Legislation Details (With Text)

File #:	071292 **Version:** 2		
Type:	Ordinance	**Status:**	Placed On File
File created:	1/15/2008	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	5/20/2008
Effective date:			

Title: Substitute ordinance relating to the change in zoning from Industrial Heavy to General Planned Development on land located on the East Side of South 6th Street and North and South of West Rosedale Avenue for affordable housing, retail space and support services, in the 14th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ZONING, ZONING DISTRICT 14

Attachments: 1. Proposed Substitute A.pdf, 2. Exhibit A as of 3-3-08.pdf, 3. Exhibit A Continued as of 3-3-08.pdf, 4. Meetings Related to Development of Empowerment Village.pdf, 5. City Attorney Opinion.pdf, 6. Proposed Zoning Change Map.jpg, 7. Affidavit for Zoning Change.pdf, 8. City Plan Commission Letter.pdf, 9. Support Chudnow.pdf, 10. Support John.pdf, 11. Support Neidhardt.pdf, 12. Support Wilberg.pdf, 13. Support Beth Anderson, 14. Support Gregory Oberland, 15. Support AO Smith Corporation, 16. Support Thomas and Janet Hamilton, 17. Support American Behavioral Clinics, 18. Support Andreia Johnson, 19. Support Thomas Carroll, 20. CMAQ questions for KK River Bike Trail, 21. Speakers, 22. Non-speakers, 23. Handout from Tigue Whaley Smith - part 1, 24. Handout from Tigue Whaley Smith - part 2, 25. Handout from Tigue Whaley Smith - part 3, 26. Notice List, 27. Notice Published on 2-1-08 and 2-8-08, 28. Notice Published on 2-28-08 and 3-6-08

Date	Ver.	Action By	Action	Result	Tally
1/15/2008	0	COMMON COUNCIL	ASSIGNED TO		
1/18/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/28/2008	1	CITY CLERK	DRAFT SUBMITTED		
1/28/2008	1	CITY CLERK	PUBLISHED		
2/11/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/28/2008	1	CITY CLERK	PUBLISHED		
4/28/2008	1	CITY CLERK	PUBLISHED		
5/5/2008	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		
5/13/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
5/13/2008	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	3:2
5/20/2008	2	COMMON COUNCIL	RECONSIDERED	Fail	4:9

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5/20/2008	2	COMMON COUNCIL	PLACED ON FILE	Pass	11:2

071292
Substitute 2

THE CHAIR
Substitute ordinance relating to the change in zoning from Industrial Heavy to General Planned Development on land located on the East Side of South 6th Street and North and South of West Rosedale Avenue for affordable housing, retail space and support services, in the 14th Aldermanic District.
This substitute ordinance will allow for the construction of 48 affordable housing units, retail space and support services.
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).0042.

(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:

The zoning line along the right-of-way of Rosedale Avenue, the zoning line along the railroad right-of-way, the east line of the Kinnickinnic River Park, the north line of the Kinnickinnic River Park and the west line of the Kinnickinnic River Park extended Southerly to the point of commencement.

(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.

Part 4. The property will be developed to include the bike path contemplated by the Congestion, Mitigation and Air Quality project.

DCD:AJF:vlk
05/09/08