



**VILLAGE OF WAUNAKEE / TOWN OF WESTPORT
JOINT PLAN COMMISSION
5387 Mary Lake Road, Westport
August 11, 2015 - 6:00 PM**

Agendas may change prior to the commencement of the meeting.
Please check the posting board at the Village Hall, 500 W. Main Street,
Waunakee, Wisconsin for the current agenda.

AGENDA

CALL TO ORDER

ROLL CALL: Ken Sipsma, John Van Dinter, Dean Grosskopf, Pat McGowan, Brad Zeman, Mark McGuire

MINUTES

1. July 14, 2015

PUBLIC COMMENT

NEW BUSINESS

1. Preliminary Consultation, Rezone for Duplex (R-3) and Variances (Lot Width and Size), Lot 2 Irish Meadows, Woodland Drive (JPA)
2. Preliminary Consultation/Authorize Administrative Approval, Condominium Plat for Westshire Village Duplex Homes (Life Estates), Westshire Village by the Lake, Willow Road

ADJOURN

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the municipal clerk at (608) 850-8500, 500 West Main Street, Waunakee, Wisconsin, at least twenty-four hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

**VILLAGE OF WAUNAKEE BOARD AND PLAN COMMISSION MEETING
TOWN OF WESTPORT BOARD AND PLAN COMMISSION MEETING**

Notice is hereby given that the Village or Town Board or Village or Town Plan Commission may attend this meeting. No action will be taken by the Village or Town Board or Village or Town Plan Commission at this meeting.

Next scheduled meeting is October 13, 2015.

ITEM #1.



Village of Waunakee and Town of Westport **Joint Plan Commission**

A regular meeting of the Waunakee/Westport Joint Plan Commission was held Tuesday, July 14, 2015, 6:00 p.m. at the Town of Westport Community Room, 5387 Mary Lake Road, Town of Westport.

CALL TO ORDER

Mr. McGowan called the meeting to order at 6:08 p.m.

Members Present: Ken Sipsma, Dean Grosskopf, John Van Dinter, Mark McGuire, Pat McGowan, Brad Zeman

Members Absent: None

Also Present: Tom Wilson, Kevin Even, Tracy Meinholz, Bryan Kleinmaier, Joe Capaul, Bill White, Jim Lundberg, Mark & Mary Ripp, Kay Beck, Jo Ann Koster, David Korb, Hannah Korb, Keenan Korb, Monica Paffenroth, Ed Niebuhr, Pat Teslaw, Tom Clark, Roger Endres Sr., Rich Trotta, Arnold & Jean Bye, Roberta Baumann, Brad Robinson, Kirk Keller.

APPROVAL OF MINUTES

Motion Zeman, second Grosskopf, to approve the minutes from the June 9, 2015 Joint Plan Commission meeting. Motion carried.

PUBLIC COMMENT

None

NEW BUSINESS

Discussion / Action on Conditional Use Permit and Design Review for Drumlin Ridge Farm Vineyards LLC, Town of Westport

Mr. Sipsma arrived at 6:27 p.m.

After an update from Wilson, a presentation by the owners' consultant, and discussion of approvals required, motion Sipsma, second Zeman to confirm approval of the "winery" CUP for the property by adopting the resolution drafted by the Village Attorney with added language that it be conditioned upon Village Board approval of rezone and the terms of the presented CUP agreement as revised subject to approval by the Town Board, approve the restriction agreement as presented by Wilson with additions as discussed and subject to revisions and approval by the Town Board, and approve the design review/site plan review as presented and consistent with the July 13 Town Plan Commission action (sign sizes to be confirmed appropriate by Even), with Wilson directed to review the line fence between the



Korb and Ripp parcels for compliance. Motion carried 5-1 with McGowan opposed.

Discussion / Action on Capaul Request for Detachment and Rezone of Approximately 43.3 acres from A-1 Agricultural/Holding to A1-E Exclusive Agricultural

After discussion, motion Sipsma, second McGuire to recommend approval of the detachment and rezone to the Village and Town Boards subject to the deed restriction document on future annexation as presented by the Village Attorney with alternate language providing for JPC review prior to annexation. Motion carried.

Discussion / Action on Amendment to Environmental Corridors, Waunakee School Site, Woodland Drive West of CTH Q, Town of Westport

Motion Sipsma, second Van Dinter, to approve the requested revision to the environmental corridors for the Waunakee school site on Woodland Drive. Motion carried.

