



Legislation Details (With Text)

**File #:** 080814      **Version:** 1  
**Type:** Ordinance      **Status:** Placed On File  
**File created:** 10/7/2008      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE  
**On agenda:**      **Final action:** 11/3/2010  
**Effective date:**

**Title:** Substitute ordinance relating to a change in zoning from Industrial Heavy to General Planned Development, on land located East of South 1st Street and North of East Lincoln Avenue, for apartment development for U.S. veterans including commercial space development, in the 14th Aldermanic District.

**Sponsors:** ALD. ZIELINSKI

**Indexes:** ZONING, ZONING DISTRICT 14

**Attachments:** 1. Exhibit A as of 12-8-08.pdf, 2. Exhibit A as of 12-3-08.pdf, 3. Exhibit A Continued as of 12-3-08.pdf, 4. Proposed Zoning Change Map.jpg, 5. Affidavit for Zoning Change.pdf, 6. City Plan Commission Letter.doc, 7. Oppose - Beta-Becher Acquisition Co, 8. Oppose - Brian L. Read, 9. Hearing Notice List, 10. Notice Published on 11-24-08 and 12-1-08

Date	Ver.	Action By	Action	Result	Tally
10/7/2008	0	COMMON COUNCIL	ASSIGNED TO		
10/8/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
11/18/2008	1	CITY CLERK	DRAFT SUBMITTED		
11/24/2008	1	CITY CLERK	PUBLISHED		
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	HELD TO CALL OF THE CHAIR	Pass	4:0
1/13/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/26/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	5:0
10/28/2010	1	COMMON COUNCIL	HEARING NOTICES SENT		
11/3/2010	1	COMMON COUNCIL	PLACED ON FILE	Pass	15:0

080814  
SUBSTITUTE 1

ALD. ZIELINSKI

stitute ordinance relating to a change in zoning from Industrial Heavy to General Planned Development, on land located East of South 1st Street and North of East Lincoln Avenue, for apartment development for U.S. veterans including commercial space development, in the 14th Aldermanic District.

This zoning change was requested by the Center for Veterans Issues and will allow for the development of one, mixed-use, five-story building on the southernmost 1.5 acres of the site. The building will contain 13,500 square feet of commercial space on the first floor

and four floors of apartments totaling approximately 80 units. The residential units will be leased to U.S. veterans qualified under the Low Income Housing Tax Credit program. The applicant will be applying for WHEDA tax credits.

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).0051.

(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 area bounded and described as follows:

The centerline of East Lincoln Avenue, the centerline of South 1st Street, a line 367.18 feet North and parallel to the north line of East Lincoln Avenue and a line 177.95 feet East and parallel to the east line of South 1st Street.

(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:AJF:ajf  
11/17/08