

ENROLLED ORDINANCE 170-94

AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ AND SE ¼ OF SECTION 11, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, FROM THE R-1 RESIDENTIAL DISTRICT TO THE P-1 PARK AND RECREATIONAL DISTRICT (ZT-1826)

WHEREAS, after proper notice was given, a public hearing was held and the subject matter of this Ordinance was approved by the Delafield Town Board on October 13, 2015, and

WHEREAS, the matter was referred to and considered by the Waukesha County Park and Planning Commission, which recommended approval and reported that recommendation to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors, as required by Section 60.62, Wis. Stats.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the District Zoning Map for the Town of Delafield Zoning Code, adopted by the Town of Delafield on July 20, 1998, is hereby amended to rezone from the R-1 Residential District to the P-1 Park and Recreational District, certain lands located in part of the SW ¼ and SE ¼ of Section 11, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin, and more specifically described in the “Staff Report and Recommendation” and map on file in the office of the Waukesha County Department of Parks and Land Use and made a part of this Ordinance by reference ZT-1826, is hereby approved.

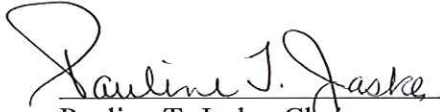
BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Delafield.


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


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ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

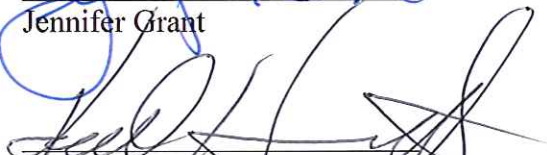
AMEND THE DISTRICT ZONING MAP OF THE TOWN OF DELAFIELD ZONING CODE
BY REZONING CERTAIN LANDS LOCATED IN PART OF THE SW ¼ AND SE ¼ OF
SECTION 11, T7N, R18E, TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN,
FROM THE R-1 RESIDENTIAL DISTRICT TO THE P-1 PARK AND RECREATIONAL
DISTRICT (ZT-1826)


Presented by:
Land Use, Parks, and Environment Committee


Pauline T. Jaske, Chair


Jim Batzko


Jennifer Grant

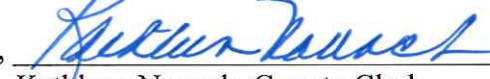

Keith Hammitt


Eric Highum


William Mitchell


Thomas J. Schellinger

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

Date: 3/25/16, 
Kathleen Novack, County Clerk

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

Approved: X

Vetoed: _____

Date: 3/28/16, 
Paul Farrow, County Executive

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-03/22/16 (ORD) NUMBER-1700097

- | | |
|--------------------------|--------------------------|
| 1 R. KOLB.....AYE | 2 D. Zimmermann.....AYE |
| 3 R. MORRIS.....AYE | 4 J. BATZKO.....AYE |
| 5 J. BRANDTJEN.....AYE | 6 J. WALZ..... |
| 7 J. GRANT.....AYE | 8 E. HIGHUM.....AYE |
| 9 J. HEINRICH.....AYE | 10 D. SWAN.....AYE |
| 11 C. HOWARD.....AYE | 12 P. WOLFF.....AYE |
| 13 P. DECKER.....AYE | 14 C. PETTIS.....AYE |
| 15 B. MITCHELL.....AYE | 16 M. CROWLEY.....AYE |
| 17 D. PAULSON.....AYE | 18 L. NELSON.....AYE |
| 19 K. CUMMINGS.....AYE | 20 T. SCHELLINGER....AYE |
| 21 W. ZABOROWSKI.....AYE | 22 P. JASKE.....AYE |
| 23 K. HAMMITT.....AYE | 24 S. WHITTOW.....AYE |
| 25 G. YERKE.....AYE | |

TOTAL AYES-24

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-24

COMMISSION ACTION

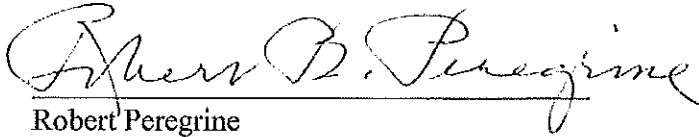
The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance to amend the Town of Delafield Zoning Code hereby recommends approval of ZT-1826 (Town of Delafield Board) in accordance with the attached "Staff Report and Recommendation".

