



Legislation Details (With Text)

File #: 101101 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 12/21/2010 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 2/8/2011

Effective date:

Title: A substitute ordinance relating to the change in zoning from Local Business to General Planned Development, for commercial redevelopment, on lands located on the north side of West Silver Spring Drive, south and west of West Appleton Avenue, in the 5th Aldermanic District.

Sponsors: ALD. BOHL

Indexes: ZONING, ZONING DISTRICT 05

Attachments: 1. City Plan Commission Letter, 2. Exhibit A as of 1-27-11, 3. Exhibit A Continued as of 1-27-11, 4. Proposed Zoning Change Map, 5. Affidavit for Zoning Change, 6. Hearing Notice L1st, 7. Notice published on 1-14-11 and 1-21-11, 8. Notice Published on 2-24-11

Date	Ver.	Action By	Action	Result	Tally
12/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
12/23/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/14/2011	1	CITY CLERK	PUBLISHED		
1/27/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/27/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
1/27/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/1/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/8/2011	1	COMMON COUNCIL	PASSED	Pass	12:0
2/15/2011	1	MAYOR	SIGNED		
2/24/2011	1	CITY CLERK	PUBLISHED		

101101
SUBSTITUTE 1

ALD. BOHL

A substitute ordinance relating to the change in zoning from Local Business to General Planned Development, for commercial redevelopment, on lands located on the north side of West Silver Spring Drive, south and west of West Appleton Avenue, in the 5th Aldermanic District.

This rezoning was requested by Gatlin Development Company, Inc., and will allow for the redevelopment of the site into a community-based retail and commercial development. 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) (a) .0061.

(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 General 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 area bounded and described as follows: 10426 West Silver Spring Drive, Tax Key No. 179-0071-000; 10316 West Silver Spring Drive, Tax Key No. 179-0111-000; 10202 West Silver Spring Drive, Tax Key No. 179-0081-000; and 10223 West Appleton Avenue, Tax Key No. 179-0033-000.

(3) The requirements set forth in said general 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 general plan is that such plan shall limit and control construction, location, use and operation of all land and structures included within the general plan to all conditions and limitations set forth in such general 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

01/07/11