

AN ORDINANCE TO AMEND THE LAND USE PLAN OF THE VILLAGE OF DOUSMAN PERTAINING TO LANDS BOUNDED BY HIGHWAY 18 ON THE NORTH, HIGHWAY 67 ON THE EAST AND NORTH MAIN STREET ON THE WEST (THREE PILLARS SENIOR LIVING COMMUNITIES)

WHEREAS, the Village of Dousman Village Planner recommends the Village consider an amendment to the Land Use Plan of the Village of Dousman, also known as the Comprehensive Plan; and

WHEREAS, the consideration of the amendment has been initiated by the petition of Mark Strautman, President and CEO of Three Pillars Senior Living Communities, as part of a process to mitigate, or make available for development approximately 5.8 acres of three separate areas currently designated as Primary and Secondary Environmental Corridor on Map 5 entitled "Proposed Land Uses, Village of Dousman," and establish, or replant, approximately 8.8 acres as new environmental corridor area to be shown on Map 5, with the prior designated environmental corridor areas to be designated as either Low-Density Multi-Family or High-Density Multi-Family, while other land use designations within the approximately 104 acre area bounded by Highway 18 on the north, Highway 67 on the east and North Main Street on the south will remain the same as shown on Map 5; and

WHEREAS, Three Pillars Senior Living Communities has submitted a companion application for a zoning district boundary change (rezoning) to amend zoning districts on the Village of Dousman Zoning Map between the C-1, Conservancy District, and the GR, General Residence District with the existing and new environmental areas to be controlled by the C-1 zoning district, and the existing and new non-environmental areas to be controlled by the GR zoning district; and

WHEREAS, the Village of Dousman Plan Commission has recommended the Village of Dousman Land Use Plan be amended to provide consistency between the Land Use Plan and application of the Zoning Code, as required by the State of Wisconsin Comprehensive Planning Law (Statute Section 66.1001), considering the change in conditions via the mitigation plan within portions of the approximately 104 acres; and

WHEREAS, on Monday, May 13, 2019, a public hearing was held by the Village of Dousman Village Board to take public testimony regarding said amendment after publication and mailing of notice as required by Section 66.1001 of State of Wisconsin Statutes; and

WHEREAS, upon due consideration of all the information received for this matter, and the recommendation of the Village of Dousman Plan Commission, the Village of Dousman Village Board finds that the changes to the Village of Dousman Land Use Plan will not be contrary to the public health, safety or welfare, and will promote the public health, safety and welfare of the Village of Dousman, will not be hazardous, harmful, noxious, offensive or nuisance by reason of noise, dust, smoke, traffic

congestion, odor or other similar factors; and will not for any other reason cause substantial adverse effect on the property values and the general desirability of the affected properties.

NOW, THEREFORE, the Village Board of the Village of Dousman, Waukesha County, DOES HEARBY ORDAIN AS FOLLOWS;

SECTION 1: The Comprehensive Plan for the Village of Dousman entitled "Land Use Plan, Village of Dousman, Waukesha County, Wisconsin, adopted by the Village Board of the Village of Dousman on April 5, 2006, is hereby amended as follows:

A. Map 5, "Proposed Land Uses, Village of Dousman", page 21, shall be amended by changing the land use designations between Environmental Corridor and Low-Density Multi-Family or High-Density Multi-Family for the areas shown on Exhibit A. All other maps within the Land Use Plan providing the land use designation of the areas highlighted on Exhibit A shall also be amended.

B. The written description of the land use designation of Low-Density Multi-Family and High-Density Multi-Family on page 22 of the Land Use Plan shall remain as written.

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 decisions 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, section 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

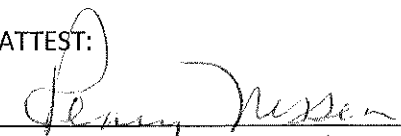
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 13th day of May, 2019

VILLAGE OF DOUSMAN


Jack Nissen, Village President

ATTEST:


Penny Nissen, Village Clerk/Treasurer

Draft prepared by Bruce Kaniewski, Village Planner
April 25, 2013