

**Common Council  
City of Waukesha, Wisconsin**

**Ordinance No. \_\_\_\_\_ - 19**

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**An Ordinance to Rezone Certain Property and to Amend the  
Zoning Map of the City of Waukesha, Wisconsin**

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**Whereas** the owner of the properties at 313 Bank Street, 210 Bank Street, a portion of 151 E. St. Paul Avenue, and the property at the southwest corner of NW Barstow Street and E. St. Paul Avenue in the City of Waukesha, more fully described below, made an application to the Plan Commission for re-zoning of the property from B-2 to B-2 PUD (Commercial Business Planned Unit Development); and

**Whereas** on June 12, 2019, the Plan Commission passed a resolution by which the proposed re-zoning of the property was recommended to the Common Council; and

**Whereas** a notice of a public hearing of the proposed re-zoning to be held on July 2, 2019, was published as a Class 2 notice pursuant to Chapter 985 of the Wisconsin Statutes on June 18, 2019, and June 25, 2019; and

**Whereas** a public hearing of the proposed re-zoning was held at the regular Common Council meeting on July 2, 2019; and

**Whereas** no objections to the proposed re-zoning sufficient under Wis. Stats. §62.23(7)(d)2m to require a supermajority vote to approve the proposed re-zoning were received by the City; and

**Whereas** the Common Council, at its July 2, 2019, regular meeting considered the Plan Commission's recommendation, the supporting materials, the statements given during the public hearing, and the statements of City staff; and

**Whereas** the Common Council had full debate on the proposed re-zoning and found that the proposed re-zoning is in the best interests of the City; and

**Whereas** a motion to adopt the recommendation of the Plan Commission and to approve the re-zoning was made, seconded and carried by the affirmative vote of a majority of the Common Council members present and voting;

**Now, therefore,** the Common Council of the City of Waukesha do ordain as follows:

**Section 1.** The following-described property is rezoned from B-2 to B-2 PUD (Commercial Business Planned Unit Development)

See attached exhibit

Tax Keys: WAKC1305373, WAKC1305075, WAKC1305371001 and a portion of a portion of WAKC1305370

**Section 2.** The Zoning Map referred to in Municipal Code §22.09 shall be amended to conform with the changes set forth in Section 1.

**Section 3.** All ordinances or parts of ordinances inconsistent with or contravening this ordinance are hereby repealed.

**Section 4.** This ordinance shall be in full force and effect from and after its passage and publication.

Passed the 2<sup>nd</sup> day of July, 2019.

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Shawn N. Reilly, Mayor

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Gina L. Kozlik, City Clerk-Treasurer

# REZONING EXHIBIT TO BE REZONED TO B-2 (PUD)

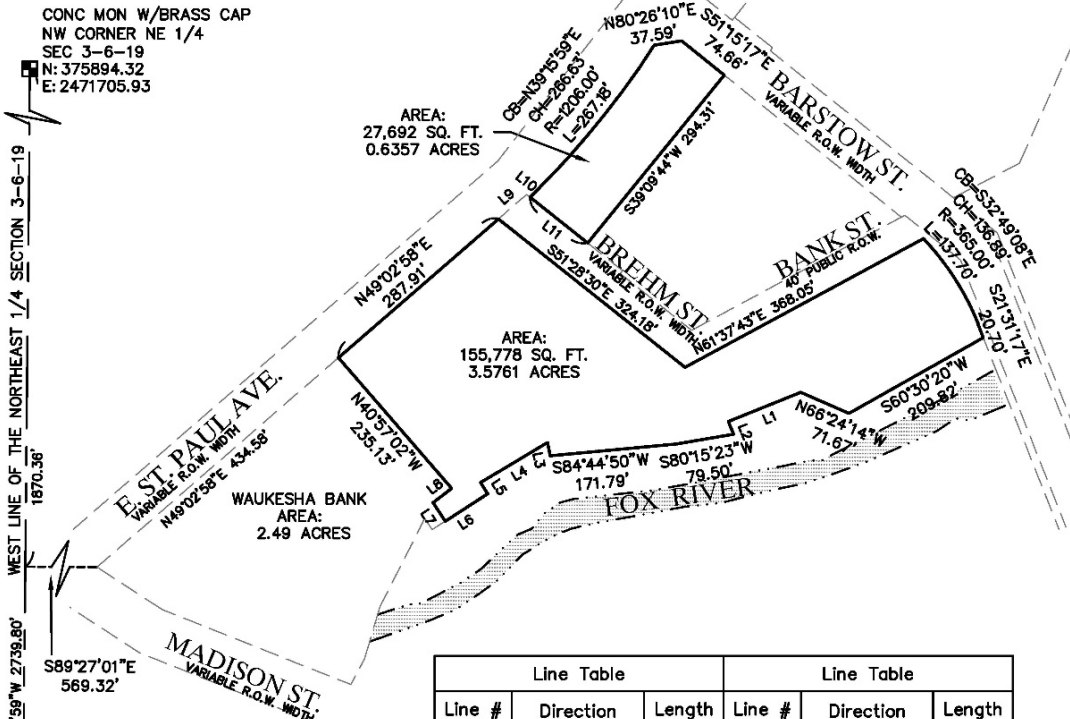
Part of Lots Six (6), Seven (7), Eight (8), Nine (9), Ten (10), and Eleven (11) in Block Lettered "P", NORTH WEST ADDITION TO VILLAGE OF PRAIRIEVILLE,

