



## Legislation Details (With Text)

**File #:** 100767 **Version:** 1

**Type:** Ordinance **Status:** Passed

**File created:** 10/12/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 12/21/2010

**Effective date:**

**Title:** A substitute ordinance relating to a change in zoning from Single-Family Residential to a General Planned Development known as Growing Power, for development of a vertical farm and accessory uses, on land located on the north side of West Silver Spring Drive and west of North 55th Street, in the 9th Aldermanic District.

**Sponsors:** ALD. PUENTE

**Indexes:** ZONING, ZONING DISTRICT 09

**Attachments:** 1. Exhibit A as of 11-8-10.pdf, 2. Exhibit A Continued as of 11-8-10.pdf, 3. Proposed Zoning Change Map.pdf, 4. City Plan Commission Letter.pdf, 5. Affidavit for Zoning Change.pdf, 6. Hearing Notice List, 7. Notice Published on 12-2-10 and 12-9-10, 8. Notice Published on 1-12-11

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/14/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/2/2010	1	CITY CLERK	PUBLISHED		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/17/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
12/21/2010	1	COMMON COUNCIL	PASSED	Pass	15:0
1/5/2011	1	MAYOR	SIGNED		
1/12/2011	1	CITY CLERK	PUBLISHED		

100767  
SUBSTITUTE 1

ALD. PUENTE

A substitute ordinance relating to a change in zoning from Single-Family Residential to a General Planned Development known as Growing Power, for development of a vertical farm and accessory uses, on land located on the north side of West Silver Spring Drive and west of North 55th Street, in the 9th Aldermanic District.

This rezoning was requested by Growing Power, Inc., and will allow for the development of a facility that will consist of a five-story vertical farm building with classrooms, staff offices and other accessory uses, in addition to the existing greenhouses, hoop houses and farm yard.

The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances ("Code") a new section to read as follows:

Section 295-907(2) (a).0059.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and establishment of planned development districts, the Common Council approves the subject General Planned Development, a copy of which is attached to this Common Council File as Exhibit A which is on file in the office of the City Clerk and made a part as though fully set forth herein.

(2) The zoning map is amended to change the zoning for the properties located at 5500 West Silver Spring Drive, Tax Key No. 173-0168-000, and part of 5532 West Silver Spring Drive, Tax Key No. 173-0312-000.

(3) The requirements set forth in said general plan attached to this Common Council File as Exhibit A, constitute the zoning regulations for the area contained in such planned development district described, provided further, that the effect of the approval of such general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the general plan to all conditions and limitations set forth in such general plan.

Part 2. Any persons, firm, company or corporation owning, controlling or managing any building or premises wherein or whereon there shall be placed or there exists anything in violation of the terms of this ordinance; or who shall build contrary to the plans or specifications submitted to and approved by the Commissioner of the Department of City Development, or any person, firm, company or corporation who shall omit, neglect or refuse to do any act required in this ordinance shall be subject to the penalties provided in Section 200-19 of the Code.

Part 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions. The Common Council declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase or portion irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases or other portions be declared void or invalid.

DCD:VLK:kdc  
11/23/10