Legislation Details (With Text)

File #:	020073 **Version:** 2		
Type:	Ordinance	**Status:**	Passed
File created:	4/23/2002	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	6/25/2002
Effective date:			

Title: Substitute ordinance relating to the change in zoning from Central Business, High Density Residential (C9A(a)) to Detailed Planned Development (DPD) known as Kilbourn Tower, on land located on the Southwest corner of East Kilbourn Avenue and North Prospect Avenue, in the 4th Aldermanic District.

Sponsors: THE CHAIR

Indexes: CENTRAL BUSINESS DISTRICT, ZONING DISTRICT 04

Attachments: 1. CPC letter.pdf, 2. Exhibit A.PDF, 3. City Atty letter to Meissner, Tierney, Fisher and Nicols.PDF

Date	Ver.	Action By	Action	Result	Tally
4/23/2002	0	COMMON COUNCIL	ASSIGNED TO		
4/24/2002		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
5/24/2002	1	CITY CLERK	DRAFT SUBMITTED		
6/3/2002	1	CITY CLERK	PUBLISHED		
6/10/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/11/2002	2	CITY CLERK	DRAFT SUBMITTED		
6/18/2002	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
6/25/2002	2	COMMON COUNCIL	PASSED	Pass	17:0
7/2/2002	2	MAYOR	SIGNED		
7/12/2002	2	CITY CLERK	PUBLISHED		

020073
SUBSTITUTE 2

THE CHAIR
Substitute ordinance relating to the change in zoning from Central Business, High Density Residential (C9A(a)) to Detailed Planned Development (DPD) known as Kilbourn Tower, on land located on the Southwest corner of East Kilbourn Avenue and North Prospect Avenue, in the 4th Aldermanic District.
This substitute ordinance will change the zoning of this site to allow for the development of a 40-unit multi-family residential building with underground parking.
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).0185, now known as Section 295-907(h).0001.

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(1) In accordance with the provisions of Section 295-810(1), now known as Section 295-907 (d), 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 amended to change the zoning for the area bounded and described by the centerline of East Kilbourn Avenue, the centerline of North Prospect Avenue, a line 127 feet West and parallel to the west line of North Prospect Avenue and a line 90 feet South and parallel to the south line of East Kilbourn Avenue.

(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, now known as Section 295-907(j), 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
06/11/02