

RESOLUTION NO. 56-2019

ADOPTING CONDITIONS AND RESTRICTIONS FOR THE SENDIK'S VILLAGE CENTRE PLANNED DEVELOPMENT DISTRICT ("SENDIK'S VILLAGE CENTRE DISTRICT")

WHEREAS, GTown Properties LLC, property owner (hereinafter the "Property Owner") has applied for the creation of a B-2: Community Business Planned Development District (B-2/PDD) to be applied onto the subject property located in the Village of Germantown as generally described in Exhibit A attached hereto; and

WHEREAS, said B-2/PDD is to be known as the "Sendik's Village Centre PDD" and is intended to facilitate the creation of a .35-acre outparcel for purposes of developing a bank; and

WHEREAS, Section 17.27(4) of the Village of Germantown Municipal Code allows for the adoption of conditions and restrictions for Planned Development Districts (PDD) that modify the basic allowances, limitations, and bulk regulations of the underlying zoning district, as well as, allow for the establishment of specific uses, bulk regulations, density standards, yard setbacks, etc. to ensure proper development, operation and maintenance of the development set forth in the General Development Plan; and

WHEREAS, the Village of Germantown Plan Commission on July 8, 2019, reviewed the proposed rezoning application and forwarded a positive recommendation regarding the proposed creation of the "Sendik's Village Centre PDD", and, the General Development Plan to the Village Board;

NOW, THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown hereby adopts the following specific conditions and restrictions that shall apply to all development on and the use of property within the PDD:

1. **PURPOSE AND INTENT.** The Sendik's Village Centre PDD ("SVC-PDD") is intended to facilitate the development of proposed Lot 2 and construction of a 2,250 square foot bank building for North Shore Bank. The development sites and buildings within the SVC-PDD will be designed, located and constructed with architecture consistent with the Germanic Theme Corridor, high-quality materials, generous landscaping, and in a manner that does not negatively impact surrounding properties. Further, it is intended that future development, land uses and activities within the SVC-PDD be compatible with adjacent and surrounding residential and commercial development, and, enhance the economic stability and quality of life in the Village of Germantown.
2. **GENERAL DEVELOPMENT PLAN (GDP).** The General Development Plan (Exhibit B dated June 3, 2019) for the SVC-PDD establishes the basic parameters for all existing and future development within the PDD, including the approximate size and orientation of buildings, lot size, and extent of landscaping and buffering. While all future development within the PDD shall be generally consistent with the GDP, the GDP does not grant specific site development or building approval.

3. **SITE PLAN APPROVAL REQUIRED.** Detailed Site Development and Building Plans shall be prepared and submitted to the Village Plan Commission for review and approval prior to the issuance of any building permit(s) consistent with the requirements of Sections 17.43 and 17.27(5) through (7) of the Zoning Code. Proposed modifications and/or revisions to the GDP shall be reviewed consistent with Section 17.27(9) of the Zoning Code.

4. **SITE DEVELOPMENT AND BUILDING REQUIREMENTS.** Except as set forth below, all site development and buildings shall be constructed in accordance with the lot, building and other applicable bulk requirements set forth in the underlying B-2: Community Business Zoning District and other applicable Zoning Code regulations:
 - a. **LOT AND BUILDING REQUIREMENTS**
 - i. Lot Area (minimum) 0.35 acres
 - ii. Lot Width (minimum) 130 feet
 - iii. Lot Frontage (minimum) 130 feet
 - iv. Principal & Accessory Building Setbacks (minimum)
 1. Front/Street yard 50 feet
 2. Side yard 20 feet
 3. Rear yard 5 feet
 - v. Building Height (maximum)
 1. Principal Building 20 feet
 - vi. Parking Setbacks (minimum)
 1. Front/Street yard 2 feet
 2. Side yard 2 feet
 3. Rear yard 2 feet

 - b. The six (6) parking stalls located east of the drive-thru and the two (2) parking stalls located directly south of the proposed building along the Mequon Road street frontage shall be removed and replaced with landscaping.

 - c. The applicant shall submit building plans that have an enhanced Germanic theme architecture and exterior materials in keeping with the surrounding environment.

5. **APPLICABILITY OF MUNICIPAL CODE.** Unless otherwise set forth herein, all other applicable zoning and development regulations contained in the Germantown Municipal Code (e.g. Shoreland-Wetland Zoning, Floodplain Zoning, Subdivision) shall apply to development and land use within the SVC-PDD. In the event a requirement, restriction or limitation set forth herein conflicts with a similar requirement, restriction or limitation found in another section of the Municipal Code, the most stringent requirement, restriction or limitation shall apply.

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6. **SIGNAGE.** The use of trailers, cars, trucks, vans, or other motor vehicles for purposes of displaying advertising or permanent or temporary signage for any purpose within the SVC-PDD that is not consistent with and permitted under Section 17.46 of the Zoning Code is prohibited.

Adopted:

Trustee Myers

Vote:

Ayes: 7 Nays: 1


Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig
Deanna Braunschweig, WCMC/CMC
Village Clerk

EXHIBIT A

**Sendik's Village Centre District (PDD)
Boundary Legal Description**

PARCEL 1:

Parcel 1 of Certified Survey Map No. 5098, recorded on May 13, 1999, in Volume 35 of Certified Survey Maps on Pages 246-250, as Document No. 824738 and being a redivision of Parcels 1 and 3 of Certified Survey Map No. 2680, being a part of the southeast 1/4 of the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, State of Wisconsin.

PARCEL 2:

A non-exclusive easement for the benefit of Parcel 1 as created by Declaration of Easement recorded in Volume 1145 of Records, on Page 487, as Document No. 586057 and as amended by Amendment to the Declaration of Easements recorded in Volume 1243 of Records, on Page 37, as Document No. 614885.

PARCEL 3:

A non-exclusive easement for the benefit of Parcel 1 as created in Parking Easement Agreement executed by and between Decade 80-I Ltd., a limited partnership, and McDonald's Corporation, dated October 12, 1992 and recorded on October 15, 1992, in Volume 1243 of Records, on Page 47, as Document No. 614886.

Property Address: N112 W15800 Mequon Road, Germantown, WI
Tax Key No.: GTNV 224-974

EXHIBIT B

**Sendik's Village Centre Planned Development District (PDD)
General Development Plan**

{Attach General Development Plan Dated June 6, 2019}