keep farms economically stable and provide a sense of community. Mrs. Carsey reviewed the process that they have been through and the revisions to the text amendment – this is the most restrictive of the revisions.

Sarah Hayden, 1231 N Breezeland Road - supports and sees value to community.

Brian Porter, 37500 Still Water Drive - provided his statements (he referenced the letter he provided for the plan commission to review which are incorporated at the end of these minutes). Mr. Porter asks for denial of request, or next month he will provide his own proposed ordinance for review.

Cheri Buelow, 111 S Regency Circle - supports the unique event venue, and thinks it is a good idea.

Carolyn Hulliberger, 2851 Yahara Drive - vouches for the motives in wanting to establish this business. In favor of the proposal.

Jeff Nate, 350 Waters Edge Drive - does not support and dittos everything Brian Porter said. Moved from Madison for tranquility and can hear a pin drop. Does not want noise.

Tammi Zalewski, 36738 Lower Lake Road - supports, and sees need for facilities to accommodate groups/events.

Michelle Randgaard, 37477 Stillwater Drive – made reference to petition that applicant submitted prior not being representative of Village of Summit residents. Concerned about number of events and size, and doesn't want to live next to event barn.

Don Feuling, 313 Wood Side Drive - in favor of progress, but has an issue with wording of the text amendment and is concerned about public versus private events and ADA regulations. Stating that once an event is private then it becomes exempt of ADA regulations.

Planner Barrows provides clarification regarding public versus private referring to event invitation type not building code compliance.

Bobby Carsey, 237 W Cedar Valley Road, Delafield WI - supports, and as a business owner would like to

have facilities that are outdoors like the rural agricultural buildings, continuing that students fly in and stay and dine in the area. As a veteran believes that there is a need to be able to rent agricultural educational facilities and community building and restorative purposes. Believes that members of the public would benefit from this proposal.

Tina Kummrow, 1421 N Golden Lake Road – supports and would rather see land maintained instead of sold to develop.

Dave Hotchkiss, 37471 Still Water Drive – recapped his appeal for compromise. Frustrated and concerned about main complaint which is after hours noise and activities. He questions transparency of whole proposal. The concern that needs to be addressed is the after-hours activities. Bottom line issue is noise and weddings that can occur on weekends 72 possible times. Exclude weddings and the problem is resolved. References the petition of 42 residents submitted and the board is ignoring the feedback of residents. He does not see benefit to the Village and the responsibility of the Plan Commission is to look at Summit as a community, and urges rejection of ordinance as written and states compromise would be excluding weddings all together.

Planner Barrows reviewed no petitions were included as part of the record for this public hearing meeting therefore any reference to petitions is not considered. This applies to both petitions referenced.

Rebekah Carsey provided information on occupancy rate and weather, stating first priority is a working ag farm. She addressed noise complaints and stated that after discussing noise with other local venues and event barns that are close to residential homes, they have no noise complaints. The business has an obligation to self-monitor and not risk impacting their livelihood.

Kevin Tadych, 37736 Sunset Drive - supports and provided comments regarding noise, stating this is an agricultural property already that has noise making equipment and activities like tractors, and heavy equipment that run all night long as a quasi-commercial endeavor. Waukesha County has seven facilities that are not getting shot down because of noise. The golden rule of do unto others as you want done to you, that applies to noise levels. There are ski shows that are run where the noise can be heard on his property occasionally. He continues to review decibel information and concludes with the reason that they started to pursue this option is that the food network asked to utilize his facilities and it would be a great opportunity to showcase Summit.

Chairperson Siepmann closed the public hearing at: 6:32 p.m.

REGULAR BUSINESS:

Commissioner Jay Obenberger returns to the meeting.

Discussion and action on proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Zoning Administrator. The request includes an amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.

MOTION: (Murray, Petronovich) *to recommend that Village Board adopt a text amendment to Section 111-347(e)(1)j, reducing the accessory structure minimum front/street setback from 75 ft. to 50 ft. in the R-1 Estate Residential District.* - Carried

Discussion and action on Conditional Use request from Travis Loften to raise two pigs in accordance with Section 111-321(3) as regulated household animals, and as further defined as confined hobby animals, on property located at 35918 Genesee Lake Road (SUMT0667993).

Planner Barrows reviewed the Conditional Use Permit and made decision to be consistent with the way they are currently written and runs through the criteria that includes adding that manure must be transported off site. She ran through conditional use criteria to make sure there is compliance prior to issuing Conditional Use Permit.

Travis Loften, applicant, approached podium for questions and restated removal of manure from property.

MOTION: (Katz, Petronovich) *to approve the Conditional Use request to raise two pigs as regulated household animals, and as further defined as confined hobby animals, in accordance with the enclosed Conditional Use Agreement, subject to Village Attorney review and with change to number four of the CU agreement to reflect that manure must be removed off site.* Carried

Discussion and action on request of Barb Whitstone, on behalf of Rogers Memorial Hospital, to construct a brick wall and other minor improvements on property located at 34700 Valley Road (SUMT0622977002).

Planner Barrows reviewed the proposed changes to the alcove area of the main campus of Rogers Memorial Hospital.

Barb Whitestone, Rogers Memorial Hospital, 34700 Valley Road- reviewed the proposal for a brick wall with cast stone base and pillars that match the façade of the building. The brick is the same brick that is used on the building that it is adjacent to. The paths lead to egress and seating area. It is such a small area the paths don't lead anywhere. The intent is for inpatients to have ADA access to a courtyard with privacy wall for privacy and security.

MOTION: (Katz, Obenberger) *to approve the Site Plan improvements as presented.* Carried

Discussion and action on request of James Stoffer to combine multiple lots as part of a Certified Survey Map, including review based on Article X of Chapter 109 Subdivision of Land Ordinance, on property located at 3348 N. Silver Lake Drive (SUMT0612031).

Planner Barrows reviewed the request of James Stoffer to combine multiple lots as part of a Certified Survey Map, including review based on Article X of Chapter 109 Subdivision of Land Ordinance, on property located at 3348 N. Silver Lake Drive (SUMT0612031). It is occupied as a single lot currently. CSM as presented accommodates for appropriate right of way. Combining lots creates a more conforming situation.

MOTION: (Katz, Kaja) *to recommend that Village Board approve the Certified Survey Map with consideration given to Article X Existing Substandard Lots, Chapter 109 Subdivision of Land, subject to the following conditions:*

A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all*

comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.

B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*

C. *UTILITY CONNECTION FEES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit. Note:* ***The CSM will not result in additional lots. Therefore, this condition does not apply.***

D. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*

E. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Carried

Discussion and action on request of Robert Zahn to reconfigure a lot as part of a Certified Survey Map on property owned by Colton and Victoria Ziemanski located on N. Golden Cedar Lane (SUMT0695039).

Planner Barrows reviewed the request of Robert Zahn to reconfigure a lot as part of a Certified Survey Map on property owned by Colton and Victoria Ziemanski located on N. Golden Cedar Lane.

MOTION: (Kaja, Murray) *to recommend that Village Board approve the Certified Survey Map, subject to the following conditions:*

A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*

B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*

C. *UTILITY CONNECTION FEES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit. Note:* ***The property is served by a private septic system and well. Therefore, this condition does not apply.***

D. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*

E. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Carried

Discussion and action on request from Sunset Family Farms, LLC as the petitioner/responsible party and property owner at 37736 Sunset Drive, and Rebekah Carsey, White Stag 1894, LLC, as the agent to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use provided conditions are met. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for private activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

Commissioner Jay Obenberger recuses himself from this portion of the meeting and leaves the room.

Planner Barrows provided a two-step approach for considering the request in order to break it down for the Commission.

- Step 1: are you willing to entertain the facility as presented?
- Step 2: are conditions adequate to address concerns that took place?

Rebekah Carsey, applicant, was available to field questions.

There was conversation about additional venue types, including events, quantity and noise complaints. Mrs. Carsey confirmed that active farming is still occurring on the property and they are tending crops for a U-Pick event in August and September.

The Commissioners asked Mrs. Carsey to address some of the concerns raised by individuals about the number of events and why hasn't there been a reduction in the number of events.

Mrs. Carsey stated meeting needs of customers will help them be sustainable and competitive and there needs to be flexibility in scheduling of outdoor events. Since there is already limited time May – October the requested number of events and occupancy seems reasonable and number of events isn't going to change perception of noise being a concern. They believe noise is a non-concern in the proposal. The number of events hasn't changed because noise is a non-concern in this proposal.

Mrs. Carsey also fielded a question about occupancy and said it is challenging to understand how long to get to full occupancy because they are not an event venue currently.

There is conversation about conclusions of law for conditional use permits and intensity of use during the little outdoor time in Wisconsin. Especially affects of established character and determination on health, general welfare and safety. Intensity is a major concern and with a limited outdoor season in Wisconsin that intensity is still of concern.

Planner Barrows explained that if there is concern about health safety and welfare of residents that there should be a further description of how they are being impacted. Planner Barrows points out that the use indicated in this text amendment is 1,000' or more from any neighboring property and that there is space with natural

resources as an additional buffer.

Chairperson Siepmann stated that the decision is whether you want an event barn or not. The applicant has gone as far as they can go to make it a viable business. It is interesting because the neighbors create some of the noise on their own with the waterski pond. The applicant has tried to be a good neighbor and has revised accordingly.

The plan commission is polled for input. Each member provided their opinions regarding the requested text amendment.

Commissioner Kaja stated that even though adjustments have been made, what would have been more impactful would have been a reduction in frequency or if ¼ - ½ of the events being wedding events. The changes that were made did not do anything to give relief that would have made a difference.

Commissioner Petronovich has a problem because he wants the village to know where they want event barns.

Planner Barrows responded that this text amendment is very specific

Commissioner Katz asks Commissioner Petronovich what would make him feel comfortable. Commissioner Petronovich states he wants to hear more from Village members on where to have facilities like this. He would like to know if everyone wants these or not. This use is crossing the line to an event facility, it is no longer a farm. Before making a decision, he would like to here where everyone would like these facilities.

Planner Barrows stated what is unique about Conditional Uses is that they are not typically addressed in land use plans.

Commissioner Katz stated he is not concerned about noise. The City of Delafield approved one while he was on the plan commission and what brings value to a community is an example of the apple farm in Monches that is great for the rural nature and preserving barns and land. In addition, the owners have property rights, and the right to ask for a viable business on their land. Do you want an event space or not in the village, if so, accept the noise ordinance and give them leeway to run a business. If not, just say no.

MOTION: (Katz, Siepmann) *to recommend Village Board adopt the proposed text amendments creating Sections 111-357(d)(3) and 111-321(7) of the Village of Summit Zoning and Shoreland Ordinance provided by the applicant in an ordinance form approved by the Village Planner and Village Attorney.*

Roll Call: Murray – nay, Kaja – nay, Petronovich – nay, Katz – aye, Siepmann - aye. Motion failed.

Discussion and action on application initiated by Village Board and schedule a public hearing for Zoning Code Text Amendments to allow day schools as a permitted use in the IN Institutional District.

Commissioner Katz recuses himself and leaves the meeting room.
Commissioner Obenberger returns to the meeting room.

Planner Barrows reviewed the information from the last plan commission meeting. Village Board agreed to initiate the application. They did modify recommended conditions. The packet includes a redlined version of the existing day school provisions in the code. Several items were removed because they are already inherently part

of various village codes. Such as maintaining an annual license and fire inspections which have to happen anyway. She reviewed the information provided for the text amendment. Stating the clean version is the version recommended by Village Board with Attorney and Planner review. If the recommended changes are accepted, a public hearing will be scheduled.

Commissioner Petronovich has questions about noise, hours of operation and location.

Planner Barrows stated based on code language there are five (5) properties that this currently could apply to. The request that is being made would have to amend the code.

Commissioner Murray asks why there is the removal of item 7(2)(c), overnight provisions. Planner Barrows stated that this is duplicative to the hours of operation which do not allow for operation past 10:00 p.m. The clean copy is what the Village Board recommended.

It is recommended to go back to Attorney Macy to ask where comprehensive plans are to be reviewed during the process in order to make sure that there is some control when approving an amendment. Currently there is no institutional in the Village except for usage.

Setback of 100' is requested for the day school but it is determined that might be too restrictive.