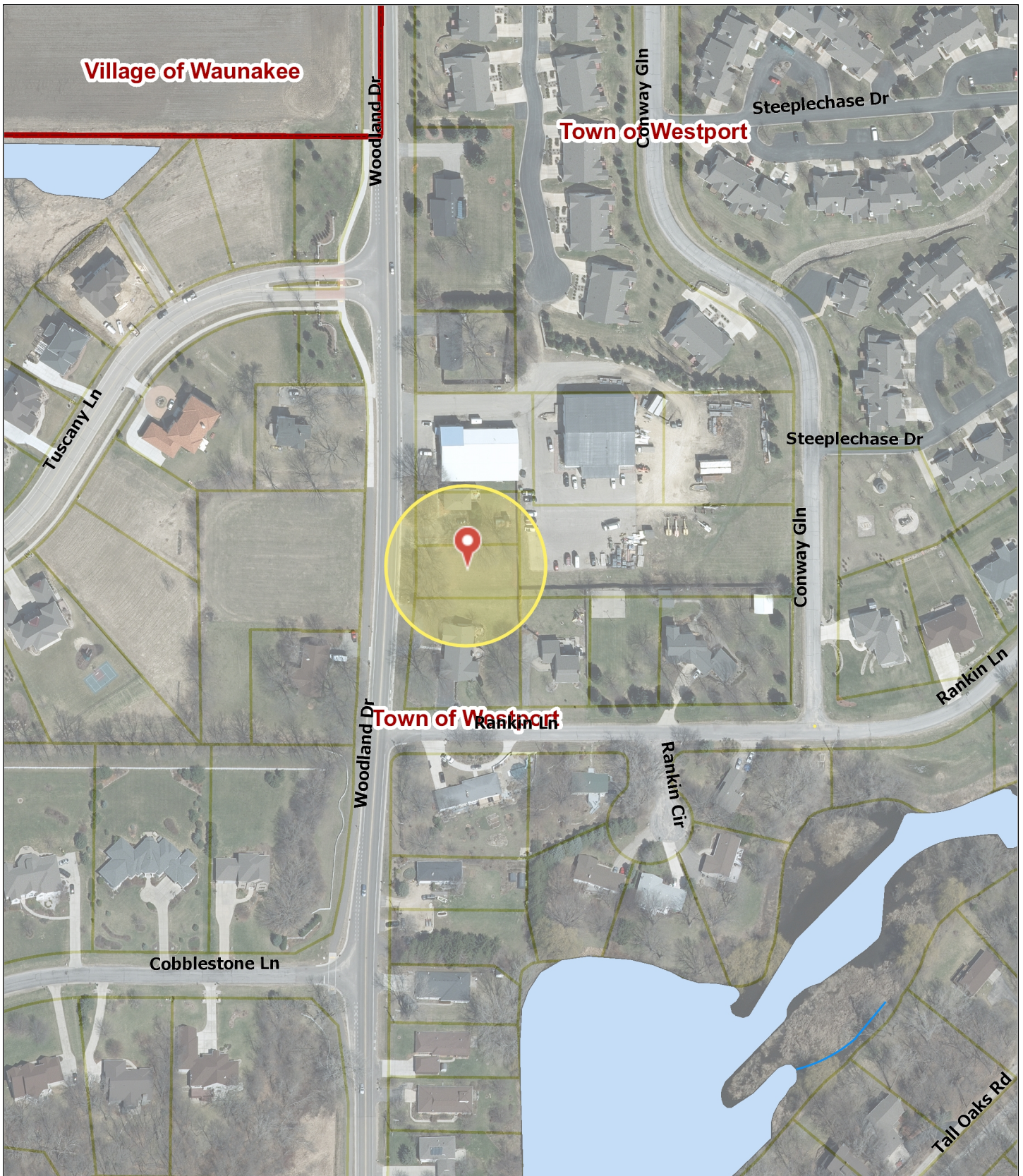
ADJOURN

Motion McGuire, second Van Dinter, to adjourn the meeting at 7:16 p.m. Motion carried.

Submitted By: Tracy Meinholz, Recording Secretary

Approved: _____

ITEM #1.



Lot 2 Irish Meadows

DISCLAIMER: The Village of Waunakee does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.

SCALE: 1" = 198'



VILLAGE OF WAUNAKEE

500 W. Main St
Waunakee, WI 53597
(608) 850-8500

Print Date: 8/5/2015

July 27, 2015

To Whom it May Concern:

The attached information is for consideration by the Westport Planning Commission & The Waunakee/Westport Joint Plan Commission.

A project is proposed for the vacant lot known as Lot 2, Irish Meadows subdivision located on Woodland Drive between the properties at 5606 and 5618 Woodland Dr.

It is currently zoned C1 in the township of Westport.
The proposed use is for the construction of a 2 unit building

In discussions with Robert Anderson of the township of Westport and Tracey Meinholz of the village of Waunakee, the property must be rezoned to R3 per the Waunakee zoning codes to accommodate the construction of the proposed 2 unit building.

In reviewing the Waunakee codes for R3 zoning, 2 unit buildings, it indicates that the lot must have 6,000 square feet per dwelling unit. The subject lot has approximately 11,600 square feet. It also indicates that the lot must have a minimum lot width of 80 feet. The subject has 75.77 feet of frontage on Woodland Drive.

It is assumed that variances would have to be sought and approved for the 2 items above which do not meet the Waunakee codes, before an attempt to rezone the property.

This submission to the controlling planning commissions is to seek their preliminary approval of the above proposed 2 unit building project. If preliminary approval is obtained, formal applications and the permitting process will commence by the 2 unit building developers.

This proposal submitted by Michael Nelson, agent for the proposed owner-occupant Derek Dailey

- (5) Churches or other places of indoor religious assembly.
- (6) Community living arrangement facilities serving eight or fewer persons and which are located closer than 2,500 feet from the nearest community living arrangement facility.
- (7) Farms.
- (8) Golf courses.
- (9) Landscape nurseries or orchards, provided no office or store is maintained on the premises.
- (10) Single-family attached dwellings.
- (11) Bed and breakfast establishments.
- (12) Home occupations pursuant to section 106-854.
- (13) One satellite antenna/dish.
(Ord. No. 97-11, § 13-1-26(c), 11-3-97)

Sec. 106-279. Permitted accessory buildings and uses.

