



Legislation Details (With Text)

**File #:** 050183      **Version:** 1

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

**File created:** 5/20/2005      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 7/26/2005

**Effective date:**

**Title:** Substitute ordinance approving the First Amendment to a Detailed Planned Development (DPD) known as W Center, on land located on the Northwest Corner of North 12th Street and West Highland Avenue, in the 4th Aldermanic District.

**Sponsors:** ALD. BAUMAN

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

**Attachments:** 1. CPC letter.pdf, 2. Exhibit A.PDF, 3. Notice Published on July 1 and 8, 2005.PDF, 4. Exhibit A - attachments.PDF, 5. Notice Published on 8-11-05.PDF

| Date      | Ver. | Action By                                     | Action                  | Result | Tally |
|-----------|------|---|-------------------------|--------|-------|
| 5/20/2005 | 0    | COMMON COUNCIL                                | ASSIGNED TO             |        |       |
| 5/23/2005 |      | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO             |        |       |
| 6/27/2005 | 1    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 7/1/2005  | 1    | CITY CLERK                                    | PUBLISHED               |        |       |
| 7/12/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/12/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/12/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/19/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 7/26/2005 | 1    | COMMON COUNCIL                                | PASSED                  | Pass   | 15:0  |
| 8/2/2005  | 1    | MAYOR   | SIGNED                  |        |       |
| 8/11/2005 | 1    | CITY CLERK                                    | PUBLISHED               |        |       |

050183  
SUBSTITUTE 1  
040848  
ALD. BAUMAN

Substitute ordinance approving the First Amendment to a Detailed Planned Development (DPD) known as W Center, on land located on the Northwest Corner of North 12th Street and West Highland Avenue, in the 4th Aldermanic District.

This substitute ordinance will allow for the expansion of a previously approved gas station, convenience store and office building to add two additional fueling pumps and an automated car wash.

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)(b).0083.

(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 Amended 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 revised to change the zoning for the area bounded and described by the zoning line within the right-of-way of West Highland Avenue, the zoning line within the right-of-way of North 12th Street, a line 142.96 feet North and parallel to the north line of West Highland Avenue and a line 115 feet West and parallel to the west line of North 12th Street.

(3) The requirements set forth in said amended 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 amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended 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. In accordance with the provisions of Section 295-907 of the Code, the City Clerk shall transmit a certified copy of the action taken by the Common Council to the Department of City Development.

Part 4. 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:JRH:vlk

06/27/05