



Legislation Details (With Text)

File #: 140045 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/22/2014 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 6/3/2014

Effective date:

Title: A substitute ordinance relating to the Third Amendment to the General Planned Development known as Humboldt Yards, located on the south side of East North Avenue, east of North Humboldt Avenue, in the 3rd Aldermanic District.

Sponsors: ALD. KOVAC

Indexes: PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 03

Attachments: 1. Exhibit A as of 05-19-14, 2. Exhibit A Continued as of 05-16-14, 3. Zoning Change Boundary Map, 4. Affidavit for Zoning Change, 5. City Plan Commission Letter, 6. Milw River Advocates Co-op Letter, 7. Milw River Advocates Co-op Oppose Letter, 8. Support Petition, 9. Leichtling-Support, 10. Rivercrest Letters of Support, 11. Jonathan J Feldbruegge Letter, 12. Notice Published on 5-14-14 and 5-21-14, 13. PowerPoint, 14. Hearing Notice List, 15. Notice Published 6-19-14

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|---|--------------------------------------|--------|-------|
| 4/22/2014 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 4/24/2014 | 0 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO | | |
| 5/8/2014 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 5/14/2014 | 1 | CITY CLERK | PUBLISHED | | |
| 5/19/2014 | 0 | CITY PLAN COMMISSION | RECOMMENDED FOR PASSAGE AND ASSIGNED | Pass | 7:0 |
| 5/20/2014 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 5/21/2014 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 5/21/2014 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 5/29/2014 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 5:0 |
| 6/3/2014 | 1 | COMMON COUNCIL | PASSED | Pass | 15:0 |
| 6/12/2014 | 1 | MAYOR | SIGNED | | |
| 6/19/2014 | 1 | CITY CLERK | PUBLISHED | | |

140045

SUBSTITUTE 1

971743, 011155, 020652, 020633, 140046

ALD. KOVAC

A substitute ordinance relating to the Third Amendment to the General Planned Development known as Humboldt Yards, located on the south side of East North Avenue, east of North Humboldt Avenue, in the 3rd Aldermanic District.

This amendment was requested by Rivers II Crest LLC c/o Mandel Group, Inc. to increase the total number of allowable residential units and to change the previously contemplated

site plan for the second phase of residential development.

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).0073.

(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 properties located at:

2130 North Commerce Street, Tax Key No. 355-1743-000; 2134 North Commerce Street, Tax Key No. 355-1747-000; 2136 North Commerce Street, Tax Key No. 355-1748-000; 2139 North Riverboat Road, Tax Key No. 355-1750-000; 2112 North Commerce Street, Tax Key No. 355-1736-000; 2175 North Riverboat Road, Tax Key No. 355-1770-000; 2178 North Commerce Street, Tax Key No. 355-1767-000; 2118 North Commerce Street, Tax Key No. 355-1739-000; 2154 North Commerce Street, Tax Key No. 355-1757-000; 2160 North Commerce Street, Tax Key No. 355-1760-000; 2142 North Commerce Street, Tax Key No. 355-1753-000; 2158 North Commerce Street, Tax Key No. 355-1761-000; 2176 North Commerce Street, Tax Key No. 355-1768-000; 2146 North Commerce Street, Tax Key No. 355-1751-000; 2106 North Commerce Street, Tax Key No. 355-1733-000; 2174 North Commerce Street, Tax Key No. 355-1769-000; 2135 North Riverboat Road, Tax Key No. 355-1746-000; 2128 North Commerce Street, Tax Key No. 355-1744-000; 2114 North Commerce Street, Tax Key No. 355-1735-000; 2170 North Commerce Street, Tax Key No. 355-1765-000; 2144 North Commerce Street, Tax Key No. 355-1752-000; 2150 North Commerce Street, Tax Key No. 355-1755-000; 2147 North Riverboat Road, Tax Key No. 355-1754-000; 2121 North Riverboat Road, Tax Key No. 355-1738-000; 2161 North Riverboat Road, Tax Key No. 355-1762-000; 2166 North Commerce Street, Tax Key No. 355-1763-000; 2110 North Commerce Street, Tax Key No. 355-1737-000; 2125 North Riverboat Road, Tax Key No. 355-1742-000; 2105 North Riverboat Road, Tax Key No. 355-1734-000; 2104 North Commerce Street, Tax Key No. 355-1732-000; 2138 North Commerce Street, Tax Key No. 355-1749-000; 2165 North Riverboat Road, Tax Key No. 355-1766-000; 2168 North Commerce Street, Tax Key No. 355-1764-000; 2126 North Commerce Street, Tax Key No. 355-1745-000; 2162 North Commerce Street, Tax Key No. 355-1759-000; 2122 North Commerce Street, Tax Key No. 355-1741-000; 2151 North Riverboat Road, Tax Key No. 355-1758-000; 2152 North Commerce Street, Tax Key No. 355-1756-000; 2102 North Commerce Street, Tax Key No. 355-1731-000; 2120 North Commerce Street, Tax Key No. 355-1740-000; 2240 North Commerce Street, Tax Key No. 355-1522-000; 2175 North Commerce Street, Tax Key No. 355-1523-000; 1100 East Garfield Avenue, Tax Key No. 355-1571-000; 1300 East Garfield Avenue, Tax Key No. 355-1730-000; and 1121 East North Avenue, Tax Key No. 355-1572-000.

(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:Vanessa.Koster:kdc

05/07/14