

ORDINANCE NO. 149-2026

AN ORDINANCE TO AMEND THE VILLAGE OF SUMMIT 2045
COMPREHENSIVE PLAN INCLUDING AN AMENDMENT TO APPENDIX A: THE
2045 FUTURE LAND USE MAP AND AMENDMENTS TO THE TEXT OF 9.7.4:
MIXED-USE LAND USE CATEGORY PURSUANT TO SECTION 66.1001 OF THE
WISCONSIN STATUTES

WHEREAS, Section 61.35 of Wisconsin Statutes applies the standards and requirements of Section 62.23 - City Planning - on Villages in the State of Wisconsin and the Village of Summit has by ordinance established a Plan Commission for the Village of Summit pursuant to said Sections of the Wisconsin Statutes; and

WHEREAS, Section 62.23 (2), and (3) of the Wisconsin Statutes provides that it shall be the function and duty of the Plan Commission to make and adopt a Master Plan for the physical development of the Village of Summit and environs, which, together with accompanying maps, plats, charts, and descriptive and explanatory matter, shall show the Plan Commission's recommendations for such physical development; and

WHEREAS, Section 62.23(3)(a) of the Wisconsin Statutes provides that the master plan shall be made "with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development"; and

WHEREAS, in 1999, the Wisconsin Legislature enacted a comprehensive planning law, which is set forth in Section 66.1001 of the Wisconsin Statutes, that requires that master plans (which are referred to under Section 66.1001 as "comprehensive" plans; referred to herein as "comprehensive master plan") be completed and adopted by local governing bodies in order for a town, county, city, or village to enforce its zoning, subdivision, or official mapping ordinances; and

WHEREAS, the Town of Summit prepared such a plan in June, 2001, as one of the first comprehensive master plans approved under Section 66.1001 of the Wisconsin Statutes, with the recommendation that the Plan be reviewed and updated at the end of ten years; and

WHEREAS, Section 66.1001(2) of the Wisconsin Statutes sets forth specific requirements affecting the contents and procedures for adoption of a comprehensive master plan; and

WHEREAS, as of January 1, 2010, Sections 62.23(3)(b) and 66.1001(3) of the Wisconsin Statutes requires, in part, that villages engaging in any of the following actions to take such actions in accordance with their comprehensive master plan:

- Official mapping established or amended under Section 62.23(6) of the Wisconsin Statutes;
- Local subdivision regulation under Section 236.45 or 236.46 of the Wisconsin Statutes;
- Zoning ordinances and shoreland zoning ordinances enacted or amended under Section 61.35, 62.23(7) and 61.351 of the Wisconsin Statutes and other laws; and

WHEREAS, the Town of Summit was incorporated into the Village of Summit on July 29, 2010, taking on the responsibilities and authorities of the previous Town of Summit; and

WHEREAS, the Village Board, at the recommendation of the Village of Summit Plan Commission approved the Village of Summit Master Plan 2020 on November 3, 2011 which fully complied with Section 62.23 and 66.1001 of the Wisconsin Statutes; and

WHEREAS, the Village Board, at the recommendation of the Village of Summit Plan Commission have previously approved amendments to the Village of Summit Master Plan 2020 from time to time; and

WHEREAS, the Village Board, at the recommendation of the Village of Summit Plan Commission approved a comprehensive update to the Plan that was published and posted on September 8, 2023, titled “Village of Summit 2045 Comprehensive Plan”; and

WHEREAS, on October 10, 2024, the Village Board, at the recommendation of the Village of Summit Plan Commission, adopted Ordinance No. 132-2024 amending the Future Land Use Map of the Village of Summit 2045 Comprehensive Plan to amend the designation of approximately 41.77 acres of vacant land located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (CTH P), more specifically described as Lot 2 Certified Survey Map No. 11510, Book 114, Page 310-319, part of the NE ¼ and SE ¼ of Section 14 and part of the SE ¼ and SW ¼ of Section 11, T7N, R17E (SUMT0629998011) from the Industrial/Business Park category to the Institutional category subject to several conditions being met. The conditions were not met and one of such unmet conditions required that the property have all necessary permits to operate a K-12 day school campus with outdoor amenities within one year of the Land Use Map Amendment being approved by the Village Board. Therefore, the property remains in the Industrial/Business Park category; and

WHEREAS, pursuant to Section 10.5 of the Village of Summit 2045 Comprehensive Plan, the Village of Summit has received a request from a petitioner to amend the Future Land Use Map of the Village of Summit 2045 Comprehensive Plan to amend the designation of approximately 41.77 acres of vacant land located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (CTH P), more specifically described as Lot 2 Certified Survey Map No. 11510, Book 114, Page 310-319 (SUMT0629998011), and approximately

