

RESOLUTION NO. 11-06-06-01

**A Resolution Approving A Precise Implementation Plan,
As Amended, For The Project Known As Mill Street Plaza Development.**

WHEREAS, Fairwyn Development Corporation (“Fairwyn”) did, in two phases, previously petition the Village of Fontana-on-Geneva Lake to amend the Village’s zoning ordinance (and accompanying zoning map) with regard to the property described more specifically in Addendum “A”, attached hereto and incorporated herein by reference as if set forth at length herein (the “Subject Property”); and

WHEREAS, the Village did subsequently adopt two ordinances rezoning the Subject Property to the Planned Development Zoning District and approving a General Development Plan (“GDP”) for the Subject Property; and

WHEREAS, Fairwyn did petition the Village for approval of a Precise Implementation Plan (“PIP”) for the Subject Property by filing the components of the PIP; and

WHEREAS, the Village did, by Resolution adopted on October 2, 2006, approve a PIP as called for by Village Ordinance and in furtherance of the GDP for the Subject Property; and

WHEREAS, Fairwyn did subsequently petition the Village for a further amendment to the PIP described in a Resolution adopted on October 2, 2006 to address details related to the pre-existing commercial building located on the Subject Property, the type and location of a group sign on the Subject Property and clarification of the retail use and the retail use area to a more general commercial use; and

WHEREAS, the Plan Commission has approved said proposed further amendment to the PIP for the Subject Property; and

WHEREAS, the Village Board has been asked to consider the proposed amendment to the PIP as submitted by Fairwyn and as approved by the Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Board for the Village of Fontana-on-Geneva Lake, as follows:

SECTION 1.

That the recitals set forth above are incorporated herein by reference as if set forth at length herein.

SECTION 2.

A. That the proposed amendment to the PIP for the Subject Property, herein defined, is

hereby approved, which said PIP is, as a result of this amendment, comprised of the following specific items and elements, which said items and elements are on file with the Village Clerk for the Village of Fontana in lieu of attaching said items to this Resolution:

1. July 15, 2005 letter from Attorney John Clair to the Village.
2. Proposed Condominium Declaration for Mill Street Condominiums.
3. Proposed Articles of Incorporation and By-laws for Mill Street Condominium Association, Inc.
4. July 15, 2005 letter from Fairwyn.
5. Storm water planning document (bearing heading description of "Section 02722"), undated and comprised of seven (7) pages.
6. Tree and planting plan entitled "Fontana Project Mill Street Office Landscape Design Plan", undated, comprised of seven (7) pages, the last of which is a hand-drawn planting plan on a sheet numbered "G2" from Workshop Architects.
7. A "Site Plan" from Gary P. Welch, P.E., dated last revised July 15, 2005 and comprised of three (3) large pages described as drawing numbers C-1, C-2 and C-3.
8. A proposed Condominium Plat for Mill Street Condominiums as prepared by Farris, Hansen & Associates and bearing a date of July 5, 2005 and comprised of seven (7) large pages.
9. A set of architectural plans prepared by Workshop Architects, Inc. and bearing a last revision date of May 23, 2005 and comprised of pages numbers G1, G2, G3, R1, R2, R3, R4, A1, A2, A3, A4, B1, B2, B3, B4, B5, C1, C2, C3, C4, D1, D2, D3, D4, E1, E2, E3, E4, E5, F1, F2, F3, F4, and F5 (34 pages in total).
10. Revised architectural elevation to Unit 202 dated received November 17, 2005 as an alteration to item 9 above.
11. Revised architectural elevation to Unit 301 dated received November 17, 2005 as an alteration to item 9 above.
12. Revised architectural elevation to Unit 601 dated received November 17, 2005 as an alteration to item 9 above.
13. Revised architectural elevation to Unit 701 dated received November 17, 2005 as an alteration to item 9 above.
14. Revised architectural elevation to Unit 702 dated received November 17, 2005 as

an alteration to item 9 above.

