

**CITY OF PORT WASHINGTON, WISCONSIN  
ORDINANCE NO. 2020 - 2**

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

**WHEREAS**, Black Cap Halcyon Holdings LLC, a Wisconsin limited liability company, the owner and developer of Prairie's Edge subdivision in the City of Port Washington, Wisconsin has requested rezoning, as set forth hereinbelow, of those certain lands lying east of County Highway C and South Wisconsin Street, designated as Lots 6 and 7 of the Preliminary Plat of said subdivision, as depicted and more particularly described in Exhibits A and B, respectively, attached hereto and incorporated by reference herein; and

**WHEREAS**, pursuant to the developer's request, Lot 7 would be rezoned from RM-2 Multiple Family (Garden Apts. & Townhouses) zoning district to B-2 Local Service Center Business zoning district; Lot 6 would remain zoned B-2 Local Service Center Business zoning district; and both Lot 6 and Lot 7 would be subject to OPD Planned Development overlay zoning to facilitate developer's proposed development of said lots as the site of a community-based residential facility; 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 said lots be rezoned by the Common Council; and

**WHEREAS**, all notices of the developer's 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 April 21, 2020; and

**WHEREAS**, the Common Council has determined that the rezoning of said lots 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 certain lands within Prairie's Edge subdivision, lying east of County Highway C and South Wisconsin Street, designated as Lots 6 and 7 of the Preliminary Plat of said subdivision, as depicted and more particularly described in Exhibits A and B, respectively, attached hereto and incorporated by reference herein, are hereby rezoned as follows:

- A. Lot 7 is hereby be rezoned from RM-2 Multiple Family (Garden Apts. & Townhouses) zoning district to B-2 Local Service Center Business zoning district.
- B. Both Lot 6 and Lot 7 shall include and be subject to OPD Planned Development overlay zoning to facilitate developer's proposed development of said lots as the site of a community-based residential facility.

**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 plans for the development of Lot 6 and Lot 7 of the Preliminary Plat of Prairie's Edge subdivision, as depicted and more particularly described in Exhibits A and B, respectively, 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 21<sup>st</sup> day of April, 2020.

  
\_\_\_\_\_  
Martin T. Becker, Mayor

ATTEST:

