

**ORDINANCE #650
AN ORDINANCE ADOPTING THE IMPLEMENTATION
PLAN FOR THE CREATION OF FOSTER COMMONS
MIXED USE PLANNED UNIT DEVELOPMENT (PUD)
OVERLAY ZONING DISTRICT NO. 1**

VILLAGE OF SAUKVILLE, WISCONSIN

WHEREAS, THE Village of Saukville desires to establish a mixed use Planned Unit Development (PUD), to be known as **Foster Commons Mixed Use Planned Unit Development Zoning District No.1** (hereinafter referred to as the "DISTRICT") for certain real property located in the Village of Saukville, Ozaukee County, State of Wisconsin and described in Exhibit "A" which is attached and incorporated herein by reference, and

WHEREAS, the Village of Saukville desires to adopt an Implementation Plan (hereinafter referred to as the "PLAN") for the DISTRICT establishing the permitted land uses, zoning standards and design requirements for all development and redevelopment of lands, public and private, within the DISTRICT; and

WHEREAS, on April 6, 2006 the Village Plan Commission held a public hearing regarding the PUD petition and PLAN pursuant to the requirements of Articles XV and XVI of Chapter 205 of the Village of Saukville Municipal Code, and found the PLAN to be desirable and compatible with the Village's comprehensive plan, and has recommended approval of said petition and PLAN for the DISTRICT pursuant to §205-49; and

WHEREAS, the Village Board desires innovative, sustainable high-value development to continue in the Village per guiding elements of the comprehensive plan pursuant to §205-49; and

WHEREAS, the Village Board wishes to inform all interested parties of the existence of said PLAN;

NOW, THEREFORE BE IT ORDAINED, by the Village Board of the Village of Saukville, Ozaukee County, Wisconsin, as follows;

1. **District.** A mixed use Planned Unit Development (PUD), to be known as Foster Commons Mixed Use Planned Unit Development Zoning District No. 1 (DISTRICT) is established, the boundaries of which DISTRICT are described in Exhibit "A".
2. **PLAN for Foster Commons PUD Overlay Zoning District No.1.** The Village approves the PLAN for the DISTRICT. The PLAN designates the permitted land uses, zoning standards and design requirements for all development and redevelopment of lands, public and private, within the DISTRICT. Owners/developers of land within the DISTRICT shall comply with all aspects of the PLAN and shall demonstrate conformance of their specific site development to the PLAN by submitting specific implementation plans pursuant to §205-49C(2)(b).
3. **Location of the PLAN.** The PLAN for Foster Commons PUD Overlay Zoning District No.1 shall be on file with the Village of Saukville Planning Department (hereinafter referred to as the DEPARTMENT) at 639 East Green Bay Avenue, Saukville, WI 53080, and be available for review and reproduction by all interested parties upon request. The DISTRICT shall be developed in accordance

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*See attached **

with the most current Village municipal service plans and specifications, any previous agreements notwithstanding.

4. **Subsequent Purchasers.** A PUD is a zoning overlay district under §205-49. This PLAN is binding upon all land within the DISTRICT. Accordingly, all future purchasers of land within the DISTRICT should become familiarized with the PLAN and the relevant Business District zoning regulations (§205-38 through 40).

5. **Amendments to the PLAN.** Pursuant to § 205-49C(3), major changes to the PLAN require approval by the Village and subsequent recording of a written amendment. Minor PLAN alterations that are compatible with the overall concept may be approved by the Community Development Director.

6. **Development Guidelines and Conditions.** The development guidelines and conditions contained herein shall limit and control the location of buildings and use of land within the DISTRICT, including internal use of buildings and structures. Lot numbers and associated tax key numbers referenced in this section are identified in Exhibit "B" which is attached and incorporated herein by reference, and the geographic area of the DISTRICT and individual lots depicted in Exhibit "B" shall govern development in these same geographic areas, regardless of whether lot or tax key numbers are modified after April 6, 2006 by any land division pursuant to Wis. Stats. Ch. 236 and Chapter 176 of the Village of Saukville Municipal Code. Any new Certified Survey Map (CSM) created and approved by the Village after April 6, 2006 and subject to the DISTRICT boundary or any future amendments thereof, shall include a reference to **Foster Commons PUD Overlay Zoning District No. 1** and underlying lot and tax key numbers identified in Exhibit "B".

A. Development Standards

1. LAND USES

- (a) The permitted uses and conditional uses within the DISTRICT shall include, but not be limited to, the following:
 - [1] Residential Condominium development with densities not exceeding 12 dwelling units per gross acre. Residential Condominium development may be permitted as single use (residential only) development or mixed use development, with primary consideration given to its compatibility with the business uses constituting the preeminent character of the DISTRICT. Residential Condominium single uses shall not be permitted on Lots 1-8 and 20-35 of Exhibit "B".
 - [2] Business development typically permitted within the "B-2" (§205-38), "B-3" (§205-39) and "B-4" (§205-40) zoning districts, but limited specifically to those uses contributing to the unifying theme of entertainment, hospitality and urban recreation throughout the DISTRICT, such as:
 - [a] Movie theaters.
 - [b] Bowling alleys, indoor recreational and sporting centers.
 - [c] Water parks.
 - [d] Hotels/motels and associated conference and banquet facilities.
 - [e] Restaurants, including convenience dining with drive through facilities.
 - [f] Fine arts performance and exhibition venues and facilities.
 - [g] Photography and art studios.
 - [h] Sporting goods and outfitters; bicycle sales and rentals.
 - [i] Confectioneries, coffee shops, soda fountains and ice cream stores.
 - [j] Video and music stores (analog or digital recorded media sales and rentals).
 - [k] Book Stores.
 - [3] Park uses typically permitted within the P-1 (§205-45) zoning district.

- [4] Open space preservation uses identified in the C-1 (§205-46) zoning district.
 - [5] Other uses not identified above but found to be compatible with the overall unifying theme of the DISTRICT may be permitted by the Village.
- (b) In addition to applicable conditional uses identified in Article V (§205-55 through 62) of the Village of Saukville Municipal Code, the following conditional uses may be permitted in the DISTRICT:
- Public Passenger Transportation Facilities: Bus shelters, park and ride lots and commuter centers.
- Bed and Breakfast Establishments.
- Recreational Facilities: Miniature golf courses, music halls and dance ballrooms

2. STANDARDS FOR SITES AND BUILDINGS IN RELATION TO ADJACENT DEVELOPMENT

- (a) Proposed developments shall coordinate with existing or pending site plans and development on adjoining parcels to take advantage of opportunities to mutually improve pedestrian access to each development and contribute to the unifying DISTRICT design aesthetics. Proposed connections to existing adjacent development or future developments shall be located to maximize pedestrian linkages between sites. **(Fig. 1)**
- [1] Adjacent developments shall link open spaces, landscaping or pathways whenever possible.
 - [2] Proposed developments shall provide connections to adjacent residential uses where appropriate via non-conventional walkways or links to sidewalks and provide stairs or ramps where necessary when topographic barriers, such as steep slopes, inhibit direct access to surrounding development or destination points, such as transit stops.
 - [3] Where single use, permitted residential development is located adjacent to retail, civic, park, or institutional uses, side and rear yard landscape buffers shall be intersected by approved pedestrian circulation routes to facilitate convenient walking connections to adjacent uses or services.
 - [4] Buildings or structures which terminate view corridors shall include architectural features that increase the visibility of the subject building facade, such as a clearly defined building modulation and/or a roof line that accentuates the building as a focal point.

