



Legislation Details (With Text)

**File #:** 980442      **Version:** 0  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/7/1998      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE  
**On agenda:**      **Final action:** 10/9/1998  
**Effective date:**

**Title:** Ordinance relating to the approval of a General Planned Development known as Cherokee Planned Residential Development and to change the zoning from Institutional (T/D/40) to General Planned Development (GPD), on land located East of South 43rd Street between West Morgan Avenue and West Howard Avenue, in the 11th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 11

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
7/7/1998	0	COMMON COUNCIL	ASSIGNED TO		
7/11/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/28/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/6/1998	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/9/1998	0	COMMON COUNCIL	PASSED	Pass	17:0
10/19/1998	0	MAYOR	SIGNED		
10/19/1998	0	MAYOR	SIGNED		
10/19/1998	0	MAYOR	SIGNED		
10/27/1998	0	CITY CLERK	PUBLISHED		

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ORIGINAL

**THE CHAIR**

Ordinance relating to the approval of a General Planned Development known as Cherokee Planned Residential Development and to change the zoning from Institutional (T/D/40) to General Planned Development (GPD), on land located East of South 43rd Street between West Morgan Avenue and West Howard Avenue, in the 11th Aldermanic District.

- Analysis -

This ordinance will change the zoning of this site to allow for the future development of 76 single family homes, 5 duplex units, and a maximum of 40 condominium units. Construction cannot begin until the Common Council has approved the final detailed plans for the project. 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 295-810(2)(a).0045.

(1) In accordance with the provisions of Section 295-810(1) of the Code relating to the establishment of planned development districts, the Common Council approves the General Planned Development known as Cherokee Planned Residential 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 including Parcels 1, 2 and 3 of Certified Survey Map No. 5433, and portions of West Howard Avenue, South 43rd Street and South 41st Street, being a part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 13, Township 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of said Southwest 1/4 Section; thence North 00 deg. 17 min. 16 sec. West along the West line of said 1/4 Section 1446.38 feet to the point of beginning of the lands to be described; thence continuing North 00 deg. 17 min. 16 sec. West 233.90 feet to a point; thence North 88 deg. 27 min. 30 sec. East 341.01 feet to a point; thence North 00 deg. 17 min. 16 sec. West 127.75 feet to a point; thence North 88 deg. 27 min. 30 sec. East 282.12 feet to a point on the centerline of South 41st Street; thence North 01 deg. 32 min. 30 sec. West along said centerline 389.13 feet to a point; thence Northerly 116.59 feet along said centerline and the arc of a curve whose center lies to the East, whose radius is 200.00 feet and whose chord bears North 15 deg. 09 min. 30 sec. East 114.94 feet to a point; thence Northerly 112.09 feet along said centerline and the arc of a curve whose center lies to the West, whose radius is 200.00 feet and whose chord bears North 15 deg. 48 min. 11 sec. East 110.63 feet to a point; thence North 88 deg. 25 min. 50 sec. East 231.61 feet to a point; thence South 00 deg. 17 min. 16 sec. East 2446.12 feet to a point on the South line of the Municipal Boundary line; thence South 88 deg. 27 min. 30 sec. West along said South line 507.50 feet to a point; thence North 00 deg. 17 min. 16 sec. West 635.97 feet to a point; thence North 14 deg. 32 min. 00 sec. West 865.37 feet to a point; thence South 88 deg. 27 min. 30 sec. West 187.01 feet to the point of beginning from Institutional (T/D/40) to General Planned Development (GPD).

(3) The requirements set forth in said general plan attached to this Common Council File as Exhibit "A" constitute the zoning regulations for the area contained in such planned development district herein described, except that construction shall not be permitted in any segment of said tract until a detailed plan prepared in accordance with Section 295-813(3) of the Code has been approved by the Common Council and the zoning ordinance is amended; except that improvements may be permitted to the extent that such improvements are shown in detail and included in the approved general 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 Building Inspection, 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 accord with the provisions of Section 295-815 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:pvl  
07/07/98/A