

RESOLUTION NO. 13-2022

AMENDING RESOLUTION 6-2020 THAT ESTABLISHED CONDITIONS AND RESTRICTIONS FOR THE GERMANTOWN GATEWAY CORPORATE PARK PLANNED DEVELOPMENT DISTRICT

WHEREAS, Frank Dekan, agent for Zilber Property Group and TI Investors of Germantown II LLC, property owner, was granted approval in 2020 to create a 33.07-acre M-1: Limited Industrial Planned Development District (M-1/PDD) to be known as the "Germantown Gateway Corporate Park Planned Development District" located in the Village of Germantown as generally described in Exhibit A attached hereto; 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, division, operation and maintenance of the development set forth in the General Development Plan; and

WHEREAS, Frank Dekan, agent for Zilber Property Group and ZPG Development LLC, property owner, has applied for an amendment to expand the Germantown Gateway Corporate Park Planned Development District to include an additional 55.9 acres of land generally described in Exhibit B attached hereto; and

WHEREAS, the Village of Germantown Plan Commission on March 14, 2022, reviewed the proposed expansion of the Germantown Gateway Corporate Park Planned Development District and forwarded a positive recommendation to expand said District; and

NOW, THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown hereby adopts the following amendments to the list of specific conditions and restrictions established in Resolution No. 6-2020 that shall apply to all development on and the use of property within the PDD:

1. **PURPOSE AND INTENT.** The Germantown Gateway Corporate Park District is intended to facilitate the division of a single 33.07 acre parcel containing two multi-tenant industrial buildings into two separate parcels (Zilber Building #2 & Zilber Building #3). Further, it is intended to facilitate the division and development of all the continued use of land within the District be consistent with the M-1: Limited Industrial Zoning District requirements, allowances and restrictions, as well as, ensure said development is compatible with adjacent and surrounding properties to further 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 Germantown Gateway Corporate Park District establishes the basic parameters for all existing and future development within the District, including the approximate size and orientation of buildings. While future development within the District shall be generally consistent with the GDP, the GDP does not grant specific site development or building approval.

EXHIBIT A

**Germantown Gateway Corporate Park District (M-1/PDD)
Original Boundary Legal Description**

Lot Three (3) of CERTIFIED SURVEY MAP NO. 6898, being a Redivision of Lot Two (2) of CERTIFIED SURVEY MAP NO. 6824, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7, and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, recorded in the Office of the Register of Deeds for Washington County on May 29, 2019 in Volume 53 of Certified Survey Maps, Pages 223 to 228 inclusive, as Document No. 1472573. 33.072 Acres

Tax Parcel: GTNV 073-986
Property Address: W210 N12805 & W210 N12855 Gateway Crossing