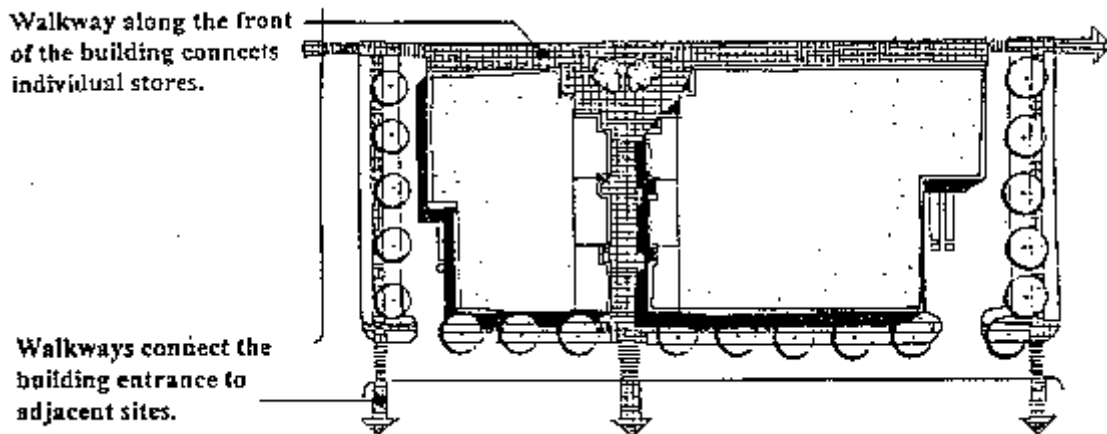


Fig.1

- (b) The intent of the DISTRICT open space and amenities design standards is to:

- [1] Create pedestrian friendly commercial, residential and mixed use areas which include natural landscapes and managed pocket parks.
 - [2] Achieve a more integrated urban design for the DISTRICT through establishing a public realm of parks, trails and natural areas.
 - [3] Preserve and enhance visual and noise separation between single use residential and other permitted use areas.
 - [4] Encourage a variety of public open spaces.
 - [5] Provide public amenities in park and plaza spaces such that people will enjoy shopping, walking, sitting and meeting together.
 - [6] Reflect and preserve the existing topography and to capture potential views from properties.
 - [7] Protect existing trees and drainage areas.
- (c) Lots in the DISTRICT shall have a minimum of fifty (50) feet of frontage on a public street. Lots shall have an average width not less than ninety (90) feet, and an area not less than 20,000 square feet.
- (d) Lot coverage. Total constructed impervious area (buildings, structures and paving) on any lot in the DISTRICT may not exceed 80% of the gross lot area. Permeable paving, such as brick pavers or "grass-pave" systems may be permitted and shall be considered part of the usable open space area and not included in calculations for impervious area. "Grass-pave" or similar hybrid, surfacing systems used for parking shall be restricted to ancillary parking, loading, and vehicular circulation areas in the rear yard only, and must be installed and maintained to manufacturer and applicable Village specifications.
- (e) Street wall spacing. For areas in the DISTRICT which are pre-disposed to high density commercial and mixed-use development, spacing of development shall be grouped or staggered so as to avoid a monotonous presentation of uses **(Fig 2)**.

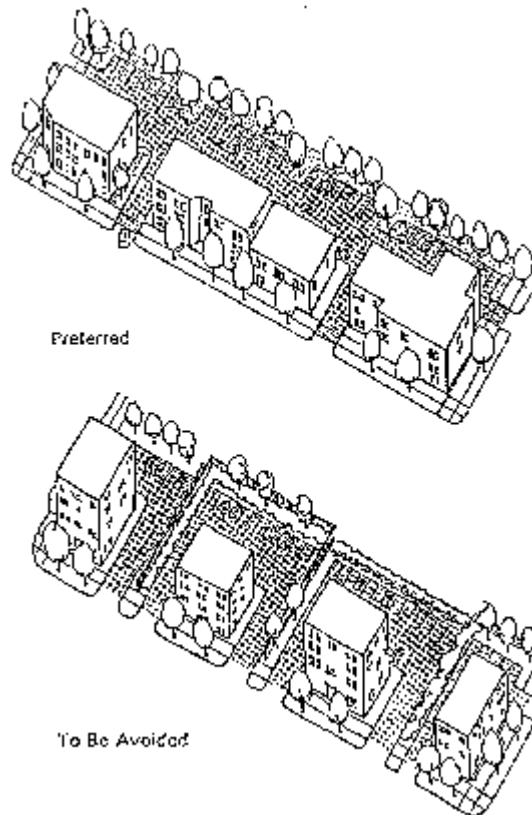


Fig. 2

3. **USABLE OPEN SPACE REQUIRED**
 - (a) Commercial and/or mixed-use developments with a building footprint over 2,000 sq. ft. shall provide a minimum of twenty percent (20%) of gross site area as usable open space, accessible to the public.
 - (b) Usable open space for employees and the public shall include one or more of the following:
 - [1] Outdoor recreation areas;
 - [2] Multi-purpose green-spaces;
 - [3] Pedestrian trails and paths separate from the public roadway system;
 - [4] Publicly accessible plazas, courtyards, and pocket parks located within the front yard setback or elsewhere on site.
 - (c) The required landscape buffering (excluding required landscaping of parking areas) and the Street-front Pedestrian Zone (**A. 4. (d)**) landscape area may be counted to meet this requirement, up to 50% of the total usable open space requirement.
 - (d) If site development conditions preclude on-site development of the required public open space, at the approval of the Director of Community Development, the project developer may be allowed to contribute to an off-site open space project in the vicinity to fulfill the requirement.

4. **SETBACKS AND YARD REQUIREMENTS**
 - (a) The front yard/street yard building setback in the DISTRICT shall accommodate desired variegation of form in building design. The setback for any street-facing portion of a building shall not exceed twenty (20) feet for at least 50% of the street façade. No street facing portion of a building shall exceed a setback of sixty (60) feet. Build-to-the-street design is encouraged where appropriate, employing a minimum street yard setback of six (6) feet. (**Fig. 3**)

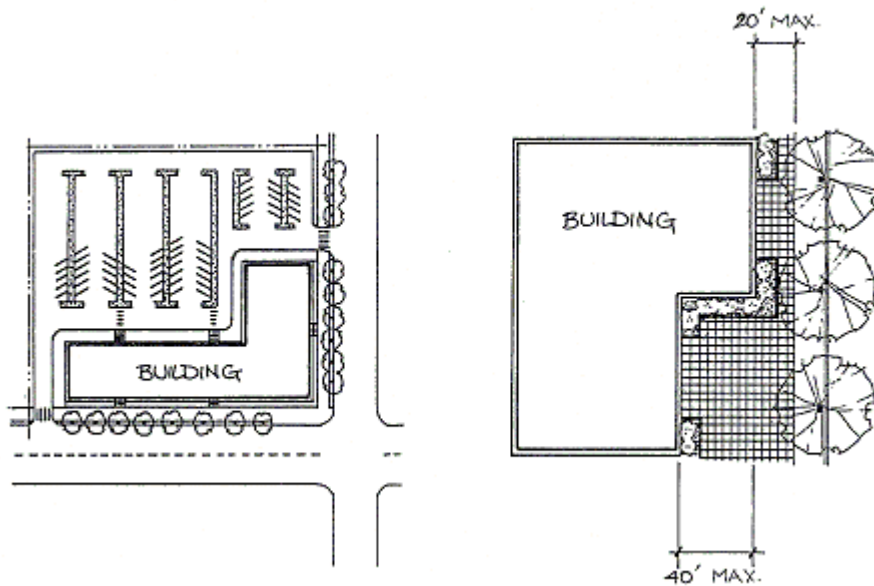


Fig. 3 (Build-to-the-Street affords higher development value on environmentally restricted parcels in the District).

- (b) DISTRICT side and rear yard setback requirements shall be ten (10) feet, with a minimum distance between buildings of twenty (20) feet in relation to any adjacent buildings.

