



Legislation Details (With Text)

**File #:** 170508      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/11/2017      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 3/27/2018

**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from Two-Family Residential, RT4, to a Detailed Planned Development, DPD, known as St. Rita Square for a senior living facility and church on the north side of East Pleasant Street between North Cass Street and North Van Buren Street, in the 3rd Aldermanic District.

**Sponsors:** ALD. KOVAC

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, ZONING

**Attachments:** 1. Exhibit A, 2. Exhibit A Continued, 3. Affidavit for Zoning Change, 4. Zoning Change Boundary Map, 5. DPW Comments, 6. City Plan Commission Letter, 7. Ald Nik Kovac Support, 8. PowerPoint Presentation, 9. Notice Published on 3-5-18 and 3-12-18, 10. Request for Updated Elevations, 11. Hearing Notice List, 12. Updated South and West Elevations, 13. Notice Published on 4-13-18

Date	Ver.	Action By	Action	Result	Tally
7/11/2017	0	COMMON COUNCIL	ASSIGNED TO		
7/12/2017	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/12/2018	0	CITY PLAN COMMISSION	APPROVED CONDITIONALLY	Pass	6:0
2/23/2018	1	CITY CLERK	DRAFT SUBMITTED		
3/5/2018	1	CITY CLERK	PUBLISHED		
3/13/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/13/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/13/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/19/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/20/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
3/20/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	AMENDED	Pass	4:0
3/27/2018	1	COMMON COUNCIL	PASSED	Pass	15:0
4/4/2018	1	MAYOR	SIGNED		
4/13/2018	1	CITY CLERK	PUBLISHED		

170508  
SUBSTITUTE 1

ALD. KOVAC  
A substitute ordinance relating to the change in zoning from Two-Family Residential, RT4,

to a Detailed Planned Development, DPD, known as St. Rita Square for a senior living facility and church on the north side of East Pleasant Street between North Cass Street and North Van Buren Street, in the 3rd Aldermanic District.

This zoning change was requested by Tarantino & Company, LLC and will permit a mixed-use development, including a senior living community and a new church, to be constructed on the sites.

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: 1601-1603 North Cass Street, Tax Key No. 360-0328-000; 1613 North Cass Street, Tax Key No. 360-0329-000; 1617 North Cass Street, Tax Key No. 360-0330-000; 1623 North Cass Street, Tax Key No. 360-0331-000; 700 East Pleasant Street, Tax Key No. 360-0357-000; 1612 North Van Buren Street, Tax Key No. 360-0356-000; and 1618 North Van Buren Street, Tax Key No. 360-0355-000; from 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  
02/22/18