Part of Lots One (1), Two (2), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), and all of Lots Three (3), and Four (4) in Block Lettered "B", NORTH WEST ADDITION TO PRAIRIEVILLE, and part Public Square adjacent, being a part of the Southeast 1/4 of the Northeast 1/4 of Section Three (3), in Township Six (6) North, Range Nineteen (19) East, in the City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows:

COMMENCING at the Northwest corner of the Northeast 1/4 of Section 3; thence South 00°32'59" West along the West line of the Northeast 1/4 of said Section 3 for a distance of 1870.36 feet to a point; thence South 89°27'01" East 569.32 feet to a point of intersection of the South right of way line of East St. Paul Avenue and the North right of way line of Madison Street; thence North 49°02'58" East along said South line 434.58 feet to the point of beginning of lands to be described; thence North 49°02'58" East along said South line 287.91 feet to a point on the Westerly line of Brehm Street; thence South 51°28'30" East along aforesaid Westerly line 324.18 feet to a point on the South line of Bank Street; thence North 61°37'43" East 368.05 feet to a point on the Westerly line of Barstow Street; thence Southeasterly 137.70 feet along the Westerly line of Barstow Street and the arc of a curve whose center lies to the Southwest, whose radius is 365.00 feet, whose chord bears South 32°49'08" East 136.89 feet to a point; thence South 21°31'17" East along aforesaid Westerly line 20.70 feet to a point; thence South 60°30'20" West 209.82 feet to a point; thence North 66°24'14" West 71.67 feet to a point; thence South 68°05'56" West 105.80 feet to a point; thence South 21°53'43" East 18.74 feet to a point; thence South 80°15'23" West 79.50 feet to a point; thence South 84°44'50" West 171.79 feet to a point; thence North 11°46'17" West 18.20 feet to a point; thence South 59°03'47" West 105.90 feet to a point; thence South 32°50'05" East 17.99 feet to a point; thence South 57°09'54" West 68.71 feet to a point; thence North 33°31'15" West 30.38 feet to a point; thence North 52°54'44" East 32.10 feet to a point; thence North 40°57'02" West 235.13 feet to the point of beginning.  
Containing 155,778 square feet or 3.5761 acres.

Also Part of Lots One (1), Two (2), Three (3), Four (4) and Five (5) in Block Lettered "Q", NORTH WEST ADDITION TO PRAIRIEVILLE, and part Public Square adjacent, being a part of the Southeast 1/4 of the Northeast 1/4 of Section Three (3), in Township Six (6) North, Range Nineteen (19) East, in the City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows:

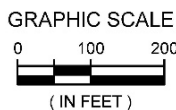
Commencing at the Northwest corner of the Northeast 1/4 of said Section 3; thence South 00°32'59" West along the West line of the Northeast 1/4 of said Section 3 for a distance of 1870.36 feet to a point; thence South 89°27'01" East and perpendicular with the aforesaid West line 569.32 feet to a point at the intersection of East St. Paul Avenue and Madison Street; thence North 49°02'58" East along the Southeasterly line of East St. Paul Avenue 773.35 feet to a point on the Easterly line of Brehm Street; thence South 51°28'07" East along said Easterly line 6.04 feet to the Point of Beginning of said lands to be described; thence Northeasterly 267.18 feet along the Southeasterly line of East St. Paul Avenue and the arc of a curve whose center lies to the Northwest, whose radius is 1206.00 feet, and whose chord bears North 39°15'59" East 266.63 feet to a point; thence North 80°26'10" East 37.59 feet to a point on the Southwestery line of Barstow Street; thence South 51°15'17" East along the aforesaid line 74.66 feet to a point; thence South 39°09'44" West 294.31 feet to a point on the Easterly line of Mary Street; thence North 51°28'32" West along the aforesaid line 99.95 feet to the point of beginning.  
Said lands contain 27,692 square feet, or 0.6357 acres.



CONC MON W/BRASS CAP  
NW CORNER NE 1/4  
SEC 3-6-19  
N: 375894.32  
E: 2471705.93

CONC MON W/BRASS CAP  
SW CORNER NE 1/4  
SEC 3-6-19  
N: 373154.65  
E: 2471679.64

Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length
L1	S68°05'56"W	105.80	L7	N33°31'15"W	30.38
L2	S21°53'43"E	18.74	L8	N52°54'44"E	32.10
L3	N11°46'17"W	18.20	L9	N49°02'58"E	50.86
L4	S59°03'47"W	105.90	L10	S51°28'07"E	6.04
L5	S32°50'05"E	17.99	L11	N51°28'32"W	99.95
L6	S57°09'54"W	68.71			



**raSmith**  
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