



Legislation Details (With Text)

**File #:** 010640      **Version:** 2

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

**File created:** 9/5/2001      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 11/6/2001

**Effective date:**

**Title:** Substitute ordinance approving the Second Amendment to the Detailed Planned Development (DPD) known as Wisconsin Lutheran Retirement Community, on land located on the West Side of North 97th Street and South of West Allyn Street, in the 15th Aldermanic District.

**Sponsors:** CHAIR

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 15

**Attachments:** 1. Fiscal Note.doc, 2. CPC letter.pdf

Date	Ver.	Action By	Action	Result	Tally
9/5/2001		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/5/2001	0	COMMON COUNCIL	ASSIGNED TO		
9/10/2001	1	CITY CLERK	DRAFT SUBMITTED		
10/15/2001	1	CITY CLERK	PUBLISHED		
10/19/2001	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/19/2001	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/30/2001	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/30/2001	2	CITY CLERK	DRAFT SUBMITTED		
11/6/2001	2	COMMON COUNCIL	PASSED	Pass	17:0
11/15/2001	2	MAYOR	SIGNED		
11/21/2001	2	CITY CLERK	PUBLISHED		

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 SUBSTITUTE 2  
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 THE CHAIR

Substitute ordinance approving the Second Amendment to the Detailed Planned Development (DPD) known as Wisconsin Lutheran Retirement Community, on land located on the West Side of North 97th Street and South of West Allyn Street, in the 15th Aldermanic District. This substitute ordinance will allow for the addition of 5 garages. 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 295-810(2)(b).0176.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the subject amended 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 re-designates as a Detailed Planned Development (DPD) the area bounded and described as follows:

Parcel 1 of Certified Survey Map No. 4026, being part of the Northwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 8 North, Range 21 East, in the City and County of Milwaukee, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of Lot 1 in said Certified Survey Map No. 4026; thence North 02 deg. 23 min. 40 sec. East along the west line of Lot 1 aforesaid 1669.13 feet to a point on the south line of West Allyn Street; thence South 87 deg. 36 min. 20 sec. East along the north line of Lot 1 aforesaid 240.39 feet to the Northeast corner of said Lot 1 and a point on the west line of North 97th Street; thence South 02 deg. 23 min. 40 sec. West 171.20 feet to a point of curve; thence Southeasterly 344.37 feet on the arc of a curve whose center lies to the Northeast whose radius is 499.03 feet and whose chord bears South 17 deg. 22 min. 29 sec. East 337.58 feet to a point; thence South 48 deg. 50 min. 04 sec. West 11.23 feet to a point of curve; thence Southwesterly 276.46 feet on the arc of a curve whose center is to the Southwest whose radius is 341.09 feet and whose chord bears South 25 deg. 36 min. 52 sec. West 268.96 feet to a point; thence South 02 deg. 23 min. 40 sec. West 370 feet to a point of curve; thence Southeasterly 369.83 feet on the arc of a curve whose center is to the Northeast whose radius is 720 feet and whose chord bears South 12 deg. 19 min. 15 sec. East 365.78 feet to a point of compound curve; thence Southeasterly 25 feet on the arc of a curve whose center is to the Northeast whose radius is 385.32 feet and whose chord bears South 28 deg. 53 min. 42 sec. East 25 feet to a point; thence South 56 deg. 12 min. 08 sec. West 305.17 feet to a point; thence North 87 deg. 36 min. 20 sec. West 100 feet to the point of beginning.

(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 amended 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 295-815 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  
10/30/01