



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 10/18/2005 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 12/13/2005

Effective date:

Title: Ordinance relating to the change in zoning from General Planned Development (GPD) to a Detailed Planned Development (DPD) known as Park Place, Stage 27, Ruby Tuesday, LLC, on land located on the Northwest Corner of North 107th Street and West Good Hope Road, in the 5th Aldermanic District.

Sponsors: ALD. BOHL

Indexes: PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 05

Attachments: 1. Exhibit A, 2. Menu, 3. CPC letter, 4. DCD Memo dated 12-12-05, 5. Exhibit A Revised Elevation, 6. Exhibit A Revised Site Plan, 7. Notice Published on 11-14-05 and 11-21-05.PDF, 8. Notice Published on 12-29-05.PDF

Date	Ver.	Action By	Action	Result	Tally
10/18/2005	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
11/14/2005	0	CITY CLERK	PUBLISHED		
11/23/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/23/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/29/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
12/13/2005	0	COMMON COUNCIL	PASSED	Pass	15:0
12/20/2005	0	MAYOR	SIGNED		
12/29/2005	0	CITY CLERK	PUBLISHED		

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ALD. BOHL

Ordinance relating to the change in zoning from General Planned Development (GPD) to a Detailed Planned Development (DPD) known as Park Place, Stage 27, Ruby Tuesday, LLC, on land located on the Northwest Corner of North 107th Street and West Good Hope Road, in the 5th Aldermanic District.
This ordinance will allow for construction of a 5,300 square foot sit-down restaurant in Sub-Area 'A' of Park Place.
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).0089.

(1) In accordance with the provisions of Section 295-907(2) 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 revised to change the zoning for part of Parcel 1 of Certified Survey Map No. 6940 as recorded on April 2, 2001, on Reel 5042, Image 1163, as Document No. 8044595, being a redivision of Parcel 2 of Certified Survey Map No. 5555 recorded as Document No. 6487562 and lands all being a part of the Southeast 1/4 of Section 18, Township 8 North, Range 21 East, City of Milwaukee, Milwaukee County, State of Wisconsin, more fully described as:

Commencing at the Southeast Corner of said Section 18; thence North 00 deg. 31 min. 47 sec. East along the east line of said Southeast 1/4, 511.06 feet; thence North 89 deg. 28 min. 13 sec. West, 60.00 feet to the Northeast Corner of Parcel 1 of said CSM No. 6940; thence South 00 deg. 31 min. 47 sec. West along the east line of said Parcel 1, 233.76 feet to the point of beginning; thence continuing South 00 deg. 31 min. 47 sec. West along said east line, 52.04 feet; thence South 18 deg. 37 min. 41 sec. West along said east line, 145.20 feet; thence South 52 deg. 42 min. 28 sec. West, 24.85 feet; thence South 86 deg. 47 min. 09 sec. West along the south line of said Parcel 1, 242.19 feet; thence North 09 deg. 07 min. 44 sec. West along the west line of said Parcel 1, 165.17 feet; thence North 47 deg. 30 min. 07 sec. West along said west line 39.00 feet; thence North 42 deg. 39 min. 06 sec. East, 43.41 feet; thence South 89 deg. 28 min. 13 sec. East, 334.00 feet to the point of beginning.

(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. In accordance with the provisions of Section 295-907(2) 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
10/18/05/E