



Legislation Details (With Text)

File #: 190159 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/7/2019 **In control:** COMMON COUNCIL

On agenda: **Final action:** 7/30/2019

Effective date:

Title: A substitute ordinance relating to the change in zoning from Single-Family Residential, RS2, to a Detailed Planned Development, DPD, for the property located at 7007 and 7007-R North 115th Street, on the west side of North 115th Street, south of West Good Hope Road, in the 5th Aldermanic District.

Sponsors: ALD. DODD

Indexes: ZONING DISTRICT 05

Attachments: 1. City Plan Commission Letter, 2. Affidavit for Zoning Change, 3. Exhibit A, 4. DPW Comments, 5. Map, 6. Milwaukee County Letter, 7. Support - Ald Dodd Letter, 8. Western Responses, 9. Neighborhood Letters & Map as of 06-07-19, 10. Oppose - Adriansen Posik Letter, 11. Oppose - Bach Letter, 12. Oppose - Burmeister Letter, 13. Oppose - Gersonde Letter, 14. Oppose - Heyne Letter, 15. Oppose - Heyne Email, 16. Oppose - Meissner Letter, 17. Oppose - Moody Letter, 18. Oppose - Munson Letter, 19. Oppose - Poston Letter, 20. Oppose - Schroeder 1, 21. Oppose - Schroeder 2, 22. Support - Szymanski Letter, 23. Oppose - Turnch.pdf, 24. Support - Weiting, 25. Oppose - Wiersma Letter, 26. Oppose - Wilgenbusch Letter, 27. Oppose - Winter Charles Letter, 28. Oppose - Winter Correspondence Email.pdf, 29. Oppose - Winter Email, 30. Winter Photos, 31. DCD PowerPoint, 32. Developer PowerPoint, 33. Exhibits from Bruce Winter, 34. Petition Submitted by Bruce Winter, 35. City Attorney Response on Petition, 36. Additional City Attorney Response on Petitions, 37. Affidavit to Petition from Bruce Winter, 38. Affidavit and Petition by Janis Dorothy Posik, 39. Affidavit and Petition by Susan Adriansen, 40. Aerial View Looking Northwest, 41. Aerial View Looking South, 42. Aerial View with Building and Dimensions, 43. Hearing Notice List 07-02-19, 44. Hearing Notice List 07-23-19, 45. Photos from Bruce Winter 7-23-19, 46. Oppose - Bellehumeur, 47. Protest Petition DCD Letter and Map, 48. City Attorney Petitions Response 7-26-19, 49. Oppose - Bruce Winter, 50. Oppose - Nick McVey, 51. Oppose - Adriansen and Posik, 52. Oppose - Meissner, 53. Oppose - Schroeder, 54. Proof of Publication, 55. Proof of Publication 2

| Date | Ver. | Action By | Action | Result | Tally |
|-----------|------|---|--------------------------------------|--------|-------|
| 5/7/2019 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 5/9/2019 | 0 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO | | |
| 6/10/2019 | 0 | CITY PLAN COMMISSION | RECOMMENDED FOR PASSAGE AND ASSIGNED | Pass | 5:0 |
| 6/10/2019 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 6/17/2019 | 1 | CITY CLERK | PUBLISHED | | |
| 6/26/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 6/27/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 6/27/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 6/27/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 6/27/2019 | 1 | ZONING, NEIGHBORHOODS & | HEARING NOTICES SENT | | |

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|-----------|---|---|---------------------------|------|------|
| 6/27/2019 | 1 | DEVELOPMENT COMMITTEE ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 7/2/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HELD TO CALL OF THE CHAIR | Pass | 4:0 |
| 7/17/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 7/17/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 7/17/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 7/17/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 7/17/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT | | |
| 7/23/2019 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 4:0 |
| 7/30/2019 | 1 | COMMON COUNCIL | PASSED | Pass | 13:0 |
| 8/8/2019 | 1 | MAYOR | SIGNED | | |
| 8/15/2019 | 1 | CITY CLERK | PUBLISHED | | |

190159
SUBSTITUTE 1

ALD. DODD

A substitute ordinance relating to the change in zoning from Single-Family Residential, RS2, to a Detailed Planned Development, DPD, for the property located at 7007 and 7007-R North 115th Street, on the west side of North 115th Street, south of West Good Hope Road, in the 5th Aldermanic District.

This zoning change was requested by Western Building Products, Inc. and will allow industrial 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 7007 North 115th Street, Tax Key No. 113-9980-120, and 7007-R North 115th Street, Tax Key No. 113-9980-110, from Single-Family (RS2) 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

06/07/19