- (c) Where permitted uses in the DISTRICT abut differing uses in adjoining neighborhoods, side yard and rear yard setbacks shall be those of the underlying B-4 Highway Shopping Center Business District.
- (d) Street-front Pedestrian Zone. Within the front yard setback, a square footage equivalent of the street frontage landscaping requirement (which requires a minimum planting bed width of five (5) feet) may be achieved with at least two of the following open space amenities:
 - [1] Plazas and Courtyards. Publicly accessible open space, adjacent to pedestrian building entrances, of a minimum two hundred (200) square feet, consisting of at least eighty (80) percent decorative paving. The remaining twenty (20) percent of required open space area may be installed as plantings within or immediately adjacent to the plaza or courtyard;
 - [2] Pocket Parks. A combination of vegetation, pathways, and seating areas of a minimum two hundred (200) square feet;
 - [3] Decorative Paving Contiguous with Sidewalk. Minimum five (5) feet wide decorative paving area constructed contiguous with a new or existing sidewalk along the length of the front yard building facade.

Usable open space within the front yard setback shall be accessible to the public during business hours and shall be directly connected to a street-front sidewalk. Decorative paving areas shall be constructed of such materials as stamped, broom finish, or scored concrete; brick or modular pavers; or approved masonry aggregates or other aesthetically compatible materials reviewed and approved by the Village. The finish construction of any materials used or installed adjacent to the public sidewalk or right-of-way shall meet Village specifications and approval.

(Fig. 4)

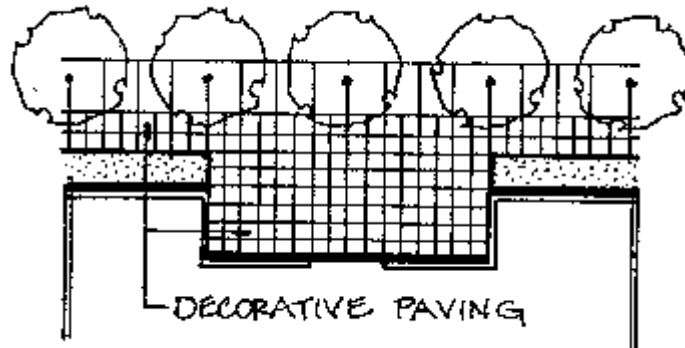


Fig. 4

5. OPEN SPACE AMENITIES

- (a) Focal Point for Outdoor Pedestrian Areas: Plazas, courtyards, and pocket parks adjacent to a public right-of-way shall incorporate one or more of the following open space amenities to encourage pedestrian use and activity:
 - [1] Public seating, play areas, or specialty plantings;
 - [2] Public art, such as a water feature or sculpture, play sculptures, sidewalk art;
 - [3] Accommodation for future transit stops;
 - [4] Performance/stage areas or information kiosks;
 - [5] Other public amenities, as approved by the Community Development Director.
- (b) Outdoor Seating: Provide at least two (2) seating arrangements on site in the form of free-standing outdoor benches or seating incorporated into low walls,

raised planters or building foundations. Low walls or planter edges to be used for seating shall be at least 8 inches wide and 18 inches high.

- (c) Accessory Site Furnishings: Waste receptacles, public telephones, movable planters and other accessory site furnishings shall be of compatible design, and located so as not to obstruct pedestrian or vehicular access along sidewalks and to businesses.
- (d) Open space amenities shall not be impacted by shadows from signs nor shall the views into or from these areas be blocked by signage.

6. BUILDING DESIGN

The intent of the building design standards is to:

- Improve the visual appeal and visibility of storefronts and businesses to attract more customers and improve the business climate.
 - Clearly identify entrances and emphasize store merchandise from both pedestrian and auto areas.
 - Provide convenient and safe walkways that encourage shopping and interaction between people.
 - Create a livelier pedestrian zone that provides visual appeal and to reduce the scale of long building walls.
 - Reduce visual and noise impacts of mechanical equipment for shoppers and adjacent residential areas.
 - Reduce the scale and mass of large buildings by allowing flexible ways to break up the size/volume of the building mass.
- (a) Ground Floor Transparency Requirements
- [1] Windows shall be provided on the street level rather than blank walls to encourage a visual and economic link between the business and passing pedestrians.
 - [2] A minimum of sixty (60)% of the ground floor (first floor) building wall which faces the street shall be in non-reflective, transparent glazing material. At this building level, darkly tinted or reflective glass shall not be used. **(Fig. 5)**

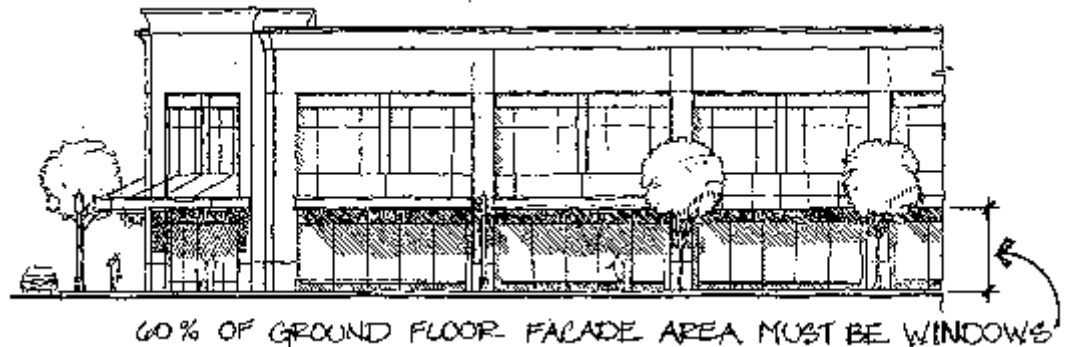


Fig. 5

- [3] Transparency requirements shall apply to that area of the ground floor building wall fronting the street up to the finished ceiling height of the ground floor space. Transparency requirements shall also apply to the ground floor of parking structures that include a ground floor retail, service, or commercial use. Window painting shall not exceed 20% of glazing area.
- [4] Windows shall begin from 12 to 30 inches above the finished grade of the ground floor building space.

- [5] Transparency requirements shall not apply to the ground floor of single use residential structures.
- [6] Interior “dead space” along window walls at pedestrian level is discouraged.
- (b) Pedestrian Building Entries
 - [1] Primary building entries shall be designed to be clearly visible or recognizable from the public right-of-way through incorporation of two or more of the following features:
 - [a] Canopies or other entry coverings that provide pedestrian shelter and interest;
 - [b] Distinctive architectural elements such as a variation in the building footprint, roof form, materials or amount of transparent glazing;
 - [c] Pedestrian-scaled lighting no greater than sixteen (16) feet in height;
 - [d] Landscaping designed as entry focal point.
 - [e] All ground level building entries which front the street shall be located no more than four (4) feet above or below the grade of the sidewalk. In the case of an allowable grade difference between a building entry and sidewalk, provide stairs and/or ramps to accommodate pedestrian access, including ADA design requirements. Waivers to this requirement may be granted by the Director of Community Development based on substantial topographical differences.

Front facades incorporating a variation in building setback shall include within the setback such architectural elements as covered or recessed building entries, plazas or courtyards, storefront or bay windows, seating and/or planting areas.

