



Legislation Text

File #: 010248, **Version:** 1

010248

SUBSTITUTE 1

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Substitute ordinance approving the rezoning from Single Family Residence (R/F2/40 and R/F-5/40) to a Detailed Planned Development (DPD) known as Living Circle Campus, located West of South 60th Street and South of West Howard Avenue, in the 11th Aldermanic District

This substitute ordinance will allow for the development of Three Oaks Circle, a 49 unit affordable, senior housing apartment building, and the Living Circle Senior Center, which will have a 190 person seating capacity and space devoted to health and social programming.

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) .0173.

(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 subject 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 amended to change the zoning for the area bounded and described by part of the lands in the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4 of Section 22, Town 6 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of Section 22; thence South 00 deg. 12mm. 40 sec. West, along the east line of said 1/4 Section, 1320.85 feet to a point on the centerline of South 60th Street and the point of beginning of the lands to be described; thence South 00 deg. 12 mm. 40 sec. West along said centerline, 7.41 feet; thence South 87 deg. 48 mm. 40 sec. West along the north line of a Wisconsin Electric Power Company right-of-way, 873.22 feet; thence North 00 deg; .12 mm. 40 sec. East, 48.86 feet to a point on a curve; thence Northwesterly 409.4 feet along the arc of said curve which has a radius of 487 feet whose central angle is 48 deg. 09 mm. 58.5 sec. and whose chord bears North 41 deg. 01 mm. 46 sec. West 397.45 feet to a point; thence North 16 deg. 56 mm. 50 sec. West 108.30 feet; thence South 89 deg. 47 mm. 23 sec. East 565 feet; thence South 00 deg. 12 mm. 37 sec. East 215 feet to a point on a curve; thence Southeasterly 227.19 feet along the arc of said curve which has a radius of 75 feet whose central angle is 173 deg. 33 mm. 36 sec. and whose chord bears South .56 deg. 08 mm. 23 sec. East 149.76 feet to a point; thence South 43 deg. 53 mm. 37 sec. West 182.90 feet to the point of commencement.

(3) The requirements set forth in said 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 detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the 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.