



## Legislation Details (With Text)

**File #:** 170164 **Version:** 2  
**Type:** Ordinance **Status:** Passed  
**File created:** 5/9/2017 **In control:** COMMON COUNCIL  
**On agenda:** **Final action:** 7/31/2017  
**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from Local Business, LB2, and Two-Family Residential, RT4, to a Detailed Planned Development, DPD, for mixed-use residential development on land located on the east side of South Kinnickinnic Avenue, south of East Bay Street, in the 14th Aldermanic District.

**Sponsors:** ALD. ZIELINSKI

**Indexes:** ZONING DISTRICT 14

**Attachments:** 1. City Plan Commission Letter, 2. DCD Presentation, 3. New Land Enterprises Presentation, 4. Notice Published 7-10-17 and 7-17-17, 5. Exhibit A as of 7-19-17, 6. Affidavit for Zoning Change, 7. Zoning Change Boundary Map, 8. DPW Comments, 9. Renderings, 10. SUPPORT - Rachel Arndt, 11. SUPPORT-Leaf, 12. SUPPORT-Rudolph, 13. Piwoni Letter, 14. OPPOSE-Petition (Updated), 15. OPPOSE-Petition, 16. OPPOSE-Hector Ramos, 17. OPPOSE-Stephanie Toumanoff, 18. OPPOSE-Vanessa Ramos, 19. Hearing Notice List, 20. OPPOSE-Amelia Santiago, 21. SUPPORT-Connie Schmidt, 22. Notice Published on 8-16-17

Date	Ver.	Action By	Action	Result	Tally
5/9/2017	0	COMMON COUNCIL	ASSIGNED TO		
5/10/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/26/2017	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	5:0
6/30/2017	1	CITY CLERK	DRAFT SUBMITTED		
7/10/2017	1	CITY CLERK	PUBLISHED		
7/19/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/19/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/19/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/25/2017	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/25/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
7/31/2017	2	COMMON COUNCIL	PASSED	Pass	15:0
8/9/2017	2	MAYOR	SIGNED		
8/16/2017	2	CITY CLERK	PUBLISHED		

170164  
SUBSTITUTE 2

ALD. ZIELINSKI

A substitute ordinance relating to the change in zoning from Local Business, LB2, and Two

-Family Residential, RT4, to a Detailed Planned Development, DPD, for mixed-use residential development on land located on the east side of South Kinnickinnic Avenue, south of East Bay Street, in the 14th Aldermanic District.

This zoning change was requested by New Land Enterprises and will permit mixed-use residential development on the site.

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:

(1) In accordance with the provisions of Section 295-907 of the Code relating to the 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 the properties located at: 310 East Archer Avenue, Tax Key No. 466-0303-000; 316 East Archer Avenue, Tax Key No. 466-0302-000; Part of 353 East Bay Street (Lots 21 and 22), Tax Key No. 466-1001-111; anticipated portion of alley to be vacated, which becomes part of 310 and 316 East Archer Avenue and Lots 21 and 22 of 353 East Bay Street; 2130 South Kinnickinnic Avenue, Tax Key No. 466-0310-112, from Local Business (LB2) and Two-Family Residential (RT4) to Detailed Planned Development (DPD).

(3) 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:Vanessa.Koster:kdc

07/18/17