



Legislation Details (With Text)

File #: 111712 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/11/2012 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 6/12/2012

Effective date:

Title: Substitute ordinance relating to the Third Amendment to a Detailed Planned Development known as Metro Center, Phase 2, for site changes, on land located on the north side of West Metro Boulevard and west of North 107th Street, in the 5th Aldermanic District.

Sponsors: ALD. BOHL

Indexes: PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 05

Attachments: 1. Exhibit A as of 5-4-12, 2. Exhibit A Continued as of 5-15-12, 3. Proposed Zoning Change Map, 4. City Plan Commission Letter, 5. Affidavit for Zoning Change, 6. Hearing Notice List, 7. DCD PowerPoint, 8. Notice Published on 5-18-12 and 5-25-12, 9. Notice Published on 6-28-12

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|---|-------------------------|--------|-------|
| 4/11/2012 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 4/16/2012 | 0 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO | | |
| 5/10/2012 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 5/18/2012 | 1 | CITY CLERK | PUBLISHED | | |
| 5/31/2012 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 6/5/2012 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 5:0 |
| 6/12/2012 | 1 | COMMON COUNCIL | PASSED | Pass | 15:0 |
| 6/21/2012 | 1 | MAYOR | SIGNED | | |
| 6/28/2012 | 1 | CITY CLERK | PUBLISHED | | |

111712

SUBSTITUTE 1

020923, 080744, 110704

ALD. BOHL

Substitute ordinance relating to the Third Amendment to a Detailed Planned Development known as Metro Center, Phase 2, for site changes, on land located on the north side of West Metro Boulevard and west of North 107th Street, in the 5th Aldermanic District. This amendment was requested by Russ Darrow Group and will permit several revisions to the previously approved plan, including the addition of parking to an area on the site that was previously noted as future public right-of-way, changes to the freestanding signs and site access.

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)(c).0184.

(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 amended 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 property located at 11212 West Metro Boulevard, Tax Key No. 114-0172-000, Third Amendment to Detailed Planned Development (DPD).

(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. 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:kdc
05/09/12