

VILLAGE OF SHOREWOOD HILLS
DANE COUNTY, WISCONSIN

ORDINANCE NO. L-2010-2

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY
LOCATED AT 3310 UNIVERSITY AVENUE FROM C-1(P) VILLAGE
COMMERCIAL DISTRICT (PLANNED OVERLAY) TO A PLANNED UNIT
DEVELOPMENT (PUD) DISTRICT.

RECITALS

1. Terrace Crossroads LLC (the “Applicant”) has requested that the zoning classification of the property described in Exhibit A (the “Property”) be changed to Planned Unit Development (“PUD”).

2. The Planned Unit Development District is intended to provide a voluntary regulatory framework designed to encourage and promote improved environmental and aesthetic design in the Village by allowing for greater design freedom, imagination and flexibility in the development of land while insuring substantial compliance with the basic intent of the Village’s Zoning Ordinance and Master Plan.

3. The Applicant has submitted a General Development Plan (the “GDP Documents”) consisting of a document entitled Terrace Crossroads – The Redevelopment of the AT & T Plaza 3310 University Avenue Revised PUD /GDP, dated December 2, 2009, and attached as Exhibit A hereto, and consisting of pages 1 through 17 of narrative, and including Exhibits A, B and C thereto. The GDP Documents shall not include Exhibits D, E or F to the document.

4. For purposes of this Ordinance, the GDP Documents shall collectively be the General Development Plan for the Property pursuant to Section 10-1-33 of the Village Code of Ordinances.

5. On January 12, 2010, the Village Plan Commission considered the application for changing the zoning classification of the property to PUD District, and recommended that the Village Board approve the proposed General Development Plan.

6. On February 15, 2010 the Village Board held a public hearing regarding the application to change the zoning classification of the Property to PUD District, which was preceded by the publication of a class 2 notice under ch. 985, Wis. Stats., posting of notice in at least one conspicuous place in each block proposed to be rezoned, and

mailing of notice to owners or occupants of property situated in the block and within 200 feet from the Property.

7. The Village Board determines that, subject to certain conditions, and based upon the criteria set forth in section 10-1-33 of the Village Code of Ordinances, changing the zoning classification of the Property to PUD is consistent with the Village's Comprehensive Plan, consistent with the spirit and intent of the Village's Zoning Code, has the potential for producing significant community benefits in terms of environmental and aesthetic design, promotes the public health, safety and general welfare of the Village, and allows appropriate use of the Property.

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Shorewood Hills, Dane County, Wisconsin do ordain as follows:

Section 1. The recitals set forth above are material to and are incorporated in this ordinance as if set forth in full.

Section 2. Subject to the conditions set forth in section 4 below, the zoning classification of the Property is hereby change to Planned Unit Development District, pursuant to section 10-1-33 of the Village Code and Wis. Stat. § 62.23(7)(d).

Section 3. The Property shall be developed and used in full compliance with the General Development Plan. The General Development Plan shall, in combination with a Specific Development Plan that has not yet been approved, constitute the zoning regulations for the Property, and may be enforced as any other zoning regulation in the Village of Shorewood Hills, and shall be maintained and kept on file by the Village Clerk

Section 4. This ordinance shall not take effect unless an agreement relating to the development of the Property, and preservation of the taxable status of the Property, and that is satisfactory to the Village of Shorewood Hills and the owners of the Property, has been signed by all of the owners of the Property and the Village of Shorewood Hills. If the agreement required by this section has not been executed by the owners of the Property and the Village by September 1, 2010, then this ordinance shall automatically, and without any further action, become null and void and of no force or effect. The effective date of this ordinance shall be the date on which such agreement is fully executed by all of the owners of the Property and the Village of Shorewood Hills.

Section 5. Upon the effective date of this ordinance, the zoning classification of the Property shall be changed on the zoning map of the Village of Shorewood Hills from its present C-1(P) (Commercial Overlay) District to a PUD (Planned Unit Development) District.

The above and foregoing ordinance was duly adopted by the Village Board of the Village of Shorewood Hills at its meeting held on _____, by a vote of ___ in favor, ___ opposed, and ___ not voting.

APPROVED:

Mark Sundquist, Village President

ATTEST:

Colleen Albrecht, Village Clerk