Identification of special events is difficult and considered part of operation as long as it fits requirements. They can make activities part of site plan review for site plan and plan of operations approvals.

Plan Commission has additional conversation about the Zoning Code Text Amendments and decide to make a motion. There are questions on when to be requesting sight plans during the process.

MOTION: (Obenberger, Murray) *to schedule a public hearing for Zoning Text Amendments to allow day schools as a permitted use in the IN Institutional District.* Carried

UPDATE regarding Village Board action on Plan Commission matters

Planner Barrows reviewed Village Board actions from last meeting

DISCUSS August Plan Commission meeting date

Proposed change to August 22, 2024 rather than the regularly scheduled August 15 date.

ADJOURN Plan Commission meeting

MOTION: (Murray, Obenberger) *to adjourn the plan commission meeting at 7:50 p.m.* Carried

Respectfully submitted,

Sarah LaValliere
Deputy Clerk/Deputy Treasurer

Next meeting date: July 18, 2024

Appendix – Public Comment

06/20/2024 Brian Porter submission to the Plan Commission

1. Thank you to applicant for reducing the number of attendees in your request. However, Planning Commission members, I am hoping you recognize that it is still lacking some key elements regarding frequency and accountability which have been discussed here before.

2. I'm not here today to talk about noise, light, drunk drivers, etc. You already know why Summit residents do not want this to happen, even if they are very tired of coming here to tell you that! This is iteration #4 !

3. You have stated that this is our chance to talk to you, the Planning Commission. Ok, then I would ask you to explain exactly why you think something like this is good for residents, when you know that we don't want it. What facts support the idea that this will benefit our residents?

4. The implication of your past actions on this is that some of you think "you know better" than the people who live here ..... and I imagine that sometimes you probably do. But it appears that in this case, even the applicant recognized that what you approved last time wasn't a good idea, as they withdrew their request. Rumor has it that Village Staff also realized what you approved was a bad idea and spoke with the applicant about withdrawing it.

   In addition, you already know the Village Board isn't very comfortable with this idea, since a majority of them recently indicated that they would like a broader look at the "event venue" topic before moving ahead. So in this case, it seems that perhaps approving this type of ordinance is not as good an idea as some of you thought. I can empathize with you, as I originally thought this would be ok too. I was wrong.

5. Given that some of you seem to think this is a something that will benefit the Village, my neighbors and I have been wracking our brains trying to figure out possible benefits

   a. But there is no extra Village tax revenue from these operations

   b. There is no additional income to businesses in the Village, we don't have stores or gas stations where visitors can spend money. (And we know bar/tavern owners hate these operations.)

   c. This won't attract more people to come and live here, its clear people don't want to live near these event venues.

   d. This will not increase in our property values, more likely the opposite for nearby people.

   e. There will be no savings in our property taxes, in fact these types of operations will undoubtedly cost us more for police officers and staff time for oversight.

   f. Maybe there is some huge "cool factor" with tangible benefits that we are missing?

   g. Now you have said this might avoid another subdivision by saving a farm

      i. Ok, I can see that as a possible benefit, albeit with great uncertainty

ii. But it doesn't take 78 events to do that, a small fraction of that number would suffice

iii. By the way, it would be nice if the Master Plan supported the strategy of saving farms and barns in tangible ways that don't hurt the neighbors!

6. I understand from talking with the Planner, that as a body the PC:

   a. Has some responsibilities delegated from the Village Board. The Trustees are elected, the implication being that they ought to represent the residents. So shouldn't you, as a delegated body, also represent the residents?

   b. The PC is the Zoning authority in the Village, in partnership with the Village Planner. Code section 111-384 b 3 states that the administration of exceptions to the zoning in the Village must be done in a manner that "will not be contrary to the public interest...." Clearly, the public believes these types of operations near residential areas are contrary to their interest.

   c. Finally, as you consider acting on this, perhaps it would be good to consider that wise leaders know that controversial decisions should have the support of much more than a simple 4-3 majority. Even most HOA's require at least a super-majority to change the rules to avoid antagonizing residents.

7. In closing I'd ask you to either deny this request or to wait for an ordinance that I will propose next month to address a couple of key gaps in the proposal on the table tonight.

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Summit Village Hall ● 37100 Delafield Road ● Summit, WI 53066

PUBLIC HEARING NOTICE
VILLAGE OF SUMMIT, WISCONSIN

Thursday, July 18, 2024

Please be advised that the Village of Summit Plan Commission will hold a public hearing on **Thursday, July 18, 2024, at 5:30 p.m.,** at the Summit Village Hall located at 37100 Delafield Road, Summit, Wisconsin. The purpose of the hearing is to receive comments and discuss a proposed text amendment of the Village of Summit Zoning and Shoreland Protection Ordinance initiated by the Village Board of the Village of Summit. The request includes an amendment to Section 111-356 to allow day schools as a permitted use in the Institutional District subject to conditions and the removal of any references in Sections 111-321 and 111-356 to day schools as a Conditional Use Permit.

Information regarding this application is available for review at the Village of Summit Village Hall, 37100 Delafield Road, during regular business hours. Citizens with written comments regarding this public hearing may email those comments to the Village Deputy Clerk at deputyclerk@summitvillage.org or by using this link: https://summitvillage.org/contact-us/ and those comments will be included in the meeting packet. The deadline to receive written comments is noon on Thursday, July 11, 2024. Verbal comments may be provided at the meeting. For more information regarding these public hearings, please contact Amy Barrows, Village Planner, at the Summit Village Hall (262) 567-2757.

All interested parties will be heard.

VILLAGE OF SUMMIT

Amy Barrows, Village Planner

Published: July 4 and 11, 2024
Posted: July 3, 2024

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Summit Village **Hall** • **37100 Delafield Road** • **Summit**, WI 53066

Date Filed: 6-13

$100.00 Application Fee Paid N A

Zoning Text Amendment
Application Packet

Based on Chapter 111, Section 386 of the Code of the Village of Summit

Please read and complete this application carefully. All applications must be signed and dated.

1. APPLICANT OR AGENT

V. Summit Board
37100 Delafield Rd
Summit WI 53066

Phone # (262) 567-2757

e-mail —

2. PROPERTY OWNER

Same

Phone # ( )

e-mail

5. What Zoning Ordinance Section is proposed for amendment? Section 111 - 356 + 111-321 ~~[illegible]~~

6. What is the PROPOSED Zoning Language Change? (Please include current language with underlined type for new language and strike-out type for removed language.

See attached ⇒ for July PC meeting, materials in packet w/ Agenda item 7A.

7. Describe why the text change is needed, including a description of the proposed impact under the new zoning language, including new uses available & the creation of any non-conforming uses and or structures.

Day schools are currently CU's & limited in applicability IN Zoning District promotes use.

8. Please initial the following statements after you have read them.

✓ I understand that the Village is under no obligation to change the current Ordinance language.

✓ I understand that the Village staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request, and failure to provide such information may in itself be sufficient cause to deny the request.

✓ I am aware that this text amendment shall go into effect immediately upon approval of the Summit Village Board and posting and/or publication of the approved changes.

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9. SIGNATURES

NOTE: <u>ALL APPLICATIONS/PETITIONS</u> MUST BE SIGNED BY THE RESPONSIBLE PARTY

Applicant/Agent — date: 7-11-24

Property Owner (Responsible Party) — date: N/A

Zoning Ordinance Text Amendment Proposal
7/18/2024 Plan Commission Meeting
Day Schools in the IN Institutional District

Staff Report Village of Summit, Wisconsin

Possible Motion:

Motion to recommend that Village Board create Section 111-356(b)(7), allowing day schools as a permitted use in the IN Institutional District subject to conditions being met, and removing any references in Sections 111-321 and 111-356 to day schools as a Conditional Use Permit, in accordance with the enclosed draft ordinance subject to Village Attorney review.

Summary:
The intent of Section 111-356 Institutional District states that the district includes areas of governmental, educational, religious, or medical property uses. Other quasi-public uses and major public utility facilities are included in this category. The district does not distinguish between private or public agency projects or facilities.

Although educational uses were listed in the intent section of the Institutional District, there were no provisions that allowed them until 2021. In 2021, a request was made to allow day schools as a Conditional Use in the Institutional District. The proposed amendments were adopted. The conditions of the ordinance limit the use to a single property in the Village, which is located in the southwest corner of USH-18 and CTH P, Abundant Life Church. As part of the 2045 Comprehensive Plan update completed in 2023, it was identified that zoning code amendments should be considered to ensure that the uses identified in the Institutional classification area are allowed as permitted and/or conditional uses. The subcommittee specifically discussed considering day schools as a permitted use.

Meeting History:

- At their May meeting, the Plan Commission recommended that Village Board initiate a text amendment to allow day schools as a permitted use with amended conditions in the Institutional District.
- Prior to the Village Board meeting, staff met in an effort to draft preliminary ordinance language for consideration by the Village Board.
- At their June meeting, Village Board initiated a petition for the text amendments. Village Board did request that flexibility be provided for leasing the athletic facilities and for Sunday operations. This flexibility is included in the proposed amendments provided in the meeting packet.
- At the June Plan Commission meeting, Plan Commission scheduled a public hearing for the July meeting. Plan Commission members did request that Attorney Macy explain when a site plan can be reviewed in relation to a comprehensive plan amendment. Plan Commission would like to have some control over site development when approving an amendment, especially since institutional uses are only incorporated at time of proposed usage. There was additional discussion regarding the setback potentially being too

restrictive and how to distinguish special events from regular activities.

The meeting packet includes the following versions of the zoning ordinance:

- Existing ordinance language in Section 111-321. Conditional uses permitted; subsection (2) *Day schools*.
- Proposed zoning ordinance text amendments provided by representatives of the Lake Country Classical Academy (LCCA). LCCA would like to pursue the construction of a school in the Village of Summit.
- Redlined version of proposed zoning ordinance text amendments initiated by Village Board.
- Clean copy of proposed zoning ordinance text amendments initiated by Village Board.

Sec. 111-321. Conditional uses permitted.

Subject to the foregoing, in addition to such uses enumerated in the district regulations, the village may permit the following general conditional uses in the districts specified, provided further that the plan commission shall hold a public hearing and approve the location, building and site plans and plan of operation for any such conditional use:

(2) *Day schools.* Day schools are only allowed by conditional use permit in the IN Institutional District and are subject to the following regulations, in addition to any specific conditions that may be imposed by the plan commission:

a. The day school must obtain and continuously maintain a valid license from the State of Wisconsin permitting the operation of a school on the subject property.

b. Any building used for a day school must meet the requirements of the Wisconsin Fire Code and pass any required periodic fire inspections.

c. A day school cannot allow any overnight housing.

d. The parcel shall include at least eight acres of land under one ownership.

e. The parcel shall front or abut directly upon a County Trunk Highway or State Trunk Highway and access to the parcel shall be directly from the County Trunk Highway or State Trunk Highway.

f. The parcel shall not abut a lake or river.

g. All buildings shall be a minimum of 75 feet from any property line.

h. Off-street parking shall be designed and provided in accordance with article VI of chapter 111-Zoning and Shoreland Protection.

i. The principal building shall include at least 30,000 square feet in area on the first floor.

j. An adequate septic system or sewer connection shall be provided for any operating day school.

k. The applicant must prepare, submit, and obtain approval of all plans in compliance with article X of chapter 111 - Zoning and Shoreland Protection subject to the following conditions:

1. The uses of all existing structures shall be identified on the site plan and plan of operations.

2. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school.

3. The day school may serve students in grades pre-kindergarten through 12th grade.

4. A day school may be operated by the property owner or leased to a public or private entity.

5. A day school shall not exceed 500 total students.

6. Indoor and outdoor operations shall be limited to Monday through Friday from 7:00 a.m. to 6:15 p.m. and Saturdays from 7:00 a.m. to 5:00 p.m. Special events such as concerts or indoor group meetings shall be limited to two events per week after 6:15 p.m. In no case, shall any special event continue past 10:00 p.m.

7. The plan of operations shall include provisions for professional traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.

8. Exterior lighting shall be for parking lot and circulation only. No athletic field lighting will be permitted.
9. A day school may not be operated or maintained in a manner so as to result in a public nuisance as defined within Chapter 18 of the Village of Summit, County of Waukesha, Wisconsin, Code of Ordinances.

