



Legislation Text

File #: 991928, **Version:** 1

991928

SUBSTITUTE 1

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A substitute ordinance relating to the plans of operation required of those seeking approval from the board of zoning appeals to operate gas stations, convenience stores and grocery stores.

295-14-20 cr
295-323-8 rc
295-333-7-b am
295-333-8-a am
295-333-8-b am
295-343-8-a am
295-343-8-b am
295-413-7-b am
295-423-8-d am
295-443-8-c am
295-453-7-a am
295-453-8-d am
295-463-7-a am
295-463-8-e am
295-473-8-c am
295-513-7-b am
295-513-8-c am
295-513-8-d am

This ordinance requires that, in zoning districts where service stations, motor vehicle pumping stations and grocery stores are designated special uses, the owner demonstrate that the proposed use will comply with certain conditions. These conditions are:

1. That the proposed use not disrupt established shopping patterns or discourage the full commercial utilization of the surrounding area.
2. That the proposed use not cause excessive noise, illumination, litter, fumes, odors or physical activity and will otherwise not constitute a nuisance.
3. That lighting from the proposed use or its advertising not cause reflection or glare onto residential property or public streets.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-14-20 of the code is created to read:

295-14. Special Conditions.

20. GENERAL PURPOSE GROCERY STORES, MOTOR VEHICLE PUMPING STATIONS AND MOTOR VEHICLE SERVICE STATIONS. General purpose grocery stores, motor vehicle pumping stations and motor vehicle service stations shall meet the following requirements:

- a. The proposed use shall not disrupt established shopping patterns or discourage the full commercial utilization of the surrounding area.
- b. The proposed use shall not cause excessive noise, illumination, litter, fumes, odor or physical activity and shall otherwise not constitute a nuisance.
- c. The lighting for the proposed use or its advertising shall not cause reflection or glare onto residential property or public streets.

Part 2. Section 295-323-8 of the code is repealed and recreated to read:

295-323. Special Uses.

8. MOTOR VEHICLE. a. Motor vehicle service stations and motor vehicle pumping stations subject to s. 295-14-20.

b. Motor vehicle repair centers provided the use will not disrupt established shopping patterns or discourage the full commercial utilization of the surrounding area and also subject to the restrictions of sub. 10-c.

c. Car washes, subject to s. 295-14-7.

d. Motor vehicle sales and rentals, subject to s. 295-75-7 and 8.

e. Motor vehicle body bumping and painting when a part of a motor vehicle sales and rental operation and when not more than 40% of floor space is devoted to motor vehicle body bumping and painting.

f. In L/A/85 to L/D/85 districts parking of motor vehicles, not exceeding 1.5 tons, between a street façade of a principal building and the street lot line.

g. Transportation services.

Part 3. Section 295-333-7-b of the code is amended to read:

295-333. Special Uses.

7. RETAIL SALES.

b. General purpose grocery ~~[[store]]~~ >> stores, subject to s. 295-14-20<<.

Part 4 Section 295-333-8-a and b of the code is amended to read:

8. MOTOR VEHICLE.

a. Motor vehicle service stations >> , subject to s. 295-14-20<<.

b. Motor vehicle pumping stations >> , subject to s. 295-14-20<<.

Part 5. Section 295-343-8-a and b of the code is amended to read:

295-343. Special Uses.

8. MOTOR VEHICLES.

a. Motor vehicle service stations >> , subject to s. 295-14-20<<.

b. Motor vehicle pumping stations >> , subject to s. 295-14-20<<.

Part 6. Section 295-413-7-b of the code is amended to read:

295-413. C9A (High Density Residential): Special Uses.

7. RETAIL SALES.

b. General purpose grocery stores >>, subject to s. 295-14-20<<.

Part 7. Section 295-423-8-d of the code is amended to read:

295-423. C9B (Residential and Specialty Use): Special Uses.

8. MOTOR VEHICLE.

d. Motor vehicle service stations >>, subject to s. 295-14-20<<.

Part 8. Section 295-443-8-c of the code is amended to read:

295-443. C9D (Civic Activity): Special Uses.

8. MOTOR VEHICLE.

c. Motor vehicle service stations >>, subject to s. 295-14-20<<.

Part 9. Section 295-453-7-a of the code is amended to read:

295-453. C9E (Major Retail): Special Uses.

7. RETAIL SALES.

a. General purpose grocery stores >>, subject to s. 295-14-20<<.

Part 10. Section 295-453-8-d of the code is amended to read:

8. MOTOR VEHICLE.

d. Motor vehicle service stations >>, subject to s. 295-14-20<<.

Part 11. Section 295-463-7-a of the code is amended to read:

295-463. C9F (Office and Service): Special Uses.

7. RETAIL SALES.

a. General purpose grocery stores >>, subject to s. 295-14-20<<.

Part 12. Section 295-463-8-e of the code is amended to read:

8. MOTOR VEHICLE.

e. Motor vehicle service stations >>, subject to s. 295-14-20<<.

Part 13. Section 295-473-8-c of the code is amended to read:

295-473. C9G (Mixed Activity): Special Uses.

8. MOTOR VEHICLE.

c. Motor vehicle service stations >>, subject to s. 295-14-20<<

Part 14. Section 295-513-7-b of the code is amended to read:

295-513. Special Uses.

7. RETAIL SALES.

b. General purpose grocery stores >>, subject to s. 295-14-20<<.

Part 15. Section 513-8-c and d is amended to read:

8. MOTOR VEHICLE.

c. Motor vehicle service stations, subject to s. ~~[[295-323-8-a]]~~ >>295-14-20<<.

d. Motor vehicle pumping stations, subject to s. ~~[[295-323-8-a]]~~ >>295-14-20<<.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFOCEABLE

Office of the City Attorney

Date: _____

00178-4

jro

03/13/01