



## Legislation Text

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**File #: 071365, Version: 1**

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071365

Substitute 1

060705, 070034, 070964

ALD. D'AMATO

Substitute resolution to ratify Common Council File No. 070964, being a resolution permitting a minor modification to the Detailed Planned Development known as Downer Avenue Redevelopment, Phase 1, on land located at 2574-2590 North Downer Avenue, in the 3rd Aldermanic District.

This substitute resolution is a ratification by the Common Council of the Council's previous approval of a minor modification to the subject Detailed Planned Development. Whereas, Section 295-907-2(i) of the Milwaukee Code of Ordinances permits minor modifications to planned developments after approval of the Common Council; and

Whereas, The General Planned Development (GPD) known as Downer Avenue Redevelopment, on land located generally on the East Side of North Downer Avenue and South of East Park Place and land located generally on the West Side of North Downer Avenue and the East Side of North Stowell Avenue, North of East Webster Place, was approved by the Common Council on February 27, 2007, under File No. 060705, which established a master plan; zoning, including height and building setbacks, and design standards for future development of certain properties along Downer Avenue; and

Whereas, The Detailed Planned Development (DPD) known as Downer Avenue Redevelopment, Phase 1, was approved by the Common Council on May 30, 2007, under File No. 070034; and

Whereas, The property that is the subject of the GPD and DPD is also located within the Downer Avenue local historic district and requires the approval of a Certificate of Appropriateness (COA) by the Historic Preservation Commission (HPC) for new construction; and

Whereas, On May 14, 2007, the HPC approved a COA with certain conditions and the HPC staff issued the COA on June 29, 2007; and

Whereas, On January 28, 2008, HPC, as a result of votes taken, approved close-out of various of the conditions to the COA; and

Whereas, On November 9, 2007, the Common Council in File No. 070964 approved a minor modification to the DPD that reflected, generally, the building footprint being moved slightly west and south, additional chamfering of the northeast corner of the building, elimination of basement-level parking (and slight reduction in overall parking spaces), and the retention of green space and a tree at 2574-2590 North Downer Avenue; and

Whereas, Department of City Development (DCD) staff recommends that the Common Council, after public hearing, re-affirm and ratify the minor modification to the DPD as reflected by File No. 070964; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council's adoption of File No. 070964 is ratified; and, be it

Further Resolved, That the modifications:

1. Are consistent with the spirit and intent of the GPD and previously approved DPD.
2. Will not change the general character of the GPD or DPD.
3. Will not cause a substantial relocation of principal or accessory structures.
4. Will not cause a substantial relocation or reduction of parking, loading or recreation areas. The original DPD called for 134 parking spaces - 29 of which would be public. The modified DPD calls for 118 parking spaces - 29 of which will be public. This is not a substantial reduction in overall spaces and the public spaces remain the same.
5. Will not cause a substantial relocation of traffic facilities.
6. Will not increase the land coverage of buildings and parking areas. The modified DPD reduces the land coverage of building area.
7. Will not increase the gross floor area of buildings or the number of dwelling units.
8. Will not reduce the amount of approved open space, landscaping or screening. The modified DPD will increase and preserve open space, including a lawn area with tree; and, be it

Further Resolved, That the minor modifications are ratified and again approved in accordance with the Milwaukee Code of Ordinances, Section 295-907-2(i).

DCD:AJF:vlk

02/04/08