Sec. 111-321. Conditional uses permitted.

(2) *Day schools.* Day schools are only allowed by conditional use permit in the IN Institutional District and are subject to the following regulations, in addition to any specific conditions that may be imposed by the plan commission:

a. The day school must obtain and continuously maintain a valid license from the State of Wisconsin permitting the operation of a school on the subject property.

b. Any building used for a day school must meet the requirements of the Wisconsin Fire Code and pass any required periodic fire inspections.

c. A day school cannot allow any overnight housing.

d. The parcel shall include at least eight acres of land under one ownership.

e. ~~The parcel shall front or abut directly upon a County Trunk Highway or State Trunk Highway and access to the parcel shall be directly from the County Trunk Highway or State Trunk Highway.~~

f. The parcel shall not abut a lake or river.

g. All buildings shall be a minimum of 75 feet from any property line.

h. Off-street parking shall be designed and provided in accordance with article VI of chapter 111-Zoning and Shoreland Protection.

i. The principal building shall include at least 30,000 square feet in area on the first floor.

j. An adequate septic system or sewer connection shall be provided for any operating day school.

k. The applicant must prepare, submit, and obtain approval of all plans in compliance with article X of chapter 111 - Zoning and Shoreland Protection subject to the following conditions:

1. The uses of all existing structures shall be identified on the site plan and plan of operations.

2. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school **unless otherwise contracted and permitted by the day school**.

3. The day school may serve students in grades pre-kindergarten through 12th grade.

4. A day school may be operated by the property owner or leased to a public or private entity.

5. A day school shall not exceed ~~500~~ **900** total students.

6. Indoor and outdoor operations shall be limited to Monday through ~~Friday~~ **Thursday** from 7:00 a.m. to ~~6:15~~ **9:00** p.m. and **Fridays and** Saturdays from 7:00 a.m. to ~~5:00~~ **10:00** p.m. Special events such as concerts or indoor group meetings shall be limited to two events per week after 6:15 p.m. In no case, shall any special event continue past 10:00 p.m.

7. The plan of operations shall include provisions for professional traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.

8. ~~Exterior lighting shall be for parking lot and circulation only. No athletic field lighting will be permitted.~~ **Exterior lighting for athletic fields shall not be permitted past 9:00 PM Monday through Thursday or past 10:00 PM on Friday and Saturday.**

9. A day school may not be operated or maintained in a manner so as to result in a public nuisance as defined within Chapter 18 of the Village of Summit, County of Waukesha, Wisconsin, Code of Ordinances.

~~Sec. 111-321. Conditional uses permitted.~~

~~Subject to the foregoing, in addition to such uses enumerated in the district regulations, the village may permit the following general conditional uses in the districts specified, provided further that the plan commission shall hold a public hearing and approve the location, building and site plans and plan of operation for any such conditional use:~~

Section 111-356(b)(7)

(~~2~~7) *Day schools*, if the following conditions are met~~. Day schools are only allowed by conditional use permit in the IN Institutional District and are subject to the following regulations, in addition to any specific conditions that may be imposed by the plan commission~~:

~~a. The day school must obtain and continuously maintain a valid license from the State of Wisconsin permitting the operation of a school on the subject property.~~

~~b. Any building used for a day school must meet the requirements of the Wisconsin Fire Code and pass any required periodic fire inspections.~~

~~c. A day school cannot allow any overnight housing.~~

~~d~~a. The parcel shall include at least eight acres of land under one ownership as a single legal lot of record.

~~e~~b. The parcel shall ~~front or abut~~adjoin directly upon a County Trunk Highway or State Trunk Highway~~ and access to the parcel shall be directly from the County Trunk Highway or State Trunk Highway~~.

~~f. The parcel shall not abut a lake or river.~~

~~g~~c. All ~~buildings~~ structures and outdoor recreational facilities shall be located ~~a minimum of 75 feet from any property line~~at least 100 feet from a contiguous residentially-zoned lot line.

~~h. Off-street parking shall be designed and provided in accordance with article VI of chapter 111-Zoning and Shoreland Protection.~~

~~i. The principal building shall include at least 30,000 square feet in area on the first floor.~~

~~j. An adequate septic system or sewer connection shall be provided for any operating day school.~~

~~k. The applicant must prepare, submit, and obtain approval of all plans in compliance with article X of chapter 111 - Zoning and Shoreland Protection subject to the following conditions:~~

~~1. The uses of all existing structures shall be identified on the site plan and plan of operations.~~

~~2. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school.~~

~~3~~d. The day school may serve students in grades pre-kindergarten through 12th grade.

~~4~~e. A day school may be operated by the property owner or leased to a public or private entity. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school or as authorized specifically by the Plan Commission as part of a site plan and plan of operation approval.

~~5. A day school shall not exceed 500 total students.~~

f. A traffic impact analysis shall be submitted for review and approval by the Plan Commission, and shall include provisions for traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.

~~6~~g. Indoor and outdoor operations, including exterior lighting, shall be limited to Monday through Thursday~~Friday~~ and Saturday from 7:00 a.m. to ~~6~~9:~~15~~ 00 p.m. and ~~Saturdays~~ Friday from 7:00 a.m. to ~~5~~10:00 p.m. ~~Special events such as concerts or indoor group meetings shall be limited to two events per week after 6:15 p.m. In no case, shall any special event continue past 10:00 p.m.~~No operations are permitted on Sundays unless authorized specifically by the Plan Commission as part of a site plan and plan of operation approval.

~~7. The plan of operations shall include provisions for professional traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.~~

~~8. Exterior lighting shall be for parking lot and circulation only. No athletic field lighting will be permitted.~~

~~9. A day school may not be operated or maintained in a manner so as to result in a public nuisance as defined within Chapter 18 of the Village of Summit, County of Waukesha, Wisconsin, Code of Ordinances.~~

h. A public safety plan dealing with emergency, police, and fire shall be submitted for review and approval by the Plan Commission.

Day schools as a permitted use in the IN Institutional District

Clean Version for Scheduling a Public Hearing

Section 111-356(b)(7)

(7) *Day schools, if the following conditions are met:*

a. The parcel shall include at least eight acres of land under one ownership as a single legal lot of record.

b. The parcel shall adjoin directly upon a County Trunk Highway or State Trunk Highway.

c. All structures and outdoor recreational facilities shall be located at least 100 feet from a contiguous residentially-zoned lot line.

d. A day school may serve students in grades pre-kindergarten through 12th grade.

e. A day school may be operated by the property owner or leased to a public or private entity. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school or as authorized specifically by the Plan Commission as part of a site plan and plan of operation approval.

f. A traffic impact analysis shall be submitted for review and approval by the Plan Commission, and shall include provisions for traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.

g. Indoor and outdoor operations, including exterior lighting, shall be limited to Monday through Thursday and Saturday from 7:00 a.m. to 9:00 p.m. and Friday from 7:00 a.m. to 10:00 p.m. No operations are permitted on Sundays unless authorized specifically by the Plan Commission as part of a site plan and plan of operation approval.

h. A public safety plan dealing with emergency, police, and fire shall be submitted for review and approval by the Plan Commission.

STATE OF WISCONSIN VILLAGE OF SUMMIT WAUKESHA COUNTY

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RE-CREATE THE TEXT OF CHAPTER 111 ZONING CODE OF THE VILLAGE OF SUMMIT CODE OF ORDINANCES RELATED TO DAY SCHOOLS

WHEREAS, pursuant to Section 111-386(b)(1) of the Village Code, the Village of Summit Zoning Administrator recommended amending the text of Chapter 111 "Zoning and Shoreland Protection" of the Village of Summit Code of Ordinances, and

WHEREAS, the Village Board made the recommendation at the June 13, 2024 Village Board meeting to revise the terms of the Village Code in order to establish provisions that would allow day schools as a permitted use in the IN Institutional District provided certain conditions are met; and

WHEREAS, upon publication of the required "Notice of Public Hearing" pursuant to Section 111-387(b)(1)(a) of the Village Code and mailing of said "Notice of Public Hearing" to all parties-in-interest as required by Section 111-387(b)(1)(b) of the Village Code, the Plan Commission for the Village of Summit held a public hearing on July 18, 2024, as required by Section 111-386(b)(4) of the Village Code; and

WHEREAS, at the July 18, 2024 Plan Commission public hearing, the Village Zoning Administrator presented information on the proposed text amendments requested by Village Board; and

WHEREAS, following the July 18, 2024 Plan Commission public hearing, the commissioners considered the information presented at the public hearing; and

WHEREAS, the Plan Commission recommended approval of the proposed changes, and directed Village staff to prepare an Ordinance for Village Board consideration; and

WHEREAS, the Village Board finds that this change to the Village Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and

WHEREAS, the Village Board of the Village of Summit, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such zoning text amendments on the health, safety and welfare of the community, hereby determine that the amendments will not violate the spirit or intent of the Village Code, and will not be contrary to the public health, safety or general welfare of the Village of Summit.

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin, DO ORDAIN as follows:

SECTION 1: Chapter 111 of the Village of Summit Municipal Code entitled "Zoning and Shoreland Protection," Article XI entitled "Conditional Uses," Section 111-321 entitled "Conditional uses permitted," Subsection (2) entitled "Day schools" is hereby repealed and recreated to read as follows:

(2) Reserved.

SECTION 2: Chapter 111 of the Village of Summit Municipal Code entitled "Zoning and Shoreland Protection," Article XII entitled "District Regulations," Section 111-356 entitled "Institutional District (IN)," Subsection (b) entitled "Principal permitted uses", Subsection (7) is hereby created to read as follows:

(7) *Day schools, if the following conditions are met:*

a. The parcel shall include at least eight acres of land under one ownership as a single legal lot of record.

b. The parcel shall adjoin directly upon a County Trunk Highway or State Trunk Highway.

c. All structures and outdoor recreational facilities shall be located at least 100 feet from a contiguous residentially-zoned lot line.

d. A day school may serve students in grades pre-kindergarten through 12th grade.

e. A day school may be operated by the property owner or leased to a public or private entity. Any outdoor athletic fields, playgrounds and instruction areas shall be identified on the site plan and plan of operations, and they shall be used only by the day school or as authorized specifically by the Plan Commission as part of a site plan and plan of operation approval.

f. A traffic impact analysis shall be submitted for review and approval by the Plan Commission, and shall include provisions for traffic control during the beginning and end of the school day, such that stacking of vehicles will occur on private property and not on public roads, with off-street parking provisions for students between 9th and 12th grade.

g. Indoor and outdoor operations, including exterior lighting, shall be limited to Monday through Thursday and Saturday from 7:00 a.m. to 9:00 p.m. and Friday from 7:00 a.m. to 10:00 p.m. No operations are permitted on Sundays unless authorized specifically by the Plan Commission as part of a site plan and plan of operation approval.

h. A public safety plan dealing with emergency, police, and fire shall be submitted for review and approval by the Plan Commission.

SECTION 3: Chapter 111 of the Village of Summit Municipal Code entitled "Zoning and Shoreland Protection," Article XII entitled "District Regulations," Section 111-356 entitled "Institutional District (IN)," Subsection (d) entitled "Conditional uses", Subsection (1) is hereby repealed and recreated to read as follows:

(1) Reserved.

SECTION 4. SEVERABILITY.
The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section of portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 5. EFFECTIVE DATE.
This Ordinance shall be in full force and effect from and after its passage and publication.

Passed and adopted this _____ day of _____, 2024.

