



Legislation Details (With Text)

File #: 130632 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/4/2013 **In control:** COMMON COUNCIL
On agenda: **Final action:** 11/5/2013
Effective date:

Title: A substitute ordinance relating to the First Amendment to a Detailed Planned Development, for hotel development, on land located on the east side of South Howell Avenue, north of West College Avenue, in the 13th Aldermanic District.

Sponsors: ALD. WITKOWSKI

Indexes: HOTELS AND MOTELS, PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 13

Attachments: 1. City Plan Commission Letter, 2. Exhibit A as of 10-18-13, 3. Zoning Change Boundary Map, 4. Affidavit for Zoning Change, 5. Notice Published on 10-14-13 and 10-21-13, 6. DCD Presentation, 7. Hearing Notice List 10/29/13, 8. Notice Published on 11-21-13

Date	Ver.	Action By	Action	Result	Tally
9/4/2013	0	COMMON COUNCIL	ASSIGNED TO		
9/5/2013	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
10/7/2013	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	7:0
10/7/2013	1	CITY CLERK	DRAFT SUBMITTED		
10/14/2013	1	CITY CLERK	PUBLISHED		
10/22/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/23/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/23/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/23/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/23/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/23/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/29/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/5/2013	1	COMMON COUNCIL	PASSED	Pass	15:0
11/12/2013	1	MAYOR	SIGNED		
11/21/2013	1	CITY CLERK	PUBLISHED		

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SUBSTITUTE 1
070930, 081310
ALD. WITKOWSKI

A substitute ordinance relating to the First Amendment to a Detailed Planned Development,

for hotel development, on land located on the east side of South Howell Avenue, north of West College Avenue, in the 13th Aldermanic District.

This zoning change was requested by Raymond Management Company and will permit construction of a 3-story hotel at 5880 South Howell Avenue. This hotel is the second phase of development at this site. The first phase hotel was previously approved and subsequently constructed.

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).0197.

(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 amended to change the zoning for the properties located at 5880 South Howell Avenue, Tax Key No. 673-0001-000; 5890 South Howell Avenue, Tax Key No. 673-0002-000; and 5880-R South Howell Avenue, Tax Key No. 673-0003-000, First Amendment 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:VLK:kdc
10/04/13