- (c) Treatment of Blank Walls Visible from a Public Street or Residential Area (**Fig. 6**)

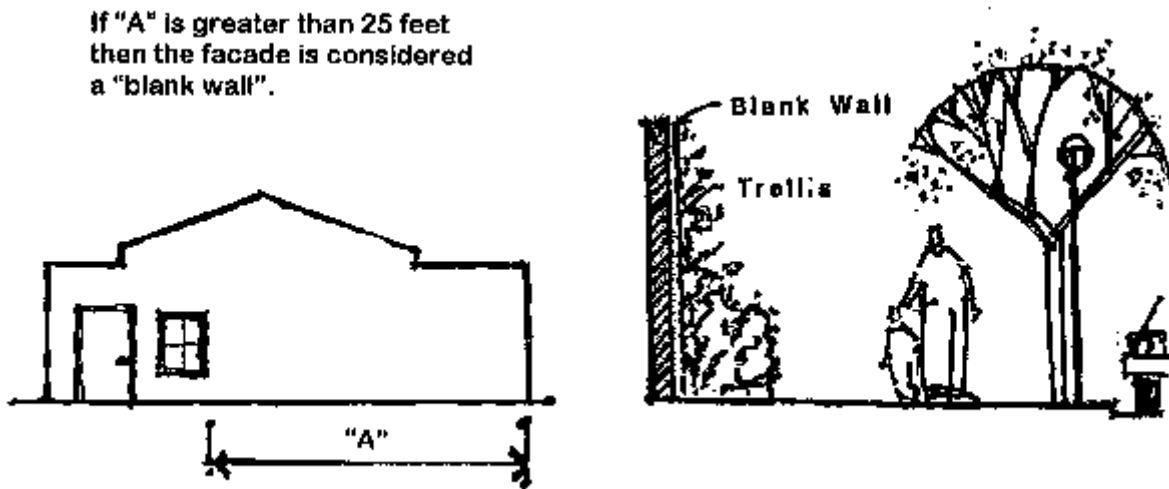


Fig. 6

- [1] The definition of a "blank wall" is any wall or portion of a wall that is located within sixty (60) feet of the street right-of-way and is without a ground level window, door or other architectural feature along a wall of twenty five (25) feet in length or more.
- [2] Where blank wall sections are unavoidable due to the requirements of a particular land use or interior layout, they shall not exceed a length of fifty

(50) feet, or twenty (20) percent of the length of the wall facing the street, whichever is less.

- [3] Blank wall sections of allowed lengths shall receive one or more of the following special design treatments to increase pedestrian comfort and interest:
 - [a] Install vertical trellis in front of the wall for up to two floors with climbing vines or other plant materials;
 - [b] Provide a decorative masonry pattern over at least 30% of the blank wall surface.
 - [c] Employ a combination of small setbacks, indentations, or a change in texture, color or materials to break up the wall's surface.
 - [d] Artistic murals on exterior blank walls are permitted but shall not be used as signs to advertise a product or business.

(d) Roof Lines

To provide a visual terminus to the tops of buildings and soften flat roof designs, roof designs must conform to one of the following options (**Fig. 7**):

- [1] Roof Line with Architectural Focal Point: A roof line focal point refers to a prominent rooftop feature such as a peak, tower, gable, dome, barrel vault or roof line trellis structure.
- [2] Roof Line Variation: The roof line articulated through a variation or step in roof height or detail, such as:
 - [a] Projecting Cornice: Roof line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.
 - [b] Articulated Parapet: Roof line parapets shall incorporate angled or curved detail elements.
- [3] Pitched Roof or Full Mansard: A roof with angled edges, with or without a defined ridgeline and extended eaves.
- [4] Terraced Roof: A roofline incorporating setbacks for balconies, roof gardens, or patios.

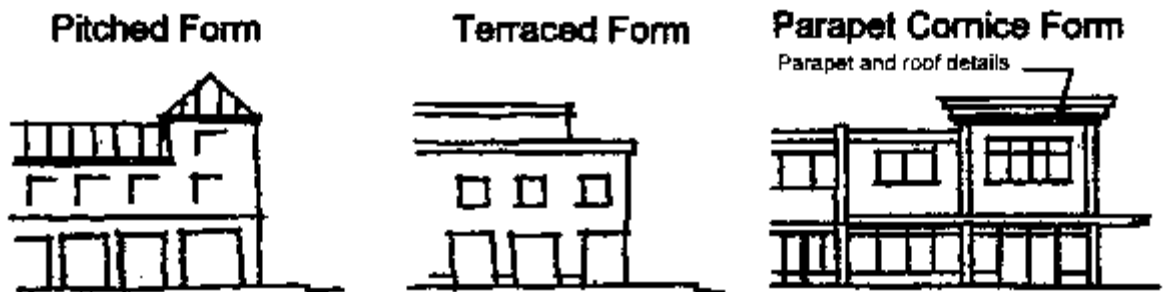


Fig. 7

- (e) Rooftop Equipment
Rooftops shall effectively screen mechanical equipment from view through one or more of the following methods (**Fig. 8**):
 - [1] A concealing roof line;

- [2] A terraced facade;
- [3] A screening wall or grillwork directly surrounding the equipment;
- [4] Sufficient setback from the facade edge to be concealed from street-level view.
- [5] Where roofs are visible from adjacent residential areas a trellis structure or roof will be required to cover mechanical units from view.

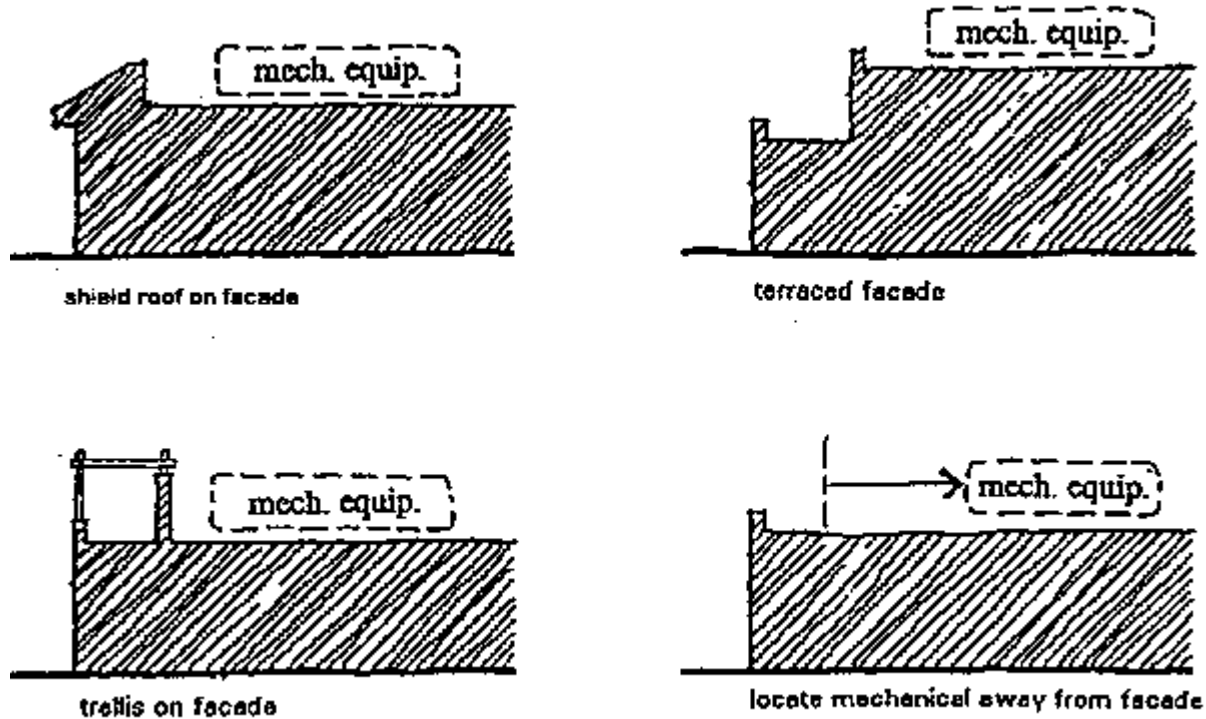


Fig. 8

- (f) Character and Massing

Building elevations over 100 feet in length visible from village streets shall incorporate a change in setback, material, finish, or window and door design at least every sixty-five (65) feet through either a vertical subdivision or a horizontal subdivision process, such as (Fig. 9):

 - [1] vertical or horizontal changes in architectural detailing, window design, material, or finish;
 - [2] distinctive building bays or balconies;
 - [3] ground floor recesses or projections;
 - [4] the upper floors distinguished from the facade of the ground floor through a change in material or finish,
 - [5] pedestrian arcades, colonnades, awning covers or the setback of the upper floors.
- (g) Building Height

No principal building in the DISTRICT shall exceed sixty (60) feet in height, including architectural projections. No accessory building shall exceed twenty (20) feet in height.
- (h) Exterior Materials

Building exterior materials in the DISTRICT shall consist of the following: Brick; split-face or textured concrete masonry units or blocks; EIFS/stucco; glass; glass

block; cedar, redwood or other naturally weather-resistant wood; cementitious panels (hardiplank); aluminum and vinyl materials allowed for trim only.

