



Legislation Details (With Text)

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**Type:** Resolution      **Status:** Passed

**File created:** 10/23/2007      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 11/9/2007

**Effective date:**

**Title:** Substitute resolution permitting a minor modification to the Detailed Planned Development known as Downer Avenue Redevelopment, Phase 1, on land located on the Southeast corner of East Bellevue Place and North Downer Avenue, in the 3rd Aldermanic District.

**Sponsors:** ALD. D'AMATO

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 03

**Attachments:** 1. Exhibit A - Part 1.pdf, 2. Exhibit A - Part 2.pdf, 3. City Plan Commission Letter.pdf, 4. Protest Petitions Against the Minor Modification, 5. Legal Opinion Re Validity of Protest Petitions

Date	Ver.	Action By	Action	Result	Tally
10/23/2007	0	COMMON COUNCIL	ASSIGNED TO		
10/24/2007	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
11/1/2007	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/5/2007	1	CITY CLERK	DRAFT SUBMITTED		
11/6/2007	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/9/2007	1	COMMON COUNCIL	ADOPTED	Pass	13:0
11/9/2007	1	COMMON COUNCIL	RECONSIDERED	Fail	0:14
11/9/2007	1	MAYOR	SIGNED		

070964  
 SUBSTITUTE 1  
 060705, 070034  
 THE CHAIR

Substitute resolution permitting a minor modification to the Detailed Planned Development known as Downer Avenue Redevelopment, Phase 1, on land located on the Southeast corner of East Bellevue Place and North Downer Avenue, in the 3rd Aldermanic District.

This substitute resolution approves modifications to building footprint and exterior building facade that are consistent with the approved general planned development standards and the intent of the previously approved detailed planned development and will provide consistency with the Historic Preservation Commission's Certificate of Appropriateness.

Whereas, Section 295-907-2(i) of the Milwaukee Code of Ordinances permits minor modifications to planned developments after approval of the Common Council; and

Whereas, The General Planned Development (GPD) known as Downer Avenue Redevelopment, on land located generally on the East Side of North Downer Avenue and South of East Park Place and land located generally on the West Side of North Downer Avenue and the East Side of North Stowell Avenue, North of East Webster Place, was approved by the Common Council on February 27, 2007, under File No. 060705, which established a master plan,

zoning, and design standards for future development of certain properties along Downer Avenue; and

Whereas, The Detailed Planned Development (DPD) known as Downer Avenue Redevelopment, Phase 1, was approved by the Common Council on May 30, 2007, under File No. 070034; and

Whereas, The property that is the subject of the GPD and DPD is also located within the Downer Avenue local historic district and requires the approval of a Certificate of Appropriateness (COA) by the Historic Preservation Commission (HPC) for new construction; and

Whereas, On May 14, 2007, the HPC approved a COA and the HPC staff issued the COA on June 29, 2007; and

Whereas, The staff proposes modifications to the DPD that are part of this file, a copy of which is attached to this Common Council File as Exhibit A, to make the DPD consistent with the conditional COA; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the modifications:

1. Are consistent with the spirit and intent of the GPD and previously approved DPD.
2. Will not change the general character of the GPD or DPD.
3. Will not cause a substantial relocation of principal or accessory structures.
4. Will not cause a substantial relocation or reduction of parking, loading or recreation areas. The original DPD called for 134 parking spaces - 29 of which would be public. The modified DPD calls for 118 parking spaces - 29 of which will be public. This is not a substantial reduction in overall spaces and the public spaces remain the same.
5. Will not cause a substantial relocation of traffic facilities.
6. Will not increase the land coverage of buildings and parking areas. The modified DPD reduces the land coverage of building area.
7. Will not increase the gross floor area of buildings or the number of dwelling units.
8. Will not reduce the amount of approved open space, landscaping or screening. The modified DPD will increase and preserve open space, including a lawn area with tree; and, be it

Further Resolved, That the minor modifications are approved and are approved in accordance with the Milwaukee Code of Ordinances, Section 295-907-2(i).

DCD:AJF:vlk  
11/01/07