



Legislation Text

File #: 990734, Version: 0

ORIGINAL

892175

THE CHAIR

Ordinance relating to the approval of a Second Amendment to the Detailed Planned Development (DPD) known as Airport Business Center, on land located on the East Side of South 6th Street and South of West Layton Avenue, in the 13th Aldermanic District. (Department of City Development)

- Analysis -

This ordinance will amend the detailed plan to allow for the development of a Type A restaurant with a drive through. 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)(b).0132.

(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 Second Amendment to the Detailed Planned Development known as Airport Business Center, 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 reaffirms the zoning for the area bounded by and described as follows:

Parcel 1 of Certified Survey Map No. 5056 in the Northeast 1/4 of Section 29, Township 06 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Northeast 1/4 Section; thence North 88 deg. 51 min. 26 sec. East along the north line of said Northeast 1/4 Section 440.00 feet to a point; thence South 01 deg. 09 min. 09 sec. East 990.00 feet to a point; thence South 88 deg. 51 min. 26 sec. West 44.00 feet to a point; thence South 01 deg. 09 min. 09 sec. East 182.46 feet to a point; thence South 88 deg. 51 min. 26 sec. West 396.00 feet to a point on the west line of said Northeast 1/4 Section; thence North 01 deg. 09 min. 09 sec. West along said west line 1172.46 feet to the point of commencement.

(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 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 295-815 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:vlk

09/07/99/H