



## Legislation Details (With Text)

**File #:** 061527 **Version:** 2

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

**File created:** 3/22/2007 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 7/11/2007

**Effective date:**

**Title:** Substitute ordinance relating to the change in zoning from Detailed Planned Development to a General Planned Development, to be known as Rivianna, on land located on the North Side of South Water Street and East of North Broadway, in the 12th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 12

**Attachments:** 1. City Plan Commission Hearing Notice, 2. City Plan Commission Letter.pdf, 3. Exhibit A as of 7-6-07, 4. Exhibit A as of 6-26-07.PDF, 5. Exhibit A Continued as of 6-26-07.PDF, 6. Exhibit A as of 4-23-07.pdf, 7. Exhibit A Continued as of 4-23-07.pdf, 8. Exhibit A as of 5-16-07.pdf, 9. Exhibit A Continued as of 5-15-07.pdf, 10. Proposed Zoning Change Map.jpg, 11. General Plan Development, 12. Sound Comparisons with Helicopter Flyover Sound from 5/20/07, 13. Testing of Helicopter Approach at Rivianna Site, 14. Exhibit 1(Petition), 15. Exhibit 2 (Dept. of Public Works memo), 16. Sign-In Sheet for the 7/3/07 Zoning, Neighborhoods and Dev. Comm. Meeting, 17. Rejected Exhibit 1, 18. Douglas Quigley 2 SUPPORT.pdf, 19. 5th Ward Development Association SUPPORT.pdf, 20. Milwaukee Building and Construction Trades Council SUPPORT.pdf, 21. Chicago Regional Council of Carpenters SUPPORT, 22. Memo from Ald. Witkowiak stating SUPPORT, 23. Memo from Ald. Witkowiak stating SUPPORT 2nd memo, 24. 5th Ward Development Association, Inc. SUPPORT, 25. Hispanic Chamber of Commerce SUPPORT, 26. American Indian Chamber of Commerce of Wisconsin SUPPORT.pdf, 27. United Community Center SUPPORT.pdf, 28. Becker Property Services, LLC SUPPORT.pdf, 29. Sara Armstrong OPPOSE.pdf, 30. Douglas Quigley OPPOSE. pdf, 31. Victor Ray OPPOSE.pdf, 32. Dick Hobbs OPPOSE.pdf, 33. Dick Hobbs OPPOSE 2.pdf, 34. Dick Hobbs OPPOSE 3. pdf, 35. Milwaukee River Residents Group OPPOSE.pdf, 36. Milwaukee River Residents Group OPPOSE 2.pdf, 37. Marine Terminal Lofts Condominium Association OPPOSE.pdf, 38. Water Street Lofts Condominium Association OPPOSE.pdf, 39. Richard Antonacci OPPOSE.pdf, 40. Larry and Gina Cairns OPPOSE.pdf, 41. Joanne Toman OPPOSE, 42. Notice Published on 5-07-07 and 5-14-07.PDF, 43. Notice Published on July 27, 2007.PDF

| Date      | Ver. | Action By                                     | Action                    | Result | Tally |
|-----------|------|---|---------------------------|--------|-------|
| 3/22/2007 | 0    | COMMON COUNCIL                                | ASSIGNED TO               |        |       |
| 3/27/2007 | 0    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO               |        |       |
| 5/1/2007  | 1    | CITY CLERK                                    | DRAFT SUBMITTED           |        |       |
| 5/1/2007  | 1    | CITY CLERK                                    | PUBLISHED                 |        |       |
| 5/15/2007 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 5/15/2007 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 5/15/2007 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 5/22/2007 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HELD TO CALL OF THE CHAIR | Pass   | 2:1   |

|           |   |   |                           |      |      |
|-----------|---|---|---------------------------|------|------|
| 6/5/2007  | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/5/2007  | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/6/2007  | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/6/2007  | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/7/2007  | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/12/2007 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | NOT ACTED ON              |      |      |
| 6/26/2007 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/26/2007 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/27/2007 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 6/27/2007 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |      |      |
| 7/3/2007  | 2 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | SUBSTITUTED               | Pass | 5:0  |
| 7/3/2007  | 2 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HELD TO CALL OF THE CHAIR | Fail | 1:4  |
| 7/3/2007  | 2 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE   | Pass | 4:1  |
| 7/11/2007 | 2 | COMMON COUNCIL                                | PASSED                    | Pass | 13:1 |
| 7/18/2007 | 2 | MAYOR   | SIGNED                    |      |      |
| 7/27/2007 | 2 | CITY CLERK                                    | PUBLISHED                 |      |      |

061527  
SUBSTITUTE 2

#### THE CHAIR

Substitute ordinance relating to the change in zoning from Detailed Planned Development to a General Planned Development, to be known as Rivianna, on land located on the North Side of South Water Street and East of North Broadway, in the 12th Aldermanic District. This substitute ordinance allows for a mixed-use development, including approximately 200 residential condominium units, an 81-suite boutique hotel, 10,000 square feet of retail, 467 parking spaces and a Riverwalk including 19 boat slips. Resolved, That 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) (a).0034

(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 General 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 described and bounded by the zoning line within South Water Street, the zoning line within East Pittsburgh

Avenue/North Broadway, the zoning line within the Milwaukee River, and the zoning line within the public right-of-way adjacent to the southeast property line of the site, from Detailed Planned Development (DPD) to General Planned Development (GPD).

(3) The requirements set forth in said general 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 general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the general plan to all conditions and limitations set forth in such general 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.

; and, be it

Further Resolved, That in the event the Detailed Planned Development application is not received by June 5, 2008, the Department of City Development is directed to review the status of the project, this Planned Development district and the character of the neighborhood; and to review and report to the Zoning, Neighborhoods and Development Committee as to reclassification of this Planned Development district.

DCD:VLK:ajf  
07/02/07