



Legislation Details (With Text)

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File created: 11/3/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 1/19/2011

Effective date:

Title: A substitute ordinance relating to the change in zoning from Industrial-Light to a General Planned Development, for a community center-type facility, on lands located on the north side of West Florist Avenue and west of North 64th Street, in the 2nd Aldermanic District.

Sponsors: ALD. DAVIS

Indexes: ZONING, ZONING DISTRICT 02

Attachments: 1. Exhibit A.pdf, 2. Exhibit A Continued.pdf, 3. Exhibit A-1 Permitted Use List.pdf, 4. Exhibit B.pdf, 5. City Plan Commission Letter.pdf, 6. Proposed Certified Survey Map.pdf, 7. Proposed Zoning Change Map.pdf, 8. Affidavit for Zoning Change.pdf, 9. Support-Tyrone Dumas, 10. Support-Grantosa Heights Block, 11. Notice Published on 12-2-10 and 12-9-10, 12. Notice Published on 12-23-10 and 12-30-10, 13. Hearing Notice List-revised, 14. Notice Published on 2-4-11

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/5/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/2/2010	1	CITY CLERK	PUBLISHED		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/6/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/9/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/10/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/23/2010	1	CITY CLERK	PUBLISHED		
1/4/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/7/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

1/11/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
1/19/2011	1	COMMON COUNCIL	PASSED	Pass	14:1
1/27/2011	1	MAYOR	SIGNED		
2/4/2011	1	CITY CLERK	PUBLISHED		

100875
SUBSTITUTE 1

ALD. DAVIS

A substitute ordinance relating to the change in zoning from Industrial-Light to a General Planned Development, for a community center-type facility, on lands located on the north side of West Florist Avenue and west of North 64th Street, in the 2nd Aldermanic District.

This zoning change will allow for the use of the existing vacant 8-acre parcel for a proposed future community center-type facility.

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).0058.

(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 area bounded and described as follows:

That part of Lot 1 of Certified Survey Map No. 7561 in the Southeast 1/4 of the Northwest 1/4 of Section 27, Township 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the southeast corner of said Northwest 1/4; thence North 00°41'34" West, on and along the east line of said Northwest 1/4, 45.00 feet to the north right-of-way line of West Florist Avenue and the point of beginning; thence South 89°28'24" West, on and along said north right-of-way, 378.88 feet; thence North 00°22'08" West, 625.93 feet; thence South 89°28'24" West, 550.00 feet to the west line of said Lot 1; thence North 00°22'08" West, on and along said west line, 125.95 to the northwest corner of said Lot 1; thence North 89°27'04" East, on and along the north line of said Lot 1, 924.63 feet to the northeast corner of said Lot 1; thence South 00°41'34" East, on and along the east line of said Lot 1, 752.24 to the point of beginning. Containing 352,713 square feet (8.10 acres), more or less.

(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:VLK:kdc

11/23/10