



Legislation Text

File #: 031746, Version: 1

031746
SUBSTITUTE 1

ALD. D'AMATO

Substitute ordinance relating to the change in zoning from Institutional (TL) and Two-Family Residential (RT2) to a General Planned Development (GPD) known as Columbia St. Mary's on land located on the North Side of East North Avenue and West of North Terrace Avenue, in the 3rd Aldermanic District.

This substitute ordinance changes the zoning to permit hospital, medical offices and accessory parking structure uses.

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) (a).0018.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and establishment of planned development districts, the Common Council approves the subject General 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 amended to change the zoning for the area bounded and described by All of Parcel One of Certified Survey Map No. 6057, being part of the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 7 North, Range 22 East, part of the Plat of the Southeast 1/4 of the Southwest 1/4 of Section 15, Town 7 North, Range 22 East and Lots 32 through 37, inclusive, Lots 72 through 75, inclusive, part of Lot 71, in Block 3 of Gilman's Subdivision being part of the West 1/2 of the Southeast 1/4 of Section 15, in the City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows:

Commencing at the Southwest Corner of said Southwest 1/4; thence North 88 deg. 51 min. 30 sec. East, on and along the south line of said Southwest 1/4, 1,152.88 feet to the centerline of North Prospect Avenue and the point of beginning; thence North 33 deg. 51 min. 54 sec. East, on and along said centerline, 622.43 feet; thence South 56 deg. 08 min. 06 sec. East, 372.70 feet; thence North 33 deg. 51 min. 54 sec. East, 770.48 feet; thence South 56 deg. 08 min. 06 sec. East, 364.57 feet to the centerline of North Lake Drive; thence North 33 deg. 42 min. 54 sec. East, on and along said centerline, 161.36 feet; thence South 56 deg. 11 min. 29 sec. East, 183.08 feet; thence South 33 deg. 42 min. 24 sec. West, 67.19 feet; thence South 56 deg. 11 min. 41 sec. East, 190.08 feet to the centerline of North Terrace Avenue; thence South 33 deg. 41 min. 54 sec. West, on and along said centerline, 708.45 feet to the south line of said Southwest 1/4; thence South 88 deg. 51 min. 30 sec. West, on and along said south line, 1,357.92 feet to the point of beginning; and

That part of Parcel Two of Certified Survey Map No. 6057 in the Southeast 1/4 of the Southwest 1/4 of Section 15, Town 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows:

Commencing at the Southeast Corner of said Southwest 1/4; thence South 88 deg. 51 min. 30 sec. West, on and along the south line of said Southwest 1/4, 1441.46 feet; thence North 33 deg. 51 min. 54 sec. East, on and along the east right-of-way line of East Prospect Avenue, 594.40 feet to the Southwest Corner of said Parcel Two; thence South 56 deg. 08 min. 06 sec. East, on and along the south line of said Parcel Two, 93.90 feet to the point of beginning; thence North 88 deg. 51 min. 36 sec. East, 291.54 feet to the east line of said Parcel Two; thence South 33 deg. 51 min. 54 sec. West, on and along said east line, 167.24 feet to the Southeast Corner of said Parcel Two; thence North 56 deg. 08 min. 06 sec. West, on and along the south line of said Parcel Two, 238.80 feet to the point of beginning.

(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 described, provided further, that the effect of the approval of such general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the general plan to all conditions and limitations set forth in such 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 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(2) 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
06/27/05