



Legislation Details (With Text)

**File #:** 140046      **Version:** 1

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

**File created:** 4/22/2014      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 6/3/2014

**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Rivercrest Phase II, on land located at 2240 North Commerce Street and 1300 East Garfield Avenue, on the east side of North Commerce Street, south of East North Avenue, in the 3rd Aldermanic District.

**Sponsors:** ALD. KOVAC

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 03

**Attachments:** 1. Exhibit A as of 05-16-14, 2. Exhibit A Continued as of 05-16-14, 3. Slope Stability Analysis, 4. Zoning Change Boundary Map, 5. Affidavit for Zoning Change, 6. City Plan Commission Letter, 7. Milw River Advocates Co-op Oppose Letter, 8. Support Petition, 9. Leichtling-Support, 10. Rivercrest Letters of Support, 11. Jonathan J Feldbruegge Letter, 12. RiverCrest Phase II Native Plant Summary, 13. Rivercrest Phase II Native Plant Summary-State, 14. RiverCrest Phase II Planting Plan 5-23-14, 15. Notice Published on 5-14-14 and 5-21-14, 16. PowerPoint, 17. Hearing Notice List, 18. Notice Published 6-19-14

Date	Ver.	Action By	Action	Result	Tally
4/22/2014	0	COMMON COUNCIL	ASSIGNED TO		
4/24/2014	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
5/8/2014	1	CITY CLERK	DRAFT SUBMITTED		
5/14/2014	1	CITY CLERK	PUBLISHED		
5/19/2014	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	7:0
5/20/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/21/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/21/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/29/2014	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
6/3/2014	1	COMMON COUNCIL	PASSED	Pass	15:0
6/12/2014	1	MAYOR	SIGNED		
6/19/2014	1	CITY CLERK	PUBLISHED		

140046  
 SUBSTITUTE 1  
 020632, 040575, 140045  
 ALD. KOVAC

A substitute ordinance relating to the change in zoning from General Planned Development to a Detailed Planned Development known as Rivercrest Phase II, on land located at 2240

North Commerce Street and 1300 East Garfield Avenue, on the east side of North Commerce Street, south of East North Avenue, in the 3rd Aldermanic District.

This zoning change was requested by Rivers II Crest LLC c/o Mandel Group Inc. and will permit construction of a mixed-use 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)(c).0203.

(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 2240 North Commerce Street, Tax Key No. 355-1522-000, and 1300 East Garfield Avenue, Tax Key No. 355-1730-000, 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:Vanessa.Koster:kdc

05/07/14