



Legislation Details (With Text)

**File #:** 180997      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/16/2018      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 1/14/2019

**Effective date:**

**Title:** A substitute ordinance granting an air space lease to Yards, LLC and Chatham 51 LLC for a building facade overhanging the sidewalks for the premises at 223 W. Oregon Street in the 12th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Air Space Lease Petition and Plans, 2. Lease, 3. 17579 Aerial Easement Sheet 1, 4. 17579 Aerial Easement Sheet 2, 5. 180997 City Plan Commission Letter.pdf, 6. Proof of Publication

Date	Ver.	Action By	Action	Result	Tally
10/16/2018	0	COMMON COUNCIL	ASSIGNED TO		
10/17/2018	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
11/12/2018	0	CITY PLAN COMMISSION	HELD IN COMMITTEE	Pass	4:0
12/3/2018	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	5:0
1/3/2019	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
1/14/2019	1	COMMON COUNCIL	PASSED	Pass	15:0
1/25/2019	1	MAYOR	SIGNED		
1/31/2019	1	CITY CLERK	PUBLISHED		

180997  
SUBSTITUTE 1

**THE CHAIR**

A substitute ordinance granting an air space lease to Yards, LLC and Chatham 51 LLC for a building facade overhanging the sidewalks for the premises at 223 W. Oregon Street in the 12th Aldermanic District.

In accordance with state law, this ordinance will grant an airspace lease to Yards LLC and Chatham 51, LLC, as tenants-in-common, for the purpose of constructing and maintaining building overhangs that extend over the sidewalk areas bordering South 2<sup>nd</sup> Street and West Oregon Street at 223 W. Oregon Street in the City of Milwaukee, 12th Aldermanic District.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

**Part 1: FINDINGS.** In accordance with the provisions of sec. 66.0915(4), Wis. Stats., (2015-2016), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper city officers, enter into an airspace lease with Yards LLC and Chatham 51, LLC, as tenants-in-common for a term of 99 years for the purpose of allowing Lessees to construct, maintain, and use overhang structures that extend over the sidewalk areas bordering

South 2<sup>nd</sup> Street and West Oregon Street at 223 West Oregon Street, as described in the lease, and the Common Council of the City of Milwaukee hereby finds that the area described in the airspace lease is not needed for street, alley or other public purposes and that the public interest will be served because the leasing of the airspace will aid in the development of the neighborhood.

Part 2. Attached and made part of Common Council File No. 180997 is a copy of such lease in substantially the same form as the lease that will be signed.

Part 3. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The Department of City Development, through its real estate section, shall process, at the expense of the Lessees, the recording of this ordinance and the executed lease with the Milwaukee County Register of Deeds and shall forward the recording information complete with a final copy of the ordinance and lease to the City Engineer and the City Comptroller.

Part 5. This ordinance shall take effect and be in force from and after its passage and publication.  
APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date:\_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date:\_\_\_\_\_

1053-2018-2196:255484  
12/20/2018