



Legislation Details (With Text)

File #: 151546 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 2/9/2016 **In control:** COMMON COUNCIL
On agenda: **Final action:** 3/29/2016

Effective date:

Title: A substitute ordinance relating to the change in zoning from Residential-Office to a Detailed Planned Development known as 1840 North Farwell Avenue for a mixed-use building at 1832-1840 North Farwell Avenue, located on the east side of North Farwell Avenue, south of East Kane Place, in the 3rd Aldermanic District.

Sponsors: ALD. KOVAC

Indexes: ZONING

Attachments: 1. Exhibit A as of 3-11-16, 2. Exhibit A Continued as of 3-11-16, 3. Zoning Change Boundary Map, 4. Affidavit for Zoning Change, 5. DPW Development Review as of 3-11-16, 6. PowerPoint Presentation, 7. Hearing Notice List, 8. Notice Published on 3-7-16 and 3-14-16, 9. City Plan Commission Letter, 10. Notice Published on 4-14-16

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|---|--------------------------------------|--------|-------|
| 2/9/2016 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 2/10/2016 | 0 | CITY CLERK | REFERRED TO | | |
| 2/29/2016 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 3/7/2016 | 1 | CITY CLERK | PUBLISHED | | |
| 3/14/2016 | 0 | CITY PLAN COMMISSION | RECOMMENDED FOR PASSAGE AND ASSIGNED | Pass | 6:0 |
| 3/16/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 3/16/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 3/16/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 3/16/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 3/16/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 3/18/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 3/22/2016 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 4:0 |
| 3/29/2016 | 1 | COMMON COUNCIL | PASSED | Pass | 14:0 |
| 4/6/2016 | 1 | MAYOR | SIGNED | | |
| 4/14/2016 | 1 | CITY CLERK | PUBLISHED | | |

151546
SUBSTITUTE 1

ALD. KOVAC

A substitute ordinance relating to the change in zoning from Residential-Office to a Detailed Planned Development known as 1840 North Farwell Avenue for a mixed-use building at 1832-1840 North Farwell Avenue, located on the east side of North Farwell Avenue, south of East Kane Place, in the 3rd Aldermanic District.

This zoning change was requested by Wiechmann Enterprises Unlimited and will permit a mixed-use building to be constructed at 1832-1840 North Farwell Avenue.

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:

(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 1832 North Farwell Avenue, Tax Key No. 355-0320-100, and 1840 North Farwell Avenue, Tax Key No. 355-0322-100, from Residential-Office (RO2) 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:Vanessa.Koster:kdc

02/29/16