14.98 acres of vacant land located in the southwest corner of Pabst Farms Boulevard and N. Sawyer Road (CTH P), more specifically described as Lot 3 Certified Survey Map No. 11510, Book 114, Page 310-319 (SUMT0629998012), both properties being located in part of the NE ¼ and SE ¼ of Section 14 and part of the SE ¼ and SW ¼ of Section 11, T7N, R17E (the “Subject Properties”) from the Industrial/Business Park category to the Mixed Use category as generally illustrated on Exhibit A which is attached hereto and incorporated herein by reference; and

WHEREAS, the Village of Summit has received an additional request from the same petitioner to amend the text of Section 9.7.4 Mixed Use Land Use Category of the Village of Summit 2045 Comprehensive Plan as provided on Exhibit B which is attached hereto and incorporated herein by reference; and

WHEREAS, the owner of the Subject Properties and the residents of all properties within 500 feet of the Subject Properties were notified of the April 16, 2026 Village of Summit Plan Commission meeting when the item was introduced and also notified of the public hearing, in accordance with the adopted Public Participation Plan that is part of the Village of Summit 2045 Comprehensive Plan; and

WHEREAS, the Village of Summit Plan Commission found that the proposed amendments to the Future Land Use Map and amendments to the text of the Village of Summit 2045 Comprehensive Plan comply with Section 66.1001 of the Wisconsin Statutes and are consistent with the purpose and intent of the comprehensive master plan and are compatible with surrounding properties; and

WHEREAS, on April 16, 2026 the Village of Summit Plan Commission adopted Resolution # 26-485 by a majority vote of the entire Village of Summit Plan Commission recommending the Village Board adopt the amended Land Use Map pursuant to Section 66.1001(4)(b) of the Wisconsin Statutes; and

WHEREAS, the Village Clerk sent the adopted resolution, proposed amendment and related map(s), if applicable, to all entities listed in Section 66.1001(4)(b) of the Wisconsin Statutes; and

WHEREAS, a Class 1 Public Notice was properly published in the Oconomowoc Enterprise on May 7, 2026 for the duly noticed public hearing that was conducted by the Village Board on, June 11, 2026, in accordance with Section 66.1001(4)(d) of the Wisconsin Statutes; and

WHEREAS, the Village Board of the Village of Summit, having determined that all procedural requirements and notice requirements have been satisfied, having given consideration to all public comments received, and having given the matter due consideration, including consideration of the plan components related to issues and opportunities, housing, transportation, utilities and community facilities, agricultural, natural and cultural resources, economic development, intergovernmental cooperation, land use, and implementation, and having based its determination on the effect of the land

use amendment accomplishing coordinated, adjusted, and harmonious development of the Village which, in accordance with existing and future needs, would in the opinion of the Village Board best promote public health, safety, morals, order, convenience, prosperity of the general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin, by a majority vote of the members-elect of the Village Board, DOES ORDAIN as follows:

SECTION 1: That the Future Land Use Map of the Village of Summit 2045 Comprehensive Plan be amended from the Industrial/Business Park category to the Mixed Use category on approximately 41.77 acres of vacant land located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (CTH P), more specifically described as Lot 2 Certified Survey Map No. 11510, Book 114, Page 310-319 (SUMT0629998011), and approximately 14.98 acres of vacant land located in the southwest corner of Pabst Farms Boulevard and N. Sawyer Road (CTH P), more specifically described as Lot 3 Certified Survey Map No. 11510, Book 114, Page 310-319 (SUMT0629998012), both subject properties being located in part of the NE ¼ and SE ¼ of Section 14 and part of the SE ¼ and SW ¼ of Section 11, T7N, R17E, illustrated on Exhibit A, and that the amendment to the text of Section 9.7.4 Mixed Use Land Use Category of the Village of Summit 2045 Comprehensive Plan be amended according to the language provided on Exhibit B provided the following conditions are met:

- 1) The text amendments to the Village of Summit 2045 Comprehensive Plan and map amendment to the Future Land Use Map are not effective until such time the Subject Properties are rezoned to an appropriate Zoning District category that accommodates Mixed Use Development and subject to rezoning to a Planned Development Overlay District in accordance with Section 111-359 of the Village of Summit Zoning and Shoreland Ordinance. The Planned Development Overlay District rezoning shall provide specific design requirements to encourage uniform and harmonious development, such as location and scale of buildings, architectural and site design, community public and green spaces, lighting, signage and landscaping.
- 2) Residential density is limited to the certain portions of the Subject Properties on the north side of Pabst Farms Boulevard (SUMT0629998011) and shall not exceed 10 units per acre of the area proposed to be developed as residential. The residential area shall not exceed 36 acres and shall be generally located in the area shown on Exhibit C which is attached hereto and incorporated herein by reference.
- 3) The development of the Subject Properties shall include commercial uses on the entire portion of the Subject Properties located on the south side of Pabst Farms Boulevard (SUMT0629998012) and shall include commercial uses along a majority of Pabst Farms Boulevard on the property located north of Pabst Farms Boulevard (SUMT0629998011) as indicated on Exhibit C which is attached hereto and incorporated herein by reference.
- 4) The Subject Properties shall obtain and maintain all necessary permits to operate as a Mixed-Use Development within one year of the Land Use Map Amendment being

approved by the Village Board, including the approval of a Rezone and Planned Development Overlay District, as described in Condition 1, noted above. This condition does not include specific Site Plan Development approvals for individual buildings and site improvements, or possible future land divisions.

- 5) The Future Land Use Map amendment is not effective until such time Exhibit A of the Agreement for the Treatment of Wastewater Between the Town of Summit (now Village) and the City of Oconomowoc is amended to allow Mixed Uses (commercial, residential, institutional).

SECTION 2. FILING.

The Village Clerk is directed to provide a copy of this Ordinance that is hereby adopted, and any related map and descriptive materials related to the application, to the persons and entities described in Section 66.1001(4)(b) of the Wisconsin Statutes, as required by Section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION 3. SEVERABILITY.

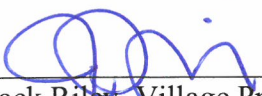
The several sections and portions of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified 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 4. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed and adopted this 11th day of June, 2026.

VILLAGE OF SUMMIT



Jack Riley, Village President



ATTEST:



Debra J. Michael, Village Administrator-Clerk/Treasurer

Published and posted this 22 day of September, 2026.

This instrument drafted by
Amy Barrows, Village Planner



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Δ Revisions

SK-00

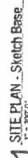


EXHIBIT B

Section 9.7.4 Mixed-Use

The mixed-use category is designated for areas appropriate for multiple types of commercial/office uses and various residential uses (single-family, duplex, or multi-family), designed to develop as part of an overall planned development. Residential density in these areas shall not exceed a net four (4) units per acre, with exceptions specified herein. These areas do not include Industrial/Business Park uses, manufacturing, production facilities, gas/convenience stores, warehousing, car dealerships, or strip malls, unless the strip mall is determined by the Village Board, following a recommendation from Plan Commission, to maximize the value of the property and is aesthetically pleasing and complementary to the surrounding neighborhood.

- Development under this land use would only be allowed if public sewer is available.
- If municipal water is available within 1,000 linear feet and provided by the City of Oconomowoc, then this must also be extended and included in the development.
- The property located in the southwest corner of CTH DR and CTH P (SUMT0665999) is not located in a sewer service area. In order for development to occur as Mixed-Use, the Village must amend the sanitary sewer service area allowance per SEWRPC Community Assistance Planning Report No. 172, 2nd Edition. A logical provider of service would be the Summit Utility District #2.
- Lands located in the northeast corner of STH 18 and CTH BB (SUMT0697998005 and SUMT0697990) are included in this category to allow for redevelopment of this area in combination with the existing commercial uses. Due to the length of time for utility service, the Village Board may waive the sewer requirement based on the plan proposed.
- The Village Board may consider an amendment on a portion of property located at 35535 Delafield Road (SUMT0665998) along CTH DR from the SF 2.4-acre density classification to the Mixed-Use classification at such time sewer is available to the property.
- Residential uses are only allowed if commercial uses are present within the same development. More intensive commercial/office uses should be placed closer to the exterior roadways, with any residential component and site buffering the adjacent uses.

- Residential density is limited to four (4) units per acre, with the exception of three properties, which are limited to ten (10) units per acre:
 - Summit Village Commons property identified as SUMT0661977, 3.89 acres. This property was transferred into the previously designated Multi-Family Residential Development classification in 2020 to accommodate a condominium development. Since that land use classification has been replaced with a residential density of 0.25-acres per unit, the property has been reclassified as part of this comprehensive plan update to the Mixed-Use classification. Since the Summit Village Commons development includes a mix of uses and remainder of the development is identified as Mixed-Use, this classification is more appropriate.
 - 2133 N. Sawyer Road, SUMT0670997, 18.1 acres.
 - Portion of SUMT0629998011 in Pabst Farms Development, not to exceed an area of 36 acres, with commercial uses required along a majority of Pabst Farms Boulevard.