Permitted accessory buildings and uses in the R-2 single-family residential district, subject to section 106-10(2) of this chapter, are as follows:

- (1) One private garage.
 - (2) One accessory building.
 - (3) Any of the following accessory uses:
 - a. One private swimming pool.
 - b. One private tennis court.
 - c. One children's play structure.
 - d. One detached satellite antenna/dish.
 - e. One detached solar structure.
- (Ord. No. 97-11, § 13-1-26(d), 11-3-97; Ord. No. 98-15, § 3, 11-2-98)

Sec. 106-280. Height and area requirements.

Height and area requirements in the R-2 single-family residential district are as follows:

- (1) *Maximum building height.* The maximum building height for the principal building shall be 35 feet; for a detached accessory building, the height shall be 15 feet.

- (2) *Setbacks.* Setbacks shall be as follows:

- a. Front yard, 20 feet.
- b. Rear yard, principal building, 20 feet.
- c. Side yard, principal building, six feet on each side; 12 feet total.
- d. Side and rear yard, accessory building, three feet on each side.

- (3) *Minimum lot area.* The minimum lot area per dwelling unit shall be 8,500 square feet.

- (4) *Minimum lot width.* The minimum lot width shall be 70 feet.
(Ord. No. 97-11, § 13-1-26(e), 11-3-97)

Secs. 106-281—106-310. Reserved.

DIVISION 6. R-3 TWO-FAMILY RESIDENTIAL DISTRICT

Sec. 106-311. Intent.

The purpose of the R-3 two-family residential district is to provide a district for low-density development containing single-family and two-family dwelling units. It is also intended that uses generating noise and high traffic volumes be restricted.

(Ord. No. 97-11, § 13-1-27(a), 11-3-97)

Sec. 106-312. Permitted uses.

Permitted uses in the R-3 two-family residential district are as follows:

- (1) Single-family detached dwellings, including dependency living arrangements.
- (2) Two-family dwelling units.
- (3) Community living arrangements serving eight or fewer persons and which are located at least 2,500 feet from the nearest community living arrangement facility.
- (4) Family day care homes.
(Ord. No. 97-11, § 13-1-27(b), 11-3-97)

R3

Sec. 106-313. Conditional uses.

Conditional uses in the R-3 two-family residential district are as follows:

- R3
- (1) Communications transmitting towers, receiving towers, relay or microwave towers.
 - (2) Utilities facilities and substations.
 - (3) Cemetery.
 - (4) Boardinghouses.
 - (5) Churches or other places of indoor religious assembly.
 - (6) Community living arrangement facilities serving eight or fewer persons and which are located closer than 2,500 feet from the nearest community living arrangement facility.
 - (7) Day care center/preschool, provided that the maximum capacity per building shall not exceed 20, and in addition to other conditions that may be stipulated upon the establishment, location, construction, maintenance or operation of such a facility pursuant to article V of this chapter, the facility shall include safe and adequately sized parking and loading/unloading areas, fences and play areas.
 - (8) Farm.
 - (9) Golf course.
 - (10) Landscape nursery or orchard, provided no office or store is maintained on premises.
 - (11) Home occupations pursuant to section 106-854.
 - (12) One satellite antenna/dish.
- (Ord. No. 97-11, § 13-1-27(c), 11-3-97)

Sec. 106-314. Permitted accessory buildings and uses.

Permitted accessory buildings and uses in the R-3 two-family residential district, subject to section 106-10(2) of this chapter, are as follows:

- (1) One private garage.
- (2) One accessory building.

- (3) Any of the following accessory uses:

- a. One private swimming pool.
- b. One private tennis court.
- c. One children's play structure.
- d. One detached satellite antenna/dish.
- e. One detached solar structure.

(Ord. No. 97-11, § 13-1-27(d), 11-3-97; Ord. No. 98-15, § 4, 11-2-98)

Sec. 106-315. Height and area requirements.

Height and area requirements in the R-3 two-family residential district are as follows:

- (1) *Maximum building height.* The maximum building height for the principal building shall be 35 feet; for a detached accessory building, the height shall be 15 feet.
 - (2) *Setbacks.* Setbacks shall be as follows:
 - a. Front yard, 20 feet.
 - b. Rear yard, principal building, 20 feet.
 - c. Side yard, principal building, six feet on each side; 12 feet total.
 - d. Side and rear yard, accessory building, three feet on each side.
 - (3) *Minimum lot area.* The minimum lot area per dwelling unit shall be 6,000 square feet.
 - (4) *Minimum lot width.* The minimum lot width shall be 80 feet.
- (Ord. No. 97-11, § 13-1-27(e), 11-3-97)

