



Legislation Details (With Text)

File #: 080744 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/16/2008 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 11/25/2008

Effective date:

Title: Substitute ordinance relating to the Second Amendment to the Detailed Planned Development known as Metro Center, Phase 2, on land located on the North Side of West Metro Boulevard and West of North 107th Street, for construction of an automobile dealership, in the 5th Aldermanic District.

Sponsors: ALD. BOHL

Indexes: PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 05

Attachments: 1. City Plan Commission Letter.pdf, 2. Exhibit A as of 10-13-08.pdf, 3. Exhibit A Continued as of 10-13-08.pdf, 4. Plat of Survey.pdf, 5. Proposed Zoning Change Map.jpg, 6. Affidavit for Zoning Change.pdf, 7. Notice List, 8. Notice Published 11-03-08 and 11-10-08, 9. Notice Published on 12-12-08

Date	Ver.	Action By	Action	Result	Tally
9/16/2008	0	COMMON COUNCIL	ASSIGNED TO		
9/19/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
10/28/2008	1	CITY CLERK	DRAFT SUBMITTED		
11/3/2008	1	CITY CLERK	PUBLISHED		
11/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/5/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/18/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
11/25/2008	1	COMMON COUNCIL	PASSED	Pass	14:0
12/5/2008	1	MAYOR	SIGNED		
12/12/2008	1	CITY CLERK	PUBLISHED		

080744
SUBSTITUTE 1

ALD. BOHL

Substitute ordinance relating to the Second Amendment to the Detailed Planned Development known as Metro Center, Phase 2, on land located on the North Side of West Metro Boulevard and West of North 107th Street, for construction of an automobile dealership, in the 5th Aldermanic District.

This zoning change was requested by Russ Darrow Group, Inc. and will allow for the construction of a 36,717 square-foot automobile dealership (Russ Darrow Honda). 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).0133.

(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 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 that part of Lot 2 of Metro Auto Park in the Northeast 1/4, Southeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 19, Township 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Northeast 1/4 Section; thence South 00 deg. 49 min. 45 sec. East along the west line of said 1/4 Section 1122.01 feet to a point; thence North 82 deg. 01 min. 15 sec. East 226.76 feet to a point on the east line of U.S. Highway 41 and 45; thence South 00 deg. 49 min. 45 sec. East 276.70 feet to a point on the centerline of West Metro Boulevard; thence North 86 deg. 55 min. 31 sec. East along said centerline 375.55 feet to the point of beginning of this description; thence North 03 deg. 04 min. 29 sec. West 762.92 feet to a point on the south line of West Good Hope Road; thence North 77 deg. 49 min. 15 sec. East along said south line 414.14 feet to a point; thence South 03 deg. 04 min. 29 sec. East 828.46 feet to a point on the centerline of West Metro Boulevard; thence South 86 deg. 55 min. 31 sec. West along said centerline 408.93 feet to the point of beginning.

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 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
10/28/08