Legislation Details (With Text)

File #:	020154 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	5/14/2002	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	8/1/2002
Effective date:			

Title: Substitute ordinance relating to the Third Amendment to the Detailed Planned Development (DPD) known as Walton's Calumet Square, on land located on the Southwest corner of West Calumet Road and North 76th Street, in the 9th Aldermanic District.

Sponsors: THE CHAIR

Indexes: PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 09

Attachments: 1. CPC letter.pdf, 2. Exhibit A.PDF

Date	Ver.	Action By	Action	Result	Tally
5/14/2002	0	COMMON COUNCIL	ASSIGNED TO		
5/15/2002		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
5/28/2002	1	CITY CLERK	DRAFT SUBMITTED		
6/3/2002	1	CITY CLERK	PUBLISHED		
6/10/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/18/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	4:0
6/25/2002	1	COMMON COUNCIL	RETURNED TO COMMITTEE - SIGNATURES	Pass	17:0
7/1/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/1/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/10/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
7/22/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/22/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/30/2002	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
8/1/2002	1	COMMON COUNCIL	PASSED	Pass	17:0
8/8/2002	1	MAYOR	SIGNED		
8/19/2002	1	CITY CLERK	PUBLISHED		

020154
SUBSTITUTE 1

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THE CHAIR
Substitute ordinance relating to the Third Amendment to the Detailed Planned Development (DPD) known as Walton's Calumet Square, on land located on the Southwest corner of West Calumet Road and North 76th Street, in the 9th Aldermanic District.
This substitute ordinance will change the zoning of this site to allow for an expansion of the existing Sam's Club building for liquor sales.
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).0191.

(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 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 re-affirms the zoning for the area bounded and described by:

That part of the Southeast 1/4 of Section 16, Town 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, together with Lot 5 in Block 1 in Smith Industrial Park being a subdivision of a part of the Southeast 1/4 of Section 16, Town 8 North, Range 21 East in the City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows:

Beginning at a point being the Northeast corner of said 1/4 Section; thence due West along the north line of said 1/4 Section 885.82 feet to a point; thence South 02 deg. 28 min. 13 sec. West 986.14 feet to a point, said point being the Southeast corner of Josef Buchel Park, being a subdivision of a part of the Southeast 1/4 of Section 16, Town 8 North, Range 21 East, Milwaukee County, Wisconsin; thence due West and parallel with the north line of said 1/4 Section 441.68 feet to a point, being the Southwest corner of Josef Buchel Park; thence Southerly 342.16 feet along a line being the west line of the Northeast 1/4 of the Southeast 1/4 of Section 16 to a point being the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 16; thence South 89 deg. 56 min. 04 sec. East along the south line of the Northeast 1/4 of the Southeast 1/4 of Section 16 aforesaid 600.00 feet to a point, said point being the Northwest corner of Lot 5 in Block 1 of aforesaid; thence South 00 deg. 03 min. 56 sec. West 187.29 feet to a point; thence North 82 deg. 44 min. 35 sec. East 58.95 feet to a point; thence South 89 deg. 56 min. 04 sec. East 41.54 feet to a point; thence North 00 deg. 03 min. 56 sec. East 179.77 feet to a point, said point being the Northeast corner of Lot 5 in Block 1 aforesaid; thence North 02 deg. 28 min. 32 sec. East 327.83 feet to a point; thence due East 625.21 feet to a point on the east line of said 1/4 Section; thence North 02 deg. 36 min. 11 sec. East 1001.24 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

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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
05/24/02