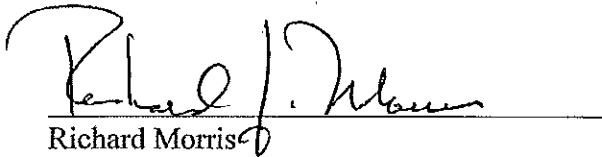
PARK AND PLANNING COMMISSION


February 25, 2016


Absent

James Siepmann, Chairperson


Robert Peregrine


Richard Morris


Gary Goodchild


William Mitchell


Bonnie Morris

absent
Keith Hammitt

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

DATE: February 25, 2016

FILE NO.: ZT-1826

PETITIONER/OWNER: Town of Delafield Board
W302 N1254 Maple Avenue
Delafield, WI 53018

TAX KEY NO.: DELT 0763.042 and DELT 0764.108

LOCATION:

Outlot 6 of Woodridge Estates and Outlot 1 of Summerhill West, located in part of the SW ¼ and SE ¼ of Section 11, T7N, R18E, Town of Delafield. More specifically, the western property (Outlot 6 of Woodridge Estates) is located at N34 W29615 North Shore Drive. Both properties contain a total of approximately 17.2 acres.

EXISTING ZONING:

R-1 (PUD) and R-1 Residential Districts.

EXISTING LAND USE:

Vacant.

PROPOSED ZONING:

P-1 Park and Recreational District (Town only).

PROPOSED LAND USE:

Town Park.

PUBLIC HEARING DATE:

October 6, 2015.

PUBLIC REACTION:

An individual inquired about the long-range plans for the park. The Town Engineer explained that the park would be passive with walking paths and common open space. No lighting or soccer fields are proposed.

TOWN PLAN COMMISSION ACTION:

The Town of Delafield Plan Commission, at their meeting of October 6, 2015 recommended approval of the request to the Town Board.

TOWN BOARD ACTION

On October 13, 2015, the Town of Delafield Town Board approved the rezoning request. The Town transmitted the minutes and Town Board Resolution to the County on February 5, 2016.

CONFORMANCE WITH THE WAUKESHA COUNTY DEVELOPMENT PLAN AND THE TOWN OF DELAFIELD COMPREHENSIVE DEVELOPMENT PLAN:

The Waukesha County Comprehensive Development Plan and the Town of Delafield Comprehensive Plan designate the lands in the Suburban 1 Density Residential category (1.5 to 2.9 acres per dwelling unit). Park uses are envisioned in a variety of residential settings.

The proposed use of the subject lands as a Town Park is compatible with the adjacent residential uses. The park will offer valuable green space to the community.

STAFF ANALYSIS:

The lands subject to this rezone request were recently dedicated to the Town of Delafield. The subject lands were set aside as outlots for future park use during the platting of adjacent subdivision (Woodridge Estates and Summerhill West). Previously, the lands were used for agricultural purposes. The lands are located south of North Shore Drive (C.T.H. "KE") and east of Maple Avenue. The Town's concept plan includes a small parking area with restrooms, a picnic shelter, a nature based play area, a sport court, open space and walking paths. The Waukesha County Land Resources Division may require a Storm Water Permit for the proposed improvements. It should be noted that there are plat restrictions related to improvements and land altering activities on the subject properties. The Town of Delafield is aware of the restrictions. One vehicular access point to North Shore Drive is proposed. The access will require approval by the Waukesha County Department of Public Works. There is also a gated fire access lane located on the east side of the property. The fire lane provides walking access to the property by the adjacent residential lot owners.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The rezoning will enable the Town of Delafield to move forward with the development of a park to serve the community and nearby residential subdivisions.