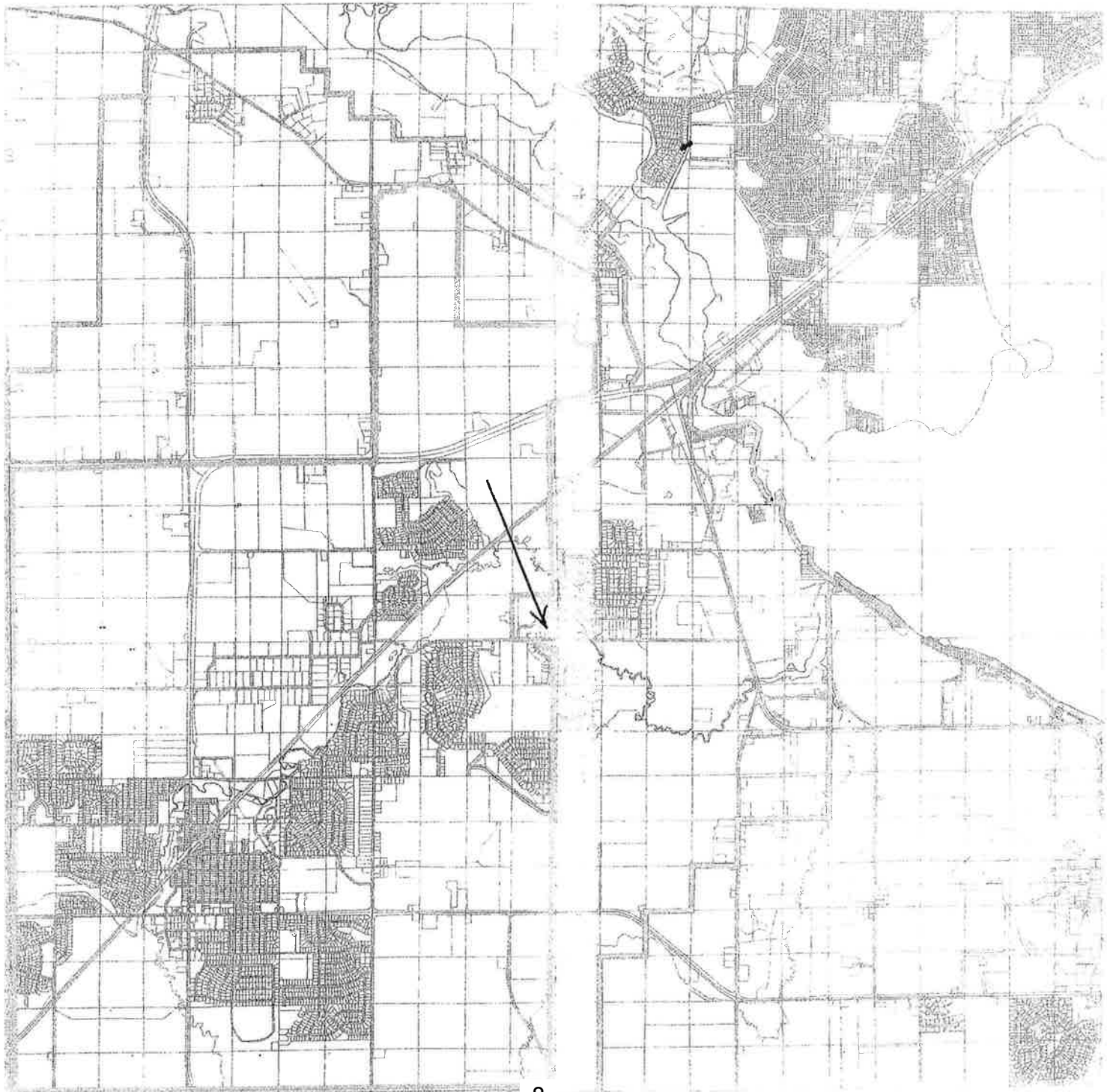
Secs. 106-316—106-330. Reserved.**DIVISION 6A. R-3D DOWNTOWN RESIDENTIAL DISTRICT****Sec. 106-331. Intent.**

The purpose of the R-3D downtown residential district is to provide a district for low-density development containing single-family dwelling units and, as conditional uses, two-family dwelling units. It is also intended that uses generating noise and high traffic volumes be restricted.

(Ord. No. 10-10, § 2, 8-16-10)

Proposed ETZ

- Wauaukee-Westport
Extraterritorial Zone
(based on 1.5 mile ETJ)
- Long-term Village
growth boundary
- Village and city limits

