

ORDINANCE NO. L-2016-5  
VILLAGE OF SHOREWOOD HILLS  
DANE COUNTY, WISCONSIN

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PROPERTY  
LOCATED AT 2801-2725 MARSHALL COURT  
FROM C-3 MEDICAL OFFICE-COMMERCIAL DISTRICT  
TO A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

**RECITALS**

1. Stone House Development, Inc., (the “Applicant”), has requested that the zoning classification of the property located at 2801-2725 Marshall Court (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 Comprehensive Plan.

3. The Applicant has submitted a General Development Plan (the “GDP”) consisting of the following:

- A. Village of Shorewood Hills PUD Rezoning Request by Stone House Development, Inc.
- B. Introduction letter from J. Randy Bruce to Karl Frantz dated January 12, 2016.
- C. Site Plan, 11 x 17 sheet, numbered C-1.0, prepared by Knothe Bruce Architects (“KBA”), issued for GDP - January 12, 2016, Project 1339.
- D. GDP Limits Exhibit Map, 11 x 17 sheet, numbered C-1.0A, (page 1 of 3), prepared by Vierbicher, dated January 12, 2016, Project 150190.
- E. GDP CSML Phasing & R/W Configuration Exhibit Map, 11 x 17 sheet, numbered C-1.0B, (page 2 of 3), prepared by Vierbicher, dated January 12, 2016, Project 150190

- F. GDP Area Calculations for R/W Dedications & Vacations, 11 x 17 sheet, numbered C-1.0C, (page 3 of 3), prepared by Vierbicher, dated January 12, 2016, Project 150190.
- G. Existing Conditions Plan, 11 x 17 sheet, numbered C-1.1, (page 1 of 2), prepared by Vierbicher, dated 1/12/2016, Project 150190.
- H. Grading Plan, 11 x 17 sheet, numbered C-1.3, (page 2 of 2), prepared by Vierbicher, dated 1/12/2016, Project 150190.
- I. C-1.4 - 2727 Marshall Court General Development Plan, by KBA.
- J. C-1.5 – 2727 Marshall Court – Context site Plan – January 12, 2016, by KBA.
- K. C-1.6 – 2727 Marshall Court – Site Plan – January 12, 2016, by KBA.
- L. Basement Floor Plan, Building #1, 11 x 17 sheet, numbered A-1.0A, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- M. Ground Floor Plan - Building #1, 11 x 17 sheet, numbered A-1.1A, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- N. First Floor Plan - Building #1, 11 x 17 sheet, numbered A-1.2A, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- O. Second – Third Floor Plan - Building #1, 11 x 17 sheet, numbered A-1.3A, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- P. Fourth Floor Plan - Building #1, 11 x 17 sheet, numbered A-1.4A, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- Q. Basement Floor Plan - Building #2, 11 x 17 sheet, numbered A-1.0B, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- R. Ground Floor Plan – Building #2, 11 x 17 sheet, numbered A-1.1B, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- S. First Floor Plan – Building #2, 11 x 17 sheet, numbered A-1.2B, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- T. Second – Third Floor Plan – Building #2, 11 x 17 sheet, numbered A-1.3B, by KBA, Issued for GDP – January 12, 2016, Project 1339.

- U. Fourth Floor Plan – Building #2, 11 x 17 sheet, numbered A-1.4B, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- V. Concept Elevations, 11 x 17 sheet, numbered A-2.1, by KBA, Issued for GDP – January 12, 2016, Project 1339.
- W. A-2.2 – 2727 Marshall Court – Conceptual Elevations, 11 x 17 sheet, by KBA.
- X. A-3.1 – 2727 Marshall Court – Site Section, 11 x 17 sheet, by KBA.
- Y. A-3.2 – 2727 Marshall Court – Massing Model, 11 x 17 sheet, by KBA.
- Z. A-3.3 – 2727 Marshall Court – Shadow Studies – December 21 – 9:00AM, 11 x 17 sheet, by KBA.
- AA. A-3.4 – 2727 Marshall Court – Shadow Studies – December 21 – 10:00AM, 11 x 17 sheet, by KBA.
- BB. A-3.5 – 2727 Marshall Court – Shadow Studies – December 21 – 11:00AM, 11 x 17 sheet, by KBA.
- CC. A-3.6 – 2727 Marshall Court – Shadow Studies – December 21 – 12:00PM, 11 x 17 sheet, by KBA.
- DD. A-3.7 – 2727 Marshall Court – Shadow Studies – December 21 – 1:00PM, 11 x 17 sheet, by KBA.
- EE. A-3.8 – 2727 Marshall Court – Shadow Studies – December 21 – 2:00PM, 11 x 17 sheet, by KBA.
- FF. A-3.9 – 2727 Marshall Court – Shadow Studies – December 21 – 3:00PM, 11 x 17 sheet, by KBA.

4. On March 15, 2016, the Village Plan Commission conducted a public hearing on the application.

5. The Plan Commission found, based upon the information and analysis in the February 29, 2016 memorandum from Scott Harrington of Vandewalle & Associates, Inc., that a desirable structure can only be economically constructed at four stories in height, and that the otherwise applicable height restriction in the Doctor’s Park Neighborhood Plan should not apply to the GDP.

6. The Plan Commission recommended, subject to certain conditions, that the zoning classification of the Property should be changed to PUD, and that the GDP should be approved.

7. The Village Board agrees with the Plan Commission's recommendation.

## ORDINANCE

NOW THEREFORE the Village Board of the Village of Shorewood Hills, Dane County, Wisconsin ordains 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 3 below, the zoning classification the Property is changed to Planned Unit Development District, and the GDP is approved, pursuant to section 10-1-33 of the Village Code and Wis. Stat. § 62.23(7)(d).

*Section 3.* The change in the zoning classification of the Property to Planned Unit Development District will not be effective until the following conditions have been satisfied:

- A. All owners of the Property have delivered written confirmation to the Village that they consent to the Planned Unit Development District zoning of the Property, pursuant to Wis. Stat. § 62.23(7)(b).
- B. An agreement relating to the development of the Property, that is satisfactory to the Village and the applicant, has been signed by the applicant and the Village of Shorewood Hills, and any other parties deemed necessary by the Village. The agreement must address tax increment financing for the development of the Property (if any), the taxable status of the Property, and any other issues the Village or the applicant deem necessary or appropriate in connection with the development of the Property.

*The above and foregoing ordinance was duly adopted by the Village Board of the Village of Shorewood Hills at its meeting held on \_\_\_\_\_, 2016, by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ not voting.*

APPROVED:

By \_\_\_\_\_  
Mark L. Sundquist, Village President

ATTEST

By \_\_\_\_\_  
Colleen Albrecht, Village Clerk