

**CITY OF PORT WASHINGTON, WISCONSIN  
ORDINANCE NO. 2020 - 7**

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

**WHEREAS**, Jackson East Development, LLC, a Wisconsin limited liability company, the owner of the property located at 306 E. Jackson Street (Tax Parcel # 16-098-02-05-002), and Michael J. Schmit and Ruth M. Schmit, the owners of property located at 314 E. Jackson Street (Tax Parcel # 16-098-02-04-002), in the City of Port Washington, Wisconsin, have jointly requested the rezoning of said properties, as more particularly depicted in Exhibit A and described in Exhibit B, attached hereto and incorporated by reference herein (hereinafter the "Properties"), from CCM Central City Mixed zoning district to an OPD Planned Development overlay district with a base zoning of CCM Central City Mixed for the Properties; and

**WHEREAS**, Jackson East Development, LLC and Michael J. Schmit and Ruth M. Schmit desire to redevelop the Properties, and unique aspects of the Properties necessitate the OPD Planned Development overlay zoning to allow for its successful redevelopment as more particularly reflected in the Business, Site, and Operational Plans approved by the City of Port Washington Plan Commission on October 15, 2020; 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 the Properties 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. sec. 62.23(7)(d), and such public hearing was held before the Common Council on November 17, 2020; and

**WHEREAS**, the Common Council has determined that the rezoning of the Properties 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.** The rezoning of those certain lands owned by Jackson East Development, LLC, a Wisconsin limited liability company, located at 306 E. Jackson Street (Tax Parcel # 16-098-02-05-002), and those certain lands owned by Michael J. Schmit and Ruth M. Schmit located at 314 E. Jackson Street (Tax Parcel # 16-098-02-04-002), in the City of Port Washington, Wisconsin, as more particularly depicted in Exhibit A and described in Exhibit B attached hereto and incorporated by reference herein from CCM Central City Mixed zoning district to an OPD Planned Development overlay district with a base zoning of CCM Central City Mixed, *is hereby conditionally approved; provided, however,* that such rezoning shall not take effect until completion of the closing on the sale of a 5' by approximately 141.51' strip of vacant City-owned land abutting and running parallel to the east boundary line of the real property at 314 E. Jackson Street to Michael J. Schmit and Ruth M. Schmit, and if such closing is not completed by March 1, 2021, then this rezoning approval shall be null and void.

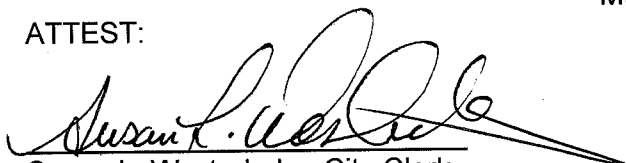
**Section 2.** Pursuant to Sections 20.05.010, et seq., 20.21.060 and 20.23.000 of the Zoning Ordinance of the City of Port Washington, the Official Zoning Map shall be amended at such time as all plans for the development have been approved, mapped and recorded as required by said Zoning Ordinance.

**Section 3.** This Ordinance shall take effect as and when prescribed in Section 1.

Passed and approved this 15th day December, 2020.