VILLAGE OF SUMMIT

_____
Jack Riley, Village President

ATTEST:

_____
Debra J. Michael, Village Administrator-Clerk/Treasurer

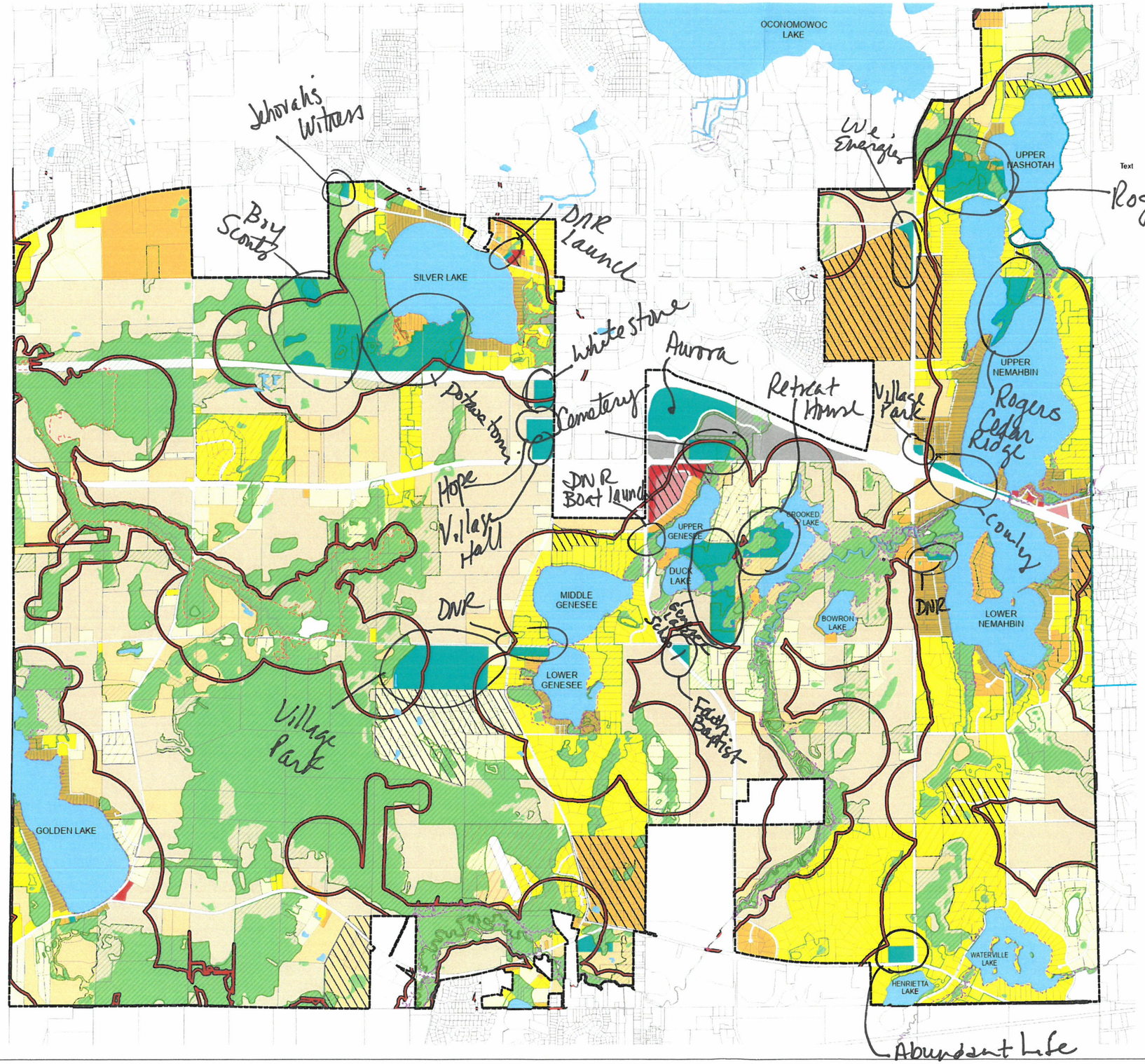
Published and posted this _____ day of _____, 2024.

This instrument drafted by
Amy Barrows, Village Planner

DRAFT

Address	Tax Key	Lot Size (acres)	Existing Use	Adjacent to County/State Highway
995 S Sawyer Rd	716984	8.13	Abundant Life Church/Montesori School	Y
36107 Genesee Road	681996	4.8	Faith Baptist Church	Y
36100 Genesee Lake Road	664999003	62.75	Genesee Lake School (Ocon. Residential Programs)	N
1800 N Timber Trail Lane	666993001	28.7	Our Mother of Perpetual Help Retreat House	N
N/A	661996	3.1	DNR Lake Access (Upper Genesee)	Y
36500 Aurora Drive	636989	52.9	Aurora	Y
N/A	636995	8.7	Summit Cemetery	Y
N/A	636994	5.87	Summit Cemetery	Y
N/A	671999	3.6	DNR Lake Access (Lower Nemahbin)	N
N/A	670986	7	Waukesha County (Nemahbin Lake Access)	Y
N/A	N/A	1.6	Village of Summit - Peter Prime Park	Y
3011 N Cedar Ridge Road	625998	22.11	Rogers - Cedar Ridge	N
N/A	620999	5.5	We Energies	Y
34700 Valley Road	622977002 +	40 +	Rogers - Main Campus	Y
38230 Valley Road	608996	5.6	WI Congregation of Jehovah's Witnesses	Y
37304 Valley Road	612001002	1.1	DNR Launch (Silver Lake)	Y
37516 Forest Drive	638999001	85.9	Forest County Potawatomi Community (Boy Scout Property)	N
N/A	641999	163.7	Boy Scouts of America	Y
2517 N Dousman Road	637999008	9.9	White Stone Church	N
2431 N Dousman Road	637999010	10.9	Hope Church	N
37100 Delafield Road	640998002	7.1	Village of Summit Hall	Y
37023 Genesee Lake Road	685976	7.995	DNR Lake Access (Genesee Lakes)	N
37505 Genesee Lake Road	685979001	76.95	Genesee Lake Park	N
36821 Sunset Drive	711988006	9.4	Emmanuel United Church of Christ	N (USH-18)

VILLAGE OF SUMMIT ZONING MAP



Legend

- A-1 Agricultural (35 acres +)
- A-2 Agricultural (10-35 acres)
- R-1 Estate Residential (2-acre Lot Size)
- R-2 Country Residential (1.5-acre Lot Size)
- R-3 Village Residential (35,000 S.F. Lot Size)
- R-4 Cottage Residential (20,000 S.F. Lot Size)
- NC Neighborhood Commercial
- MF-1 Multi-Family Residential
- MF-2 Multi-Family Residential
- IN Institutional
- BP Business Park
- WC Wetland Conservancy
- PDO Planned Development Overlay
- EC Environmental Corridor Overlay (PEC, SEC, INRA)
- FO Floodplain Overlay (Zone A, NO Base EL.)
- FO Floodplain Overlay (Zone AE, w/ Base EL.) and adopted flood studies
- Conservation Development
- Water
- Shoreland Jurisdiction

NOTE: ZONING DISTRICT BOUNDARY EXTENDS TO THE MIDDLE OF THE RIGHT-OF-WAY

N
W E
S

0 1,500 3,000 6,000 Feet

SEH

Map Revised:
March 11, 2013
April 17, 2013
May 02, 2013
January 05, 2016
July 24, 2017
December 19, 2017
February 01, 2019
February 10, 2020
March 16, 2021
April 18, 2023

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3rd Accessory Building

7/18/24 Plan Commission Meeting
SUMT0624017001

Staff Report | Village of Summit, Wisconsin

Property Location:	3107 N. Cedar Ridge Road
Property Owner:	Carola Loepfe
Zoning:	R-2, Country Residential (1.5-acre lot size, 90,000 sq. ft. density), EC Environmental Corridor Overlay
Land Use:	SF Residential 1.6-acre density and Primary Environmental Corridor

Possible Motion: *Approve the request to construct a third accessory building subject to a deed restriction, drafted by the Village Planner, being recorded with Waukesha County Register of Deeds stating that none of the accessory buildings on the property shall be used for commercial or human habitation purposes.*

Summary:

The subject property was created by Certified Survey Map (CSM) in 2014. The Primary Environmental Corridor was shown on the CSM as taken from the County's website. As a restriction of the CSM, disturbance within the corridor is limited to 15% of the total sq. ft. of the lot area, up to a maximum of 32,600 sq. ft. There is an existing residence and three outbuildings that are located outside of the mapped corridor. A detached garage was constructed within the corridor.

The applicant is proposing to remove a 756 sq. ft. detached garage located on the north side of the driveway within the corridor and replace it with a new 936 sq. ft. garage on the south side of the driveway within the corridor. Tree removal is limited to five or six pine trees to construct the garage. The area of disturbance will comply with the restrictions of the CSM. The garage is not being replaced in the same location as the existing garage because the owner would like to use the existing garage until such time the new garage is constructed. In addition to the newly proposed garage, the applicant would like to keep a well-maintained 256.5 sq. ft. sauna-type structure near the shore and a ~60 sq. ft. playhouse/cabin type structure. The playhouse is a historical log cabin, circa 1900. The existing 80 sq. ft. shed located on the north side of the property near the shore has already been taken down.

Section 111-100(b)(3)e of the Zoning and Shoreland Protection Ordinance requires Plan Commission approval when more than two accessory structures are proposed to ensure they do not adversely affect nearby properties or the general desirability of the neighborhood. The property is fairly wooded and the structure should not be visible to adjacent properties most times of the year, if at all.

Hilmer & Associates LLC Land Surveying
Office: 262-567-5893 E-mail: hilmerassociates@gmail.com
W217 Vista Drive
Oconomowoc, WI. 53066

Plat of Survey # 3585

Description:

Lot 1, Certified Survey Map No. 11188, recorded on June 23, 2014 as Document No. 4085415, in Volume 110 , pages 63-66 of Certified Survey maps in the office of the Register of Deeds, Waukesha County, located in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Seciton 12, Town 7 North, Range 17 East, Village of Summit, Waukesha County, Wiscosnin.

NOTES:
- bearings are referred to the South line Lot 1, CSM # 11188 as West, assumed.
- Lot 1 is subject to the Primary Environmental Corridor Preservation Area Restrictions on Sheet 4 of 4 of said CSM.
- The Ordinary High water mark elevation, per CSM 11188.
- The 100 year flood elevation, per CSM 11542.

Prepared for:
Robert and Lola Loepfe
34311 Valley Rd.
Oconomowoc, WI. 53066

Prepared by:
Hilmer & Associates LLC
Paul J. Hilmer, PLS
W217 Vista Drive
Oconomowoc, WI. 53066
(262) 567-5893

State of Wisconsin)
County of Jefferson) SS

I have surveyed the above described property and the above map is a true representation thereof, and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements, roadways and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage or guarantee the title thereto within one (1) year from the date thereof.

Dated at Oconomowoc, Wisconsin, this 8th day of OCTOBER , 20 20 .

Signed:_____
Registered Wisconsin Land Surveyor No. 2496

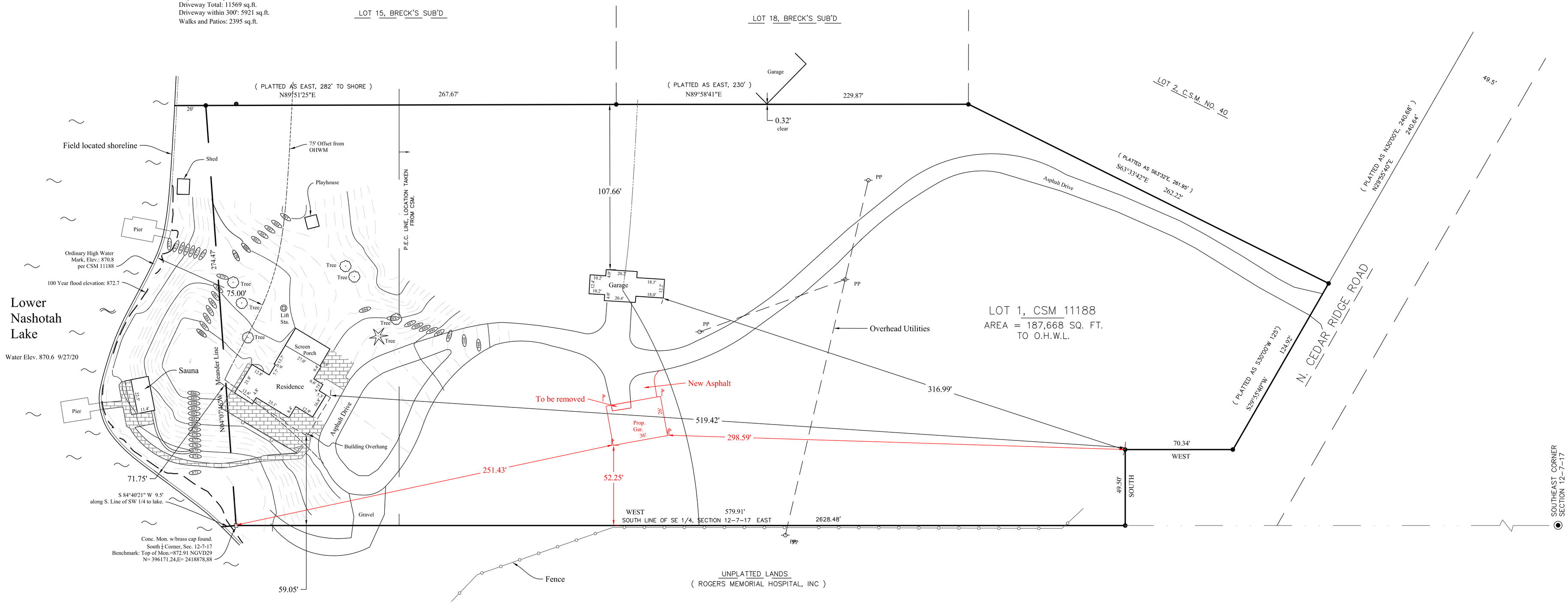
REV: 6/5/24 showing a proposed detached garage location.
REV: 6/12/24 showing revised areas.

