



Legislation Details (With Text)

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File created: 12/12/2006 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 9/25/2007

Effective date:

Title: Substitute ordinance relating to the change in zoning from Neighborhood Shopping to Detailed Planned Development, on land located on the North Side of East Brown Street and West of North Holton Street, in the 6th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ZONING, ZONING DISTRICT 06

Attachments: 1. Legal Opinion re. City Plan Commission Authority, 2. Drawings.PDF, 3. Letter from Mr. Bando.PDF, 4. City Plan Commission Hearing Notice, 5. City Plan Commission Letter.pdf, 6. Exhibit A as of 2-12-07.pdf, 7. Exhibit A Continued as of 2-12-07.pdf, 8. Images as of 2-12-07.pdf, 9. Proposed Zoning Change Map as of January 2007.jpg, 10. Support Letter from Larry Roffers, 11. Support Letter from Damian and Cyndi Zak, 12. Taxes owed by Mr. Olson as of 7/30/07, 13. Letter from the Office of the City Treasurer regarding paid taxes from Timothy Olson, 14. Timothy Olson court records.pdf, 15. Olson Properties Open Order Update: 9-18-07, 16. Notice published on 2-6-07 and 2-13-07.PDF, 17. Notice Published on 3-20-07 and 3-27-07.PDF, 18. Notice Published on 4-16-07 and 4-23-07.PDF, 19. Notice Published on 10-11-07

Date	Ver.	Action By	Action	Result	Tally
12/12/2006	0	COMMON COUNCIL	ASSIGNED TO		
12/13/2006	0	CITY CLERK	REFERRED TO		
1/30/2007	1	CITY CLERK	DRAFT SUBMITTED		
2/6/2007	1	CITY CLERK	PUBLISHED		
2/9/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/9/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/9/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/14/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/14/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/20/2007	1	CITY CLERK	PUBLISHED		
4/16/2007	1	CITY CLERK	PUBLISHED		
4/25/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/25/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/1/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0

7/19/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/19/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/19/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/24/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
9/11/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/11/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/11/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/11/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/11/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/18/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Fail	2:2
9/18/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Fail	2:2
9/18/2007	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED WITHOUT RECOMMENDATION AND ASSIGNED TO	Pass	4:0
9/25/2007	1	COMMON COUNCIL	PASSED	Pass	8:6
10/2/2007	1	MAYOR	SIGNED		
10/11/2007	1	CITY CLERK	PUBLISHED		

061111
SUBSTITUTE 1

THE CHAIR

Substitute ordinance relating to the change in zoning from Neighborhood Shopping to Detailed Planned Development, on land located on the North Side of East Brown Street and West of North Holton Street, in the 6th Aldermanic District.

This substitute ordinance allows for the development of a 5-story, multi-family building with a mixture of apartments and condominiums for a total of 53 units. The ground floor will be retail and parking.

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).0104.

(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 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 area described and bounded by the zoning line within East Brown Street, the zoning line within North Holton Street, a line 188 feet North and parallel to the north line of East Brown Street, a line 120 feet

West and parallel to the west line of North Holton Street, a line 198 feet North and parallel to the north line of East Brown Street, and a line 205 feet West and parallel to the west line of North Holton Street, from Neighborhood Shopping (NS2) to 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:AJF:ajf
01/30/07