



Legislation Text

File #: 990520, Version: 2

990520
SUBSTITUTE 2

THE CHAIR

Substitute ordinance relating to the approval of Phase 2 of a Detailed Planned Development (DPD) known as Southgate Marketplace, on land located West of South 27th Street and North of West Morgan Avenue, in the 11th Aldermanic District.
- Analysis -

This substitute ordinance will allow for the expansion of the existing movie cinema.
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).0115.

(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 phase of a Detailed Planned Development known as Southgate Marketplace, 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 all that part of Certified Survey Map No. 5902 in the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4 of Section 13, Township 06 North, Range 21 East, located in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section 13, thence South 00 deg. 08 min. 40 sec. East and along the east line of said Northeast 1/4 Section 982 feet; thence South 88 deg. 27 min. 40 sec. West 295.97 feet to the point of beginning of the following description:

Thence South 00 deg. 00 min. 00 sec. East 75.84 feet; thence North 90 deg. 00 min. 00 sec. West 243.96 feet; thence South 00 deg. 00 min. 00 sec. East 269.62 feet; thence North 90 deg. 00 min. 00 sec. West 295.29 feet to the arc of a curve; thence Southwesterly 65.97 feet along the arc of a curve to the left whose radius is 42 feet and whose chord bears South 45 deg. 00 min. 00 sec. West 59.40 feet to the arc of a curve; thence Southwesterly 28.32 feet along the arc of a curve to the right whose radius is 17.86 feet and whose chord bears South 45 deg. 24 min. 45 sec. West 25.44 feet; thence North 89 deg. 10 min. 30 sec. West 167.90 feet to the easterly line of a public right-of-way; thence North 01 deg. 32 min. 20 sec. West and along said easterly line 205.09 feet to the arc of a curve; thence Northeasterly 302.96 feet along said easterly line and the arc of a curve to the right whose radius is 717.10 feet and whose chord bears North 10 deg. 33 min. 51 sec. East 300.71 feet; thence North 88 deg. 27 min. 40 sec. East 367.57 feet; thence South 00 deg. 08 min. 40 sec. East 117 feet; thence North 88 deg. 27 min. 40 sec. East 350.03 feet 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 295-815 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
09/30/99