Legislation Details (With Text)

File #:	070930 **Version:** 2		
Type:	Ordinance	**Status:**	Passed
File created:	10/23/2007	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	9/16/2008
Effective date:			

Title: Substitute ordinance relating to a change in zoning from Industrial-Light to General Planned Development on land located on the East Side of South Howell Avenue and North of East College Avenue for hotel development, in the 13th Aldermanic District.

Sponsors: ALD. WITKOWSKI

Indexes: HOTELS AND MOTELS, ZONING, ZONING DISTRICT 13

Attachments: 1. Federal Aviation Administration Letter Dated 9/5/08, 2. Exhibit A as of 8-14-08.pdf, 3. Exhibit A Continued as of 8-14-08.pdf, 4. Exhibit A as of 1-28-08.pdf, 5. Exhibit A Continued as of 1-28-08.pdf, 6. Proposed Zoning Change Map.jpg, 7. Site Photos.pdf, 8. St. Stephen Congregation's Letter dated 12-14-07 .pdf, 9. Proposed Project Consultant's Letter dated 1-22-08.pdf, 10. Linda Nieft Opposition Letter dated 1-23-08.pdf, 11. City Plan Commission Letter.pdf, 12. Notice List, 13. Notice Published on 2-28-08 and 3-6-08, 14. Notice Published on 8-22-08 and 8-29-08, 15. Notice Published on 10-2-08

Date	Ver.	Action By	Action	Result	Tally
10/23/2007	0	COMMON COUNCIL	ASSIGNED TO		
10/24/2007	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/21/2008	1	CITY CLERK	DRAFT SUBMITTED		
2/27/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/28/2008	1	CITY CLERK	PUBLISHED		
2/29/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/29/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/29/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/29/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/3/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/3/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/14/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
3/25/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/25/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/25/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

3/31/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
5/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
8/22/2008	1	CITY CLERK	PUBLISHED		
9/2/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/2/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/2/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/2/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/2/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/2/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/8/2008	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
9/8/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
9/8/2008	2	CITY CLERK	DRAFT SUBMITTED		
9/16/2008	1	COMMON COUNCIL	PASSED	Pass	15:0
9/26/2008	1	MAYOR	SIGNED		
10/2/2008	1	CITY CLERK	PUBLISHED		

070930
Substitute 2

ALD. WITKOWSKI
Substitute ordinance relating to a change in zoning from Industrial-Light to General Planned Development on land located on the East Side of South Howell Avenue and North of East College Avenue for hotel development, in the 13th Aldermanic District.
This substitute ordinance will allow for the construction of two hotels on the site.
Resolved, That the Mayor and Common Council of the City of Milwaukee, do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances a new section to read as follows:

Section 295-907(2)(a).0045.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and 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 bounded and described as follows:

That part of the Northwest and Southwest 1/4 of Section 33, in Township 6 North, Range 22 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and

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described as follows: Commencing on the north line and 727 feet West of the northeast corner of the Southwest 1/4 of Section 33, in Township 6 North, Range 22 East, thence South 247.50 feet, thence West 1626.12 feet more or less, thence North 247.50 feet, thence West 300 feet to the west line of said 1/4 Section, thence North along the west line of the Northwest 1/4 of Section 33, in Township 6 North, Range 22 East, 165 feet more or less, thence East 1330 feet more or less to the east line of the West 1/2 of said Northwest 1/4, thence South 165 feet more or less to the north line of said Southwest 1/4 Section, thence East along said north line 596.42 feet to the point of commencement. Excepting therefrom that part thereof described in award of damages recorded on April 3, 1964 in Reel 183, Image 1415, as Document No. 4092784 and excepting therefrom those lands previously conveyed for road purposes, from Industrial-Light (IL1) 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.
DCD:AJF:ajf
08/14/08