



## Legislation Details (With Text)

**File #:** 080321 **Version:** 2

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

**File created:** 6/10/2008 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 7/28/2009

**Effective date:**

**Title:** Substitute ordinance relating to a change in zoning from a General Planned Development to a Detailed Planned Development, known as Rivianna, for the property located at 236 South Water Street for mixed-use development, in the 12th Aldermanic District.

**Sponsors:** James N. Witkowiak

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

**Attachments:** 1. Exhibit A as of 7-13-09, 2. Exhibit A Continued as of 7-13-09, 3. City Plan Commission Letter, 4. Site Photos, 5. Proposed Zoning Change Map, 6. Affidavit for Zoning Change, 7. Hearing Notice List, 8. Notice Published on 7-6-09 and 7-13-09, 9. Notice Published on 8-13-09

| Date      | Ver. | Action By                                     | Action                  | Result | Tally |
|-----------|------|-----------------------------------------------|-------------------------|--------|-------|
| 6/10/2008 | 0    | COMMON COUNCIL                                | ASSIGNED TO             |        |       |
| 6/11/2008 | 0    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO             |        |       |
| 2/26/2009 | 1    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 7/6/2009  | 1    | CITY CLERK                                    | PUBLISHED               |        |       |
| 7/13/2009 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/15/2009 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/15/2009 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 7/21/2009 | 2    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 3:1   |
| 7/21/2009 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | SUBSTITUTED             | Pass   | 4:0   |
| 7/22/2009 | 2    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 7/28/2009 | 2    | COMMON COUNCIL                                | PASSED                  | Pass   | 14:1  |
| 7/29/2009 | 2    | MAYOR                                         | SIGNED                  |        |       |
| 8/13/2009 | 2    | CITY CLERK                                    | PUBLISHED               |        |       |

080321

Substitute 2

061527

ALD. WITKOWIAK

Substitute ordinance relating to a change in zoning from a General Planned Development to a Detailed Planned Development, known as Rivianna, for the property located at 236 South Water Street for mixed-use development, in the 12th Aldermanic District.

This zoning change will allow for the construction of three, 15-story mixed-use towers on a 3 to 4-story base.

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)(c).0140.

(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 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 described and bounded by:

The zoning line within South Water Street, the zoning line within East Pittsburgh Avenue, the zoning line within the Milwaukee River and the zoning line within the public right-of-way to the southeast of the site, from General Planned Development (GPD) to Detailed Planned Development (DPD).

(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 person, 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  
07/13/09