



Legislation Details (With Text)

**File #:** 080543      **Version:** 1

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

**File created:** 7/30/2008      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 10/7/2008

**Effective date:**

**Title:** Substitute ordinance relating to the change in zoning from Multi-Family Residential to Detailed Planned Development on land located at 1550 North Prospect Avenue for condominium development, in the 4th Aldermanic District.

**Sponsors:** ALD. BAUMAN

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 04

**Attachments:** 1. Protest Petitions, 2. Review of Legality of Protest Petitions, 3. Exhibit A as of 9-4-08.pdf, 4. Exhibit A as of 8-29-08.pdf, 5. Exhibit A Continued as of 8-29-08.pdf, 6. Affidavit for Zoning Change.pdf, 7. Historic Goll House Memorandum of Agreement as of 8-29-08.pdf, 8. City Plan Commission Letter.pdf, 9. Additional Petition Opposed to the Change in Zoning Received on 10/2/08, 10. Letter from Reinhart-Attorney for New Land Enterprises.pdf, 11. Support-National Trust for Historic Preservation.pdf, 12. Support-Opgenorth Anna-Marie.pdf, 13. Support-Reid Dave.pdf, 14. Oppose-1522 On The Lake Condo Association.pdf, 15. Oppose 1-Cannon & Dunphy.pdf, 16. Oppose 2-Cannon & Dunphy.pdf, 17. Oppose 3-Cannon & Dunphy.pdf, 18. Oppose 1-Fuchs & Boyle.pdf, 19. Oppose 2-Fuchs & Boyle.pdf, 20. Oppose 1-McCarthy Dawn.pdf, 21. Oppose 2-McCarthy Dawn.pdf, 22. Oppose-Croasdaile Thomas.pdf, 23. Oppose-Eells Family.pdf, 24. Oppose-Msiepmann.pdf, 25. Oppose-Stott & Becker.pdf, 26. Oppose-Stott & Becker-Picture 1.pdf, 27. Oppose-Stott & Becker-Picture 2.pdf, 28. Oppose-Walker George C.pdf, 29. Oppose-Kaufman Bruce.pdf, 30. Oppose - Back Bay Investments, 31. Oppose - Dennis Burgener - McWilliams Burgener Architecture, 32. Reinhart letter to Martha Brown and Vanessa Koster dated 9-15-08.pdf, 33. Milwaukee Magazine article dated October 2008.pdf, 34. Urban Milwaukee article.pdf, 35. Neutral-Mervis Mike.pdf, 36. Transcript 9-15-08 Historic Preservation Commission-City Plan Commission Mtg.pdf, 37. Letter from New Land Enterprises, LLP, 38. Department of City Development-Protest Petition Response.pdf, 39. Letter from the Department of City Development, 40. City Attorney's Opinion - Protest Petition, 41. Notice Published on 10-23-08

Date	Ver.	Action By	Action	Result	Tally
7/30/2008	0	COMMON COUNCIL	ASSIGNED TO		
8/1/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/8/2008	1	CITY CLERK	DRAFT SUBMITTED		
9/15/2008	1	CITY CLERK	PUBLISHED		
9/23/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/30/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
10/7/2008	1	COMMON COUNCIL	PASSED	Pass	13:1
10/9/2008	1	MAYOR	SIGNED		
10/23/2008	1	CITY CLERK	PUBLISHED		

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SUBSTITUTE 1

ALD. BAUMAN

Substitute ordinance relating to the change in zoning from Multi-Family Residential to Detailed Planned Development on land located at 1550 North Prospect Avenue for condominium development, in the 4th Aldermanic District.

This substitute ordinance will allow for the construction of up to 35 condominium units in a 26-story structure and the construction of a modest connection piece between the new tower and the existing Frederick T. and Eleanor Goll House. The Goll House will serve as the public entrance and lobby area for the condominium tower. This zoning change was requested by New Land Enterprises.

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).0128.

(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 as that part of the Southwesterly 1/2 of Lot 12 in Block 199 in Rogers' Addition and the Northeasterly 38 feet and 9 inches of Lot 8 in Ronald's Subdivision of Lot 11 in Block 199 in Rogers' Addition, in the Southeast 1/4 of Section 21, Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, Wisconsin, lying between the southeasterly line of widened North Prospect Avenue and the northwesterly line of the right-of-way of the Chicago and Northwestern Railroad, from Multi-Family Residential (RM7) 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:AJF:ajf  
09/08/08