



## Legislation Details (With Text)

**File #:** 080176 **Version:** 1

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

**File created:** 5/20/2008 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 7/30/2008

**Effective date:**

**Title:** Substitute ordinance relating to the First Amendment to the General Planned Development known as Bishops Creek, on land located at 4763 North 32nd Street, in the 1st Aldermanic District.

**Sponsors:** ALD. HAMILTON

**Indexes:** ZONING, ZONING DISTRICT 01

**Attachments:** 1. Exhibit A as of 7-14-08.pdf, 2. Map.jpg, 3. Affidavit for Zoning Change.pdf, 4. City Plan Commission Letter.pdf, 5. Reinhart Boerner Van Deuren Letter.pdf, 6. Reinhart Boerner Van Deuren-Certified Survey Map Attachment.pdf, 7. Notice List, 8. Notice Published on 7-7-08 and 7-14-08, 9. Notice Published on 8-15-08

Date	Ver.	Action By	Action	Result	Tally
5/20/2008	0	COMMON COUNCIL	ASSIGNED TO		
5/21/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/30/2008	1	CITY CLERK	DRAFT SUBMITTED		
7/7/2008	1	CITY CLERK	PUBLISHED		
7/15/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/22/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/30/2008	1	COMMON COUNCIL	PASSED	Pass	14:0
8/6/2008	1	MAYOR	SIGNED		
8/15/2008	1	CITY CLERK	PUBLISHED		

080176

SUBSTITUTE 1

060734

ALD. HAMILTON

Substitute ordinance relating to the First Amendment to the General Planned Development known as Bishops Creek, on land located at 4763 North 32nd Street, in the 1st Aldermanic District.

This substitute ordinance amends the currently approved site development plan.

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).0043.

(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 amended 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 map is amended to change the zoning for Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Lot B, Block 21, in North Milwaukee Townsite Company's Addition No. 2, in the Northeast 1/4 of Section 1, Township 7 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, except that part conveyed in the deed recorded as Document Number 7990235; and

Lands in the Southeast 1/4 of Section 36, Township 8 North, Range 21 East, bounded by the west line of North 32nd Street, the north line of West Hampton Avenue and the southeast boundary line of the Chicago, Milwaukee and St. Paul Railroad right-of-way.

(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

06/26/08