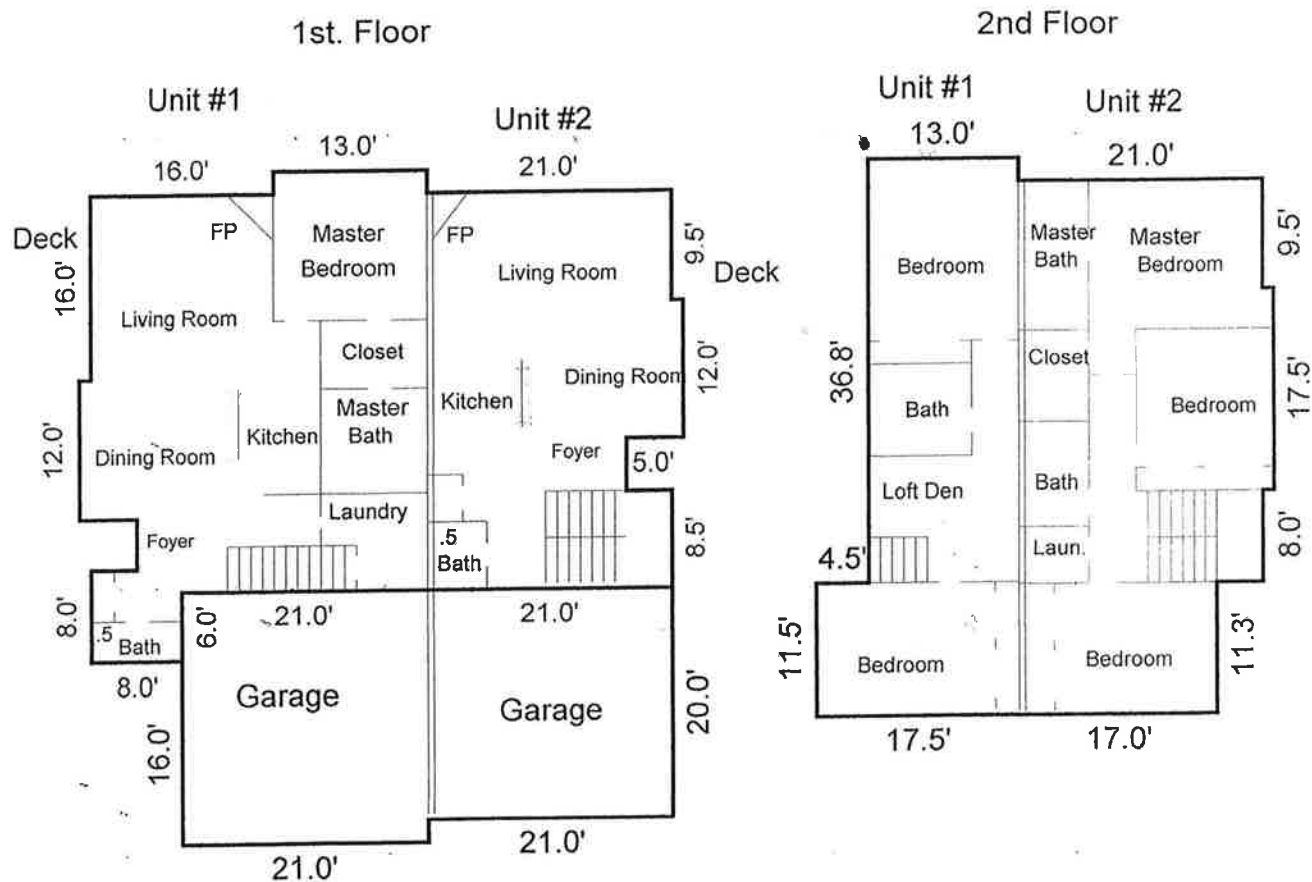


Stockham Consulting
Urban Planning & Development Services

July 7, 2006

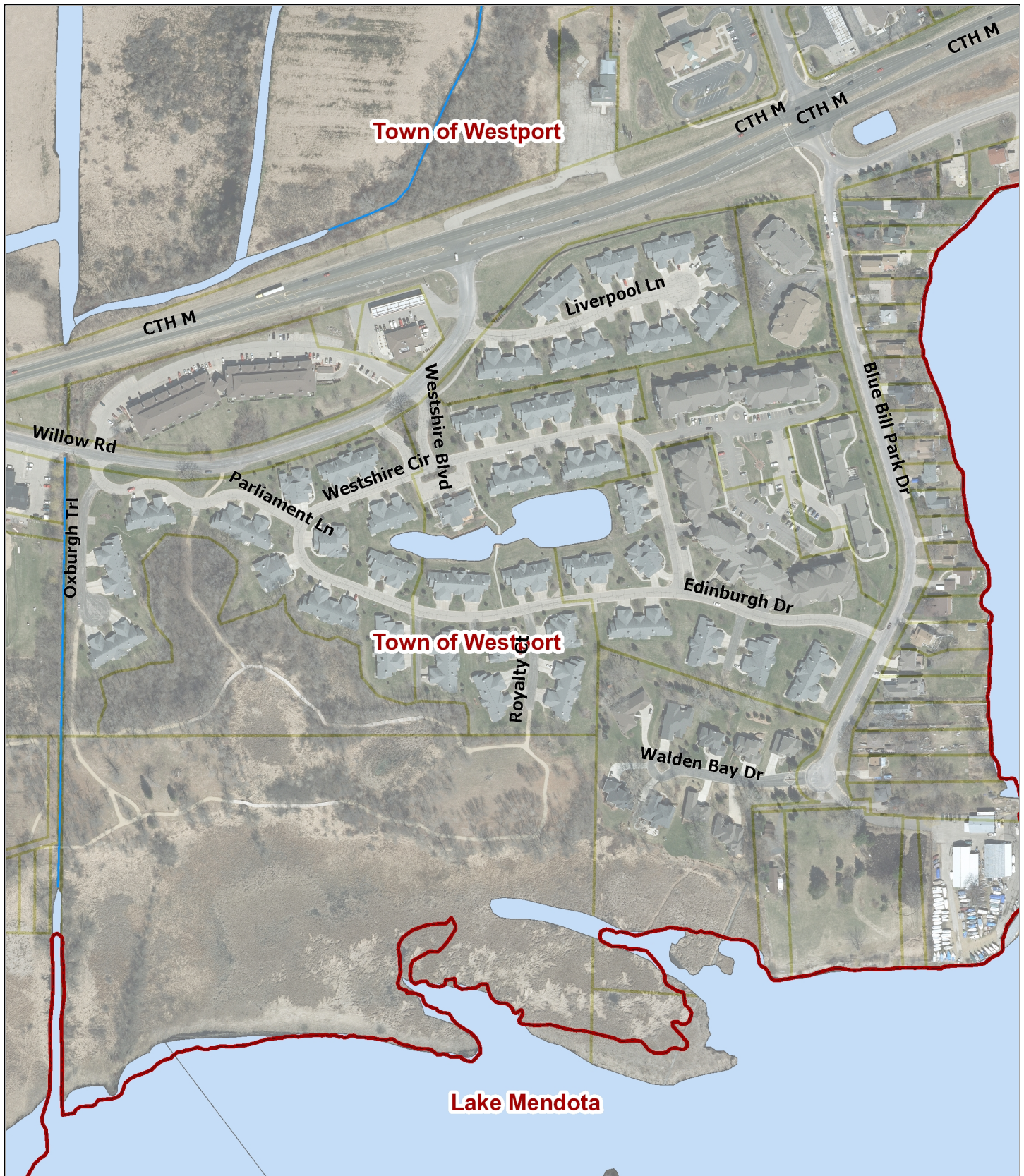
ITEM #1.