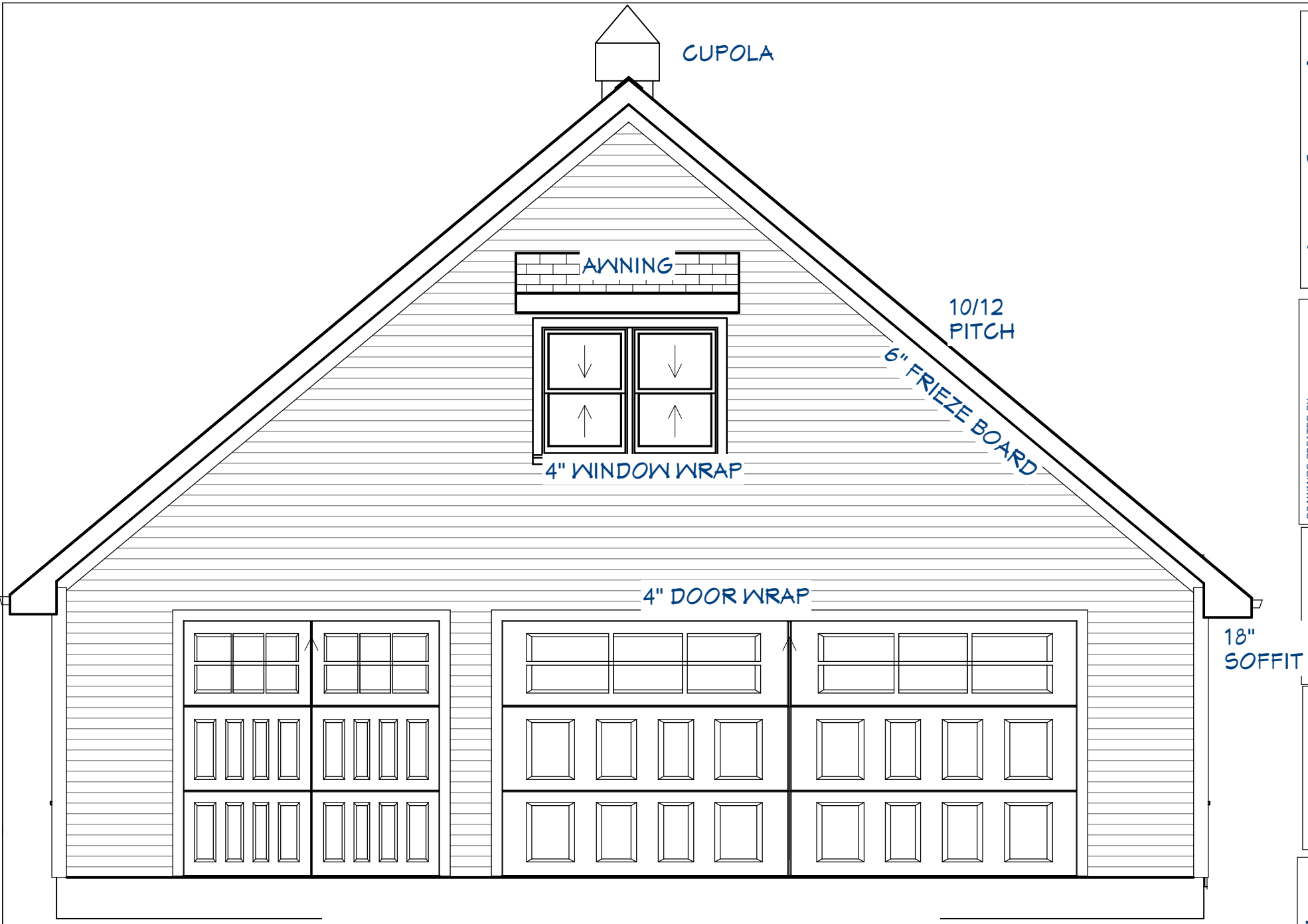
30 0 30 60
Scale: 1" = 30'

Legend:
- ● indicates 1" iron pipe found.
- ○ indicates 1.315 OD iron pipe set weighing 1.68 lbs./ft. min.
- ● indicates 1/2" iron pipe found.
- ⊡ indicates concrete monument w/brass cap found.

AREA TABLE:
Lot Area: 187,668 sq.ft.
Residence: 1900 sq.ft.
Garage: 775 sq.ft
Portion of Garage within 300': 387 sq.ft
Sauna: 258 sq.f.t
Shed: 80 Sq.ft.
Playhouse: 60 sq.ft.
Driveway Total: 11569 sq.ft.
Driveway within 300': 5921 sq.ft.
Walks and Patios: 2395 sq.ft.

Proposed Areas:
Garage: 936 sq.ft.
Asphalt to be removed: 50 sq.ft.
New Asphalt: 270 sq.ft.





FRONT ELEVATION

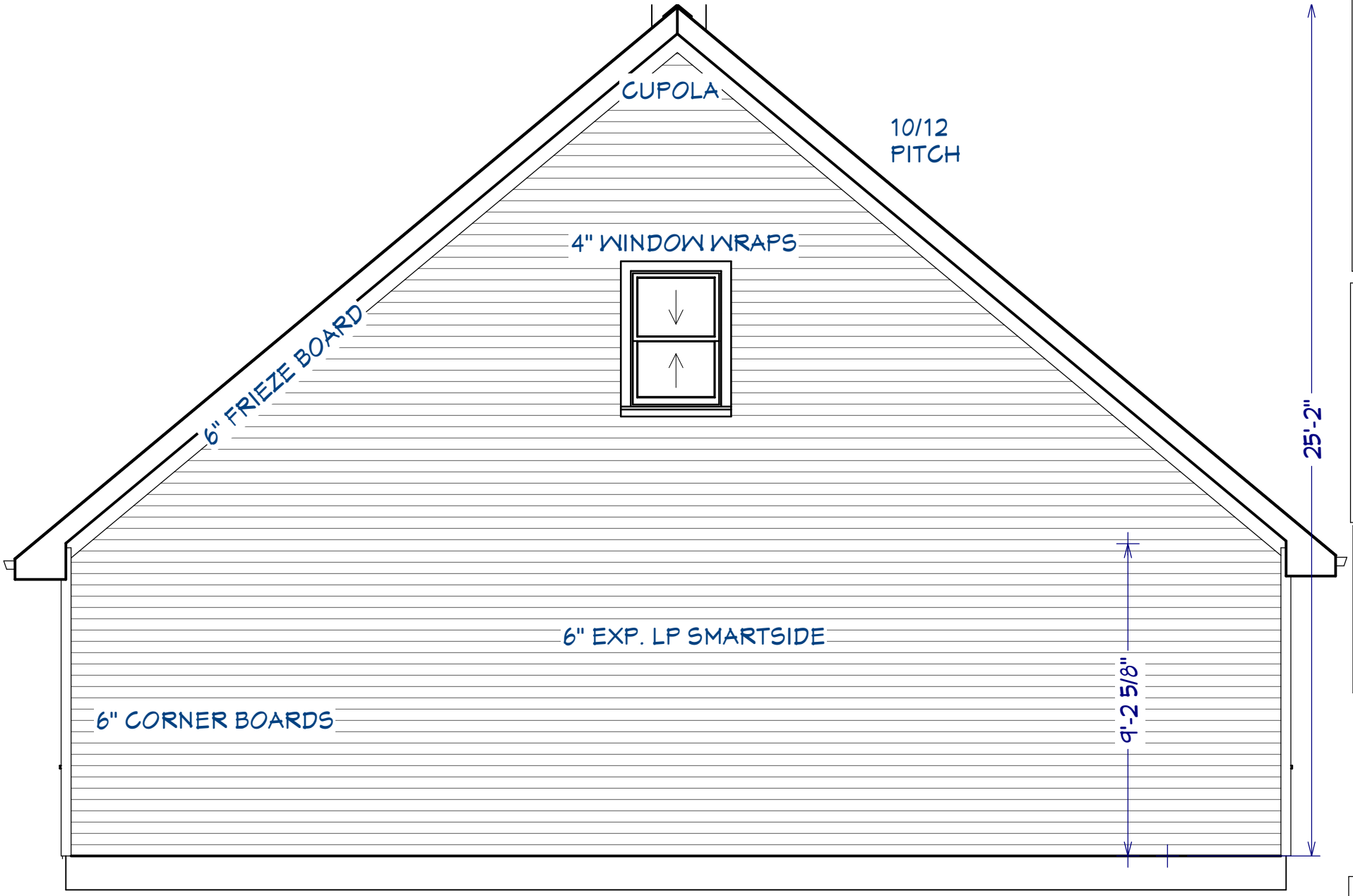
Joe Guertin
Garage

DRAWINGS CREATED BY:
Design Time
Patrick E. Robers
(779) 238-2801

DATE: 6/1/2024

SCALE: 1/4"=1'-0"

SHEET: P-1



REAR ELEVATION

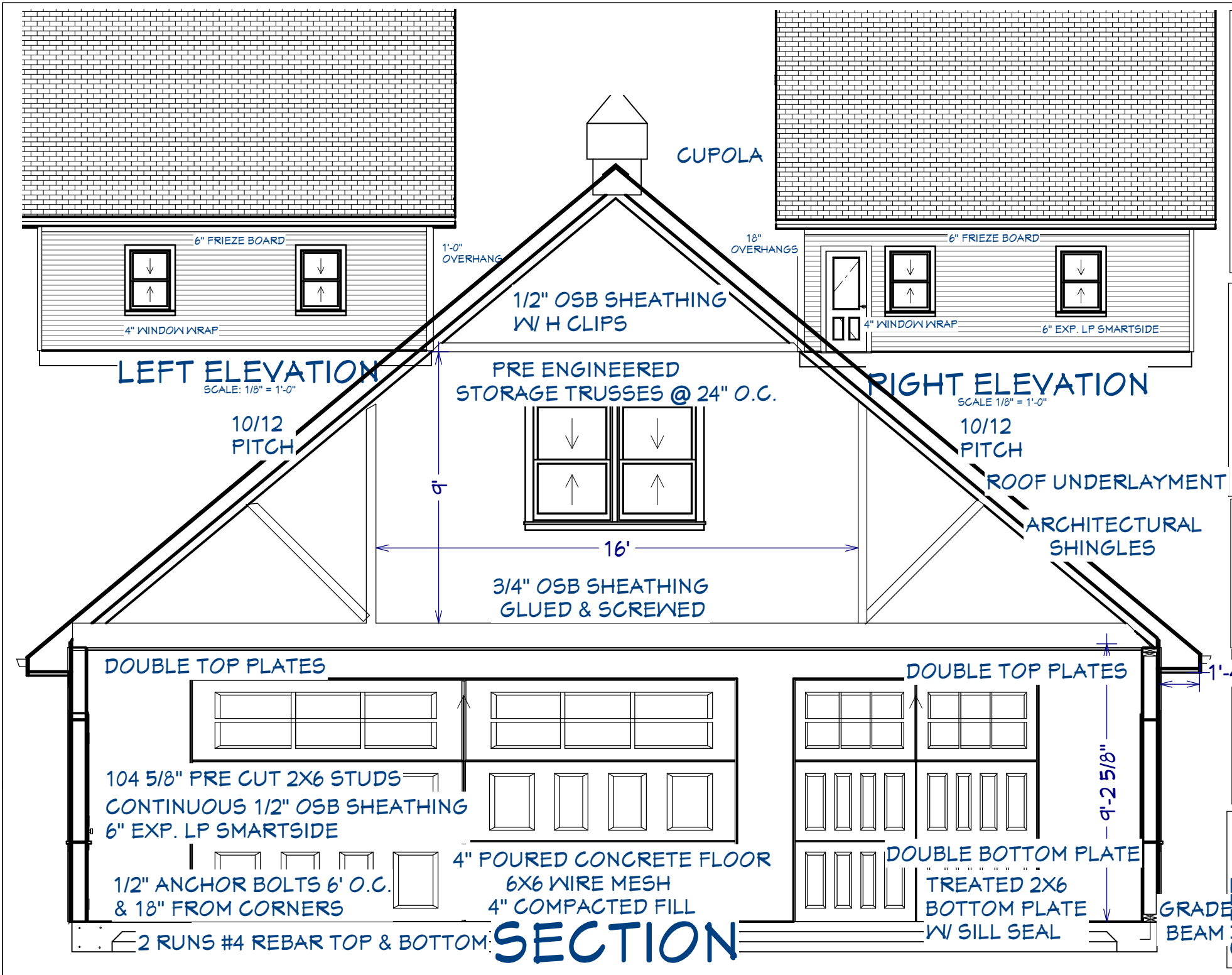
Joe Guertin
Garage

DRAWINGS CREATED BY:
Design Time
Patrick E. Robers
(779) 238-2801

DATE: 6/1/2024

SCALE: 1/4"=1'-0"

