



Legislation Details (With Text)

**File #:** 080742      **Version:** 1

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

**File created:** 9/16/2008      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 12/16/2008

**Effective date:**

**Title:** Substitute ordinance relating to the change in zoning from Local Business to Detailed Planned Development on land located West of North Farwell Avenue and South of East Kenilworth Place, for residential, retail and parking development, in the 3rd Aldermanic District.

**Sponsors:** ALD. KOVAC

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 03

**Attachments:** 1. Exhibit A.pdf, 2. Exhibit A Continued.pdf, 3. Proposed Zoning Change Map.jpg, 4. City Plan Commission Letter.pdf, 5. Letter from Ald. Nik Kovac to Residents, 6. Hearing Notice List, 7. Notice Published 11-03-08 and 11-10-08, 8. Notice Published on 1-7-09, 9. Affidavit for Zoning Change.pdf

Date	Ver.	Action By	Action	Result	Tally
9/16/2008	0	COMMON COUNCIL	ASSIGNED TO		
9/19/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
10/28/2008	1	CITY CLERK	DRAFT SUBMITTED		
11/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/18/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:2
12/3/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/4/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/9/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
12/16/2008	1	COMMON COUNCIL	PASSED	Pass	15:0
12/22/2008	1	MAYOR	SIGNED		
1/7/2009	1	CITY CLERK	PUBLISHED		

080742  
SUBSTITUTE 1

ALD. KOVAC

Substitute ordinance relating to the change in zoning from Local Business to Detailed Planned Development on land located West of North Farwell Avenue and South of East Kenilworth Place, for residential, retail and parking development, in the 3rd Aldermanic District.

This zoning change was requested by New Land Enterprises and will allow for the construction of a five-story structure with four stories of dwelling units over one story of retail and parking.

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)(c).0132.

(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 Detailed 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 that part of Glidden & Lockwood's Addition in the Northwest 1/4 of Section 22, Township 7 North, Range 22 East, Block 30 of the Northeasterly 30 feet of Lot 10 and Block 30 Lots 8-9 and the Southwesterly 30 feet of Lot 10.

(3) The requirements set forth in said detailed 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 detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the detailed plan to all conditions and limitations set forth in such detailed 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:AJF:ajf  
10/28/08