



Legislation Details (With Text)

File #: 081069 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 11/25/2008 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 1/16/2009

Effective date:

Title: Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as United Methodist Children's Services for elimination of an approved garage and an increase in surface parking, on land located North of West Lisbon Avenue and West of North 39th Street, in the 15th Aldermanic District.

Sponsors: THE CHAIR

Indexes: PARKING LOTS, PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 15

Attachments: 1. Exhibit A as of 1-5-09.pdf, 2. Exhibit A Continued as of 1-5-09.pdf, 3. Proposed Zoning Change Map.jpg, 4. City Plan Commission Letter.pdf, 5. Affidavit for Zoning Change.pdf, 6. Hearing Notice List, 7. Notice Published on 2-4-09

Date	Ver.	Action By	Action	Result	Tally
11/25/2008	0	COMMON COUNCIL	ASSIGNED TO		
12/2/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/18/2008	1	CITY CLERK	DRAFT SUBMITTED		
12/29/2008	1	CITY CLERK	PUBLISHED		
12/29/2008	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/13/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
1/16/2009	1	COMMON COUNCIL	PASSED	Pass	14:0
1/28/2009	1	MAYOR	SIGNED		
2/4/2009	1	CITY CLERK	PUBLISHED		

081069

SUBSTITUTE 1

080611

THE CHAIR

Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as United Methodist Children's Services for elimination of an approved garage and an increase in surface parking, on land located North of West Lisbon Avenue and West of North 39th Street, in the 15th Aldermanic District.

This amendment was initiated by United Methodist Children's Services to allow for the elimination of a 14-car garage from the approved plan, to be replaced by an increase in surface parking from 19 to 26 spaces. The change will result in an increase in the amount of landscaped green space.

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).0136.

(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 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 bounded and described as Lot 1 of Certified Survey Map No. 8119.

The requirements set forth in said amended 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 amended detailed plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the amended detailed plan to all conditions and limitations set forth in such amended 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
12/18/08