

**RESOLUTION NO. 69-2019**

**ADOPTING CONDITIONS AND RESTRICTIONS  
FOR THE GERMANTOWN PLAZA PLANNED DEVELOPMENT DISTRICT  
("GERMANTOWN PLAZA DISTRICT")**

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**WHEREAS**, Tom Howald, agent for ALDI Inc., and Germantown BB LLC, property owner (hereinafter the "Property Owner") has applied for the creation of a B-1: Neighborhood Business Planned Development District (B-1/PDD) to be known as the "Germantown Plaza District" located in the Village of Germantown as generally described in Exhibit A attached hereto; and

**WHEREAS**, said Germantown Plaza District is intended to facilitate the expansion of the existing multi-tenant retail building known as the Germantown Plaza by adopting a side yard setback requirement that is different than the standard setback requirement in the B-1: Neighborhood Business District in order to accommodate said expansion; 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 November 11, 2019, reviewed the proposed rezoning application and forwarded a positive recommendation regarding the proposed creation of the "Germantown Plaza B-1/PDD District" ; and

**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:

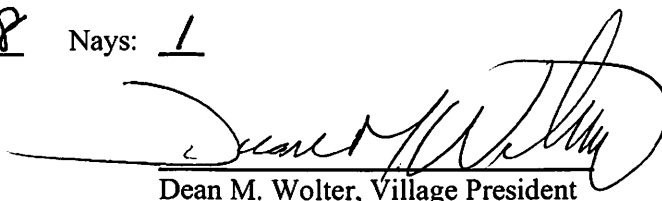
1. **PURPOSE AND INTENT.** The Germantown Plaza PDD (hereafter "GP-PDD") is intended to facilitate the expansion of the existing multi-tenant retail building known as the Germantown Plaza by adopting a side yard setback requirement that is different than the standard setback requirement in the B-1: Neighborhood Business District in order to accommodate said expansion. It is further intended that future development, land uses and activities within the GP-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 GP-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 consistent with the requirements of Sections 17.43 and 17.27(5) through (7) 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 B-1: Neighborhood Business District under Section 17.28(4) and other applicable Zoning Code regulations:
  - a. **LOT, YARD AND BUILDING REQUIREMENTS**
    - i. Principal & Accessory Building Setbacks (minimum)
      1. Side Yard                      12 feet
  
5. **CONDITIONAL USES.** The list of uses allowed in the Germantown Plaza District shall be the same as those listed under Section 17.28(3) of the Zoning Code except that buildings or stores over 20,000 sqft in area (which shall be allowed as a permitted use because the existing building is already greater than 20,000 sqft in area).
  
6. **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 GP-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.

Introduced by: Trustee Meyer

Adopted: November 18, 2019

Vote:                      Ayes: 8      Nays: 1

  
Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig  
Deanna Braunschweig, WCMC/CMC  
Village Clerk

Germantown Plaza Planned Development District (B-1/PDD)

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**EXHIBIT A**

**Germantown Plaza District (B-1/PDD)  
Legal Description**

Legal Description: Parcel 1 of CSM No. 5589 being part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 32, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. Containing 7.25 acres.

Tax Parcel: GTNV 324-968  
Property Address: N96 W18838 County Line Road

**EXHIBIT B**

**Germantown Plaza District (B-1/PDD)  
General Development Plan**

*{Attach General Development Plan}*