



Legislation Details (With Text)

**File #:** 141868 **Version:** 1  
**Type:** Ordinance **Status:** Passed  
**File created:** 3/31/2015 **In control:** COMMON COUNCIL  
**On agenda:** **Final action:** 9/22/2015  
**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from Local Business to Detailed Planned Development for construction of a mixed-use building on the properties at 2202-06 South Kinnickinnic Avenue and 371 East Ward Street and from Single-Family Residential to Detailed Planned Development for construction of a parking lot on vacated excess street right-of-way in the area bounded by South Allis Street, East Brunk's Lane and East Ward Street, and a portion of East Brunk's Lane between South Allis Street and East Ward Street, in the 14th Aldermanic District.

**Sponsors:** ALD. ZIELINSKI

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, ZONING

**Attachments:** 1. City Plan Commission Letter, 2. Exhibit A as of 9-1-15, 3. Exhibit A Continued as of 9-1-15, 4. Zoning Change Boundary Map, 5. Affidavit for Zoning Change, 6. Striegel Agacki Studio Presentation, 7. OPPOSE-Matt and Lisa, 8. OPPOSE-Whittenberger, 9. Oppose - Patty Thompson, 10. Oppose - Stephanie Harling.pdf, 11. Oppose - Theresa Toporsh.pdf, 12. Oppose - Angie Tornes.pdf, 13. Support - Kendrick Yandell.pdf, 14. Hearing Notice List, 15. Notice Published on 10-8-15, 16. Notice Published on 8-28-15 and 9-4-15

Date	Ver.	Action By	Action	Result	Tally
3/31/2015	0	COMMON COUNCIL	ASSIGNED TO		
4/1/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
8/17/2015	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
8/25/2015	1	CITY CLERK	DRAFT SUBMITTED		
8/28/2015	1	CITY CLERK	PUBLISHED		
9/9/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/10/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/15/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
9/22/2015	1	COMMON COUNCIL	PASSED	Pass	15:0
9/29/2015	1	MAYOR	SIGNED		
10/8/2015	1	CITY CLERK	PUBLISHED		

141868  
SUBSTITUTE 1  
141642, 150519  
ALD. ZIELINSKI

A substitute ordinance relating to the change in zoning from Local Business to Detailed Planned Development for construction of a mixed-use building on the properties at 2202-06 South Kinnickinnic Avenue and 371 East Ward Street and from Single-Family Residential to Detailed Planned Development for construction of a parking lot on vacated excess street

right-of-way in the area bounded by South Allis Street, East Brunk's Lane and East Ward Street, and a portion of East Brunk's Lane between South Allis Street and East Ward Street, in the 14th Aldermanic District.

This zoning change was requested by Dermond Property Investments LLC and will permit construction of a mixed-use building and public parking lot.

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).0214.

(1) In accordance with the provisions of Section 295-907 of the Code relating to the 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 the area described and bounded by 2202-06 South Kinnickinnic Avenue, Tax Key No. 466-0513-000; 371 East Ward Street, Tax Key No. 466-0514-100; and vacated excess street right-of-way in the area bounded by South Allis Street, East Brunk's Lane and East Ward Street, and a portion of East Brunk's Lane between South Allis Street and East Ward Street (vacation File No. 141642), from Local Business (LB2) and Single-Family Residential (RS2) to Detailed Planned Development (DPD).

(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:Vanessa.Koster:kdc

08/20/15