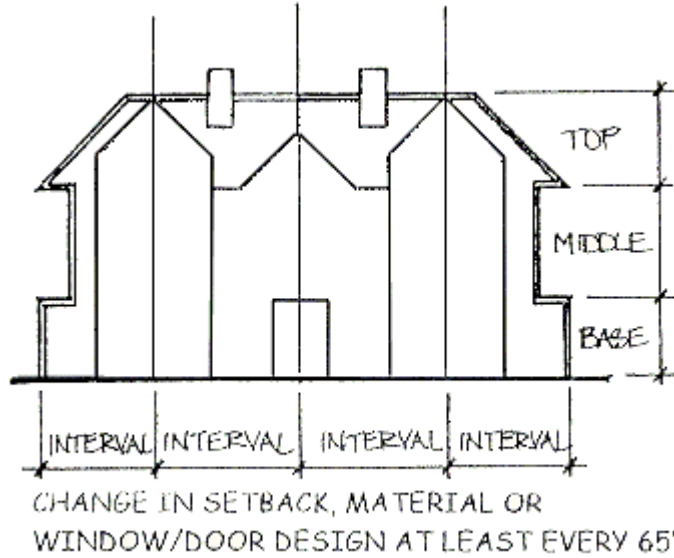


Fig. 9

- (i) Upper Story Window Treatment
 The pattern and proportion of upper story windows shall be designed to create shadow lines or to break up flat surfaces, through such techniques as **(Fig. 10)**:
- [1] recessing the windows into the face of the building;
 - [2] projecting the windows in bays;
 - [3] framing each window with decorative window trim

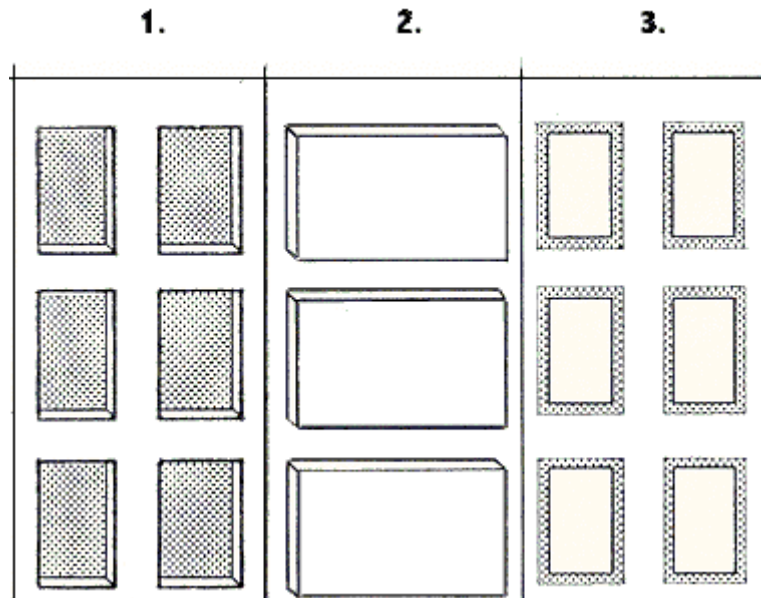


Fig. 10

windows

7. SURFACE PARKING
 The intent of surface parking design standards is to:

- Reduce the negative visual impacts of surface parking lots in front of developments.
- Improve circulation and connections to adjacent projects and to allow the closest spaces to the entry and street to fill first. In this way the business looks active, clearly open and a sea of asphalt does not confront a pedestrian entering the site.
- Improve both pedestrian and vehicular safety along the street and encourage sharing of driveways and curb cuts along the street to save money and improve traffic flow.
- Reduce the asphalt area, enhance landscaping thus decreasing drainage impacts and detention requirements.
- Link stores and allow people to drive between stores without returning to the main street.
- Reduce the scale and negative impacts of large parking areas to improve safety and security as well as aesthetic appeal of a project/building.
- Organize pedestrian movements through a site, specifically in parking and driveway areas, along clearly delineated pathways to improve pedestrian and auto safety.

The following parking standards shall be in addition to the parking standards established under Chapter 205.65 and 205.57.G of the Village of Saukville Zoning Ordinance and for DISTRICT design purposes, shall supersede existing regulation where in conflict. Site specific parking requirements shall be evaluated and determined based on proposed use by the Community Development Director and reviewed by the Village. The minimum parking ratio in the DISTRICT for business uses shall be 4 spaces per 1,000 square feet of net retail floor space. All parking accommodations shall meet current ADA requirements.

(a) Location of Surface Parking Lots

- [1] Parking shall be limited in street yards to no more than twenty-five percent of the site total, and may be in addition to driveway areas for passenger loading and off-loading and traffic circulation only. At least 75% of site surface parking shall be located behind a building or to the side of a building (**Fig. 11**).
- [2] Parking located next to a building shall occupy no more than thirty (30) percent of the site along the primary street frontage, and no more than seventy-five (75) percent of the secondary street frontage.
- [3] On corner lots, no parking shall be located between the building and either of the streets.
- [4] Facilities for bicycle parking shall be provided within thirty (30) feet of the building.

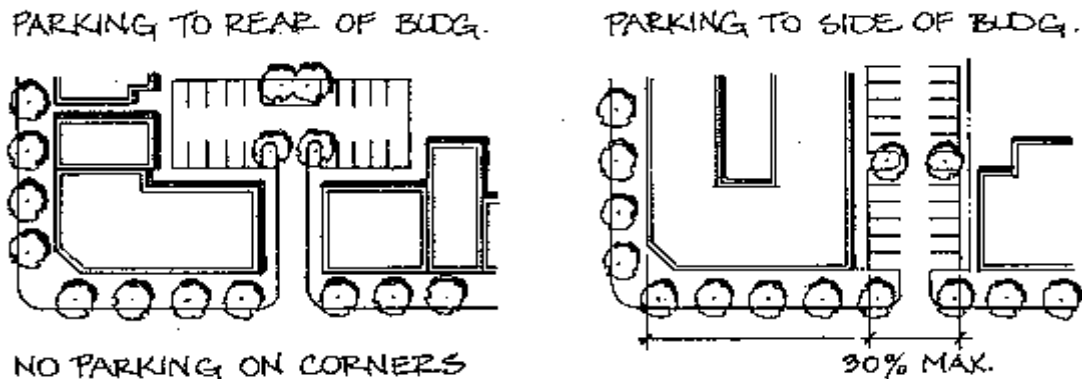


Fig. 11

(b) Encouraging Joint Use Parking Areas

- [1] Joint use parking areas shall be encouraged to reduce overall parking needs. A convenient pedestrian connection must exist between adjacent properties to qualify parking areas as a joint use parking facility. As an incentive, the Village will consider the following options:
 - [a] For adjacent parcels that have linked parking lots, side yard setback and landscape requirements may be waived or reduced along the access corridor;
 - [b] Allowing overall reduction in the parking ratio of up to fifty (50)% of the requirement for primary night-time uses such as theaters, bowling alleys, and restaurants when coordinated with a parking supply which serves primarily day-time uses such as banks, offices, and retail stores.
- (c) **Parking Lot Landscaping and Treatment of Perimeter (Fig. 12)**
 - [1] At least ten (10) percent of the interior surface parking area shall have landscaping when the total number of parking stalls exceeds ten (10). A minimum of one (1) tree for every five (5) parking stalls shall be reasonably distributed throughout the parking lot and principally at the ends of rows.
 - [2] Surface parking shall be visually screened from streets by means of building placement and/or landscaping. The perimeter of a parking lot shall be planted with five (5) foot wide landscaping buffers.
 - [3] The required width of interior parking area planting beds shall be a measurement of the usable soil area between pavement curb edges. Except as noted in this subsection, trees and required landscaping shall be placed in planting beds at least five (5) feet wide between parking rows within the interior of the parking lot.

