



Legislation Details (With Text)

File #: 121487 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/5/2013 **In control:** COMMON COUNCIL

On agenda: **Final action:** 4/30/2013

Effective date:

Title: A substitute ordinance relating to the Second Amendment to a Detailed Planned Development known as Columbia St. Mary's, Phase 1, and the change in zoning from Detailed Planned Development to Two-Family Residential, for residential conversion of an existing building, on land located on the east side of North Lake Drive, north of East North Avenue, in the 3rd Aldermanic District.

Sponsors: ALD. KOVAC

Indexes: PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 03

Attachments: 1. City Plan Commission Letter, 2. Exhibit A as of 3-7-13, 3. Updated Survey, 4. Proposed Zoning Change Map, 5. Affidavit for Zoning Change, 6. Hearing Notice List, 7. DCD Presentation, 8. Notice Published on 4-8-13 and 4-15-13, 9. Notice Published on 5-16-13

Date	Ver.	Action By	Action	Result	Tally
2/5/2013	0	COMMON COUNCIL	ASSIGNED TO		
2/7/2013	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
4/2/2013	1	CITY CLERK	DRAFT SUBMITTED		
4/8/2013	1	CITY CLERK	PUBLISHED		
4/17/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/17/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/18/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/18/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
4/23/2013	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
4/30/2013	1	COMMON COUNCIL	PASSED	Pass	15:0
5/9/2013	1	MAYOR	SIGNED		
5/16/2013	1	CITY CLERK	PUBLISHED		

121487
SUBSTITUTE 1
031745, 060259, 081068
ALD. KOVAC

A substitute ordinance relating to the Second Amendment to a Detailed Planned Development known as Columbia St. Mary's, Phase 1, and the change in zoning from Detailed Planned Development to Two-Family Residential, for residential conversion of an existing building, on land located on the east side of North Lake Drive, north of East North Avenue, in the 3rd Aldermanic District.

This zoning change was requested by Josh Minkin and will remove the former group living facility occupied by the Daughters of Charity, which is now vacant, at 2430 North Lake

Drive from the Columbia St. Mary's, Phase 1, Detailed Planned Development and will rezone the parcel to Two-Family Residential. This will permit the conversion of 2430 North Lake Drive to a two-family residence.

The Mayor and Common Council of the City of Milwaukee ("Common Council"), do ordain as follows:

Part 1. There are added to the Milwaukee Code of Ordinances ("Code") two new sections to read as follows:

Sections 295-907(2)(c).0190 and 295-501.2(a).0004.

(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 properties located at 2430 North Lake Drive, Tax Key No. 318-0114-000, and 2320 North Lake Drive, Tax Key No. 318-0081-100, to amend the Detailed Planned Development and to change the zoning at 2430 North Lake Drive from Detailed Planned Development (DPD) to Two-Family Residential (RT2).

(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

04/01/13