



Legislation Details (With Text)

File #: 080612 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/2/2008 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 10/29/2008

Effective date:

Title: Substitute ordinance relating to the change in zoning from Multi-Family Residential and Two-Family Residential to General Planned Development for the properties located at 3940 West Lisbon Avenue and part of 1929 North 39th Street and approving the First Amendment to the General Planned Development known as United Methodist Children's Services, located North of West Lisbon Avenue and West of North 39th Street, for development of apartment housing and community space, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: ZONING, ZONING DISTRICT 15

Attachments: 1. Exhibit A as of 10-13-08.pdf, 2. Proposed Zoning Change Map.jpg, 3. Affidavit for Zoning Change.pdf, 4. Exhibit A Continued as of 10-13-08.pdf, 5. City Plan Commission Letter.pdf, 6. Notice List, 7. Notice Published on 10-6-08 and 10-13-08, 8. Notice Published on 11-14-08

Date	Ver.	Action By	Action	Result	Tally
9/2/2008	0	COMMON COUNCIL	ASSIGNED TO		
9/3/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/30/2008	1	CITY CLERK	DRAFT SUBMITTED		
10/6/2008	1	CITY CLERK	PUBLISHED		
10/13/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/13/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/21/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
10/29/2008	1	COMMON COUNCIL	PASSED	Pass	12:0
11/5/2008	1	MAYOR	SIGNED		
11/14/2008	1	CITY CLERK	PUBLISHED		

080612
SUBSTITUTE 1

THE CHAIR

Substitute ordinance relating to the change in zoning from Multi-Family Residential and Two-Family Residential to General Planned Development for the properties located at 3940 West Lisbon Avenue and part of 1929 North 39th Street and approving the First Amendment to the General Planned Development known as United Methodist Children's Services, located North of West Lisbon Avenue and West of North 39th Street, for development of apartment housing and community space, in the 15th Aldermanic District.

This zoning change was requested by United Methodist Children's Services of Wisconsin and will allow the developer to connect a proposed 4-story building with a community center and 24 apartments to an existing building at 3940 West Lisbon Avenue. The General Planned

Development is being amended to include the existing building.

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).0046.

(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:

Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 in Lisbon Avenue Park, in the Northwest 1/4 of Section 24, Township 7 North, Range 21 East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, including the vacated east-west alley, and a line 169.74 feet South and parallel to the south line of West Brown Street.

(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

09/29/08