



Legislation Details (With Text)

**File #:** 031363      **Version:** 1

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

**File created:** 1/21/2004      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 3/19/2004

**Effective date:**

**Title:** Substitute ordinance relating to the change in zoning from Multi-Family Residential (RM3) to a Detailed Planned Development (DPD) known as Niets Apartment Building, located on the East Side of West Highland Boulevard and South of West Vliet Street, in the 16th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 16

**Attachments:** 1. CPC letter.pdf, 2. Exhibit A.PDF, 3. Publication.PDF

Date	Ver.	Action By	Action	Result	Tally
3/9/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/12/2004	1	CITY CLERK	DRAFT SUBMITTED		
3/16/2004	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
3/19/2004	1	COMMON COUNCIL	PASSED	Pass	15:0
10/14/2013	0	HISTORIC PRESERVATION COMMISSION	ASSIGNED TO		
10/14/2013		HISTORIC PRESERVATION COMMISSION	REFERRED TO		
11/5/2013	1	COMMON COUNCIL	DRAFT SUBMITTED		
11/5/2013	1	COMMON COUNCIL	PUBLISHED		
11/26/2013	1	COMMON COUNCIL	PUBLISHED		
12/17/2013	1	COMMON COUNCIL	HEARING NOTICES SENT		
12/17/2013	1	COMMON COUNCIL	HEARING NOTICES SENT		
1/15/2014	1	FINANCE & PERSONNEL COMMITTEE	SIGNED		
1/22/2014	1	COMMON COUNCIL	PUBLISHED		

031363  
SUBSTITUTE 1

THE CHAIR  
 Substitute ordinance relating to the change in zoning from Multi-Family Residential (RM3) to a Detailed Planned Development (DPD) known as Niets Apartment Building, located on the East Side of West Highland Boulevard and South of West Vliet Street, in the 16th Aldermanic District.  
 This substitute ordinance will allow for an increase in the permitted density for the construction of a 32-unit residential apartment building.  
 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).0038.

(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 the area bound and described by a line within the right-of-way of North Highland Boulevard, a line 221.46 feet South and parallel to the south line of West Vliet Street, a line 322.92 feet South and parallel to the south line of West Vliet Street and a line 243.11 feet East and parallel to the east line of North Highland Boulevard.

(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  
02/03/04