



## Legislation Details (With Text)

**File #:** 230044 **Version:** 1  
**Type:** Ordinance **Status:** Passed  
**File created:** 5/9/2023 **In control:** COMMON COUNCIL  
**On agenda:** **Final action:** 7/31/2023  
**Effective date:**

**Title:** A substitute ordinance relating to the 1st Amendment to the Detailed Planned Development, DPD, known as Nova to add Commercial Hotel as a permitted use for a time limited two year period within the previously approved mixed-use residential building located at 1237 North Van Buren Street, on the west side of North Van Buren Street, north of West Juneau Avenue, in the 4th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 04

**Attachments:** 1. ZND Presentation, 2. Exhibit A, 3. Map, 4. Affidavit for Zoning Change, 5. City Plan Commission Letter, 6. CPC Staff Report, 7. CPC Public Hearing Notice, 8. Frick Oppose, 9. Geisler Oppose, 10. Demski Oppose, 11. 601 Lofts Condos Oppose, 12. Jewish Family Services Letter, 13. Hearing Notice List, 14. Notice published 7/10 and 7/17/2023, 15. Notice published 8/17/2023

Date	Ver.	Action By	Action	Result	Tally
5/9/2023	0	COMMON COUNCIL	ASSIGNED TO		
5/10/2023	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
6/26/2023	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
6/30/2023	1	CITY CLERK	DRAFT SUBMITTED		
7/10/2023	1	CITY CLERK	PUBLISHED		
7/25/2023	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
7/31/2023	1	COMMON COUNCIL	PASSED	Pass	15:0
8/2/2023	1	MAYOR	SIGNED		
8/17/2023	1	CITY CLERK	PUBLISHED		

230044  
SUBSTITUTE 1  
201143, 210171

THE CHAIR

A substitute ordinance relating to the 1st Amendment to the Detailed Planned Development, DPD, known as Nova to add Commercial Hotel as a permitted use for a time limited two year period within the previously approved mixed-use residential building located at 1237 North Van Buren Street, on the west side of North Van Buren Street, north of West Juneau Avenue, in the 4th Aldermanic District.

This zoning change was requested by New Land Enterprises and will add Commercial Hotel as a permitted use within the residential portion of the previously approved mixed-use building.

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 amended 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: 1237 North Van Buren Street, Tax Key No. 360-0911-000 for the 1st Amendment to the Detailed Planned Development known as Nova.

(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:Samuel.Lleichtling:kdc  
06/29/23