



Legislation Text

File #: 051670, Version: 1

051670
SUBSTITUTE 1

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Substitute ordinance relating to the change in zoning from a General Planned Development (GPD) to a Detailed Planned Development (DPD), Phase 1, on land located on the North Side of East North Avenue and East of North Humboldt Avenue, in the 3rd Aldermanic District. This substitute ordinance permits the construction of a student housing building on the east side of the Milwaukee River and north of East North Avenue.

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)(b).0096.

(1) In accordance with the provisions of Section 295-907 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 revised to change the zoning for:

A parcel of land located in the Southwest 1/4 of the Southeast 1/4 of Section 16, Town 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, described as follows:

Commencing at the Southeast corner of Lot 30 of Block 1 of Walworth's Subdivision; thence N88°36'49"E, 249.29 feet to the point of beginning; thence N30°10'46"E, 428.19 feet along the chord of an arc having a radius of 1687.28 feet, having an arc length of 429.35 feet; thence S54°38'02"E, 63.65 feet; thence S10°36'11"E, 333.70 feet; thence S89°04'24"W, 328.60 feet along the North right-of-way of North Avenue to the point of beginning.

(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 295-907 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:VLK:vlk

05/02/06