



Legislation Details (With Text)

**File #:** 091154      **Version:** 1

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

**File created:** 12/22/2009      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 2/9/2010

**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Heartland Housing, for a four-story structure with 38 residential units and first floor community space, on lands located South of West Fond du Lac Avenue and West of North 25th Street, in the 15th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 15

**Attachments:** 1. City Plan Commission Letter.pdf, 2. Exhibit A as of 1-25-10.pdf, 3. Exhibit A Continued as of 1-25-10.pdf, 4. Operating Plan Summary.pdf, 5. Pictures.pdf, 6. Proposed Zoning Change Map.jpg, 7. Affidavit for Zoning Change.pdf, 8. Hearing Notice List, 9. Notice Published on 1-15-10 and 1-22-10, 10. Notice Published on 2-25-10

Date	Ver.	Action By	Action	Result	Tally
12/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/8/2010	1	CITY CLERK	DRAFT SUBMITTED		
1/15/2010	1	CITY CLERK	PUBLISHED		
1/27/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/27/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/27/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/27/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/2/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/9/2010	1	COMMON COUNCIL	PASSED	Pass	15:0
2/16/2010	1	MAYOR	SIGNED		
2/25/2010	1	CITY CLERK	PUBLISHED		

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THE CHAIR

A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Heartland Housing, for a four-story structure with 38 residential units and first floor community space, on lands located South of West Fond du Lac Avenue and West of North 25th Street, in the 15th Aldermanic District. This zoning change was requested by Heartland Housing to allow for a four-story structure

with 38 residential units and first floor community space.

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).0152.

(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 area bounded and described as follows: The southwest line of West Fond du Lac Avenue, the northwest line of West Tamarack Street, a line 160 feet Southwest and parallel to the southwest line of West Fond du Lac Avenue, and a line 110 feet Northwest and parallel to the northwest line of West Tamarack Street.

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

01/07/10