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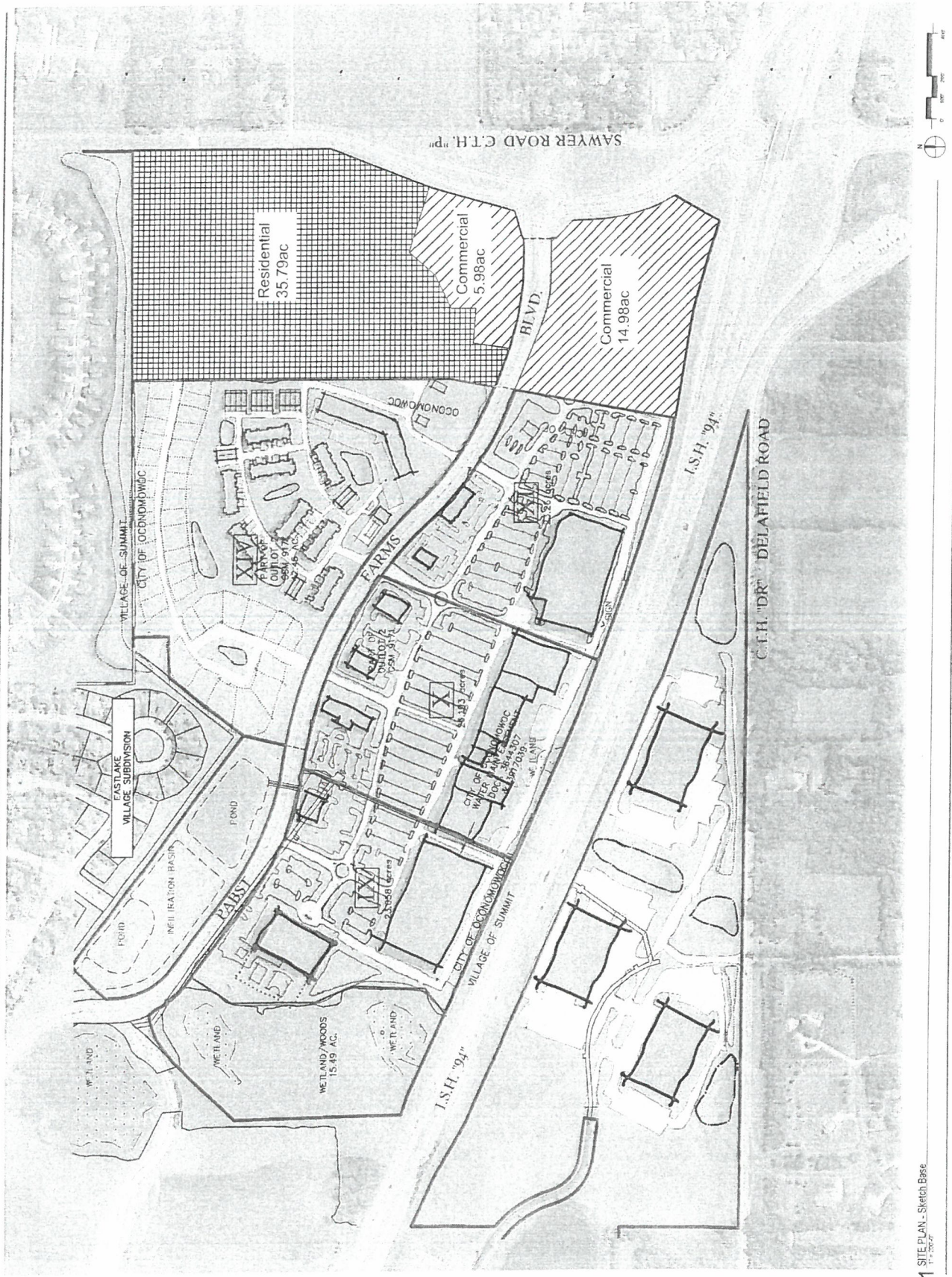
Δ Revisions

CONCEPT DESIGN
PABST FARM
MASTERPLAN

PABST FARM ROAD
WISCONSIN
Date Issued: 11/20/2025
RII#KA project #: 25096
Sheet Title

SKETCH BASE
24X36

SK-00

1 SITE PLAN - Sketch Base
4" = 300' 0"