15. A twelve-page set of architectural drawings and elevations for a “retail building” to be built as part of the Mill Street Plaza development as prepared by Workshop Architects and bearing project number 04-1176, which said twelve pages are more specifically described as follows:

- a. Sheet T100, Title Sheet (dated received by the Village 09/08/2006);
- b. Sheet A200 entitled First Floor Plan (dated received by the Village 09/08/2006);
- c. Sheet A201 entitled Roof Plan (dated received by the Village 09/08/2006);
- d. Sheet A400 entitled Elevations (more recent version dated received by the Village 09/28/2006);
- e. Sheet A401 entitled Elevations (more recent version dated received by the Village 09/28/2006);
- f. Sheet A500 entitled Building Sections (dated received by the Village 09/08/2006);
- g. Sheet A501 entitled Wall Sections (dated received by the Village 09/08/2006);
- h. Sheet A502 entitled Wall Sections (dated received by the Village 09/08/2006);
- i. Sheet A503 entitled Wall Sections (dated received by the Village 09/08/2006);
- j. Sheet A600 entitled Details (dated received by the Village 09/08/2006);
- k. Sheet A601 entitled Details (dated received by the Village 09/08/2006);
- l. Sheet A800 entitled Window and Door Types and Details (dated received by the Village 09/08/2006);

16. Site Plan and Proposed Grading Plan as prepared Gary P. Welch and bearing a last revision date of September 25, 2006 and dated received by the Village September 28, 2006.

17. Sheet entitled “Specs For Parking Lot light” and bearing a date of receipt of September 26, 2006.

18. Group Sign, one page sheet, dated received September 28, 2006.

19. Location plan for Group Sign described at item 18., herein. Approval of this item is expressly subject to the negotiation and recording of a mutually acceptable sign easement.

20. Submittal made by Attorney John Clair on behalf of the applicant dated September 8, 2006 and comprised of 76 pages.

21. Site plan and architectural drawings for the pre-existing Commercial Use Area which is comprised of the following specific pages as prepared by Workshop Architects called

the “Mill Street Office Building”:

- a. C1 Site Plan
- b. C2 Parking Plan
- c. T100 Title Sheet
- d. A200 Basement Plan & Notes
- e. A201 First Floor Plan, Wall Types & Notes
- f. A203 Roof & Balcony Plans & Notes
- g. A400 Building Elevations
- h. A500 Building Sections
- i. A501 Wall Sections
- j. A502 Wall Sections
- k. A503 Wall Sections
- l. A800 Details
- m. A801 Details
- n. A900 Door & Window Schedules
- o. S100 Foundation Plan
- p. S200 First Floor Framing & Balcony Framing Plan
- q. S300 Roof Framing Plan
- r. S400 Foundation Details
- s. S500 Framing Details

22. Landscape Plan prepared by Workshop Architects dated October 1, 2004 (one page), entitled Sheet “A-1”.

B. That non-substantive deviations from the details set forth in the PIP for the Subject Property, herein defined, and as previously approved, may be reviewed and approved by the Village of Fontana, acting through the Village Administrator, without the need for additional review of said non-substantive changes by the Village Plan Commission or the Village Board.

PASSED AND ADOPTED by the Village Board for the Village of Fontana-on-Geneva Lake this 6th day of November, 2006.

VILLAGE BOARD OF THE VILLAGE OF
FONTANA-ON-GENEVA LAKE

By:

Thomas Whowell, Village President

Attest:

Dennis Martin, Village Clerk

ADDENDUM “A”

Parcel 1:

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 in Block 11, Original Plat of the Village of Fontana, Walworth county, Wisconsin

Also that portion of the vacated alley lying immediately East of Lot 2, being the West ½ of said alley, and all of the vacated alley lying South of the North line of Lot 3 extended East and the North line of Lot 4 extended West, in said Block 11 of the Village of Fontana, Walworth County, Wisconsin.

Parcel 2:

Lot 1 in Block 3 of the Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana, Walworth County, Wisconsin.

Parcel 3:

Part of Lot 1 in Block 2, Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana and part of Outlot 2 of the Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana, Walworth County, Wisconsin described as follows: Beginning at a found iron pipe at the Southeast corner of Lot 1, Block 2, Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana;

Thence South 01E 17' 25" East a distance of 30.00 feet to a set iron pipe; thence South 89E 02' 00" West a distance of 159.62 feet to a set iron pipe; thence North 03E 35' 51" West a distance of 130.32 feet to a found iron pipe; thence North 89E 06' 51" East a distance of 165.16 feet to a found iron pipe; thence South 01E 07' 31" East a distance of 99.95 feet to a found iron pipe; which is the point of beginning.