



Legislation Details (With Text)

File #: 180435 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 6/20/2018 **In control:** COMMON COUNCIL
On agenda: **Final action:** 2/26/2019
Effective date:

Title: A substitute ordinance relating to the Third Amendment to the Detailed Planned Development known as 1st and Greenfield (Freshwater Plaza) - Phase 1 to permit the second part of Phase 2 development on the south outlot of the development site located on the east side of South 1st Street, north of East Greenfield Avenue, in the 12th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ZONING DISTRICT 12

Attachments: 1. Exhibit A Updated as of 02-18-19, 2. Exhibit A, 3. Affidavit for Zoning Change, 4. Zoning Change Boundary Map, 5. DPW Comments, 6. DCD PowerPoint, 7. Developer PowerPoint, 8. City Plan Commission Letter, 9. Hearing Notice List, 10. Notice published 2/5 and 2/12/2019, 11. Proof of publication

Date	Ver.	Action By	Action	Result	Tally
6/20/2018	0	COMMON COUNCIL	ASSIGNED TO		
6/21/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/29/2019	1	CITY CLERK	DRAFT SUBMITTED		
2/5/2019	1	CITY CLERK	PUBLISHED		
2/11/2019	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
2/14/2019	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/14/2019	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/14/2019	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/20/2019	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/20/2019	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	AMENDED	Pass	5:0
2/26/2019	1	COMMON COUNCIL	PASSED	Pass	14:0
3/5/2019	1	MAYOR	SIGNED		
3/14/2019	1	CITY CLERK	PUBLISHED		

180435
SUBSTITUTE 1
141111, 141113, 150462, 170499
THE CHAIR

A substitute ordinance relating to the Third Amendment to the Detailed Planned Development known as 1st and Greenfield (Freshwater Plaza) - Phase 1 to permit the second part of Phase 2 development on the south outlot of the development site located on the east side of South 1st Street, north of East Greenfield Avenue, in the 12th Aldermanic

District.

This amendment was requested by Freshwater Plaza Corp. and will permit development on the south outlot of Freshwater Plaza, located at 1288 South 1st Street.

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 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 is amended to change the zoning for the property located at 1288 South 1st Street, Tax Key No. 431-1332-000 (subject parcel affected by this file); (the following parcels are included in the DPD boundary, but are not affected by this file) 1212-1278 South 1st Street, Tax Key No. 431-1331-000; 1320 South 1st Street, Tax Key No. 431-1303-000; 1278 South Barclay Street (aka 200 East Greenfield Avenue), Tax Key No. 431-1304-000; 125 East Scott Street (aka 135 East Scott Street), Tax Key No. 431-1301-000, for the Third Amendment to the 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

01/28/19