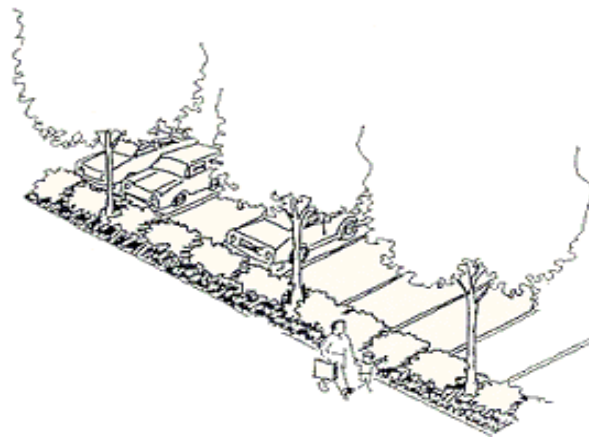
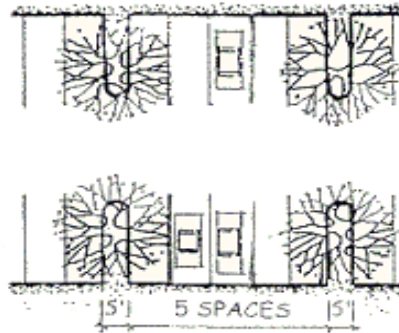


Fig. 12

- (d) **Pedestrian Circulation through Parking Lots (Fig. 13)**
 Surface parking lots shall provide pedestrian walkways through the parking area. Pedestrian walkways shall be a minimum of five (5) feet-wide, separated from vehicular travel lanes to the maximum extent possible and designed to provide safe access to non-streetfront building entrances or existing pedestrian walkways.
- [1] For parking rows perpendicular to the principal building, pedestrian walkways shall be located between two rows of parking spaces at a minimum of one (1) walkway every 3 bays or approximately two hundred (200) feet. Pedestrian walkways shall be located between minimum five (5) foot wide planting beds or adjacent to one, ten (10) foot wide minimum planting bed which includes wheel stops.
 - [2] For parking rows parallel to the principal building facade, pedestrian walkways shall be incorporated adjacent to a series of aligned landscape islands at a minimum of one (1) walkway every twenty-one (21) parking spaces.
 - [3] Provide regular access links through or between planting beds to allow convenient connections between parking areas and pedestrian walkway.

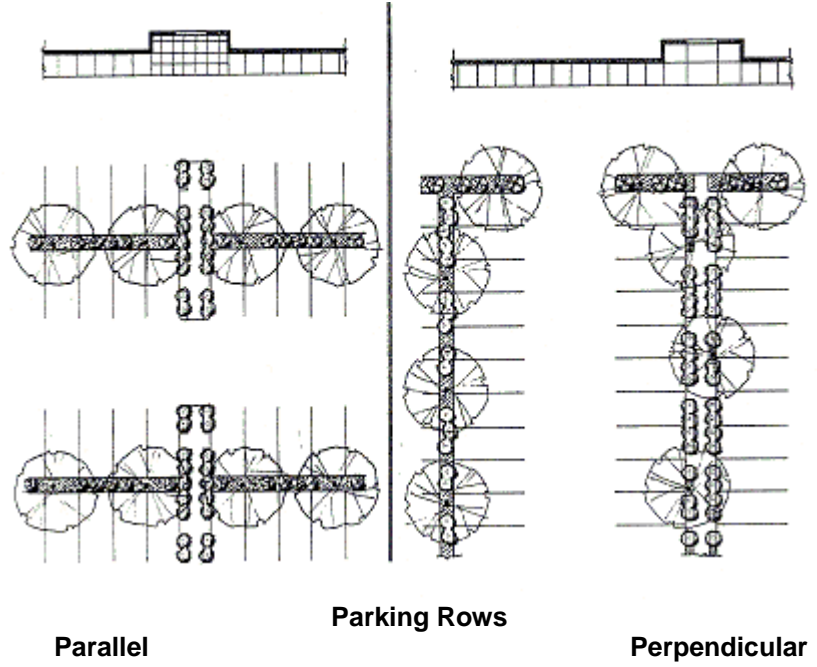


Fig. 13

8. MIXED USE DEVELOPMENT

The intent of design standards for mixed use development is to:

- Reduce the separation between uses such as residential and retail so that more pedestrian activity can occur and fewer auto trips are necessary.
- Provide flexibility and alternatives for achieving a greater density and mix of uses on one site.
- Increase pedestrian activities and provide for a mix of day time and night time use.

- Encourage quality residential and commercial infill projects, an attractive streetscape, and a pedestrian-friendly environment.
- (a) Definition of Mixed Use
- [1] Mixed use refers to the combining of retail, service or office uses with residential use in the same building or on the same site in one of the following ways:
 - [a] Vertical Mixed Use: A single structure which provides retail, service or commercial and office uses on the ground floor, and residential and/or office uses on the above floors.
 - [b] Horizontal Mixed Use - Attached: A single structure that provides retail, service or commercial use in the portion fronting the street with attached residential or office uses behind.
 - [c] Residential uses in mixed use projects are not permitted on the ground floor facing the classified principal arterial (e.g. Foster Drive) in any of the above options.
- (b) Ground Floor Uses in Mixed Use Projects
Within the maximum front yard setback:
- [1] A minimum of fifty (50)% of the ground floor area shall be designed for permitted retail, service, public uses or commercial uses in the DISTRICT.
 - [2] The building shall include a building entry arrangement suited to the division of ground level tenant spaces and access to upper floor uses (**Fig. 14**).

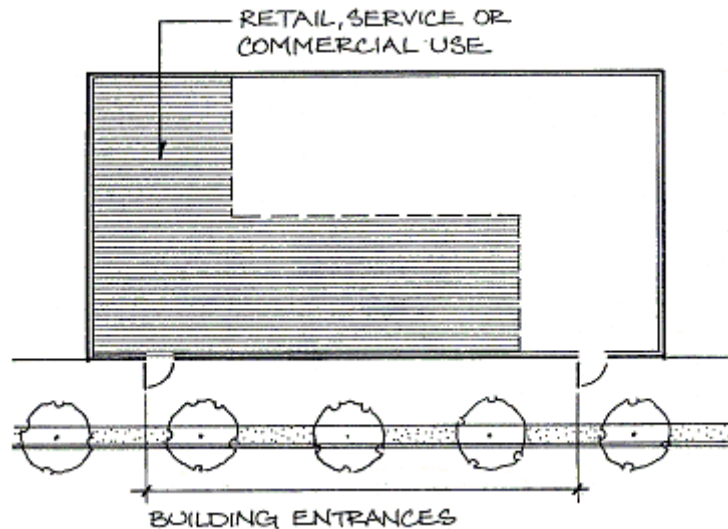


Fig. 14

- (c) Mixed Use Building Base
- [1] Vertically mixed use buildings shall be designed to differentiate the upper floor uses above from the ground level uses below in at least two of the following ways:
 - [a] A minimum 8 foot wide arcade that extends beyond the building for buildings 40 feet in height or less. For buildings exceeding 40 feet, either an arcade or a minimum five (5) feet setback from the facade of the ground floor retail, service or commercial base;

- [b] Changing material, finish or texture between the base and upper floors;
 - [c] A heavy cornice line at the top and a continuous 8 foot deep awning at the first level;
 - [d] A series of distinctive entry canopy fronts for each retail entry along the facade with a minimum of 8 feet in width and 6 feet deep.
- [2] The minimum clear interior ceiling height for the retail, service, or other commercial use portion of mixed use buildings shall be 10 feet for all ground floor building space.
 - [3] The minimum depth of ground level space for the 50% required retail, service or commercial uses shall be twenty (20) feet measured from the inside wall of the street façade. This area may be averaged with approval by the Community Development Director.