  
\_\_\_\_\_  
Susan L. Westerbeke, City Clerk

Lot 6

# EXHIBIT A TO BE ZONED B-2

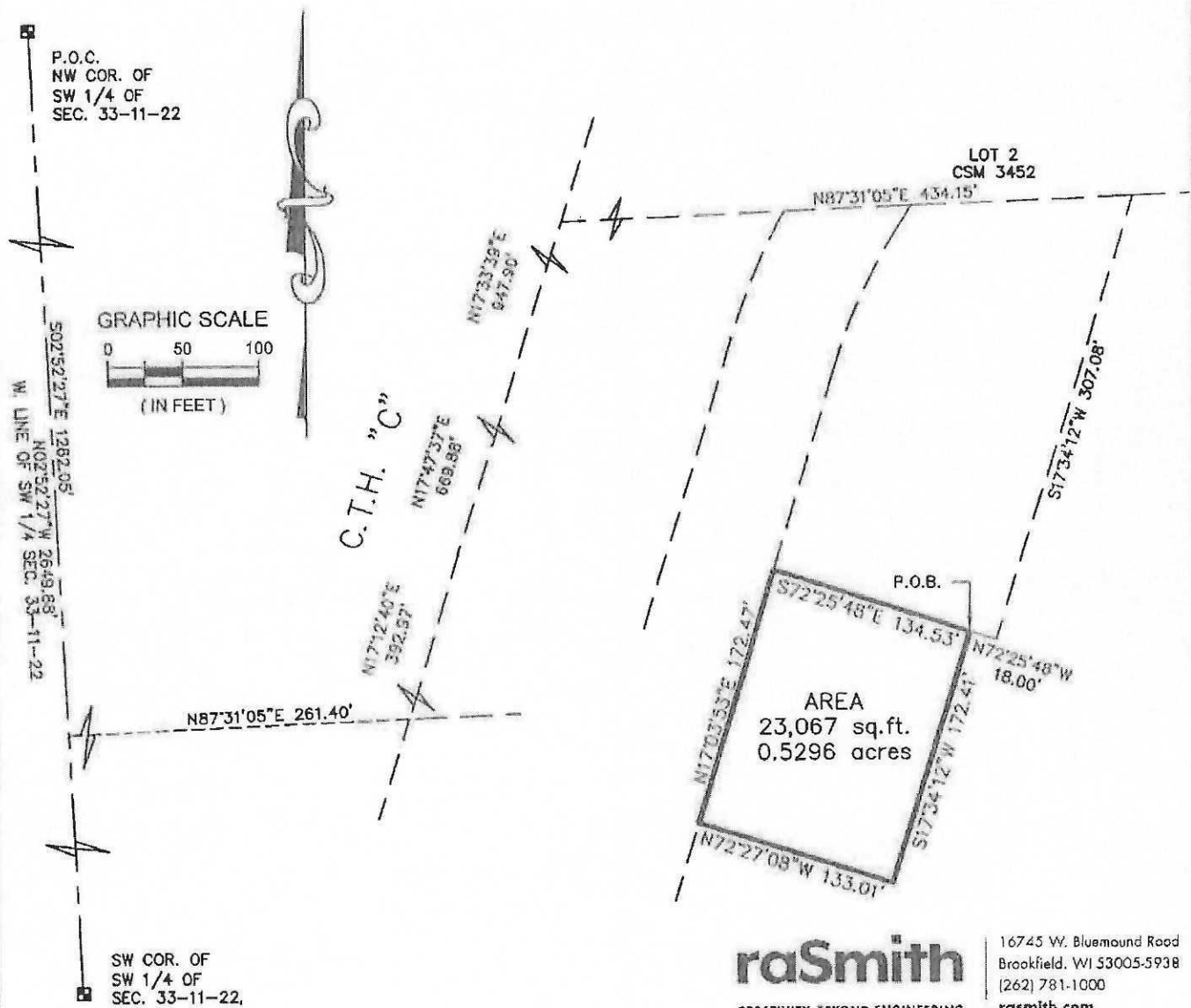
Part of Lot 1 of Certified Survey Map No. 4013, being a part of the Northwest 1/4 of Fractional Section 33, Township 11 North, Range 22 East, in the City of Port Washington, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 02°52'27" East along the West line of said 1/4 Section a distance of 1262.06 feet to a point; thence North 87°31'05" East 261.40 feet to a point in the East line of County Highway C; thence North 17°12'40" East along said East line 392.97 feet to a point; thence North 17°33'39" East along said East line 947.90 feet to a point; thence North 17°47'37" East along said East line 669.88 feet to the Southwest corner of Lot 2 of Certified Survey No. 3452; thence North 87°31'05" East along said South line 434.15 feet to a point; thence South 17°34'12" West 307.08 feet to a point; thence North 72°25'48" West 18.00 feet to the point of beginning of lands to be described; thence South 17° 34' 12" West 172.41 feet to a point; thence North 72° 27' 08" West 133.01 feet to a point; thence North 17° 03' 53" East 172.47 feet to a point; thence South 72° 25' 48" East 134.53 feet to the point of beginning.

