



Legislation Details (With Text)

File #: 221449 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/17/2023 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 4/18/2023

Effective date:

Title: A substitute ordinance relating to the change in zoning from Local Business, LB2, to a Detailed Planned Development, DPD, known as Brady-Farwell Hotel to allow construction of a hotel on the property located at 1709-23 North Farwell Avenue, on the west side of North Farwell Avenue, east of North Cambridge Avenue, in the 3rd Aldermanic District.

Sponsors: ALD. BROSTOFF

Indexes: PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 03

Attachments: 1. DCD Presentation, 2. Developer Presentation, 3. Exhibit A as of 3.30.23, 4. Exhibit A Continued 1 as of 3.30.23, 5. Exhibit A Continued 2 as of 3.30.23, 6. Affidavit for Zoning Change, 7. Map, 8. DPW Comments, 9. City Plan Commission Letter, 10. CPC Staff Report, 11. Traffic Impact Analysis, 12. Traffic Impact Analysis Appendix, 13. Baruzzini Oppose, 14. Schmitzer Support, 15. ZND Hearing Notice List, 16. CPC Public Hearing Notice, 17. Exhibit A as of 02.28.23, 18. Exhibit A Continued 1 as of 02.22.23, 19. Exhibit A Continued 2 as of 02.22.23, 20. Exhibit A as of 02.22.23, 21. Notice published 3/24 and 3/31/2023, 22. Notice published 5/5/2023

Date	Ver.	Action By	Action	Result	Tally
1/17/2023	0	COMMON COUNCIL	ASSIGNED TO		
1/23/2023	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
3/6/2023	0	CITY PLAN COMMISSION	APPROVED CONDITIONALLY	Pass	6:0
3/6/2023	0	CITY PLAN COMMISSION	REFERRED TO	Pass	6:0
3/13/2023	1	CITY CLERK	DRAFT SUBMITTED		
3/24/2023	1	CITY CLERK	PUBLISHED		
4/11/2023	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
4/18/2023	1	COMMON COUNCIL	PASSED	Pass	15:0
4/21/2023	1	MAYOR	SIGNED		
5/5/2023	1	CITY CLERK	PUBLISHED		

221449
SUBSTITUTE 1

ALD. BROSTOFF

A substitute ordinance relating to the change in zoning from Local Business, LB2, to a Detailed Planned Development, DPD, known as Brady-Farwell Hotel to allow construction of a hotel on the property located at 1709-23 North Farwell Avenue, on the west side of North Farwell Avenue, east of North Cambridge Avenue, in the 3rd Aldermanic District. This zoning change was requested by 1709 N Farwell PropCo LLC, and will allow construction of a hotel on the subject 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 ("MCO") a new section to read as follows:

(1) In accordance with the provisions of Section 295-907 of the MCO relating to the establishment of planned development districts, the Common Council approves the subject Detailed Planned Development, which is restricted to the time limit of 5 years from the effective date of this ordinance unless the criteria per s.295-907-2-c-11 are met as referenced in Exhibit A, a copy of which is attached to this Common Council File 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 property located at: 1709-23 North Farwell Avenue, Tax Key No. 355-0023-110 from Local Business (LB2) 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 MCO.

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:Samuel.Lleichtling:kdc
03/13/23