



Legislation Details (With Text)

File #: 230626 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/1/2023 **In control:** COMMON COUNCIL
On agenda: **Final action:** 11/21/2023
Effective date:

Title: A substitute ordinance relating to the 1st Amendment to the Detailed Planned Development known as Block 3 - Arena Master Plan, Phase 1 for changes to the previously approved music venue, and the change in zoning from DPD to a General Planned Development for a portion of 1051 North Vel R. Phillips Avenue located on the west side of North Vel R. Phillips Avenue, north of West State Street, in the 4th Aldermanic District.

Sponsors: ALD. BAUMAN

Indexes: PLANNED DEVELOPMENT DISTRICTS, ZONING DISTRICT 04

Attachments: 1. ZND Presentation.pdf, 2. Exhibit A (updated 10.26.23).pdf, 3. Exhibit A (updated 10.10.23), 4. Updated Preliminary Safety Analysis and Mitigation Strategy for Milwaukee Venue - 11.03.23.pdf, 5. Affidavit for Zoning Change, 6. Map, 7. City Plan Commission Letter.pdf, 8. Milwaukee Turners Letter asking for criteria to be met 2023.11.10, 9. CPC Staff Report, 10. CPC Public Hearing Notice, 11. Wirth Memorandum, 12. Wirth Attachment, 13. Madison Fire Dept Support, 14. Madison Police Dept Support, 15. Truck & Bus Turning Memo, 16. Lot 2 Broker Memo, 17. Milwaukee Turners Letter, 18. Exhibit A, 19. Exhibit A Continued 1, 20. Exhibit A Continued 2, 21. Preliminary Safety Analysis and Mitigation Strategy for Milwaukee Venue - 10.13.23, 22. Hearing Notice List, 23. Notice published 10/27 and 11/3/2023

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|---|-------------------------|--------|-------|
| 9/1/2023 | 0 | COMMON COUNCIL | ASSIGNED TO | | |
| 9/1/2023 | 0 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO | | |
| 10/16/2023 | 0 | CITY PLAN COMMISSION | APPROVED CONDITIONALLY | Pass | 4:0 |
| 10/16/2023 | 0 | CITY PLAN COMMISSION | REFERRED TO | Pass | 4:0 |
| 10/23/2023 | 1 | CITY CLERK | DRAFT SUBMITTED | | |
| 10/27/2023 | 1 | CITY CLERK | PUBLISHED | | |
| 11/13/2023 | 1 | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass | 4:1 |
| 11/21/2023 | 1 | COMMON COUNCIL | PASSED | Pass | 15:0 |
| 11/22/2023 | 1 | MAYOR | SIGNED | | |
| 12/11/2023 | 1 | CITY CLERK | PUBLISHED | | |

230626

SUBSTITUTE 1

150724, 181157, 220490

ALD. BAUMAN

A substitute ordinance relating to the 1st Amendment to the Detailed Planned Development known as Block 3 - Arena Master Plan, Phase 1 for changes to the previously approved music venue, and the change in zoning from DPD to a General Planned Development for a portion of 1051 North Vel R. Phillips Avenue located on the west side of North Vel R. Phillips Avenue, north of West State Street, in the 4th Aldermanic District.

This zoning change was requested by Marquee Ventures MKE, LLC and will allow changes to the previously approved music venue.

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 properties located at: 500 West State Street, Tax Key No. 391-0731-000; 1051 North Vel R Phillips Avenue, Tax Key No. 392-0351-000; and 1047 North Vel R Phillips Avenue, Tax Key No. 392-0355-000 relating to the First Amendment to Detailed Planned Development (DPD) as shown as Outlot 1 of CSM 9448 and Lot 1, Lot 2, and Outlot 1 of CSM DCD #3404; and an approximately 2,434 square foot portion of land that will be shifted from 1051 North Vel R Phillips Avenue (zoned DPD) to 430 West State Street, Tax Key No. 392-0352-000, zoned General Planned Development (GPD - Arena Master Plan) as shown as Lot 3 of CSM DCD #3404.

(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

10/20/23