Respectfully submitted,

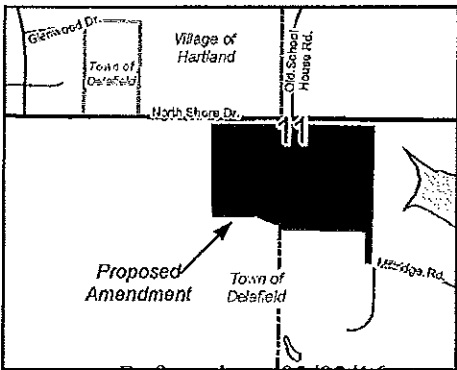
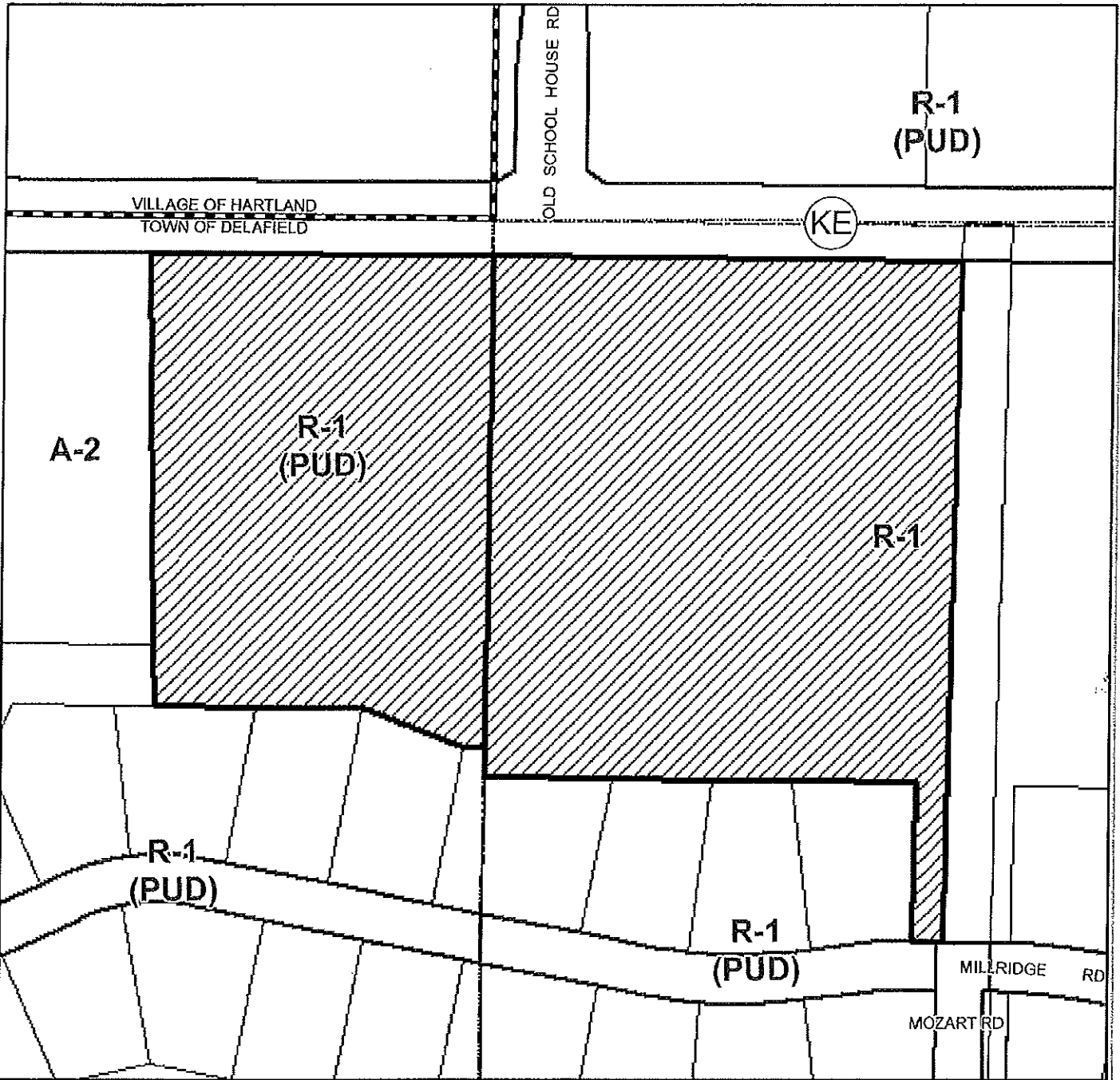
Amy Barrows