SHEET: P-2



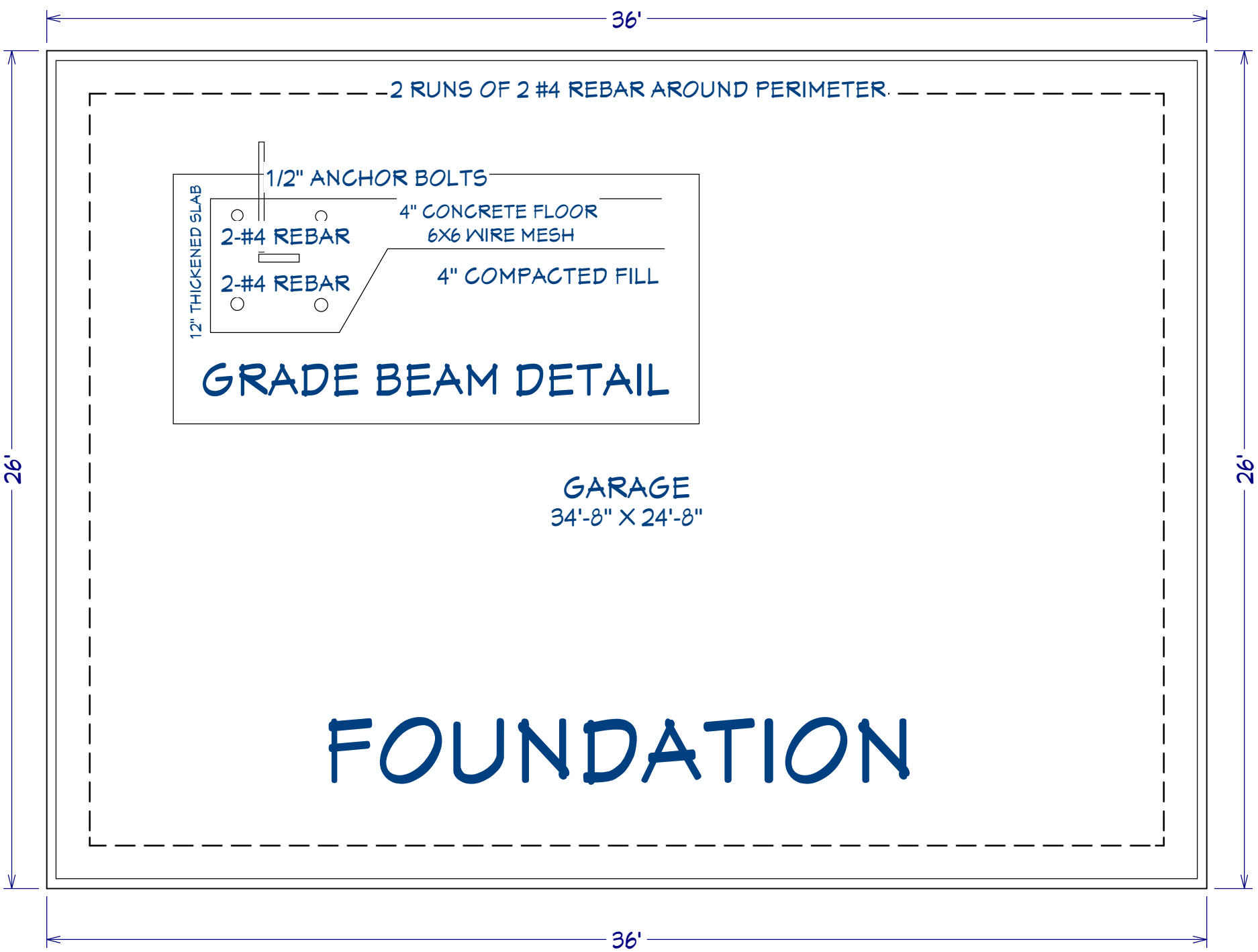
Joe Guertin Garage

DRAWINGS CREATED BY:
Design Time
Patrick E. Robers
(779) 238-2801

DATE: 6/1/2024

SCALE: 1/4"=1'-0"

SHEET: P-3



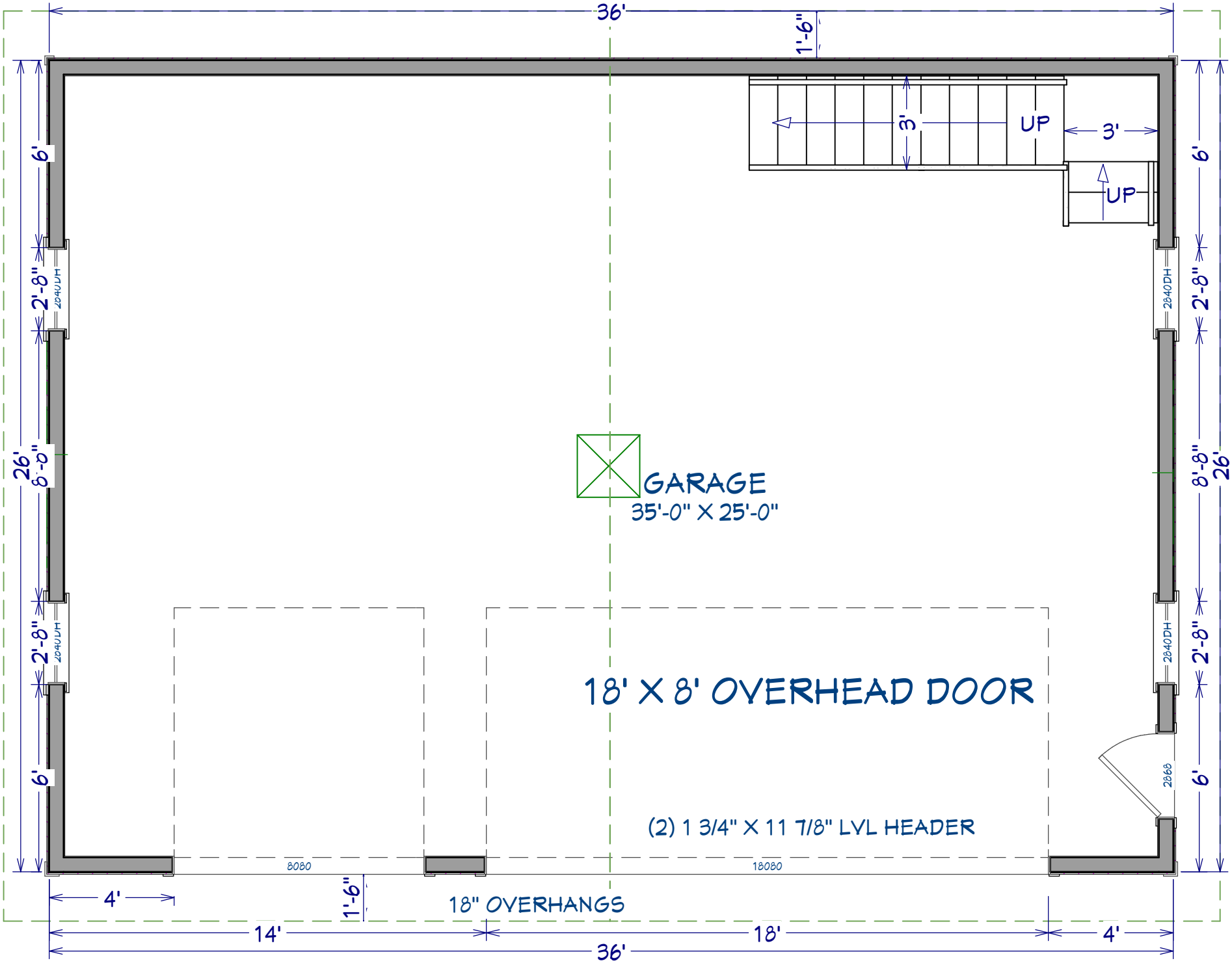
Joe Guertin Garage

DRAWINGS CREATED BY:
Design Time
Patrick E. Robers
(779) 238-2801

DATE: 6/1/2024

SCALE: 1/4"=1'-0"

SHEET: P-4



Joe Guertin Garage

DRAWINGS CREATED BY:
Design Time
Patrick E. Robers
(779) 238-2801

DATE: 6/1/2024

SCALE: 1/4"=1'-0"

SHEET: P-5

Outbuildings 3107 N Cedar Ridge

William Loepfe <will@bubblesfoamfarm.com>

Wed 6/12/2024 9:50 AM

To:robertloepfe@hotmail.com <robertloepfe@hotmail.com>;lola34311@aol.com <lola34311@aol.com>

Sauna

Sauna

Sauna

Sauna

Playhouse/Cabin

Will Loepfe
c. 414-559-2132
www.bubblesfoamfarm.com

play house/cabin

CERTIFIED SURVEY MAP REVIEW
7/18/2024 Plan Commission Meeting
Wold Property – 2110 N. Peninsula Road (SUMT0670017)

Staff Report Village of Summit, Wisconsin

Property Location: 2110 N. Peninsula Road (SUMT0670017)

Property Owner: Geoffrey Wold

Zoning: **R-4 Cottage Residential (26,000 sq. ft. per unit/min. lot size 20,000 sq. ft.)**

Land Use Plan: **SF Residential 0.6-acre density**

Recommended Motion: *Motion to recommend that Village Board approve the Certified Survey Map with consideration given to Article X Existing Substandard Lots, Chapter 109 Subdivision of Land, subject to the following conditions:*

A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*

B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*

C. *UTILITY CONNECTION FEES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit. Note:* ***The CSM will not result in additional lots. Therefore, this condition does not apply.***

D. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*

E. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Summary:
Lot Size: 11,500 sq. ft. (0.264 acres)
Zoning: R-4 Cottage Residential (26,000 sq. ft./unit density & 20,000 sq. ft. min. lot size) w/ Floodplain Overlay
Land Use Plan: SF Residential 0.6-acre density

The applicant is proposing to combine multiple lots of record as a single lot. The proposed lot is currently used as a single lot. The combined acreage currently consists of 12,027 sq. ft. As part of the CSM, 7 ft. of depth will be dedicated to N. Peninsula Road for public road purposes. Therefore, the proposed lot will be reduced in overall size, resulting in an 11,500 sq. ft. lot. A residence extends over an interior lot line. In order for the applicant to propose additional improvements to the existing structure, the lots are required to be combined by CSM. The property is in Utility District #2 and is served by public sewer and a private well.

