

ORDINANCE NO. 2688

By: Ald. Bukiewicz

AN ORDINANCE TO REZONE THE PROPERTIES AT 7929 S. HOWELL AVENUE AND  
300 W. DREXEL AVENUE FROM M-1, MANUFACTURING TO DREXEL TOWN SQUARE  
MIXED USE PLANNED DEVELOPMENT (DTSMUPD)

(2<sup>nd</sup> Aldermanic District)

WHEREAS, One West Drexel, LLC and the City of Oak Creek have applied for a rezoning of the properties at 7929 S. Howell Avenue (Tax Key No. 813-9023) and 300 W. Drexel Avenue (Tax Key No. 813-9024) from M-1, Manufacturing to Drexel Town Square Mixed Use Planned Development (DTSMUPD).

WHEREAS, the properties are more precisely described as follows:

Lot 1 and Outlot 1 of Certified Survey Map No. 8468, being in the Northeast and Northwest one-quarters of Section 17, Town 5 North, Range 22 East, City of Oak Creek, County of Milwaukee, State of Wisconsin.

WHEREAS, the Plan Commission reviewed the application and recommended that the rezoning be approved; and

WHEREAS, the Common Council held public hearings on said application on June 18, 2013 and August 5, 2013 at which time all interested parties appeared and were heard; and

WHEREAS, following said public hearing and with the favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved; and

WHEREAS, the Plan Commission had recommended that the application be approved subject, however, to the imposition of a General Development Plan and Regulating Plan, and which General Development Plan and Regulating Plan are incorporated by reference into this ordinance; and

WHEREAS, following said public hearing and upon favorable recommendation of the Plan Commission, the Common Council is of the opinion that the best interests of the City would be served if the rezoning was approved for the lands hereinabove described, subject, however to the imposition of a General Development Plan and Regulating Plan applying to the design, construction, location and operation of development within the properties.

NOW, THEREFORE, the Common Council of the City of Oak Creek does hereby ordain as follows:

SECTION 1: To promote the general welfare, public safety and general planning within the City of Oak Creek, the lands hereinabove described are hereby rezoned from M-1, Manufacturing to Drexel Town Square Mixed Use Planned Development (DTSMUPD) and the Zoning Map of Chapter 17 of the Municipal Code is hereby amended to reflect the rezoning.

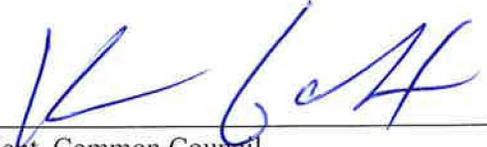
SECTION 2: The development of the properties is subject to the aforementioned General Development Plan and Regulating Plan. Any substantial changes to the General Development Plan and Regulating Plan shall be subject to approval by the Common Council.

SECTION 3: All ordinances or parts of ordinances and Zoning District Maps made a part of Chapter 17 of the Municipal Code of the City of Oak Creek in conflict herewith are hereby repealed.

SECTION 4: The several sections of this ordinance are declared to be severable. If any section shall be declared, by a decision of a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of other provisions of this ordinance.

SECTION 5: The rezoning shall take place contemporaneously with the enactment of this ordinance and shall take effect immediately upon its passage and publication.

Passed and adopted this 5<sup>th</sup> day of August, 2013.

  
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President, Common Council

Approved this 5<sup>th</sup> day of August, 2013.

  
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Mayor

ATTEST:

  
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City Clerk

VOTE: Ayes 6 Noes 0