

**CITY OF PORT WASHINGTON, WISCONSIN
ORDINANCE NO. 2019-12**

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

WHEREAS, St. John XXIII Congregation, the owner of the real properties with street addresses of 430-446 Johnson Street (Tax Parcel # 16-090-03-07-002) and 451 Johnson Street (Tax Parcel # 16-090-02-08-003) in the City of Port Washington, Ozaukee County, Wisconsin, as more particularly described in Exhibit A and depicted on Exhibit B attached hereto and incorporated by reference herein (collectively the "Properties"), has requested rezoning of the Properties from CCM Multiple Family (Central City Mixed), to CCM Multiple Family (Central City Mixed) with OPD Planned Development Overlay zoning for such former St. Mary's School, Parish House, and church properties; and

WHEREAS, the City Plan Commission has reviewed all standards required to be considered by the Zoning Ordinance of the City of Port Washington and has recommended that said property be rezoned by the Common Council; and

WHEREAS, all notices of said rezoning request and public hearing thereon have been given as required by said Zoning Ordinance and Wis. Stat. § 62.23(7)(d), and such public hearing was held before the Common Council on August 20, 2019; and

WHEREAS, St. John XXIII Congregation desires to redevelop the Properties, and the Common Council has determined that certain unique characteristics of the Properties necessitate use of OPD Planned Development Overlay zoning thereon to allow for deviations from the CCM Multiple Family (Central City Mixed) zoning requirements for parking, setbacks, building heights, open space and residential density, among other things; and

WHEREAS, the Common Council has further determined that redevelopment of the Properties in accordance with the Business, Site, and Operational Plans approved by the City Plan Commission on July 18, 2019, together with the rezoning of the Properties as requested by the property owner will promote the public health, safety and general welfare of the community, and has directed that the zoning districts and Official Zoning Map of the City of Port Washington be amended to reflect the above-described zoning changes,

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

Section 1. Those lands with street addresses of 430-446 Johnson Street (Tax Parcel # 16-090-03-07-002) and 451 Johnson Street (Tax Parcel # 16-090-02-08-003) in the City of Port Washington, Ozaukee County, Wisconsin, as more particularly described in Exhibit A and depicted on Exhibit B attached hereto and incorporated by reference herein, shall be and are hereby rezoned from CCM Multiple Family (Central City Mixed), to CCM Multiple Family (Central City Mixed) with OPD Planned Development Overlay zoning.

Section 2. Pursuant to §§ 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 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 20th day August, 2019.



Martin T. Becker, Mayor

ATTEST:



Susan L. Westerbeke, City Clerk

EXHIBIT A
LEGAL DESCRIPTION OF REZONED LAND

430-446 Johnson Street:

LEGAL DESCRIPTION

Lots 8, 9,10,11,12,13,14,15,16,17,18,19, 20, and part of lots 7, and 21, all in Block 3, in the North East Addition of the City of Port Washington, County of Ozaukee, State of Wisconsin, more particularly described as follows;

Commencing at the East corner of Lot 16 Block 3 in said North East Addition also being the point of beginning; Thence South 38°07'58" East along the Southwesterly line of North Powers Street, 221.11 feet to a found one inch inside diameter iron pipe; Thence South 51°52'02" West, 49.95 feet; Thence South 38°07'58" East, 20.00 feet; Thence South 50°25'40" West, 55.21 feet; Thence South 41°00'11" East, 5.89 feet; Thence South 48°59'49" West, 51.77 feet to the Northeasterly line of North Johnson Street; Thence North 38°21'12" West along said Northeasterly line, 373.53 feet to the South line of East Van Buren Street; Thence North 89°40'12" East along said South line, 199.95 feet to the point of beginning.

This parcel contains **47,001 Sq. Ft. (1.079 acres)**, more or less.

451 Johnson Street:

LEGAL DESCRIPTION

Lot 2 of Certified Survey Map numbered 2560, recorded in the Office of the Register of Deeds for Ozaukee County, Wisconsin on June 29, 1993, in Volume 18 of Certified Survey Maps on page 327, as Document No. 493831, being a redivision of part of Lots 8-27, Block 2, North East Addition to Original Plat, in the City of Port Washington, County of Ozaukee, State of Wisconsin, more particularly described as follows;

Commencing at the Northeast corner of Lot 17 of said North East Addition to Original Plat; Thence South 38°21'12" East along the Southwesterly line of North Johnson Street, 345.20 feet; Thence South 51°38'48" West, 80.00 feet; Thence South 38°21'12" East, 8.79 feet; Thence South 50°09'00" West, 119.80 feet to the Northeasterly line of North Franklin Street; Thence North 39°51'00" West along said Northeasterly line, 308.68 feet; Thence North 50°09'00" East, 142.67 feet; Thence North 00°16'42" West, 75.49 feet to the South line of East Van Buren Street; Thence North 89°43'18" East along said South line, 23.69 feet to the point of beginning.

EXCEPTING THEREFROM that part thereof conveyed to Elder Housing Holdings LLC, a Wisconsin Limited liability company, by Warranty Deed dated August 30, 2013, and recorded in the office of the register of Deeds for Ozaukee County, Wisconsin on September 10, 2013, as Document No. 992834.

This parcel contains **64,608 sq. ft. (1.483 acres)**, more or less.

EXHIBIT B
MAP OF REZONED LAND

REZONING OF 430-446 JOHNSON STREET AND 451 JOHNSON STREET TO BE REZONED OPD
OVERLAY PLANNED DEVELOPMENT WITH A BASE ZONING OF CCM CENTRAL CITY MIXED

