



Legislation Details (With Text)

**File #:** 060756      **Version:** 1

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

**File created:** 9/26/2006      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 12/12/2006

**Effective date:**

**Title:** Substitute ordinance approving the First Amendment to the Detailed Planned Development known as Cherry Court, located on the North Side of West Cherry Street and West of North 24th Street, in the 4th Aldermanic District.

**Sponsors:** ALD. BAUMAN

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 04

**Attachments:** 1. City Plan Commission hearing notice, 2. Exhibit A, 3. Exhibit A Final Drawings and Survey, 4. Exhibit A Final Drawings and Survey Revised as of 11-16-06, 5. Vicinity Map, 6. CPC Letter, 7. Notice Published on 11-13-06 and 11-20-06.PDF, 8. Notice Published on 1-3-07.PDF

| Date       | Ver. | Action By                                     | Action                  | Result | Tally |
|------------|------|---|-------------------------|--------|-------|
| 9/26/2006  | 0    | COMMON COUNCIL                                | ASSIGNED TO             |        |       |
| 11/7/2006  | 1    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 11/13/2006 | 1    | CITY CLERK                                    | PUBLISHED               |        |       |
| 11/20/2006 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/20/2006 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/20/2006 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
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| 11/20/2006 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/20/2006 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/28/2006 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 12/12/2006 | 1    | COMMON COUNCIL                                | PASSED                  | Pass   | 14:0  |
| 12/18/2006 | 1    | MAYOR   | SIGNED                  |        |       |
| 1/3/2007   | 1    | CITY CLERK                                    | PUBLISHED               |        |       |

060756  
 SUBSTITUTE 1  
 041225  
 ALD. BAUMAN

Substitute ordinance approving the First Amendment to the Detailed Planned Development known as Cherry Court, located on the North Side of West Cherry Street and West of North 24th Street, in the 4th Aldermanic District.

This substitute ordinance amends the DPD to permit the construction of a transmission tower and associated equipment buildings in compliance with Section 295-413 of the

Milwaukee Zoning Code.

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).0100.

(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 revised to change the zoning for the area bounded and described by the zoning line within the right-of-way along North 24th Street, the zoning line within the right-of-way along West Cherry Street, the zoning line within the right-of-way along West Galena Street and a line 288 feet West and parallel to the west side of North 24th Street.

(3) The requirements set forth in said amended 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 amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended 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 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:AJF:ajf

11/06/06