

ORDINANCE #22-04

AN ORDINANCE TO AMEND THE ZONING REGULATIONS IN CHAPTER 48 OF THE VILLAGE OF JACKSON MUNICIPAL CODE FOR A PLANNED DEVELOPMENT DISTRICT (PUD-01)

WHEREAS, the Village of Jackson Village Board adopted zoning regulations for the Village of Jackson and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 48 of the Village of Jackson municipal code, which is titled "Zoning;" and

WHEREAS, the Village of Jackson owns the property (hereafter property owner) and conditionally accepted an offer to purchase from the Walter Miller Family Investment Properties LLC , conditioned upon PUD approval for the property at N168W20733 Main Street and N168W20753 Main Street (hereafter subject property), more particularly described as:

Tax parcel: V3_011400A (PT OF NE NE CSM 5413 LOT 1 V1095 P434)

Tax parcel: V3_009600B (V OF JACKSON ASSRS PLAT PT OF E1/2 NE+OL 79+80 DOC 1131908); and

WHEREAS, a petition has been submitted to establish a Planned Unit Development district for the subject property pursuant to the requirements in Section 48-151 of the zoning regulations; and

WHEREAS, the Village of Jackson Plan Commission reviewed the petition at their meeting on March 31, 2022, and recommended approval as set forth in this ordinance; and

WHEREAS, upon due notice as required by the zoning code, the Village Board conducted a public hearing on April 12, 2022, to accept public input; and

WHEREAS, the Village Board accepted the Plan Commission's recommended code amendment without revision; and

WHEREAS, the Village Board, after careful review and upon consideration of the recommendation of the Plan Commission and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of Jackson, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not

unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board, Washington County Wisconsin ORDAINS AS FOLLOWS:

Section 1. Create Section 48-153 in Chapter 48, to read as set forth below.

Sec. 48-153. – PUD-01 Miller Mixed-Use Planned Unit Development District.

(a) **Generally.** The Miller Mixed-Use Planned Unit Development District (PUD-02) was established in 2022 to accommodate the unique needs of an adaptive reuse of the former village hall property.

(b) **Uses allowed by right.** Uses allowed by right, subject to other requirements of the zoning code: (1) professional offices (2) general retail (3) restaurant (4) professional services and (5) indoor vehicle parking existing on March 31, 2022.

(c) **Limitations on retail/wholesale sales.** Outdoor storage of products for sale is strictly prohibited.

(c) **Conditional uses.** Uses allowed as a conditional use, subject to other requirements of the zoning code: additional use of indoor parking area for vehicle parking and related storage.

(d) **Lot area and width.** Lots shall have a minimum area of 1 acre (43,560 square feet) and shall not be less than 60 feet in width at the setback line.

(e) **Building height.** No building or part of a building shall exceed 35 feet in height.

(f) **Setbacks and yards.** There shall be a minimum building setback of 20 feet from the right-of-way of all streets. There shall be a side yard on each side of all buildings not less than 15 feet in width and a rear yard of not less than 25 feet.

(g) **Building coverage.** The maximum building coverage is 60 percent.

(h) **Maximum impervious surface.** The maximum impervious surface area is 80 percent.

(i) **Division of land restricted.** This district includes two adjoining parcels which shall be owned and operated as a single parcel. The subject property may not be subdivided by any means. Further, the configuration of the subject property shall not hereafter be modified by any means without the approval of the Village Board upon recommendation of the Plan Commission.

(j) **Revisions to the zoning map.** Upon adoption of this section, the subject property shall be designated as a planned development district with reference to this

section. Hereafter, the subject property is subject to this section and other sections of this code as applicable.

Section 2. The zoning map is hereby amended by designating the subject property as a planned unit development district.

Section 3. This ordinance shall become effective upon passage and posting, or publication as provided by law.

Section 4. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 5. The Village Clerk and Village Administrator are authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this ordinance.

Introduced by: Pres. Schwab

Seconded by: T. E. Emmich

Vote: 7 aye 0 nay

Passed and approved May 10, 2022

VILLAGE OF JACKSON

By: Michael E. Schwab
Michael E. Schwab, Village President

Attest:

Jilline S. Dobratz
Jilline S. Dobratz, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

[Signature]
Village Official

May 11, 2022
Date