Legislation Details (With Text)

File #:	091458 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	3/2/2010	**In control:**	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE
On agenda:		**Final action:**	1/19/2011
Effective date:			

Title: A substitute ordinance relating to a change in zoning from Local Business to Detailed Planned Development for approximately 54 apartments, on lands located north of East North Avenue and west of North Farwell Avenue, in the 3rd Aldermanic District.

Sponsors: THE CHAIR

Indexes: PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 03

Attachments: 1. City Plan Commission Letter-REVISED.pdf, 2. City Plan Commission Letter.pdf, 3. Exhibit A.pdf, 4. Proposed Zoning Change Map.pdf, 5. Affidavit for Zoning Change.pdf, 6. Support-Andy and Janet Martin.pdf, 7. Support-Sarah Patch.pdf, 8. Support-Russell Borkin, 9. Support-Judy Christofferson, 10. Support-Bob Connolly, 11. Support-Bruce Fetter, 12. Support-James Green, 13. Support-Jeff Jordon, 14. Support-Any Martin, 15. Support-Miriam Reading, 16. Support-Sr Mary Elizabeth Cullen, 17. Support-Cathy Starrt, 18. Support-Fred Stoltz, 19. Oppose - Historic Water Tower Neighborhood Letter Dated 12/2/10, 20. Oppose - Historic Water Tower Neighborhood Letter Dated 3/5/10, 21. Oppose-Barbara and Robert Elsner.pdf, 22. Oppose-Claudia Bodine.pdf, 23. Oppose-Lynn Vice.pdf, 24. Oppose-Tiffany and Brad Tinsey.pdf, 25. Oppose - Mary Ann Wright, 26. Notice Published on 12-23-10 and 12-30-10, 27. Hearing Notice - revised, 28. Notice Published on 2-4-11

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/4/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/23/2010	1	CITY CLERK	PUBLISHED		
1/4/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/5/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/6/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/11/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
1/19/2011	1	COMMON COUNCIL	PASSED	Pass	15:0
1/27/2011	1	MAYOR	SIGNED		

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2/4/2011 1 CITY CLERK PUBLISHED

091458
SUBSTITUTE 1

THE CHAIR
A substitute ordinance relating to a change in zoning from Local Business to Detailed Planned Development for approximately 54 apartments, on lands located north of East North Avenue and west of North Farwell Avenue, in the 3rd Aldermanic District.
This zoning change was requested by Mercy Housing Lakefront and will allow for the construction of approximately 54 residential apartments and 109 structured parking stalls.
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:

Section 295-907(2)(c).0164.

(1) In accordance with the provisions of Section 295-907(2) of the Code relating to the procedures and 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: 2303 North Farwell Avenue, Tax Key No. 319-0764-111, and 2353 North Farwell Avenue, Tax Key No. 319-0762-100.

(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:VLK:kdc
12/16/10