



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 11/3/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 1/19/2011

Effective date:

Title: A substitute ordinance relating to the change in zoning from Industrial-Light to a Detailed Planned Development, for a charter school, on lands located on the north side of West Florist Avenue and east of North 73rd Street, in the 2nd Aldermanic District.

Sponsors: ALD. DAVIS

Indexes: CHARTER SCHOOLS, PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 02

Attachments: 1. Exhibit A.pdf, 2. Exhibit A Continued.pdf, 3. Exhibit B.pdf, 4. Proposed Zoning Change Map.pdf, 5. Proposed Certified Survey Map.pdf, 6. Affidavit for Zoning Change.pdf, 7. City Plan Commission Letter.pdf, 8. PowerPoint Presentation, 9. Support-Grantosa Heights Block, 10. Support-Tyrone Dumas, 11. Petition, 12. Notice Published on 12-2-10 and 12-9-10, 13. Notice Published on 12-23-10 and 12-30-10, 14. Hearing Notice List-revised, 15. Notice Published on 2-4-11

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/5/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
12/2/2010	1	CITY CLERK	PUBLISHED		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/3/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/6/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/9/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
12/10/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
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		
1/7/2011	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	14:1
1/27/2011	1	MAYOR	SIGNED		
2/4/2011	1	CITY CLERK	PUBLISHED		

100874
SUBSTITUTE 1

ALD. DAVIS

A substitute ordinance relating to the change in zoning from Industrial-Light to a Detailed Planned Development, for a charter school, on lands located on the north side of West Florist Avenue and east of North 73rd Street, in the 2nd Aldermanic District. This zoning change will permit the construction of a new charter school on the currently vacant 8-acre 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 ("Code") a new section to read as follows:

Section 295-907(2) (c).0161.

(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 that part of Lot 1 of Certified Survey Map No. 7561 in the Southeast 1/4 of the Northwest 1/4 of Section 27, Township 8 North, Range 21 East, in the City of Milwaukee, Milwaukee County, Wisconsin, more particularly described as follows: Commencing at the southeast corner of said Northwest 1/4; thence North 00°41'34" West, on and along the east line of said Northwest 1/4, 45.00 feet to the north right-of-way line of West Florist Avenue; thence South 89°28'24" West, on and along said north right-of-way, 378.88 feet to the point of beginning; thence continuing South 89°28'24" West, on and along said north right-of-way, 550.00 feet to the southwest corner of said Lot 1; thence North 00°22'08" West, on and along the west line of said Lot 1, 625.93 feet; thence North 89°28'24" East, 550.00 feet; thence South 00°22'08" East, 625.93 feet to the point of beginning. Containing 344,261 square feet (7.90 acres), more or less.

(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

11/23/10