



Legislation Details (With Text)

File #: 031240 **Version:** 0

Type: Ordinance **Status:** Passed

File created: 12/19/2003 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 1/21/2004

Effective date:

Title: Ordinance relating to the change in zoning from Local Business (LB2) to a Detailed Planned Development (DPD) known as the Berkshire-Villard Avenue, on the Southeast Corner of West Villard Avenue and North 35th Street, in the 1st Aldermanic District. (DCD)

Sponsors: THE CHAIR

Indexes: PLANNED DEVELOPMENT DISTRICTS, PLANNED UNIT DEVELOPMENTS, ZONING DISTRICT 13

Attachments: 1. CPC Letter.pdf, 2. Exhibit A.pdf

Date	Ver.	Action By	Action	Result	Tally
12/19/2003	0	COMMON COUNCIL	ASSIGNED TO		
12/23/2003		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/5/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/13/2004	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
1/21/2004	0	COMMON COUNCIL	PASSED	Pass	14:0
2/6/2004	0	CITY CLERK	PUBLISHED		
9/17/2013	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/24/2013	0	COMMON COUNCIL	PUBLISHED		
11/5/2013	0	COMMON COUNCIL	HEARING NOTICES SENT		
11/5/2013	0	COMMON COUNCIL	SIGNED		

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THE CHAIR

Ordinance relating to the change in zoning from Local Business (LB2) to a Detailed Planned Development (DPD) known as the Berkshire-Villard Avenue, on the Southeast Corner of West Villard Avenue and North 35th Street, in the 1st Aldermanic District. (DCD) This ordinance will allow for the construction of a mixed-use building providing independent senior housing and containing first floor commercial uses. 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)(b).0036.

(1) In accordance with the provisions of Section 295-907(2) 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 North 35th Street, the centerline of West Villard Avenue, the centerline of North 34th Street and the centerline of an alley located South and parallel to the south line of West Villard Avenue extending between North 34th Street and North 35th Street.

(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 295-907(2) 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:jrh
12/19/03/D