



Legislation Details (With Text)

**File #:** 210821      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 9/21/2021      **In control:** COMMON COUNCIL  
**On agenda:**      **Final action:** 3/22/2022  
**Effective date:**

**Title:** A substitute ordinance granting an air space lease to the Wisconsin Center District for a building overhang on North Vel R. Phillips Avenue for the premises at 405 West Kilbourn Avenue.

**Sponsors:** THE CHAIR

**Indexes:** AIR SPACE LEASES

**Attachments:** 1. Application, 2. Transmittal Letter, 3. Application w/floor plans and photos, 4. 02 Vel R. Phillips - R3 11.08.21.pdf, 5. 02 Vel R. Phillips - R4 12.13.21.pdf, 6. Letter from Air & Subterranean Space Lease Committee 1.18.2022.pdf, 7. WCD Vel R Phillips Airspace Lease Calc.pdf, 8. Lease, 9. Exhibit A, 10. 2021\_1102 Air Rights Presentation, 11. City Plan Commission Letter.pdf, 12. Signed Ordinance, 13. Notice published 4/8/2022

Date	Ver.	Action By	Action	Result	Tally
9/21/2021	0	COMMON COUNCIL	ASSIGNED TO		
11/8/2021	0	CITY PLAN COMMISSION	HELD IN COMMITTEE	Pass	6:0
1/24/2022	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	5:0
1/26/2022	0	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
3/9/2022	0	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
3/22/2022	1	COMMON COUNCIL	PASSED	Pass	14:0
3/22/2022	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
3/29/2022	1	MAYOR	SIGNED		
4/8/2022	1	CITY CLERK	PUBLISHED		

210821  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance granting an air space lease to the Wisconsin Center District for a building overhang on North Vel R. Phillips Avenue for the premises at 405 West Kilbourn Avenue. In accordance with state law, this ordinance grants an air space lease to the Wisconsin Center District for the purpose of constructing and maintaining a building overhang over North Vel R. Phillips Avenue for the premises at 405 West Kilbourn Avenue (4th Aldermanic District). The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1: In accordance with the provisions of s. 66.0915(4), Wis. Stats., (2019-2020), the Common Council of the City of Milwaukee authorizes, directs and agrees that the City of Milwaukee, through the proper City officers, enter into an air space lease with the Wisconsin Center District for a term of 99 years for the purpose of allowing Lessee to construct and maintain a building overhang over North

Vel R. Phillips Avenue for the premises at 405 West Kilbourn Avenue, as described in the lease. The Common Council further finds that the area described in the lease is not needed for street, alley or other public purposes and that the public interest will be served inasmuch as the leasing of the air space will promote the development of the downtown and the city's tourism industry.

Part 2. Attached and made part of Common Council File No. 210821 is a copy of such lease in substantially the same form as the lease that will be signed.

Part 3. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part 4. The Department of City Development, through its real estate section, shall process, at the expense of the Lessee, the recording of this ordinance and the executed lease with the Milwaukee County Register of Deeds and shall forward the recording information, along with a final copy of this ordinance and the lease, to the City Engineer and the City Comptroller.

Part 5. This ordinance shall take effect and be in force from and after its passage and publication.

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

TDM/tdm  
1053-2021-1127:278590  
1/19/2022