

## **ORDINANCE 2018-12**

### **THE ESTABLISHMENT OF A PLANNED DEVELOPMENT DISTRICT FOR PARCEL NUMBER AL-44 LOCATED AT 1649 SOUTH WEBSTER AVENUE IN THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN (BREWERY/TAPROOM AND COMMERCIAL/RESTAURANT TENANT SPACE)**

**The Village Board of the Village of Allouez, of the County of Brown, State of Wisconsin, do ordain as follows:**

**SECTION 1** – That the property described below is hereby rezoned as a Planned Development District for use as a microbrewery, taproom, and commercial/restaurant tenant space and which is more particularly described as follows: 1649 South Webster Avenue, Village of Allouez, Brown County, Wisconsin, Allouez Tax Parcel AL-44.

**SECTION 2** – That this rezoning is subject to the following conditions:

- (a) The intended use of the property is a planned unit development for an approximate 11,000 square foot brewery and taproom with adjoining beer garden and commercial/restaurant tenant space.
- (b) The rezoning to a Planned Development District shall be for the benefit of 1649 S. Webster Avenue, LLC, the prospective owner of the land under offer to purchase with the Village of Allouez, and all subsequent owners of the property.
- (c) This rezoning is subject to all of the terms and conditions of the final approval of this Planned Development District, by the Village Board, all provisions of this Ordinance, all provisions of Article VI of Chapter 475 of the Village's Code of General Ordinances, and all developer conditions and covenants contained in the Tax Incremental Financing Developer's Performance Agreement between the Village of Allouez and 1649 S. Webster Avenue, LLC; and in the event that any of these conditions are not met or the project is not completed within two (2) years from the date of final approval, then this shall be cause for repealing this Ordinance and rescinding the designation of the property as a Planned Development District.
- (d) The permitted use of the land within this Planned Development District shall be only that which is in compliance with the final approval as hereinbefore granted and any amendment which may be hereafter made from time to time of and to such Planned Development District by the Village Board. The terms and conditions of the final approval are attached hereto and made a part hereof the same as if they were set forth in full herein.

**SECTION 3** – That Schedule H, Planned Development District, to Chapter 475 of the Code of General Ordinances of the Village of Allouez, is hereby amended by adding the property described in Section 1.

**SECTION 4** – That the several sections of this Ordinance are hereby declared to be severable, and in the event that any Section hereof shall hereafter be declared by a decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of this Ordinance.

**SECTION 5** – That this Ordinance shall take effect on the day following the day of the publication of this Ordinance.

PASSED AND APPROVED by the Village Board of the Village of Allouez on this 16<sup>th</sup> day of October, 2018.

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James F. Rafter, Village President

ATTEST:

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Debra M. Baenen, Village Clerk-Treasurer

PUBLISHED on this \_\_\_\_ day of \_\_\_\_\_, 2018.