



Legislation Details (With Text)

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On agenda: **Final action:** 9/27/2005

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Title: Substitute ordinance relating to the change in zoning from Industrial Heavy (IH) to a General Planned Development (GPD) known as the Forest County Potawatomi Legacy District, on land located on the South Side of West Canal Street and West of South 16th Street, in the 8th Aldermanic District.

Sponsors: ALD. DONOVAN

Indexes: GAMBLING, MENOMONEE RIVER VALLEY, PLANNED DEVELOPMENT DISTRICTS, ZONING

Attachments: 1. Exhibit A, 2. Exhibit A Revised Documents, 3. CPC letter, 4. Communication from Forest County Potawatomi Community, 5. Communication from Friebert, Finerty & St. John, S.C., 6. Communication from the Council for the Spanish Speaking, Inc., 7. Communication from West End Development Corporation, 8. Communication from King Economic Development Corporation, 9. Communication from Centro Legal, 10. Communication from Eliminating Racism Empowering Women -ywca, 11. Communication from President/CEO of the Bay View Community Center, 12. Communication from Independence First, 13. Communication from Journey House, 14. Communication from Women's Business Initiative, 15. Communication from Joseph Williams, 16. Communication from Jennifer Payant, 17. Communication from Literacy Services of Wisconsin Inc., 18. Notice Published on 9-2-05 and 9-9-05.PDF, 19. Communication from Menomonee Valley Partners, Inc., 20. Communication from Martin F. Stein, 21. Communication from Forest County Potawatomi Nation, 22. Communication from Leo Ries, 23. Communication from William Osterdorf, 24. Notice Published on October 13, 2005.PDF

Date	Ver.	Action By	Action	Result	Tally
7/26/2005	0	COMMON COUNCIL	ASSIGNED TO		
7/28/2005		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
8/24/2005	1	CITY CLERK	DRAFT SUBMITTED		
9/2/2005	1	CITY CLERK	PUBLISHED		
9/14/2005	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/20/2005	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:1
9/27/2005	1	COMMON COUNCIL	PASSED	Pass	14:1
10/6/2005	1	MAYOR	SIGNED		
10/13/2005	1	CITY CLERK	PUBLISHED		

050469
SUBSTITUTE 1

ALD. DONOVAN
Substitute ordinance relating to the change in zoning from Industrial Heavy (IH) to a General Planned Development (GPD) known as the Forest County Potawatomi Legacy District, on land located on the South Side of West Canal Street and West of South 16th Street, in the 8th Aldermanic District.

This substitute ordinance will approve zoning standards for future development of the Potawatomi Bingo Casino in the Menomonee Valley.
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).0020.

(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 by a parcel of land lying in the Northeast 1/4 and the Northwest 1/4 of Section 31, Township 7 North, Range 22 East in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast Corner of the Northwest 1/4 of Section 31, Township 7 North, Range 22 East; thence South 01 deg. 18 min. 41 sec. East along the east line of said Northwest 1/4, 636.11 feet to the point of beginning; thence Easterly 373.66 feet along the arc of a curve concave to the South with a radius of 692.59 feet, through a central angle of 30 deg. 54 min. 41 sec., and whose chord bears North 86 deg. 38 min. 28 sec. East, 369.14 feet; thence North 00 deg. 13 min. 29 sec. East, 50.99 feet; thence North 01 deg. 01 min. 12 sec. West, 46.90 feet to a point of curvature; thence Northeasterly 73.05 feet along the arc of a curve concave to the Southeast with a radius of 60.00 feet, through a central angle of 69 deg. 45 min. 30 sec., and whose chord bears North 33 deg. 53 min. 05 sec. East, 68.62 feet; thence North 68 deg. 45 min. 49 sec. East, 118.00 feet to a point on the west line of Parcel 2 of Certified Survey Map No. 5100; thence North 01 deg. 01 min. 12 sec. West along said west line 428.73 feet to the north line of the Northeast 1/4 of Section 31, Township 7 North, Range 22 East; thence North 88 deg. 41 min. 31 sec. East along said north line, 431.13 feet; thence South 01 deg. 13 min. 29 sec. East along the east line of said Parcel 2 of Certified Survey Map No. 5100, 305.00 feet; thence North 88 deg. 41 min. 31 sec. East along the north line of said Parcel 2, 365.47 feet to the east line of the Northwest 1/4 of the Northeast 1/4 of said Section 31; thence South 01 deg. 16 min. 17 sec. East along said east line, 895.00 feet; thence South 88 deg. 41 min. 31 sec. West, 279.62 feet; thence North 01 deg. 17 min. 46 sec. West, 5.00 feet to a non-tangential point of curvature; thence Westerly 219.51 feet along the arc of a curve concave to the North with a radius of 985.15 feet, through a central angle of 12 deg. 46 min. 00 sec., and whose chord bears North 85 deg. 04 min. 04 sec. West, 219.06 feet; thence North 78 deg. 42 min. 22 sec. West, 106.06 feet to a point of curvature; thence Westerly 98.17 feet along the arc of a curve concave to the North with a radius of 881.58 feet, through a central angle of 6 deg. 22 min. 49 sec., and whose chord bears North 75 deg. 30 min. 58 sec. West, 98.12 feet; thence North 72 deg. 19 min. 33 sec. West, 62.05 feet; thence North 68 deg. 47 min. 35 sec. West, 83.30 feet; thence North 76 deg. 45 min. 32 sec. West, 18.03 feet; thence North 60 deg. 21 min. 41 sec. West, 60.70 feet; thence North 01 deg. 13 min. 22 sec. West, 42.24 feet; thence South 88 deg. 46 min. 38 sec. West, 50.00 feet; thence South 01 deg. 13 min. 22 sec. East, 51.20 feet; thence North 71 deg. 20 min. 03 sec. West, 391.83 feet to the east line of said Northwest 1/4; thence South 01 deg. 18 min. 41 sec. East along said east line, 8.70 feet; thence North 71 deg. 18 min. 37 sec. West, 173.17 feet to a point of curvature; thence Westerly 169.65 feet along the arc of a curve concave to the South with a radius of 1082.71 feet, through a central angle of 8 deg. 58 min. 40 sec., whose chord bears North 75 deg. 47 min. 57 sec. West, 169.48 feet; thence North 80 deg. 17 min. 17 sec. West, 640.66 feet; thence North 82 deg. 32 min. 27 sec. West, 248.03 feet; thence North 01 deg. 18 min. 41 sec. West, 93.60 feet to a point of non-tangential curvature; thence Easterly 243.63 feet along the arc of a curve concave to the North with a radius of 1262.73 feet,

through a central angle of 11 deg. 03 min. 16 sec., and whose chord bears North 70 deg. 53 min. 43 sec. East, 243.25 feet; thence North 65 deg. 17 min. 05 sec. East, 604.26 feet; thence Easterly 54.85 feet along the arc of a curve concave to the North with a radius of 570.19 feet, through a central angle of 5 deg. 30 min. 43 sec., and whose chord bears North 62 deg. 31 min. 43 sec. East, 54.83 feet; thence North 88 deg. 41 min. 19 sec. East, 326.63 feet to the centerline of Potawatomi Circle; thence South 01 deg. 18 min. 41 sec. East along said centerline, 415.92 feet; thence North 88 deg. 41 min. 19 sec. East, 38.00 feet to the east line of said Northwest 1/4; thence North 01 deg. 18 min. 41 sec. West along said east line; 0.06 feet to the point of beginning.

(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. 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
08/24/05