

**CITY OF PORT WASHINGTON, WISCONSIN  
ORDINANCE NO. 2019-1**

**AN ORDINANCE REZONING LAND WITHIN THE CITY OF PORT WASHINGTON  
AND AMENDING THE OFFICIAL ZONING MAP**

**WHEREAS**, in February 2017 the property located along the west side of County Highway LL, east of Hidden Hills subdivision and south of The Woods at White Pine subdivision, with a street address of 351 N. Heritage Road in the City of Port Washington, as more particularly shown in Exhibit A and legally described in Exhibit B attached hereto and incorporated herein (the "Property") was rezoned to RM-4 Multiple Family (Medium Rise Apartments) District with an OPD Planned Development Overlay; and

**WHEREAS**, the current owner of the Property has requested that the Common Council amend the OPD Planned Development Overlay zoning in certain respects as set forth hereinbelow to accommodate portions of the revised building and site plans for the Property which differ from conditions that existed when the original development plan was approved and the OPD Planned Development Overlay zoning designation was granted; and

**WHEREAS**, the Plan Commission has reviewed all standards required to be considered by the Zoning Ordinance of the City of Port Washington and has recommended that an amended OPD Planned Development Overlay be approved by the Common Council for the Property in order to meet the requirements of the revised building and site plans; and

**WHEREAS**, all notices of said rezoning request and public hearing thereon have been given as required by said Zoning Ordinance and sec. 62.23(7)(d), Stats., and such public hearing was held before the Common Council on March 19, 2019; and

**WHEREAS**, the Common Council has determined that amending the OPD Planned Development Overlay zoning for the Property will promote the public health, safety and general welfare of the community, and has directed that the zoning district and Official Zoning Map of the City of Port Washington be amended to reflect the above-described zoning amendment,

**NOW, THEREFORE**, the Common Council of the City of Port Washington, Wisconsin, do ordain as follows:

**Section 1.** Those certain lands located along the west side of County Highway LL, east of Hidden Hills subdivision and south of The Woods at White Pine subdivision, as more particularly shown in Exhibit A and legally described in Exhibit B attached hereto and incorporated herein shall maintain a base zoning of RM-4 Multiple Family (Medium Rise Apartments) District, but that said lands shall be designated and be subject to an amended OPD Planned Development Overlay having the following features:

- a. The number of apartment units shall be increased to ninety (90) units.
- b. The height of the building shall be increased to four (4) stories.
- c. The curb cut and garage opening for the underground parking shall be relocated to the south end of the building.
- d. The east setback of the building shall be a minimum of 25'
- e. Parking spaces provided for residents shall be 138 of which 68 shall be underground.
- f. A future building for supportive services shall be accommodated on site.

**Section 2.** Pursuant to Sections 20.05.010, et seq., 20.21.060 and 20.23.000 of the Zoning Ordinance of the City of Port Washington, the Official Zoning Map shall be amended at such time as all building and site plans for the development have been approved, mapped and recorded as required by said Zoning Ordinance.

**Section 3.** This Ordinance shall become effective upon passage and publication.

Passed and approved this 19<sup>th</sup> day of March, 2019.

  
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Martin T. Becker, Mayor

ATTEST:

  
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Susan L. Westerbeke, City Clerk

EXHIBIT A  
MAP OF REZONED LAND



**EXHIBIT B**  
**LEGAL DESCRIPTION OF REZONED LAND**

**Lot One (1), Certified Survey Map No. 3995 recorded April 21, 2017 as Document No. 1048599, located in the City of Port Washington, Ozaukee County, Wisconsin. Tax Parcel No.: 16-030-13-016.00.**