



Legislation Details (With Text)

**File #:** 041053      **Version:** 1

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

**File created:** 11/23/2004      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 2/1/2005

**Effective date:**

**Title:** Substitute ordinance relating to the change in zoning from Local Business (LB2) to a Detailed Planned Development (DPD) known as the Kenilworth Building on land located on the South Side of East Kenilworth Place between North Farwell Avenue and North Prospect Avenue, in the 3rd Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** HOUSING, ZONING DISTRICT 03

**Attachments:** 1. Publication on January 10 and January 17, 2005.PDF, 2. CPC letter.pdf, 3. Exhibit A Revised 1-24-05.pdf, 4. Exhibit A Maps.pdf, 5. Publication on 2-17-05.PDF

Date	Ver.	Action By	Action	Result	Tally
11/23/2004	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2004		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/22/2004	1	CITY CLERK	DRAFT SUBMITTED		
1/10/2005	1	CITY CLERK	PUBLISHED		
1/19/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/19/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/19/2005	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/25/2005	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/1/2005	1	COMMON COUNCIL	PASSED	Pass	15:0
2/8/2005	1	MAYOR	SIGNED		
2/17/2005	1	CITY CLERK	PUBLISHED		

041053  
SUBSTITUTE 1

THE CHAIR  
 Substitute ordinance relating to the change in zoning from Local Business (LB2) to a Detailed Planned Development (DPD) known as the Kenilworth Building on land located on the South Side of East Kenilworth Place between North Farwell Avenue and North Prospect Avenue, in the 3rd Aldermanic District.  
 This substitute ordinance changes the zoning to allow an under-utilized state facility to be redeveloped to provide improved academic space for the Peck School of the Arts, student housing, some private residential, retail and accessory parking as well as public access to the Oak Leaf bike trail system.  
 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)(b).0068

(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 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 Part of Block 26, Part of Lots 6, 7 and 8 in Block 25, and part of vacated East Woodstock Place in Glidden and Lockwoods Addition in Government Lot 2 in Section 22, Town 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest Corner of said Northwest 1/4 Section; thence North 89 deg. 51 min. 30 sec. East along the north line of said Northwest 1/4 Section 495.13 feet to a point; thence South 00 deg. 08 min. 30 sec. East 346.41 feet to the southerly line of East Kenilworth Place and the point of beginning of the lands to be described; thence South 55 deg. 09 min. 52 sec. East along said southerly line 300.30 feet to the westerly line of North Prospect Avenue, thence South 34 deg. 51 min. 59 sec. West along said westerly line 438.80 feet to a point; thence North 55 deg. 08 min. 01 sec. West 25 feet to a point; thence North 12 deg. 50 min. 01 sec. West 19 feet to a point; thence North 19 deg. 16 min. 01 sec. West 90.10 feet to a point; thence North 29 deg. 25 min. 31 sec. West 176.45 feet to a point; thence North 35 deg. 53 min. 01 sec. West 15.90 feet to the easterly line of North Farwell Avenue; thence North 34 deg. 51 min. 36 sec. East along said easterly line 269.45 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 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 295-907(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  
12/22/04

Clerical error corrected 2/3/05, per Vanessa Koster, DCD. mbh