

RESOLUTION NO. 54-2019

ADOPTING CONDITIONS AND RESTRICTIONS FOR THE STONECAST PRODUCTS PLANNED DEVELOPMENT DISTRICT ("STONECAST PRODUCTS DISTRICT")

WHEREAS, Jim Marriott, President of Stonecast Products and agent for SPI Real Estate LLC, property owner (hereinafter the "Property Owner") has applied for the creation of an M-1: Limited Industrial Planned Development District (M-1/PDD) to be known as the "Stonecast Products District" located in the Village of Germantown as generally described in Exhibit A attached hereto; and

WHEREAS, said "Stonecast Products District M-1/PDD is intended to facilitate the expansion of the pre-cast concrete panel production operation by adopting rear setback requirements that would allow the expansion of an existing building; 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 September 9, 2019, reviewed the proposed rezoning application and forwarded a positive recommendation regarding the proposed creation of the "Stonecast Products District M-1/PDD; and

NOW, THEREFORE BE IT RESOLVED that the Village Bard 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 Stonecast Products PDD ("SP-PDD") is intended to facilitate the expansion of the pre-cast concrete panel production operation by adopting rear yard building setback requirements that would allow the expansion of an existing building. Further, it is intended that future development, land uses and activities within the SP-PDD be compatible with adjacent and surrounding properties, 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) for the SP-PDD establishes the basic parameters for all existing and future development within the PDD, including the approximate size and orientation of buildings. While future development within the SP-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) for any building construction over 5,000 sqft in gross floor area consistent with the requirements of Sections 17.43 and 17.27(5) through (7) of the Zoning Code. Building construction up to 5,000 sqft in area may be approved as a "minor" improvement requiring Zoning Permit approval by the Zoning Administrator pursuant to Section 17.43(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 M-1: Limited Industrial District and other applicable Zoning Code regulations:
 - a. **LOT AND BUILDING REQUIREMENTS**
 - i. Principal & Accessory Building Setbacks (minimum)
 1. Rear yard 10 feet

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 SP-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.

6. **WisDOT & RAILROAD RIGHT-OF-WAY APPROVAL REQUIRED.** In order to maintain a minimum 20' driveway width around the production building for purposes of emergency vehicle access (and/or Stonecast Products vehicle access), Stonecast Products will need to utilize a portion of the adjacent railroad right-of-way in the vicinity of the production building expansion for said emergency vehicle access. Therefore, Stonecast Products shall obtain written permission to use that area of the railroad right-of-way from WisDOT and/or the railroad and satisfy whatever maintenance or other requirements set forth by WisDOT and/or the railroad.

Introduced by: Trustee Kaminski

Adopted: September 16, 2019

Vote: Ayes: 8 Nays: 0


Dean Wolter, Village President

ATTEST:
Deanna Braunschweig
Deanna Braunschweig, Village Clerk

EXHIBIT A

**Stonecast Products District (M-1/PDD)
Boundary Legal Description**

Parcel 2, CSM No. 2747 along with lands in the Northeast 1/4 of Section 26, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the northwest corner of said 1/4 section, thence n 88°35'07" e 1156.55 feet along the north line of said 1/4 section to a point; thence s 01°24'59" e 65.00 feet to the point of beginning of lands to be described; thence n 88°35'07" e 467.78 feet; thence s 37°42'59" e 488.50 feet; thence southeast along the arc of a curve whose center lies to the northeast, whose radius is 4363.25 feet and whose chord bears s 40°42'52" e 456.71 feet; thence s 40°53'56" w 128.47 feet; thence n 63°28'04" w 1086.46 feet; thence n 01°24'52" w 332.95 feet to the point of beginning. Containing: 463,320 square feet or 10.636 acres

Tax Parcel: GTNV 261-985
Property Address: N112 W14475 Mequon Road

Tax Parcel: GTNV 261-983
Property Address: N112 W14423 & N112 W14343 Mequon Road

EXHIBIT B

**Stonecast Products District (M-1/PDD)
General Development Plan**

{Attach General Development Plan}