



Legislation Details (With Text)

**File #:** 161292      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/18/2017      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 3/1/2017

**Effective date:**

**Title:** A substitute ordinance granting an air space lease to LKP Walkers LLC for a building facade overhanging the sidewalks for the premises at 324 S. 2nd Street in the 12th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Air Space Lease Petition, 2. Proposed airspace lease with LKP Walkers LLC, 3. Lease Exhibit A, 4. CPC presentation, 5. 161292 City Plan Commission Letter.pdf, 6. Notice Published on 3-17-17, 7. Letter from the City Plan Commission

| Date      | Ver. | Action By              | Action                               | Result | Tally |
|-----------|------|------------------------|--------------------------------------|--------|-------|
| 1/18/2017 | 0    | COMMON COUNCIL         | ASSIGNED TO                          |        |       |
| 2/13/2017 | 0    | CITY PLAN COMMISSION   | RECOMMENDED FOR PASSAGE AND ASSIGNED | Pass   | 5:0   |
| 2/13/2017 | 0    | PUBLIC WORKS COMMITTEE | SUBSTITUTED                          |        |       |
| 2/15/2017 | 0    | PUBLIC WORKS COMMITTEE | RECOMMENDED FOR PASSAGE              | Pass   | 5:0   |
| 3/1/2017  | 1    | COMMON COUNCIL         | PASSED                               | Pass   | 15:0  |
| 3/10/2017 | 1    | MAYOR                  | SIGNED                               |        |       |
| 3/17/2017 | 1    | CITY CLERK             | PUBLISHED                            |        |       |

161292  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance granting an air space lease to LKP Walkers LLC for a building facade overhanging the sidewalks for the premises at 324 S. 2nd Street in the 12th Aldermanic District. In accordance with state law, this ordinance will grant an airspace lease to LKP Walkers LLC for the purpose of constructing and maintaining building overhangs that extend over the sidewalk areas bordering South 2<sup>nd</sup> Street and West Florida Street at 324 South 2<sup>nd</sup> Street in the City of Milwaukee, 12th Aldermanic District.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1: FINDINGS. In accordance with the provisions of sec. 66.0915(4), Wis. Stats., (2013-2014), the Common Council of the City of Milwaukee hereby authorizes, directs and agrees that the City of Milwaukee, through the proper city officers, enter into an airspace lease with LKP Walkers LLC for a term of 99 years for the purpose of allowing Lessee to construct, maintain, and use overhang structures that extend over the sidewalk areas bordering South 2<sup>nd</sup> Street and West Florida Street at 324 South 2<sup>nd</sup> Street, as described in the lease, and the Common Council of the City of Milwaukee hereby finds that the area described in the airspace lease is not needed for street, alley or other

public purposes and that the public interest will be served because the leasing of the airspace will aid in the development of the neighborhood.

Part 2. Attached and made part of Common Council File No. 161292 is a copy of such lease in substantially the same form as the lease that will be signed.

Part 3. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The Department of City Development, through its real estate section, shall process, at the expense of the Lessee, the recording of this ordinance and the executed lease with the Milwaukee County Register of Deeds and shall forward the recording information complete with a final copy of the ordinance and lease to the City Engineer and the City Comptroller.

Part 5. This ordinance shall take effect and be in force from and after its passage and publication.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

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