



Legislation Details (With Text)

**File #:** 020653      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 8/1/2002      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 9/24/2002

**Effective date:**

**Title:** Substitute ordinance relating to Amendment No. 1 to the Detailed Planned Development (DPD) known as Humboldt Yards (Commercial Parcel) Phase 1, on land located on the South Side of East North Avenue and East of North Humboldt Avenue, in the 6th Aldermanic District.

**Sponsors:** ALD. JOHNSON-ODOM

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 06

**Attachments:**

| Date       | Ver. | Action By                                     | Action                  | Result | Tally |
|------------|------|---|-------------------------|--------|-------|
| 8/1/2002   | 0    | COMMON COUNCIL                                | ASSIGNED TO             |        |       |
| 8/26/2002  | 1    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 8/29/2002  |      | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO             |        |       |
| 8/30/2002  | 1    | CITY CLERK                                    | PUBLISHED               |        |       |
| 9/10/2002  | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 9/10/2002  | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 9/10/2002  | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 9/10/2002  | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 9/17/2002  | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 9/24/2002  | 1    | COMMON COUNCIL                                | PASSED                  | Pass   | 17:0  |
| 10/3/2002  | 1    | MAYOR   | SIGNED                  |        |       |
| 10/10/2002 | 1    | CITY CLERK                                    | PUBLISHED               |        |       |

020653  
SUBSTITUTE 1

ALD. JOHNSON-ODOM  
 Substitute ordinance relating to Amendment No. 1 to the Detailed Planned Development (DPD) known as Humboldt Yards (Commercial Parcel) Phase 1, on land located on the South Side of East North Avenue and East of North Humboldt Avenue, in the 6th Aldermanic District.

This substitute ordinance will change the zoning of this site to allow for the development of 9 residential condominium units.

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).0194.

(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 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 area bounded and described by a part of Parcels 1 and 2 of Certified Survey Map No. 5633, recorded on December 27, 1991, as Document No. 6554614, being a redivision of a part of Lot 82 in the Plat of Lots 2 and 3 in the Northwest 1/4 of the Northeast 1/4 of Section 21, Township 7 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section, said point also being the point of intersection of the centerline of East North Avenue and the centerline of North Humboldt Avenue; thence North 89 deg. 04 min. 24 sec. East along the north line of said 1/4 Section (centerline of East North Avenue) 643.28 feet to a point; thence South 00 deg. 00 min. 01 sec. East 453.66 feet to a point of curvature; thence along a 115.00 foot radius curve concave to the Northwest an arc distance of 119.44 feet to a point of tangency, said curve having a chord length of 114.14 feet and a chord bearing of South 29 deg. 45 min. 12 sec. West; thence South 59 deg. 30 min. 24 sec. West 158.12 feet to a point of curvature; thence along a 400.00 foot radius curve concave to the Northwest an arc distance of 214.42 feet to a point of tangency, said curve having a chord length of 211.86 feet and a chord bearing of South 74 deg. 51 min. 48 sec. West; thence North 89 deg. 46 min. 49 sec. West 242.04 feet to the centerline of North Humboldt Avenue; thence North 00 deg. 18 min. 59 sec. West 677.00 feet along said centerline to the point of beginning.

(3) The requirements set forth in said amended 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 amended detailed plan to all conditions and limitations set forth in such amended 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 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  
08/22/02