



## Legislation Details (With Text)

**File #:** 110037 **Version:** 1

**Type:** Ordinance **Status:** Passed

**File created:** 5/3/2011 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 6/14/2011

**Effective date:**

**Title:** A substitute ordinance relating to the change in zoning from a Detailed Planned Development known as St. Michael's Hospital to a Detailed Planned Development known as Wheaton Franciscan, to permit the construction of a new Family Care Center, on land located on the north side of West Villard Avenue, generally east of North 25th Street, in the 1st Aldermanic District.

**Sponsors:** ALD. HAMILTON

**Indexes:** PLANNED UNIT DEVELOPMENTS, ZONING, ZONING DISTRICT 01

**Attachments:** 1. Updated Landscape Plan as of 6-13-11, 2. Updated Landscape Details as of 6-13-11, 3. Exhibit A as of 6-1-11 Continued, 4. Exhibit A as of 6-1-11, 5. City Plan Commission Letter, 6. Site Photos, 7. Proposed Zoning Change Map, 8. Affidavit for Zoning Change, 9. Notice published on 5-20-11 and 5-27-11, 10. PowerPoint Presentation 6-7-11, 11. Hearing Notice List, 12. Notice Published on 6-30-11

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/5/2011	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
5/20/2011	1	CITY CLERK	PUBLISHED		
6/2/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/3/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/3/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/7/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
6/14/2011	1	COMMON COUNCIL	PASSED	Pass	15:0
6/23/2011	1	MAYOR	SIGNED		
6/30/2011	1	CITY CLERK	PUBLISHED		

110037  
SUBSTITUTE 1  
911731  
ALD. HAMILTON

A substitute ordinance relating to the change in zoning from a Detailed Planned Development known as St. Michael's Hospital to a Detailed Planned Development known as Wheaton Franciscan, to permit the construction of a new Family Care Center, on land located on the north side of West Villard Avenue, generally east of North 25th Street, in the 1st Aldermanic District.

This zoning change was applied for by Wheaton Franciscan and will permit the construction of a new Family Care Center, which will replace the existing center currently operating on the former St. Michael's Hospital property.

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).0170.

(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 property located at 2400 West Villard Avenue, Tax Key No. 194-0378-110, and 2530 West Villard Avenue, Tax Key No. 194-0811-000, from a Detailed Planned Development (DPD) known as St. Michael's Hospital to a Detailed Planned Development (DPD) known as Wheaton Franciscan.

(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  
05/12/11