Sketch by Apex IV™

ITEM #2.



Westshire Village Condominium

DISCLAIMER: The Village of Waunakee does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 336'

VILLAGE OF WAUNAKEE

500 W. Main St
Waunakee, WI 53597
(608) 850-8500

Print Date: 8/5/2015

LAW OFFICES**LONIELLO & ASSOCIATES**

131 West Wilson Street, Suite 1201, Madison, WI 53703
T. 608-251-1526 / F. 608-251-7699 / E. nick@madlegal.com

July 29, 2015

ORIGINAL BY MAIL / COPY VIA EMAIL

Mr. Thomas G. Wilson
Administrator
TOWN OF WESTPORT
5387 South Mary Lake Road
Waunakee, WI 53597-9128

Re: Condominium Conversion of Westshire Village at the Lake

Dear Thomas:

Enclosed find 15 sets of documents for the municipal and JPC review and approval of the conversion of Westshire Village at the Lake into four condominiums by the nonprofit owners, First Active Seniors Corporation I, II, III and IV ("FASC I-IV"). Also enclosed are four checks to pay the Town's review fee calculated at the rate of \$250.00 per condo plat plus \$10.00 per unit. Please send the form of the Agreement to pay additional administrative or review costs, if any.

The following particulars may be helpful to the Town's and JPC review:

- FASC I-IV do not intend to market and sell the fee ownership interest in any of the units. The sole purpose of the condominium conversion is to facilitate financing for buyers of Life Estates in the residential units of the development. The condominium conversion enables FASC I-IV to give a first mortgage against a separate and marketable unit to secure the buyer's loan to pay a purchase price for a Life Estate. The condominium conversion will also facilitate FASC I-IV's access to mortgage financing to pay future refunds due residents.
- No new construction is involved. This is a conversion of a fully constructed housing project on four distinct parcels into individual units within four condominiums. These condominiums will share existing amenities such as the clubhouse and private roads pursuant to an existing and recorded cross-easement. The documents submitted include a set of the existing recorded easements for shared private roads and shared amenities such as the clubhouse and pond feature.

ITEM #2.

Mr. Thomas G. Wilson

July 29, 2015

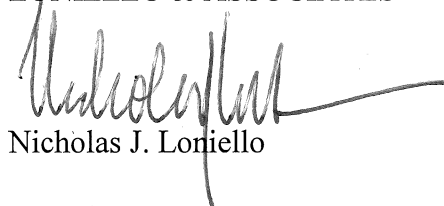
Page 2

- The senior housing campus known as Westshire Village at the Lake consists of 129 single story ranch style units in duplex, triplex and fourplex buildings, plus a 93 unit apartment style product in a three story structure known as Stratford Homes. The four condominiums are: (1) Stratford Homes at Westshire Village Condominium consisting of 93 apartment style units; (2) Westshire Village Central Condominium consisting of 62 single story ranch style units; (3) Westshire Village West Condominium consisting of 39 single story ranch style units; and (4) Westshire Village North Condominium consisting of 28 single story ranch style units.
- Upon the existing lot where the three story Stratford Homes building is located are also some single story ranch style units. The recording of the condominium documents will be preceded by a conveyance of the single story structures by FASC - II to the owner of the adjacent parcel, FASC - I. No new lot is being created. This is an adjustment of lot lines between adjoining owners. A copy of the proposed Quit Claim Deed is enclosed.
- The documents submitted include tax parcel data for each of the four parcels obtained from Access Dane.

This confirms my understanding that I will be scheduled for a consult with the Town Plan Commission on August 10 at 7:00 pm and JPC meeting on August 11 at 6:00 pm. If these dates or times change, please advise.

Very truly yours,

LONIELLO & ASSOCIATES



Nicholas J. Loniello

NJL:pkm

Enclosures

cc: Mr. Kevin Even, Waunakee Zoning Administrator (w/encl. by email)
Mr. Michael J. Fiandaca (w/encls. by email)
Mr. Niles D. Jehn (w/encls. by email)
Mr. Ronald Blawusch, Bank of Sun Prairie (w/encls. by email)
Ms. Craig Freng, Bank of Sun Prairie (w/encls. by email)
Ms. Sherri E. Veit, Westshire Realty (w/encls. by email)
s:1507131620.16

LAW OFFICES**LONIELLO & ASSOCIATES**

131 West Wilson Street, Suite 1201, Madison, WI 53703
T. 608-251-1526 / F. 608-251-7699 / E. nick@madlegal.com

July 29, 2015

HAND DELIVERED

Ms. Cheryl Zellmer
DANE COUNTY PROPERTY LISTER
210 Martin Luther King Jr Blvd - Room 116
Madison, WI 53703

Re: Condominium Conversion of Westshire Village at the Lake

Dear Ms. Zellmer:

Enclosed find four drafts of condominium Declarations and Plats affecting the senior housing campus commonly known as Westshire Village at the Lake in the Town of Westport, Dane County. Attached to each set of condominium documents is the completed Condominium Review Cover Sheet, along with our check for the required review fee. We have made simultaneous applications for approval by the Town of Westport and the Village of Waunakee.