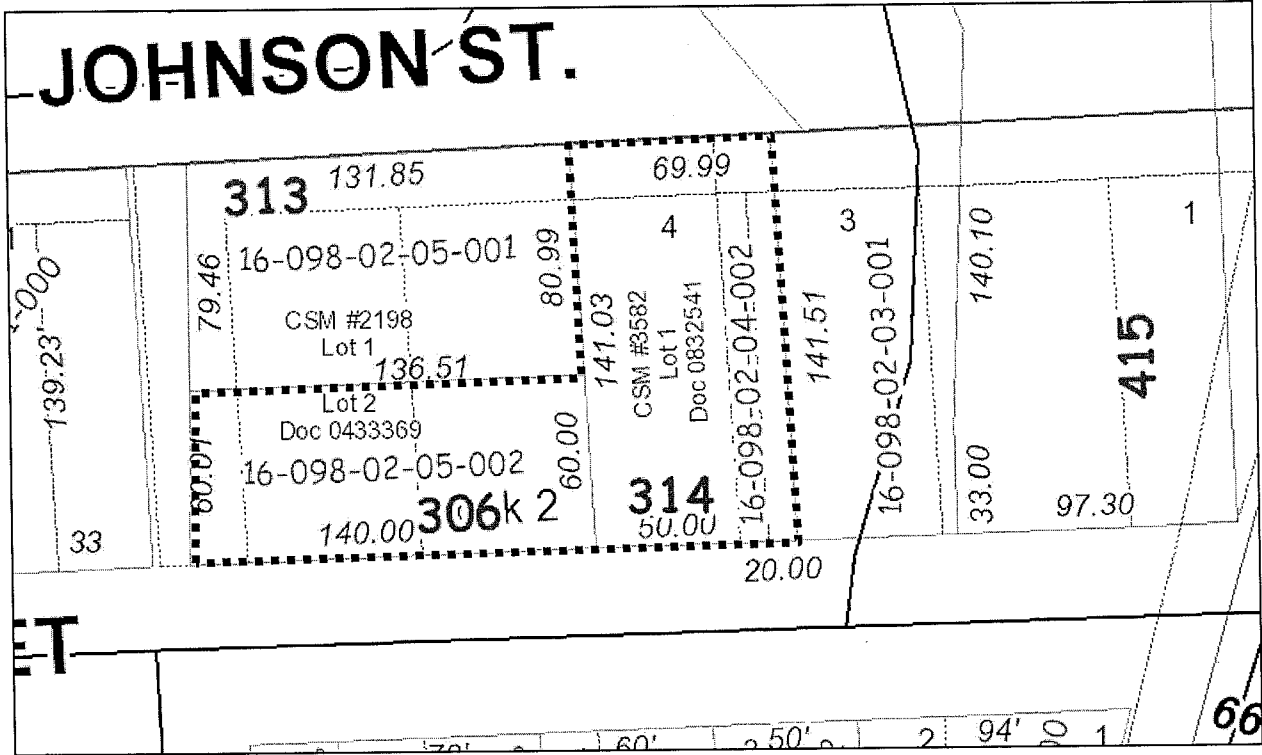
  
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Martin T. Becker, Mayor

ATTEST:

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

**EXHIBIT A**  
**MAP OF REZONED LANDS**

REZONING OF 306 E. JACKSON STREET AND 314 E. JACKSON STREET AS OPD PLANNED  
DEVELOPMENT OVERLAY DISTRICT WITH A BASE ZONING OF CCM CENTRAL CITY MIXED



**EXHIBIT B**  
**LEGAL DESCRIPTION OF REZONED LANDS**

**306 E. Jackson Street:**

Lot Two (2) of CERTIFIED SURVEY MAP NO. 2198 recorded in the Ozaukee County Registry in Volume 16 of Certified Survey Maps on pages 209-210 as Document No. 433369, and being all of Lots 5 and 6 of Block 2 of the Original Plat of the City of Port Washington, that part of vacated North City Street and a part of the Southeast  $\frac{1}{4}$  of Section 28, Township 11 North, Range 22 East, City of Port Washington, Ozaukee County, Wisconsin.

Parcel Identification No.: 16-098-02-050.02  
Street address: 306 E. Jackson Street, Port Washington, WI 53074

and

**314 E. Jackson Street:**

Lot One (1) of CERTIFIED SURVEY MAP NO. 3582 recorded in the Ozaukee County Registry as Document No. 832541, being part of Lot 4, Block 2 of the Original Plat to the City of Port Washington, and a part of the Southeast Quarter of Section 28, Township 11 North, Range 22 East, City of Port Washington, Ozaukee County, Wisconsin.

Parcel Identification No.: 16-098-02-04-002  
Street address: 314 E. Jackson Street, Port Washington, WI 53074