Amy Barrows
Senior Planner

Attachments: Map, Exhibit "A" and Town Ordinance (2015-08)

ZONING AMENDMENT

PART OF THE SW 1/4 & SE 1/4 OF SECTION 11
TOWN OF DELAFIELD



TOWN ZONING CHANGE FROM R-1 RESIDENTIAL DISTRICT TO P-1 PARK AND RECREATION DISTRICT

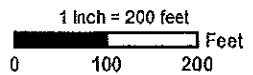
FILE NO. ZT-1826

PETITIONER.....TOWN OF DELAFIELD

DATE OF PLAN COMM. CONSIDERATION.....02/25/16

AREA OF CHANGE.....17.3 ACRES

TAX KEY NUMBERS.....DELT 0763.042 & DELT 0764.108



Prepared by the Waukesha County Department of Parks and Land Use

Referred on: 03/03/16

File Number: 170-O-097

Referred to: LU

Ordinance No. 2015-08

An Ordinance to amend the Zoning Map of the Town of Delafield from R-1 to P-1 on lands located in the Northeast ¼ of the Southwest ¼ and the Northwest ¼ of the Southeast ¼ of Section 11, Town 7 North Range 18 East, Town of Delafield, Waukesha County Wisconsin

The Town Board of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1:

The Town of Delafield Zoning Map is hereby amended to change the zoning classification from R-1 to P-1 on the following described parcel of land:

Outlot 6 Woodridge Estates, a subdivision recorded as Document No. 4114273 in Book 54, Pages 103-106, Waukesha County Register of Deeds and Outlot 1 of Summerhill West, a subdivision recorded as Document No. 4122110 in Book 54, Pages 130-131, Waukesha County Register of Deeds, all located in the Southwest ¼ and Southeast ¼ of Section 11, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin.

Section 2: Severability.

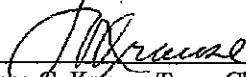
The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, 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 3: Effective Date.

This ordinance shall take effect immediately upon passage by Waukesha County and posting or publication as provided by law.

This ordinance passed this 13th day of October, 2015.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:


Lawrence G. Krause, Town Chairman

ATTEST:

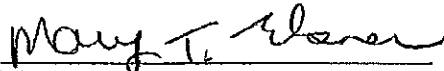

Mary T. Elsner
Town Clerk/Treasurer

EXHIBIT "A"