9. SIGNS

Signs shall be part of the architectural concept for the DISTRICT, and shall complement the architectural style and scale of buildings and structures, and shall be designed as integral architectural elements of all buildings and sites to which they principally relate.

- (a) Sign size and height shall be reviewed and approved on a case-by-case basis by the Village's Director of Community Development/Building Inspector. This particular exception to the ordinance is intended to allow for greater innovation in particular circumstances.
- (b) For all lots in the DISTRICT, permitted signs shall include one (1) monument sign per lot (defined herein as a low profile, free standing ground mounted sign with a solid grade-level base or footing and landscaping surrounding the base perimeter extending at least three feet on all sides) not to exceed 40 square feet in area per side, 80 square feet maximum total area, and a maximum height of 12 feet above final grade. Materials shall be substantially the same as those of the principal building and structures on the same lot. Marquis style monument signs may be allowed for identifying shopping center uses or groupings of retail uses that are substantially the same and may list up to six individual uses per sign area, not to exceed 128 square feet per side nor 20 feet in height measured from finish grade; one sign per shopping center or grouping. Wall signs are limited to 200 square feet per building side, and allowed on each building side facing a public street, not to exceed a total of 400 square feet per use. Roof signs are prohibited. Pylon and pole signs are prohibited, excluding freeway-oriented signs. All signs may use internal or external illumination subject to Village site lighting intensity restrictions. Projecting signs may be allowed, not to exceed 16 square feet per side or 32 square feet total.

10. STREET LIGHTING, PARKING AND PUBLIC REALM AESTHETICS

The Village shall install, or cause to be installed, additional new street lighting (per Village standards) at alternating 150 foot intervals on both sides of all Village public streets throughout the DISTRICT at heights not to exceed twelve feet except at street intersections (**Fig. 15**). The Village shall provide for the delineation of spaces and erection of signage for public street parking throughout the DISTRICT. The Village shall provide for illuminated gateway signage at the main entrances to the DISTRICT. The Village shall arrange for underground placement of all overhead utilities in the public right of way throughout the DISTRICT in cooperation with appropriate utilities providers. In collaboration with property owners and development interests throughout the DISTRICT, the Village shall coordinate the formation of public trails, amenities, parkways, parks, pedestrian and bicycle trails as part of a comprehensive public use and amenities plan, complementing required privately owned public use spaces throughout the DISTRICT.

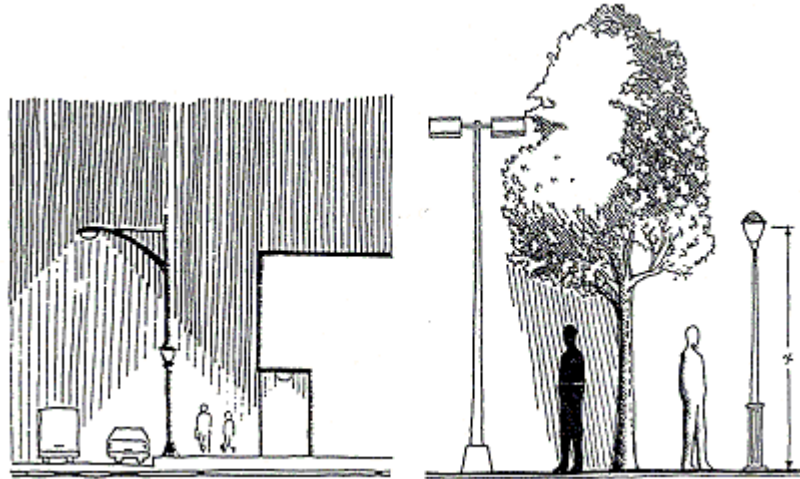
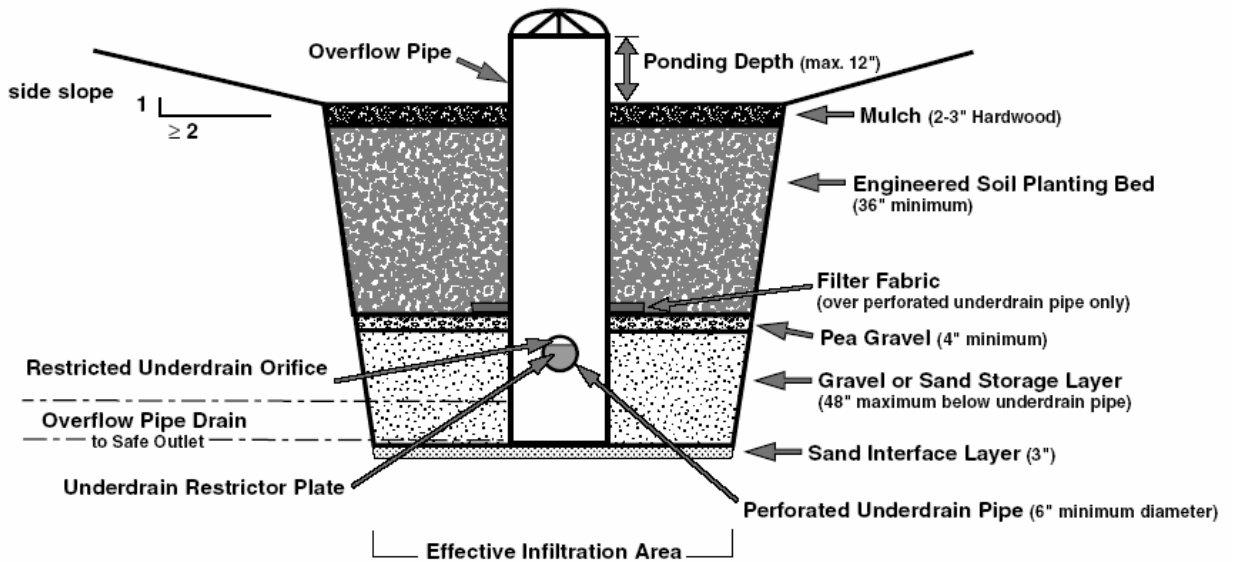
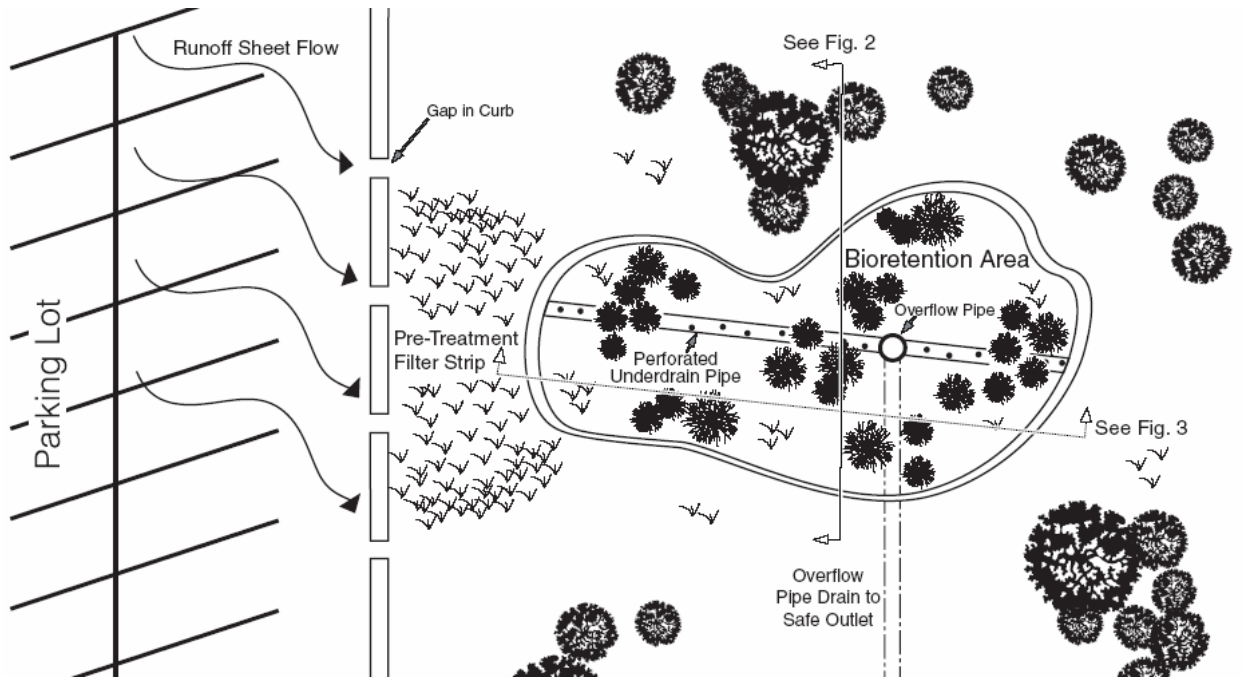


Fig. 15 (Recently selected Village lighting standards are clearly appropriate for Build-to-the-Street design).

