



Legislation Details (With Text)

File #: 101465 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/23/2011 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

On agenda: **Final action:** 2/28/2012

Effective date:

Title: A substitute ordinance relating to the change in zoning from Redevelopment District to Detailed Planned Development, for a staging area and surface parking lot, on lands located within Block 16 of the Park East Redevelopment Area, in the block bounded by North Water Street, East Knapp Street and future North Market Street extended, in the 3rd Aldermanic District.

Sponsors: ALD. KOVAC

Indexes: PARKING LOTS, PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 03

Attachments: 1. Exhibit A as of 1-3-12, 2. Exhibit A Continued as of 1-3-12, 3. Proposed Zoning Change Map, 4. Affidavit for Zoning Change, 5. Hearing Notice List, 6. Notice Published 2-7-12 and 2-14-12, 7. City Plan Commission Letter, 8. MSOE BMO PowerPoint, 9. Notice Published on 3-15-12

Date	Ver.	Action By	Action	Result	Tally
3/23/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/29/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/27/2012	1	CITY CLERK	DRAFT SUBMITTED		
2/7/2012	1	CITY CLERK	PUBLISHED		
2/15/2012	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/22/2012	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
2/28/2012	1	COMMON COUNCIL	PASSED	Pass	14:0
3/2/2012	1	MAYOR	SIGNED		
3/15/2012	1	CITY CLERK	PUBLISHED		

101465
SUBSTITUTE 1

ALD. KOVAC

A substitute ordinance relating to the change in zoning from Redevelopment District to Detailed Planned Development, for a staging area and surface parking lot, on lands located within Block 16 of the Park East Redevelopment Area, in the block bounded by North Water Street, East Knapp Street and future North Market Street extended, in the 3rd Aldermanic District.

This zoning change was requested by BMO Harris Bank (f/k/a M&I Bank) and will allow for a staging area during the construction of the adjacent MSOE soccer stadium and parking facility. After the completion of the MSOE soccer stadium and parking facility, the property will be converted to an interim open space for five to ten years. After five years, a surface parking lot with landscape screening may be constructed until future development occurs on the 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).0173.

(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 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 area described and bounded by Lot 3 of a proposed Certified Survey Map (DCD No. 2851), being part of Block 149, in Partition of Southeast Fraction of Section No. 20, in the Southeast 1/4 of the Southeast 1/4 of Section 20, Town 7 North, Range 22 East, in the City of Milwaukee, Milwaukee County, Wisconsin and being more particularly described as follows: Commencing at the Southeast corner of the Southeast 1/4 of Section 20; thence South 88° 58' 45" West along the south line of said 1/4 Section, 169.02 feet; thence North 01° 18' 39" West 491.59 feet to a point on the north right-of-way line of East Knapp Street; thence South 88° 56' 26" West along said north line 332.69 feet to the point of beginning of the land to be described; thence continuing South 88° 56' 26" West 220.86 feet to a point on the east right-of-way line of North Water Street; thence North 01° 15' 49" West along said east line 56.41 feet to a point of curvature; thence continuing 390.47 feet Northeasterly along said line and being the arc of a curve having a radius of 388.00 feet with a centerpoint to the Southeast, a central angle of 57° 39' 38" and a long chord bearing North 27° 34' 00" East, 374.20 feet; thence continuing North 56° 23' 49" East 30.16 feet to a point on the west right-of-way line of North Market Street; thence South 33° 36' 11" East along said west line 27.32 feet; thence South 01° 18' 39" East along said west line 378.06 feet to the north right-of-way line of East Knapp Street and the point of beginning. Containing 67,735 square feet (1.5550 acres) of land, from Redevelopment District (RED) to Detailed Planned Development (DPD).

(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
01/27/12