OLD SCHOOL HOUSE ROAD

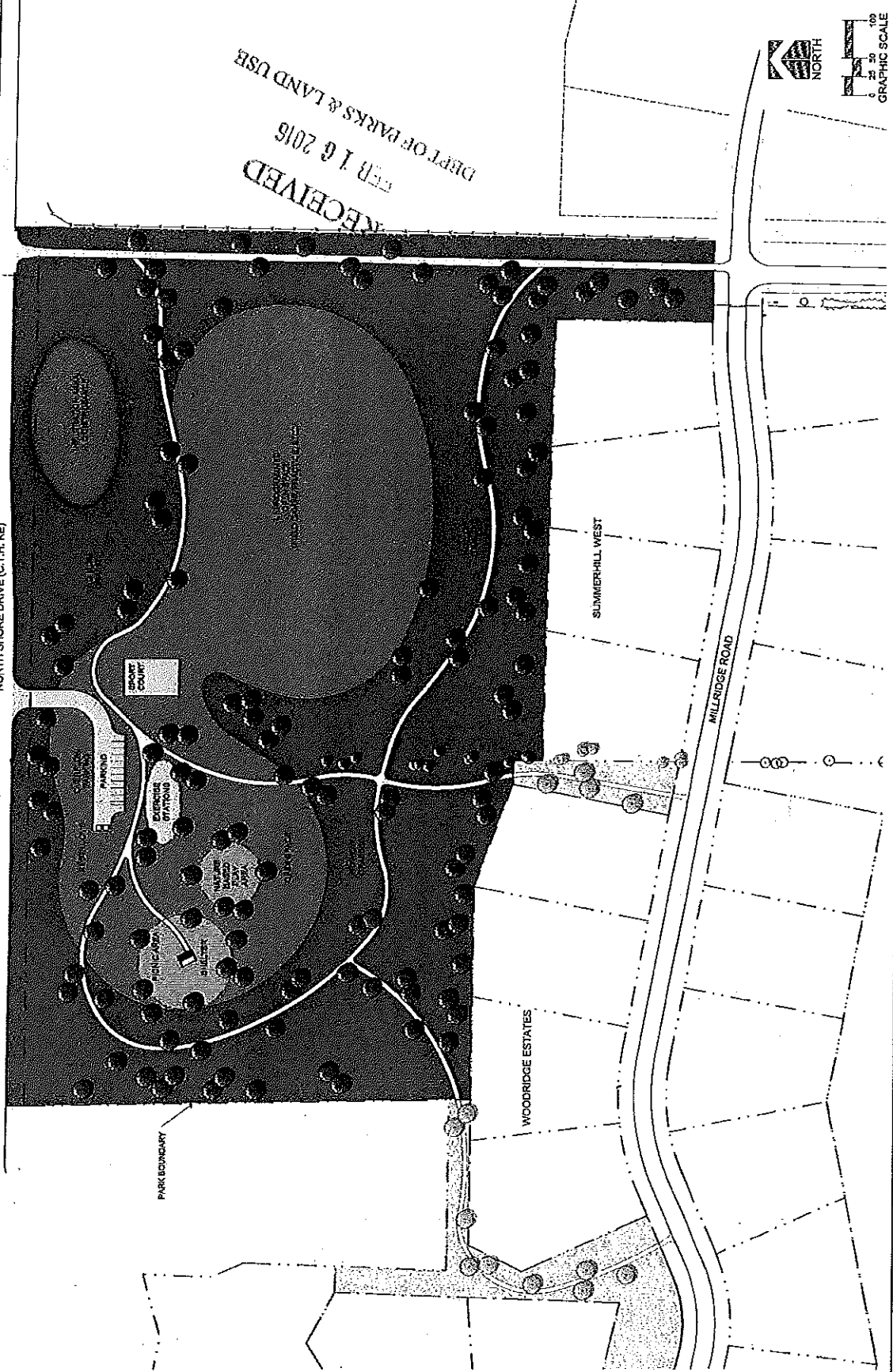
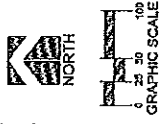
NORTH SHORE DRIVE (C.T.H. KE)

PARK BOUNDARY

RECEIVED
 FEB 16 2016
 DEPT. OF PARKS & LAND USE

R.A. Smith National
 Royal Surveyors and Engineers
 www.ra-smith.com

TOWN OF DELAFIELD, WI
 KE PARK
 CONCEPT SITE PLAN



L-100
 SHEET NUMBER