



## Legislation Details (With Text)

**File #:** 081311 **Version:** 1

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

**File created:** 1/16/2009 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 3/3/2009

**Effective date:**

**Title:** Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as RGS Warehouse, on lands located on the West Side of South 6th Street and North of West College Avenue, to allow for options to the approved building materials, in the 13th Aldermanic District.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 13

**Attachments:** 1. Exhibit A as of 2-16-09.pdf, 2. Exhibit A Continued as of 2-16-09.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 2-9-09 and 2-16-09, 8. Notice Published on 3-19-09

Date	Ver.	Action By	Action	Result	Tally
1/16/2009	0	COMMON COUNCIL	ASSIGNED TO		
1/23/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/3/2009	1	CITY CLERK	DRAFT SUBMITTED		
2/9/2009	1	CITY CLERK	PUBLISHED		
2/17/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/24/2009	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
3/3/2009	1	COMMON COUNCIL	PASSED	Pass	15:0
3/9/2009	1	MAYOR	SIGNED		
3/19/2009	1	CITY CLERK	PUBLISHED		

081311  
SUBSTITUTE 1

ALD. WITKOWSKI

Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as RGS Warehouse, on lands located on the West Side of South 6th Street and North of West College Avenue, to allow for options to the approved building materials, in the 13th Aldermanic District.

This zoning amendment was requested by Gregg and Scott Lindner to permit alternative building material options for the approved warehouse. In addition to the previously approved split block masonry, two other options, Tuff-Wall insulated freezer wall panels and/or insulated precast masonry wall panels are proposed.

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).0137.

(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 that part of the Northeast 1/4 and the Southeast 1/4 of Section 32, Township 6 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said 1/4 Section; thence South 00 deg. 36 min. 07 sec. East along the east line of said 1/4 Section 900.09 feet to the point of beginning; thence South 89 deg. 12 min. 36 sec. West 447.00 feet along the centerline of South 6th Street to a point; thence South 89 deg. 12 min. 36 sec. West 233 feet to a point; thence South 00 deg. 36 min. 07 sec. East 130 feet to a point; thence South 89 deg. 12 min. 36 sec. West 926.24 feet to a point; thence North 04 deg. 48 min. 41 sec. West 578.42 feet to a point; thence North 89 deg. 12 min. 36 sec. East 1,201.70 feet to the point of commencement along the centerline of South 6th Street.

(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:AJF:ajf  
02/03/09