

**VILLAGE OF ELM GROVE
RESOLUTION NO. 122021A**

A RESOLUTION TO APPROVE A CERTIFIED SURVEY MAP AND REZONING FROM I-1 INSTITUTIONAL DISTRICT TO RM-1, RS-3, RS-4 AND I-1 WITH A PLANNED DEVELOPMENT OVERLAY UNDER ORD. § 335-30 FOR DEVELOPMENT AS A RESIDENTIAL PLANNED DEVELOPMENT DISTRICT, AND IN ACCORDANCE WITH WIS. STAT.§ 62.23(3)(B), AMEND THE VILLAGE COMPREHENSIVE PLAN AND A CONDITIONAL USE PERMIT FOR THE CONTINUED CEMETERY USE FOR PROPERTIES COMMONLY KNOWN AS 13105 Watertown Plank Road (A/K/A “School Sisters of Notre Dame Pacific Province Campus”).

WHEREAS, the Village of Elm Grove received a conceptual review request from Mandel Group, Inc. on behalf of the School Sisters of Notre Dame Central Pacific Province, Inc. (“Mandel”) to rezone land commonly referred to as 13105 Watertown Plank Road, Village of Elm Grove, Waukesha County, Wisconsin from the I-1 Institutional Zoning district to Rm-1, Rs-3, Rs-4 and I-1 with a Planned Development Overlay under Ord. § 335-30 for development as a Residential Planned Development District, and in accordance with Wis. Stat. § 62.23(3)(b), amend the Village Comprehensive Plan on August 13, 2020, all to permit the multi-family residential, and single-family residential development of the land.

WHEREAS, the Plan Commission and Building Board reviewed and provided comment on the conceptual review submission at their meetings on September 14, 2020 and October 6, 2020; and

WHEREAS, following the conceptual review, the Village of Elm Grove received a formal petition request from Mandel to rezone the land commonly referred to as 13105 Watertown Plank Road, Village of Elm Grove, Waukesha County, Wisconsin from the I-1 Institutional Zoning district to Rm-1, Rs-3, Rs-4 and I-1 with a Planned Development Overlay under Ord. § 335-30 for development as a Residential Planned Development District, and in accordance with Wis. Stat. 62.23(3)(b), amend the Village Comprehensive Plan, dated January 25, 2021 all to permit multi-family residential, and single-family residential development of the land; and

WHEREAS, the Village Board of Trustees approved advancing the petition forward for review and possible action on January 25th, 2021; and

WHEREAS, the Village Public Works Committee reviewed and approved the Grading, Storm Water Management and Utility Plan and Traffic Impact Analysis at its April 12, 2021 and June 21, 2021 meetings; and

WHEREAS, the Village of Elm Grove Building Board reviewed during the course of ten meetings and recommended approval of the architectural and landscaping components of the formal petition to the Plan Commission at its July 22, 2021 meeting; and

WHEREAS, The Village provided multiple opportunities for public input throughout the review process, more specifically on September 14, 2020; January 25, 2021; July 28, 2021; November 18, 2021; December 6, 2021; and

WHEREAS, the Village Board of Trustees held a public hearing on November 18, 2021 to receive comments from the public concerning the formal petition; and

WHEREAS, the Plan Commission reviewed the formal petition requests over the course of eleven meetings and recommended approval of the petition requests at its meeting on December 6, 2021; and

WHEREAS, the Plan Commission provided a recommendation regarding the formal petition request on December 6, 2021, which included the following specific recommendations:

- That the Certified Survey Map be approved pursuant to Ord. §305-7;
- That for the purpose the development of 13105 Watertown Plank Road (sometimes a/k/a "School Sisters of Notre Dame Pacific Province Campus" or "Campus") the Campus should be rezoned from I-1 institutional District to Rm-1, Rs-3, Rs-4 and I-1 zoning with a Planned Development Overlay under Ord. § 335-30 for development as a Residential Planned Development District;
- That the Village Comprehensive Plan be amended pursuant to Ord. § 335-92.1 and Ord. §335-75 to amend the Future Land Use Map from solely I-1 to multi-family and single-family residential and institutional use;
- That a Conditional Use Permit be granted pursuant to Ord. §335-26C(2) and Ord. §335-86 for continued cemetery use on the property;
- That all applicable criteria items related to the Planned Development Overlay review prescribed by Ord. § 335-30 have been substantially satisfied.
- That the Development Agreement between the Village of Elm Grove and Caroline Heights Apartments LLC be approved conditioned on the finalization of the requirements encompassed by the Village engineering review and the proposed Development Agreement.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Elm Grove duly approves the following actions:

- That all of the above recitals be incorporated and made a part of this resolution;
- That the Certified Survey Map (as attached on Exhibit A) pursuant to Ord. §305-7 be deemed approved, executed and recorded;
- That 13105 Watertown Plank Road (a/k/a "School Sisters of Notre Dame Pacific Province Campus") be deemed rezoned from I-1 institutional District to Rm-1, Rs-3, Rs-4 and I-1 zoning with a Planned Development Overlay under

Section 335-30 for development as a Residential Planned Development District as shown on attached Exhibit B;

- That the Village Comprehensive Plan be amended pursuant to Ord. §335-92.1 and Ord. §335-75 to modify the Future Land Use Map from solely I-1 to multi-family and single-family residential and institutional use as shown on attached Exhibit C;
- That a Conditional Use Permit pursuant to Ord. §335-26C(2) and Ord. §335-86 for continued cemetery use on the property be issued and recorded as shown on attached Exhibit D;

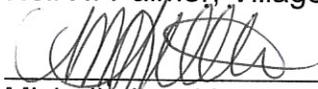
Be it further resolved that this resolution number 122021A shall become null and void if the Development Agreement, TID creation and TIF Project Plan are not approved by separate resolution by the Village Board of Trustees and fully executed;

Dated this 20th day of December, 2021.

VILLAGE OF ELM GROVE



Neil H. Palmer, Village President



Michelle Luedtke, Village Clerk