February 1, 2018

Black Cap Halcyon LLC

Drawing No. 167176-RMK



Lot 7

# EXHIBIT B TO BE ZONED RM-2

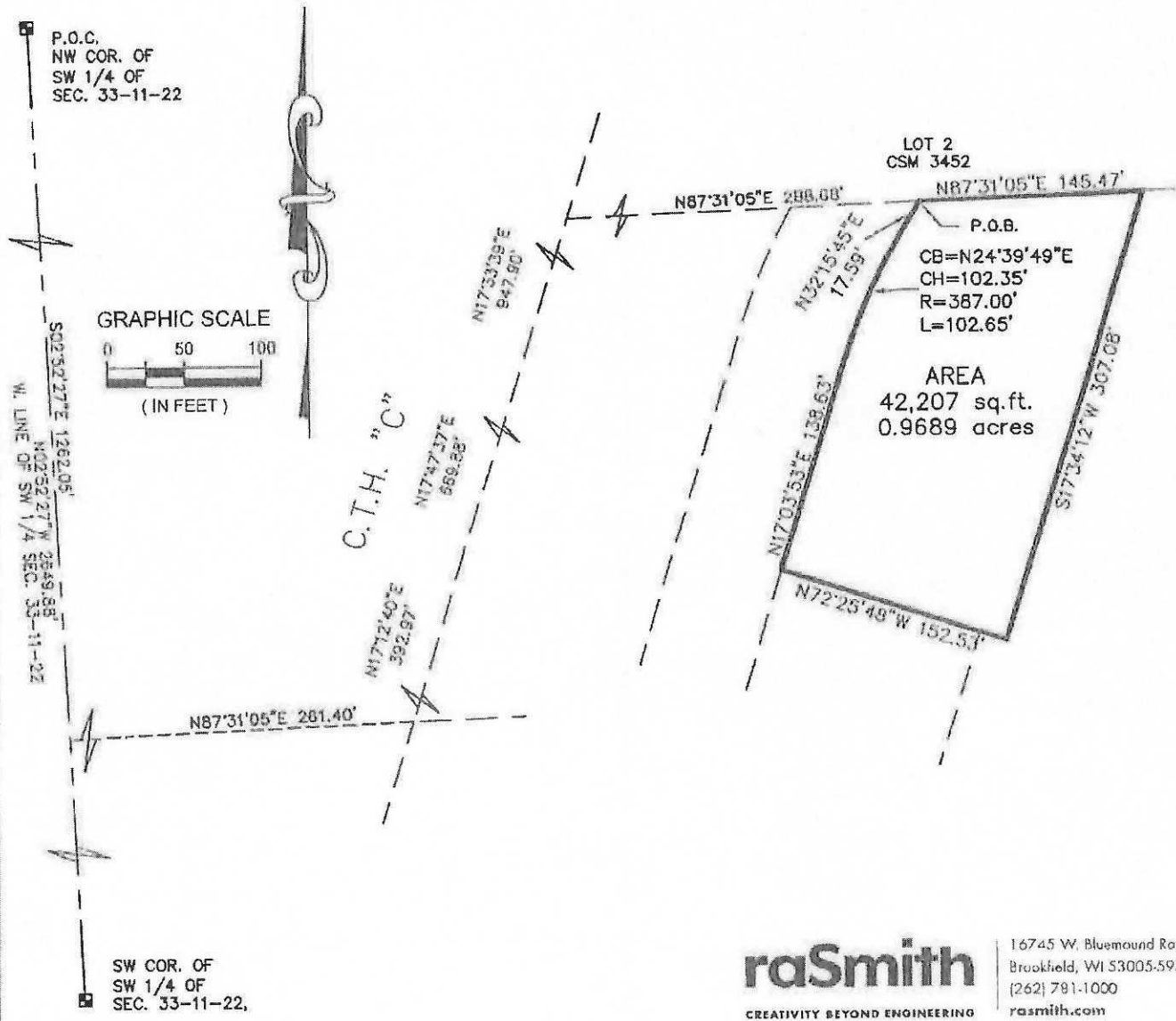
Part of Lot 1 of Certified Survey Map No. 4013, being a part of the Northwest 1/4 of Fractional Section 33, Township 11 North, Range 22 East, in the City of Port Washington, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 02°52'27" East along the West line of said 1/4 Section a distance of 1262.06 feet to a point; thence North 87°31'05" East 261.40 feet to a point in the East line of County Highway C; thence North 17°12'40" East along said East line 392.97 feet to a point; thence North 17°33'39" East along said East line 947.90 feet to a point; thence North 17°47'37" East along said East line 669.88 feet to the Southwest corner of Lot 2 of Certified Survey Map No. 3452; thence 87°31'05" East along the South line of said Lot 288.68 feet to the point of beginning of lands to be described; thence continuing North 87° 31' 05" East along said South line 145.47 feet to a point; thence South 17° 34' 12" West 307.08 feet to a point; thence North 72° 25' 48" West 152.53 feet to a point; thence North 17° 03' 53" East 138.63 feet to a point; thence 102.65 feet along an arc of a curve, whose center lies the Southeast, whose radius is 387.00 feet and whose chord bears North 24° 39' 49" East 102.35 feet to a point; thence North 32° 15' 45" East 17.59 feet to the point of beginning.

February 1, 2018

Black Cap Halcyon LLC

Drawing No. 167176-RMK



**raSmith**  
 CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road  
 Brookfield, WI 53005-5938  
 (262) 791-1000  
 rasmith.com