It should be noted that the combination of two nonconforming lots requires that the criteria of Article X, Section 109-32 Existing Substandard Lots be met. The criteria include compatibility with existing lots and building development in the immediate area, safe sewage disposal, the economic and engineering practicality of any possible redivision, and the degree of practical hardship which may be imposed upon the owner. *The property has historically existed as a single lot of record and will continue to exist in the same manner. Future land division will be prohibited. The property is connected to public sewer. It would be unreasonable to prohibit the lot combination.*

Considerations:

Access and Frontage: The lot will continue to have frontage on N. Peninsula Road. Additional right-of-way will be dedicated in accordance with the Village's Ultimate Right-of-Way Map.

Total Area: The combined lot will be 11,500 sq. ft. in size and the width will be 75 ft. R-4 Residential District requires a minimum lot size of 20,000 sq. ft. and a minimum width of 120 ft. The lot size and width do not conform to the zoning district standards. However, the CSM is a formality to legally combine multiple nonconforming lots that have historically been occupied as a single-family residential lot.

Sanitary Sewer System available: The property is in Utility District #2. No changes are proposed.

Water System Available: The lot is served by a private well.

Natural Resources: There is regulated floodplain located near the shore.

Planner Comments:

- The floodplain boundary, elevation, and source of elevation shall be noted on the CSM.
- A note shall be added to the CSM that states, "The entire area of this CSM is located within the Village of Summit's Shoreland Jurisdictional Boundary."
- A note shall be added to the CSM that states, "The property shall not be further divided."

Surveyor and Engineering Comments: See attached letter dated June 19, 2024.

Building a Better World
for All of Us®

June 19, 2024

RE: Village of Summit
Wold CSM Review
SEH No. 176551 Task 28

Ms. Amy Barrows
Village Planner
Village of Summit
37100 Delafield Road
Summit, WI 53066

Dear Ms. Barrows:

We have reviewed the Certified Survey Map for the Wold Property and prepared by Dan Bednar of Land Surveys Inc. The CSM reviewed is dated 05/24/2024. A marked-up copy of the CSM is attached to assist with the preparation of the revisions. We offer the following comments:

1) The distance shown as 1.21' on the map is shown as 1.46' in the description.
2) The distance shown as 147.29' on the map is shown as 147.19' in the description.
3) Label the existing building on the adjacent properties as dwelling, shed or garage.
4) Label the right of way dedication ad "Dedicated for Roadway Purposes."
5) Show the bearings and lengths that vary from those recorded.
6) Label the Meander line on sheet 1.
7) The names and address the map was prepared for needs to be shown.
8) The limits of the 100-year flood should be shown.
9) We recommend the vicinity map have more detail provided.

Please do not hesitate to contact me with any questions or comments at 414.949.8919 or kkindred@sehinc.com.

Sincerely,
Keith Kindred, PLS
Principal, Regional Practice Center Leader
(Lic. WI, IL)

btp

x:\pt\s\summv\176551\task 28 - wold csm review\corr\review letters\wold csm review letter_village of summit_2024-06-19.docx

Certified Survey Map_____

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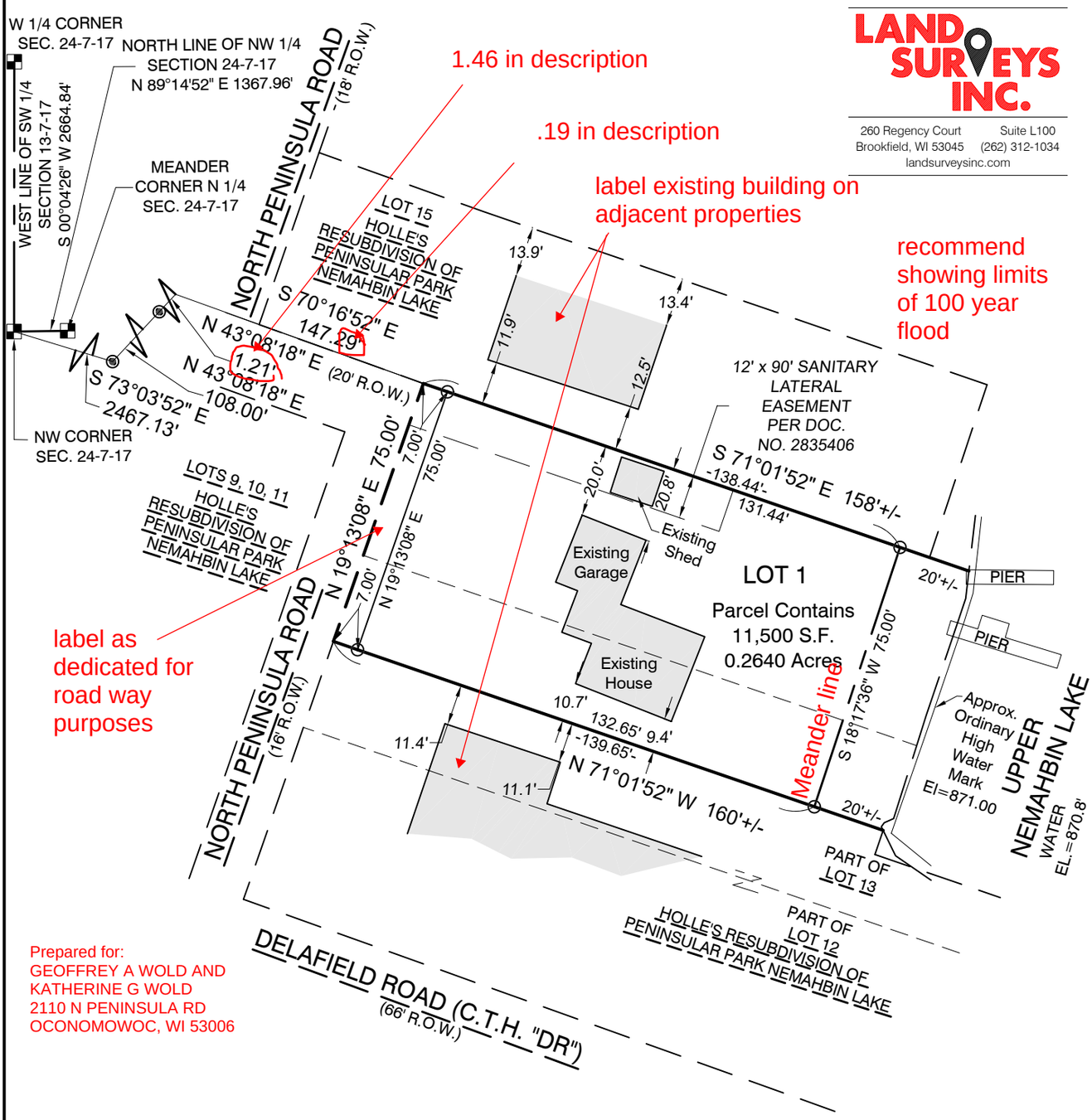
Show the bearings or lengths that vary from those recorded

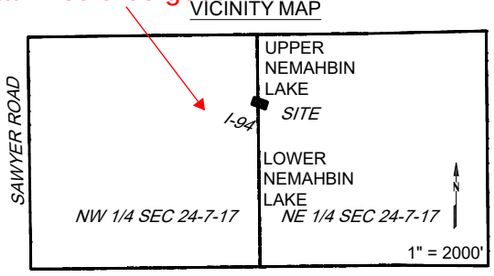
LAND SURVEYS INC.
260 Regency Court Suite L100
Brookfield, WI 53045 (262) 312-1034
landsurveysinc.com



Prepared for:
GEOFFREY A WOLD AND
KATHERINE G WOLD
2110 N PENINSULA RD
OCONOMOWOC, WI 53006

more detail would be good

VICINITY MAP



LEGEND

- ○ 3/4"X18" IRON ROD SET 1.50Lbs./LINEAL FOOT
- ◉ MONUMENT FOUND AS NOTED (Measured Outside Diam.)
- ⬛ BRASS DISC IN CONC.
- ( ) INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT

0' 40' 80'

BEARINGS ARE REFERENCED TO NAD 83/2011 IN WHICH THE WEST LINE OF THE SW 1/4 SECTION, T 7 N, R 17 E, BEARS S 00°04'26" W.

WISCONSIN DANIEL E. BEDNAR S-2812 GERMANTOWN WI LAND SURVEYOR

MAY 24, 2024

This Instrument was drafted by Daniel E. Bednar, a Professional Land Surveyor, S-2812

Job# 24112 - DB Sheet 1 of 4

Certified Survey Map_____

All of Lot 14 and the North 25 feet of Lot 13 of Holle's Resubdivision of Peninsular Park, Nemahbin Lake, in that part of the the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 24, Township 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin

SURVEYOR'S CERTIFICATE:

I, Daniel E. Bednar, Professional Land Surveyor, do hereby certify:

That I have surveyed, Divided and mapped a redivision of Lot 14 and part of Lot 13 Holle's Resubdivision of Peninsular Park Nemahbin Lake, being a part of the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 24, Township 7 North, Range 17 East, Village of Summit, Waukesha County, Wisconsin more fully described as follows: Commencing at the Northwest corner of the Southwest 1/4 of Section 13; thence South 00°04'26" West along the West line of said quarter section 2664.84 feet to the Northwest corner of the Northwest 1/4 of Section 24; thence South 73°03'52" East 2467.13 feet to a pipe at the Southwest corner of Certified Survey Map No. 10,021 and the Southeast corner of Lot 7 of said Holle's Resubdivision; thence North 43°08'18" East along the former West line of North Drive 108.00 feet to a pipe at the Southwest corner of Lot 4 of said Holle's Resubdivision; thence continuing North 43°08'18" East 1.46 feet to the North line of said North Drive; thence South 70°11'32" East along said North line and it's extension 147.19 feet to a point on the North line of said Lot 14 and the Point of Beginning of the lands described hereinafter; thence South 71°01'52" East along said North line 138.44 feet to a point on a meander line, said point being North 71°01'52" West 20 feet +/- from the approximate ordinary high water mark; thence South 18°17'36" West along said meander line 75.00 feet to a point on the South line of the North 25 feet of said Lot 13 and that lies North 71°01'52 West 20 feet +/- from the approximate ordinary high water mark; thence North 71°01'52 West along said South line 139.65 feet to a point on the East line of North Peninsula Road: thence North 19°13'08" East along said East line 75.00 feet to the Point of Beginning.
Said lands contain 12,027 square feet or 0.2761 acres.
Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.

That I have made such survey, land division and map by the direction of Geoffrey A. and Katherine G. Wold, owner's of said land. That such map is a correct representation of all exterior boundaries of land surveyed and land division made thereof.
That I have fully complied with the provisions of s. 236.34, Wisconsin Statutes and Chapter 109, Subdivision of Land ordinance of the Village of Summit, Waukesha County in surveying, dividing and mapping same.

Dated this 24th day of May, 2024.

Daniel E. Bednar PLS
Professional Land Surveyor S-2812

WISCONSIN
DANIEL E. BEDNAR
S-2812
GERMANTOWN WI
LAND SURVEYOR

LAND SURVEYS INC.
260 Regency Court Suite L100
Brookfield, WI 53045 (262) 312-1034
landsurveysinc.com

MAY 24, 2024
This Instrument was drafted by Daniel E. Bednar, a Professional Land Surveyor, S-2812 Job# 24112 - DB Sheet 2 of 4

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OWNER'S CERTIFICATE:

As owner, I hereby certify that I have caused the land described on this map to be surveyed, divided, dedicated and mapped as represented on this map. I also certify that this map is required to be submitted to the Village of Summit for approval.

_____ Dated: _____ day of _____, 20_____.
Geoffrey A. Wold

_____ Dated: _____ day of _____, 20_____.
Katherine G. Wold

STATE OF WISCONSIN)
) SS
County of _____)

Personally came before me this _____ day of _____, 20_____, the above named Geoffrey A. and Katherine G. Wold, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

_____

Print Name_____

Notary Public, _____ County, WI.

My Commission Expires: _____

WISCONSIN
DANIEL E. BEDNAR
S-2812
GERMANTOWN WI
LAND SURVEYOR

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260 Regency Court Suite L100
Brookfield, WI 53045 (262) 312-1034
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MAY 24, 2024
Job# 24112 - DB Sheet 3 of 4

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VILLAGE OF SUMMIT PLAN COMMISSION APPROVAL:

This land division is hereby approved by the Village of Summit Plan Commission, this_____ day of _____, 20_____.