The following particulars may be helpful to expedite your review:

- This is a conversion of a fully constructed and subdivided housing project into individual units within four separate condominiums. These condominiums will share existing amenities such as the clubhouse and private roads pursuant to existing recorded easements, copies of which are enclosed.
- The senior housing campus known as Westshire Village at the Lake consists of 129 single story ranch style units in duplex, triplex and fourplex buildings, plus a 93 unit apartment style product in a three story structure known as Stratford Homes. The four condominiums are: (1) Stratford Homes at Westshire Village Condominium consisting of 93 apartment style units; (2) Westshire Village Central Condominium consisting of 62 single story ranch style units; (3) Westshire Village West Condominium consisting of 39 single story ranch style units; and (4) Westshire Village North Condominium consisting of 28 single story ranch style units.

ITEM #2.

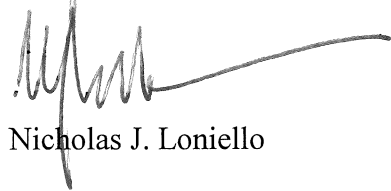
Ms. Cheryl Zellmer
July 29, 2015
Page 2

- The existing development consists of four distinct parcels of land slightly less than 10 acres each. Each parcel is now owned by one of four sister subsidiary entities of Metropolitan Housing Development Corporation ("MHDC"). The subsidiary entities are named First Active Seniors Corporation - I, II, III and IV ("FASC - I, II, III & IV").
- Upon the existing lot where the three story Stratford Homes building is located are also some single story ranch style units. The recording of the condominium documents will be preceded by a conveyance of the single story structures by FASC - II to the owner of the adjacent parcel, FASC - I. No new lot is being created. This is an adjustment of lot lines between adjoining owners. A copy of the proposed Quit Claim Deed is enclosed.
- FASC I-IV do not intend to market and sell the fee ownership interest in any of the units. The sole purpose of the condominium conversion is to facilitate financing for buyers of Life Estates in the residential units of the development. The condominium conversion enables FASC I-IV to give a first mortgage against a separate and marketable unit to secure the buyer's loan to pay a purchase price for a Life Estate. The condominium conversion will also facilitate FASC I-IV's access to mortgage financing to pay future refunds due residents.

We welcome your comments and suggestions for revision, and are hopeful to soon receive your approval for recording.

Very truly yours,

LONIELLO & ASSOCIATES



Nicholas J. Loniello

NJL:pkm

Enclosures

cc: Mr. Michael J. Fiandaca (w/encls. by email)
Mr. Niles D. Jehn (w/encls. by email)
Mr. Ronald Blawusch, Bank of Sun Prairie (w/encls. by email)
Ms. Craig Freng, Bank of Sun Prairie (w/encls. by email)
Ms. Sherri E. Veit, Westshire Realty (w/encls. by email)
Mr. Thomas G. Wilson, Town of Westport (w/encl. by email & mail)
Mr. Kevin Even, Village of Waunakee (w/encl. by email)

s:1507131620.16

Westshire Village Central Condominium

A CONDOMINIUM PLAT
TOWN OF WESTPORT, DANE COUNTY, WISCONSIN



Surveyor's Certificate:

I, Daniel V. Birrenkott, Wisconsin Registered Land Surveyor No. 1531, do hereby certify that I have surveyed and mapped the property described and pictured hereon in accordance with official records. I further certify that this plat is prepared in accordance with Wisconsin Statutes Section 703.11 and is a correct representation of the condominium described and the identification and location of each unit and the common elements can be determined from this plat.

Daniel V. Birrenkott, R.L.S. No. 1531

There are no objections to this condominium with respect to Sec. 703 Wis. Stats. and is hereby approved for recording.

Dated this ____ day of _____, 20__

Dane County Planning and Development

Notes

1. The condominium is subject to and together with shared private roads, pond features, clubhouse, and other amenities pursuant to a Cross Easement recorded July 25, 1996 as Document No. 2781863, First Amendment to Cross Easement recorded June 4, 1999 as Document No. 3119865 and Second Amendment to Cross Easement recorded August 20, 1999 as Document No. 3147146.
2. The condominium is subject to and together with the Pedestrian Access Easement granted to the Town of Westport for public access to the Westshire Conservancy Park recorded September 21, 2012 as Document No. 4914931.
3. The condominium is also subject to and together with the Reciprocal Parking Easement recorded June 4, 1999 as Document No. 3119866.
4. The condominium is also subject to and together with the following utility and storm water easements: (a) Permanent Sanitary Sewer Force Main Easement recorded March 18, 1999 as Document No. 3093062; (b) Permanent Sanitary Sewer & Water Main Easement recorded March 18, 1999 as Document No. 3093063; (c) Addendum to Permanent Water Main Easement recorded June 21, 1999 as Document No. 3126830; (d) Right of Way for Underground Electric recorded July 21, 1997 as Document No. 2872097; (e) Police, Fire, Sanitation & EMS Easement recorded March 18, 1999 as Document No. 3093064; (f) Access Easement & Parkland Dedication Covenants recorded July 25, 1996 as Document No. 2781976; and (g) Perpetual Easement for Stormwater Detention/Retention Pond recorded July 25, 1996 as Document No. 2781977.
5. The condominium is also subject to and together with the following easements: (a) Sanitary Sewer Force Main Easement, Doc. No. 2781976; (b) Police, Fire, Sanitation and EMS Easement, Doc. No. 2781976; and (c) Water, Sanitary Sewer and Utility Easement and Dedication of Public Improvements, Doc. No. 2791899.

