



Legislation Details (With Text)

File #: 110446 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 7/26/2011 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 9/20/2011

Effective date:

Title: A substitute ordinance relating to the change in zoning from a General Planned Development to a Detailed Planned Development known as Concordia Trust Phase II, for redevelopment of the site, on land located on the north side of West State Street, east of North 33rd Street, in the 4th Aldermanic District.

Sponsors: ALD. BAUMAN

Indexes: PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 04

Attachments: 1. City Plan Commission Letter, 2. Exhibit A as of 9-1-11, 3. Exhibit A Continued as of 9-1-11, 4. Proposed Zoning Change Map, 5. Affidavit for Zoning Change, 6. From DPD Plan Set PowerPoint, 7. Hearing Notice List, 8. Special Meeting Hearing Notice List, 9. Exhibit A as of 9-15-11, 10. Exhibit A Continued as of 9-15-11, 11. Notice Published on 8-26-11 and 9-2-11, 12. Notice Published on 10-6-11

Date	Ver.	Action By	Action	Result	Tally
7/26/2011	0	COMMON COUNCIL	ASSIGNED TO		
7/28/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
8/23/2011	1	CITY CLERK	DRAFT SUBMITTED		
8/26/2011	1	CITY CLERK	PUBLISHED		
9/9/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/9/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/9/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/13/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
9/15/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/15/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/15/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/20/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECONSIDERED	Pass	5:0
9/20/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
9/20/2011	1	COMMON COUNCIL	PASSED	Pass	14:0
9/29/2011	1	MAYOR	SIGNED		
10/6/2011	1	CITY CLERK	PUBLISHED		

110446
SUBSTITUTE 1
100290
ALD. BAUMAN

A substitute ordinance relating to the change in zoning from a General Planned Development to a Detailed Planned Development known as Concordia Trust Phase II, for redevelopment of the site, on land located on the north side of West State Street, east of North 33rd Street, in the 4th Aldermanic District.

This zoning change was requested by Forest County Potawatomi Community and will allow for redevelopment of the site.

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).0174.

(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 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 3234 West State Street, Tax Key No. 388-1713-130; 3209 West Highland Boulevard, Tax Key No. 388-1715-100; and 3215 West Highland Boulevard, Tax Key No. 388-1716-110, from General Planned Development (GPD) 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
08/19/11