



Legislation Details (With Text)

File #: 150133 **Version:** 1
Type: Ordinance **Status:** Placed On File
File created: 5/12/2015 **In control:** COMMON COUNCIL
On agenda: **Final action:** 7/21/2015

Effective date:

Title: A substitute ordinance relating to the change in zoning from Industrial-Mixed and Industrial-Office to a General Planned Development for development of a school on properties located on the east and west sides of South 5th Street, south of West Harrison Avenue, in the 14th Aldermanic District.

Sponsors: THE CHAIR

Indexes:

Attachments: 1. Withdrawal Letter, 2. Exhibit A as of 5-20-15, 3. Zoning Change Boundary Map, 4. Affidavit for Zoning Change, 5. City Plan Commission Letter, 6. Biztimes Article, 7. PowerPoint Presentation, 8. Opposition - La Causa Inc., 9. A Schmidt-SUPPORT, 10. Bird Ladder & Equipment Co-OPPOSE, 11. C Nettles-SUPPORT, 12. Carmen Schools of Science and Tech-SUPPORT, 13. Don Layden Jr-SUPPORT, 14. Fredrick Lautz-SUPPORT, 15. Hispanics for School Choice-SUPPORT, 16. Howard Fuller-SUPPORT, 17. Jim Rowe-SUPPORT, 18. MMAC Tim Sheehy-SUPPORT, 19. Schools That Can Milwaukee-SUPPORT, 20. T Orlando-SUPPORT, 21. VJS Construction-SUPPORT, 22. Baird-SUPPORT, 23. Support - YMCA, 24. Support - Boys & Girls Club.pdf, 25. Support - United Community Center.pdf, 26. Opposition - Anonymous, 27. Opposition - Anonymous 2, 28. Oppose - Lawrence Hoffman, 29. Oppose - Mark Johnson, 30. Hearing Notice List, 31. Notice Published on 6-29-15 and 7-6-15

Date	Ver.	Action By	Action	Result	Tally
5/12/2015	0	COMMON COUNCIL	ASSIGNED TO		
5/13/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/8/2015	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
6/19/2015	1	CITY CLERK	DRAFT SUBMITTED		
6/29/2015	1	CITY CLERK	PUBLISHED		
7/7/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/10/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/16/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	5:0
7/21/2015	1	COMMON COUNCIL	PLACED ON FILE	Pass	12:0

150133
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to the change in zoning from Industrial-Mixed and Industrial-Office to a General Planned Development for development of a school on properties located on the east and west sides of South 5th Street, south of West Harrison Avenue, in the 14th Aldermanic District.

This zoning change was requested by AEE LLC and will allow phased development of a school

on the project site.

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).0080.

(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: 2607 South 5th Street, Tax Key No. 498-0807-111; 2636-2668 South 5th Street, Tax Key No. 498-0323-210; 2600-2602 South 5th Place, Tax Key No. 498-0810-000; 2606 South 5th Place, Tax Key No. 498-0809-000; and 2610 South 5th Place, Tax Key No. 498-0808-000, from Industrial-Mixed (IM) and Industrial-Office (IO2) to General Planned Development (GPD).

(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:Vanessa.Koster:kdc

06/18/15