Notes

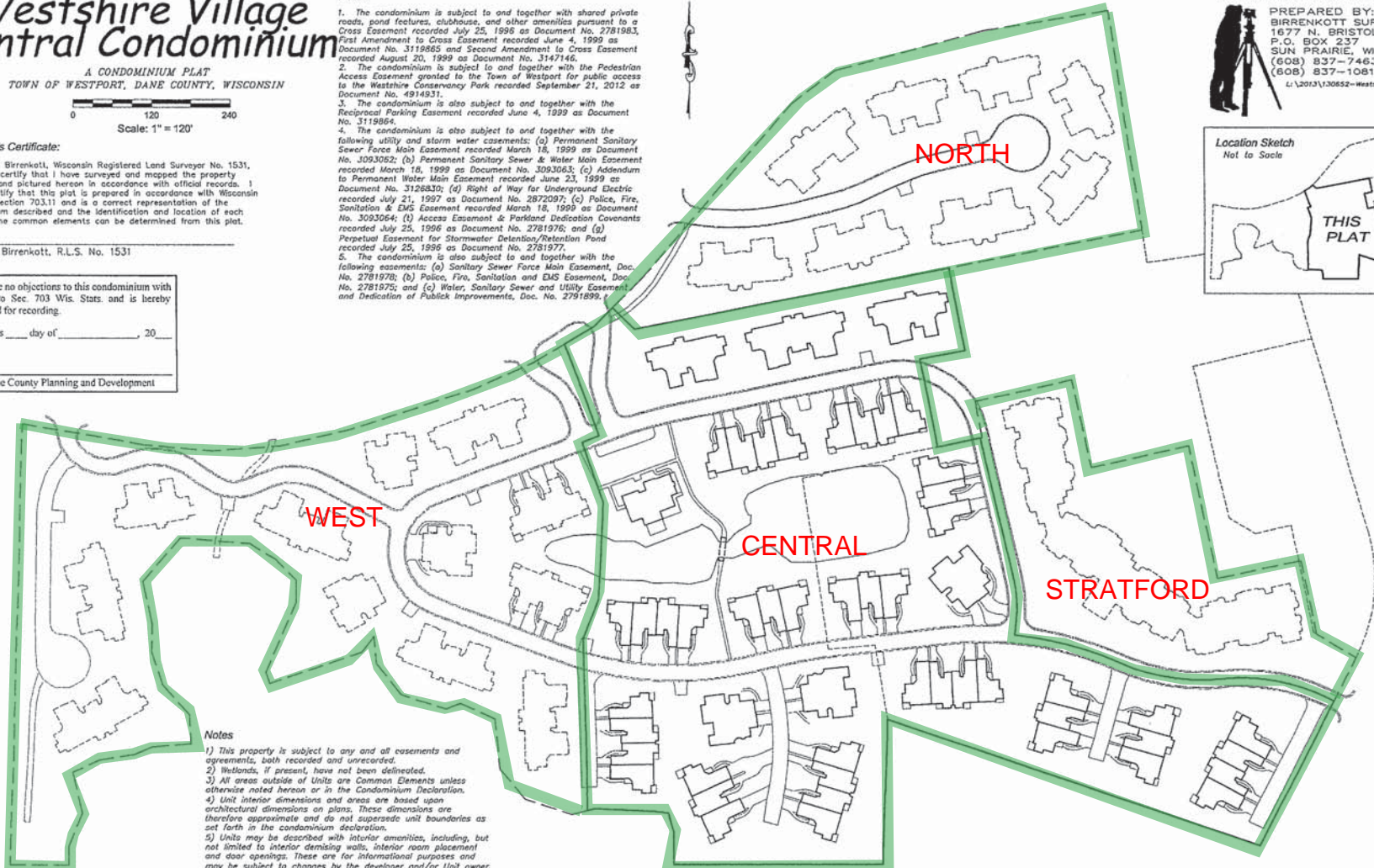
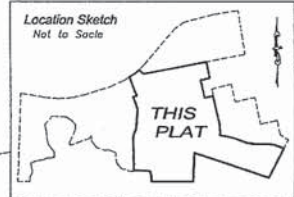
- 1) This property is subject to any and all easements and agreements, both recorded and unrecorded.
- 2) Wetlands, if present, have not been delineated.
- 3) All areas outside of Units are Common Elements unless otherwise noted hereon or in the Condominium Declaration.
- 4) Unit interior dimensions and areas are based upon architectural dimensions on plans. These dimensions are therefore approximate and do not supersede unit boundaries as set forth in the condominium declaration.
- 5) Units may be described with interior amenities, including, but not limited to interior demising walls, interior room placement and door openings. These are for informational purposes and may be subject to changes by the developer and/or Unit owner. They should not be relied upon for exact interior design.
- 6) This survey shows visible, above-ground improvements only. No guarantee is made for below-ground structures.

BIRRENKOTT SURVEYING, INC.



PREPARED BY:
BIRRENKOTT SURVEYING, INC.
1677 N. BRISTOL STREET
P.O. BOX 237
SUN PRAIRIE, WI 53590
(608) 837-7463 office
(808) 837-1061 fax
L: 2013/130652-Westshire Village

Location Sketch
Not to Scale



SHEET 1 OF 4
OFFICE MAP NO. 130652