11. **STORM WATER MANAGEMENT**

Development sites where greater than 10,000 square feet of land disturbance will take place must comply with Wisconsin Department of Natural Resources (WisDNR) Rules NR 151 and 216. All WisDNR rules regarding wetland delineation, mitigation, buffering, and fill, shall be enforced. Due to the environmentally vulnerable nature of Village wetlands and water ways regarding negative effects of storm water discharge, all pre- and post- construction land disturbance activities shall be accompanied by a Village approved erosion control and storm water management plan. For land disturbance under 10,000 square feet in area, DISTRICT requirements include integral landscape design and structures, such as bio-retention systems (**Figs. 16-17**), grass swales, rain gardens, pervious parking materials, etc., that effectively absorb and diminish the energy of running surface water during storm events and produce a measurable effect of providing natural infiltration and sediment settling on site prior to entering the Village's storm water system or being discharged to surrounding property. Where necessary, features shall provide permanent vegetative cover capable of thriving in standing water conditions and shall be subject to regular maintenance to ensure required aesthetics and function.



(Figs. 16-17)

7. **Plan Review Fees**

Plan review fees shall be paid to the Village upon submission of any development or redevelopment plans affecting any parcel within the DISTRICT according to the following schedule:

- Parcels equal to or less than two (2) acres - \$250
- Parcels greater than two (2) acres - \$350

Plan review fees shall be non-refundable and segregated to an account supporting the private-public improvements within the DISTRICT identified above.

8. **Filing and Recording**

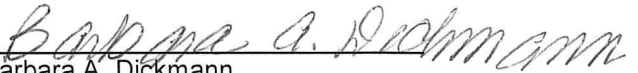
The Village Zoning Administrator is hereby directed, pursuant to § 205-49C(3) of the Village of Saukville Municipal Code, to file immediately with the Ozaukee County Register of Deeds a certified copy of this ordinance and all referenced PLAN documents herein.

9. **Effective Date**

This ordinance shall take effect upon passage and posting as provided by law.

PASSED AND ADOPTED by the Village Board of the Village of Saukville this 16th day of May, 2006.

VILLAGE OF SAUKVILLE



Barbara A. Dickmann
Village President

ATTEST:



Dawn M. Wagner
Village Administrator/Clerk

EXHIBIT A

Commencing at the intersection of Foster road and Cottontail Road which is the point of beginning thence East 970 feet to the west right-of way line of Interstate I-43 thence northerly along the west right-of-way line 5370 feet to a point on the north line of the south east quarter of section 25 town 10 north range 21 east which is 352.20 feet east of the center of section 25 town 11 north range 21 east thence west to the center of section 25 town 11 north range 21 east thence south along the west line of the southeast quarter of section 25 1318.14 feet thence S86 15'43"W 375.03 feet thence S2 23'53"E 506.40 thence N55 46'08"E 197.71 feet thence S86 41'41"W 238.77 feet thence S47 02'14"W 197.12 feet thence S16 32'40"E 342.83 feet to the NE corner of lot 8 of Lubahn Subdivision thence south along the east line of lot 8 to the north right-of-way line of STH 33 thence south east to a point in the south right-of-way line of STH 33 which is 445 feet north east from the north west corner of lot 3 block 1 of Schmit Subdivision No.1 thence S13 23'36"W 594.90 feet to the easterly right-of-way line of CTH W thence south easterly along the right-of-way line of CTH W to the intersection of CTH W and Foster Road thence south along the center line of Foster road to the point of beginning.

FOSTER COMMONS PARCEL IDENTIFICATION MAP EXHIBIT B



LOT # 1	ADDRESS	OWNER	TAX KEY #
1	700 EAST GREEN BAY AVE	GRACE D BOETTCHER REVOCABLE TRUST	110400028000
2	654-660 EAST GREEN BAY AVE	WILLIAM A BOETTCHER REVOCABLE TRUST	111080001000
3	644 E GREEN BAY AVE	THOMAS BECK	110500503001/111080002000
4	634 E GREEN BAY AVE	GERALD MUELLER	110500503002
5	620 E GREEN BAY AVE	STEVEN HESPE	110500506002
6	610-25 E GREEN BAY AVE	BACH-PRAGER REAL ESTATE PARTNERS PORT BANCSHARES INC	110500513005 110500512010 110500512009 110500512008 110500512005
7	639 E GREEN BAY AVE	VILLAGE OF SAUKVILLE	110500513001
8	661 E GREEN BAY AVE	ROBERT ANTISDEL	110500513002
9	125 S FOSTER DR	JOEL LEMKE	110500513003
10	141 S FOSTER DR	JOSEPH TIPPY	110570101000
11	153 S FOSTER DR	FREDERICK RECHTER	110570102000
12	181 S FOSTER DR	KLINTER INVESTMENTS LLC	110570103000 110570104000 110570105000 110570106000
13	200 S RIVERSIDE DR	BRIGGS REALTY INC	110500512015
14	185 S FOSTER DR	BRIGGS REALTY INC	110500513004
15	250 S RIVERSIDE DR	PAUL MILLER	110500512002
16	201 S FOSTER DR	PETER J KORTES, SR	110500513006
17	258-60 S RIVERSIDE DR	ALLEN KARRELS	110500512004/110500513007
18	268-70 S RIVERSIDE DR	FRANK DIDIER	110500512017
19	291 S FOSTER DR	PETER J KORTES, SR	440500513000
20	363 S FOSTER DR	VILLAGE OF SAUKVILLE (WELL #3)	NOT ASSIGNED
21	357 S RIVERSIDE DR	B & G REALTY INC	110360300100
22	350 S RIVERSIDE DR	B & G REALTY INC	110360300100
23	298 S FOSTER DR	JOHN CROTTY	110360300200
24	724 E MILAN DR	SAUKVILLE INVESTMENTS LLC	110360201400
25	796 E MILAN DR	SAUKVILLE INVESTMENTS LLC	110360200900
26	250 S FOSTER DR	QSR-TACO BELL	110360201200
27	700 S FOSTER DR	SPORTBIKE INVESTMENT HOLDINGS LLC	110360201300
28	188 S FOSTER DR	DONNA MANDT	110400022001

CONT'D:

LOT # 1	ADDRESS	OWNER	TAX KEY #
29	150 S FOSTER DR	RICHARD BUBLITZ	110360200200
30	180 S FOSTER DR	THIENSVILLE INVESTMENTS LLC	110360200600
31	136 S FOSTER DR	AUDRICH CORP	110360200100
32	130-34 S FOSTER DR	PETER KOWALCHUK	110400030001
33	138-48 S FOSTER DR	PETER KOWALCHUK	110400029001
34	100 S FOSTER DR	SMITH PTSHP	110251500500
35	120 S FOSTER DR	SMITH PTSHP	110251500600