EXHIBIT B

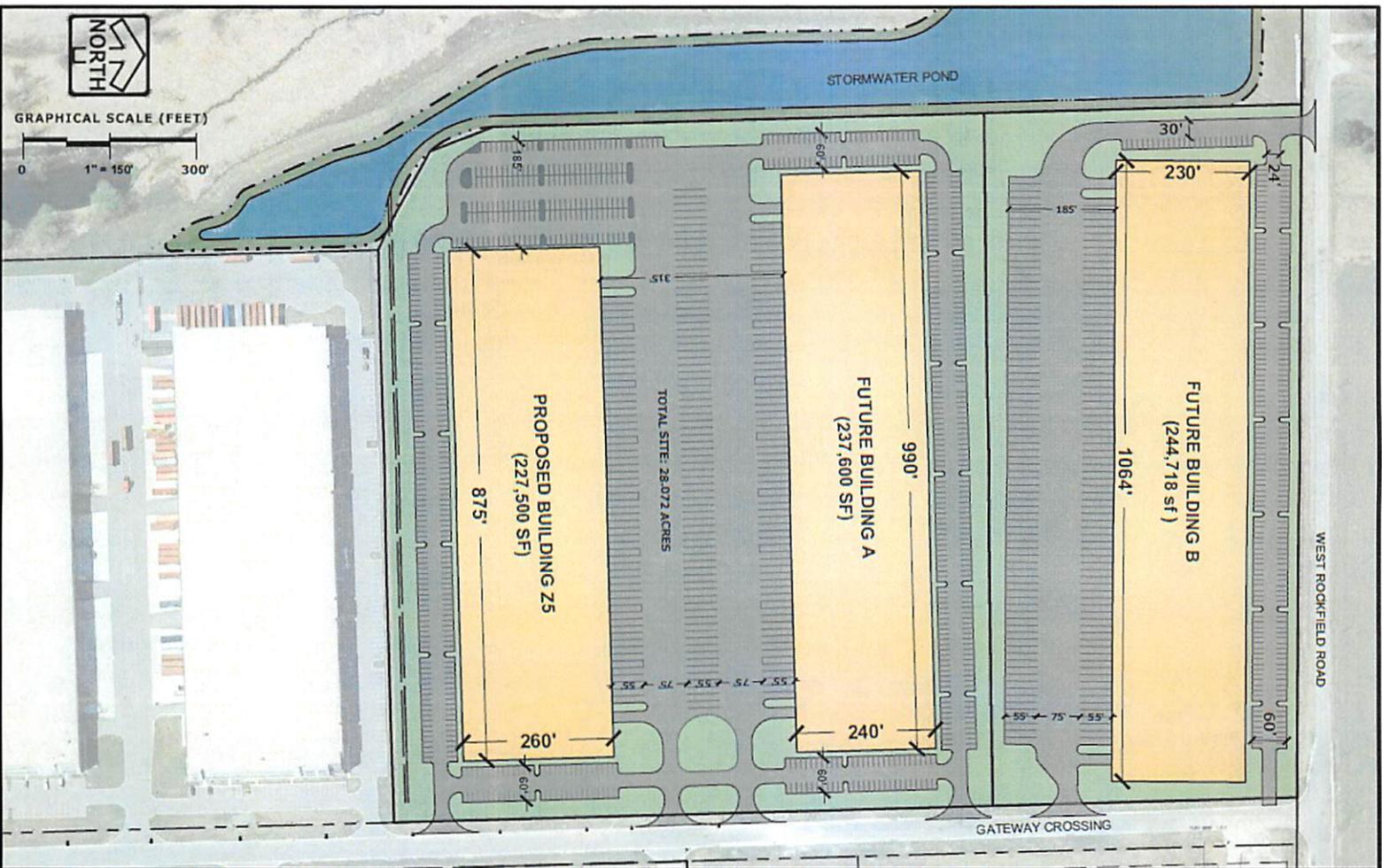
**Germantown Gateway Corporate Park District (M-1/PDD)
Expansion Area Legal Description**

Lot Four (\$) of CERTIFIED SURVEY MAP NO. 6898, being a Redivision of Lot Two (2) of CERTIFIED SURVEY MAP NO. 6824, in the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 7, and the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 7, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, recorded in the Office of the Register of Deeds for Washington County on May 29, 2019 in Volume 53 of Certified Survey Maps, Pages 223 to 228 inclusive, as Document No. 1472573. 55.9 Acres

Tax Parcel: GTNV 073-987
Property Address: W210 N12975 Gateway Crossing

EXHIBIT C

Germantown Gateway Corporate Park District (M-1/PDD)
Expansion Area General Development Plan



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. The minimum parking lot setback along the common property line between the ~~Zilber 2 & Zilber 3~~ industrial buildings shall be 0 feet to accommodate parking areas to straddle common property lines; the minimum 10 setback requirement under Section 17.45 shall not apply.
 - b. The flexibility provided under 4.a. above is intended to accommodate the eventual division of land for the remaining industrial buildings into separate parcels if necessary, and, to provide greater setback between the industrial building(s) adjacent to Rockfield Road and the Rockfield Road right-of-way so that adequate buffering from the land uses to the north can be provided in the form of berming, landscaping and distance separation along Rockfield Road.

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.

Introduced by: Baum

Adopted: April 4, 2022

Vote: Ayes: 6 Nays: 3


Dean Wolter, Village President

ATTEST: Deanna Braunschweig
Deanna Braunschweig, Village Clerk