_____
Jim Siepmann, Chairperson

_____
Debra Michael, Administrator-Clerk/Treasurer

VILLAGE OF SUMMIT BOARD APPROVAL:

This land division is hereby approved by the Village of Summit Board, this_____ day of _____, 20_____.

_____
Jack Riley, Village President

_____
Debra Michael, Administrator-Clerk/Treasurer

WISCONSIN
DANIEL E. BEDNAR
S-2812
GERMANTOWN WI
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MAY 24, 2024
Job# 24112 - DB Sheet 4 of 4

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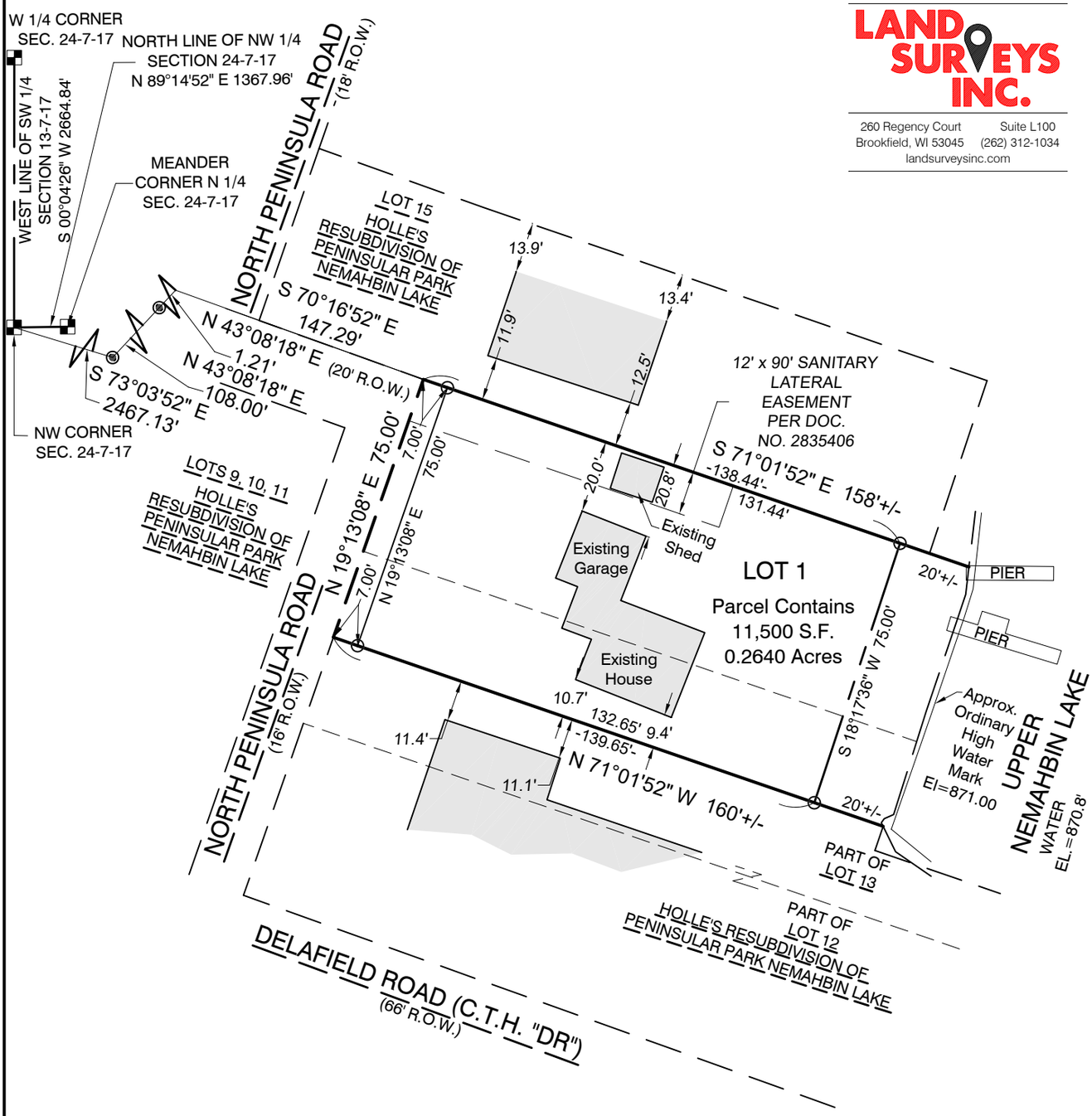

LEGEND

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- ◉ MONUMENT FOUND AS NOTED (Measured Outside Diam.)
- ⬛ BRASS DISC IN CONC.
- ( ) INDICATES RECORDED AS

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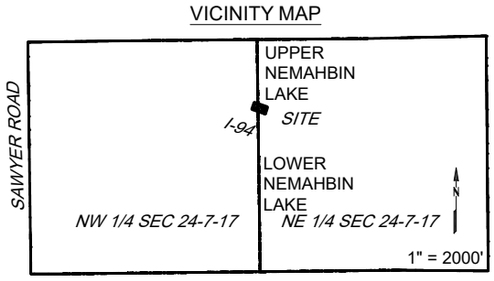
VICINITY MAP



WISCONSIN
DANIEL E. BEDNAR
S-2812
GERMANTOWN WI
LAND SURVEYOR

0' 40' 80'

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That I have fully complied with the provisions of s. 236.34, Wisconsin Statutes and Chapter 109, Subdivision of Land ordinance of the Village of Summit, Waukesha County in surveying, dividing and mapping same.

Dated this 24th day of May, 2024.

Daniel E. Bednar PLS
Professional Land Surveyor S-2812

WISCONSIN
DANIEL E. BEDNAR
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GERMANTOWN WI
LAND SURVEYOR

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MAY 24, 2024
This Instrument was drafted by Daniel E. Bednar, a Professional Land Surveyor, S-2812 Job# 24112 - DB Sheet 2 of 4

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As owner, I hereby certify that I have caused the land described on this map to be surveyed, divided, dedicated and mapped as represented on this map. I also certify that this map is required to be submitted to the Village of Summit for approval.

_____ Dated: _____ day of _____, 20_____.
Geoffrey A. Wold

_____ Dated: _____ day of _____, 20_____.
Katherine G. Wold

STATE OF WISCONSIN)
) SS
County of _____)

Personally came before me this _____ day of _____, 20_____, the above named Geoffrey A. and Katherine G. Wold, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

_____

Print Name_____

Notary Public, _____ County, WI.

My Commission Expires: _____

WISCONSIN
DANIEL E. BEDNAR
S-2812
GERMANTOWN WI
LAND SURVEYOR

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MAY 24, 2024
Job# 24112 - DB Sheet 3 of 4

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This land division is hereby approved by the Village of Summit Plan Commission, this_____ day of _____, 20_____.

_____
Jim Siepmann, Chairperson

_____
Debra Michael, Administrator-Clerk/Treasurer

VILLAGE OF SUMMIT BOARD APPROVAL:

This land division is hereby approved by the Village of Summit Board, this_____ day of _____, 20_____.

_____
Jack Riley, Village President

_____
Debra Michael, Administrator-Clerk/Treasurer

WISCONSIN
DANIEL E. BEDNAR
S-2812
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This Instrument was drafted by Daniel E. Bednar, a Professional Land Surveyor, S-2812

MAY 24, 2024
Job# 24112 - DB Sheet 4 of 4

Text Amendment to Zoning and Shoreland Ordinance – Allowing residential uses in the NC Neighborhood Commercial District

1/20/2022 Plan Commission Meeting

Staff Report Village of Summit, Wisconsin

Re: Text Amendment to Zoning and Shoreland Ordinance – Allowing residential uses in the NC Neighborhood Commercial District

---

Recommended Action: Provide direction related to potential text amendments that would allow residential uses in the NC Neighborhood Commercial District

Summary:
The Zoning Code does not currently allow residential uses in the NC Neighborhood Commercial Zoning District. However, several properties that are in the NC Zoning District contain at least one apartment. Summit Village Commons and Panga are the only two properties that do not contain any living units. All of the properties zoned NC Neighborhood Commercial are designated as Mixed Use Commercial on the Land Use Plan Map, which is intended to accommodate both residential and commercial uses.

Golden Lake Pub = 1 apartment
Hogg Alley = 1 apartment
Ole's = owner's house is in the same building as the bar
Miller's Sandy Beach = owner's house is on the same property
Lucky Chucky's = single family residence on same lot

Below is a table summarizing zoning code language in neighboring communities with similar zoning districts:

Municipality	Zoning District	Provisions
City of Delafield	CBD-1, 2, and 3 Downtown Business;	Residential in same building as commercial is permitted by right, stand-alone use requires a CU in CBD-1 and 3, stand-alone use permitted by right in CBD-2 if single or two-family
	B-1 Local Business and Residential	B-1: In same building, must not exceed 25% of floor area if 1 story, shall not exceed 50% of floor area if multiple stories; no mixture of uses on same floor if multiple stories Single family allowed by right

		B-1A: residential must be proprietor of business
Village of Dousman	B-1 Downtown Business	Residential units allowed attached to business above or at rear of same building; max 2 units; min. living area of 550 sq. ft.
Town of Genesee	B-1 Restricted Business/B-2 Local Business	Allows single-family residential uses in junction with business uses
Village of Mukwonago	Multiple Business Districts Overlay District	Existing residences allowed Overlay district: allows both
Waukesha County	B-1 Restricted Business & B-2 Local Business B-3 General Business Downtown Okauchee	Single-family Single-family, but must be in conjunction with business Variable provisions

Sec. 111-354. - Neighborhood Commercial District (NC).

(a) *Intent.* The Neighborhood Commercial District includes areas available for limited retail uses and administrative/office uses. The village will allow development in this classification only upon connection to public sewer systems.

(b) *Principal permitted uses.*

(1) Grocery store.

(2) Coffee shop.

(3) Book/stationary store.

(4) Restaurant.

(5) Art studio.

(6) Office.

(7) Florist.

(8) Sporting goods sales.

(9) Bakery (retail only).

(10) Private lodges and clubs.

(11) Public utility installations.

(12) Day-care facility.

(13) Bank or financial institution.

(14) Catering establishment for off-site food service.

(c) *Accessory uses.*

(1) Off-street parking and loading areas.

(2) Roof-mounted satellite fixtures.

(3) Automated teller machine.

(d) *Conditional uses.*

(e) *Bulk regulations.*

(1) Minimum lot area: 40,000 square feet.

(2) Minimum lot width: 200 feet.

(3) Maximum structure coverage.

a. Office uses: 30 percent of lot area.

b. Commercial/retail uses: 45 percent of lot area.

(4) Maximum impervious coverage.

a. Office uses: 70 percent of lot area.

b. Commercial/retail uses: 75 percent of lot area.

(5) Minimum front/street setback: 50 feet from base setback line.

(6) Minimum side yard setback: 25 feet.

(7) Minimum rear yard setback: 25 feet.

(8) Minimum wetland setback: 25 feet.

(9) Minimum pavement setback: 20 feet.

(10) Maximum structure height.

a. Principal structure: 30 feet.

b. Accessory structure(s): 15 feet.

(11) Shoreland development requirements. In addition to compliance with the aforementioned regulations, all properties within shoreland areas as defined herein are also subject to the following additional requirements:

a. Minimum shore setback:

1. Seventy-five feet from the ordinary high water mark. Where an existing pattern of development exists less than the requirement listed above, refer to section 111-96(A)(9)(g).

2. Fifty feet for a structure that has no sides or has only railings for sides, subject to section 111-96(A)(9)(h)

(f) *Signage.* As described in article VII of this chapter.

(g) *Erosion control.* As described in the Village of Summit Erosion Control Ordinance when applicable.

(h) Plans and specifications to be submitted to the plan commission in accordance with article X of this chapter.

(1) To encourage a commercial environment that is compatible with the rural residential and open space character of the village, and that will maintain a campus-like setting, building permits for permitted uses in the NC District shall not be issued without review and approval of the plan commission.

(2) This review and approval shall be concerned with general layout, building plans, ingress and egress, loading and unloading, landscaping and open space use. The process used to review a development in the NC District is set forth in article X of this chapter.

(Ord. No. 31-2015, § 12.9, 10-1-2015; Ord. No. 63-2018, §§ 18, 19, 8-20-2018; Ord. No. 119-2023, § 2, 10-12-2023)