Legislation Text

File #: 081310, **Version:** 1

081310
SUBSTITUTE 1
070930
ALD. WITKOWSKI
Substitute ordinance relating to a change in zoning from General Planned Development to
Detailed Planned Development, on land located on the East Side of South Howell Avenue and
North of East College Avenue, for hotel development, in the 13th Aldermanic District.
This zoning change was requested by Raymond Management Company to allow for the
development of a portion of the site for a hotel.
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).0138.

(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 bounded and described as
follows:

That part of the Northwest and Southwest 1/4 of Section 33, Township 6 North, Range 22
East, in the City of Milwaukee, County of Milwaukee, State of Wisconsin, bounded and
described as follows: Commencing on the north line and 727 feet West of the northeast
corner of the Southwest 1/4 of Section 33, Township 6 North, Range 22 East, thence South
247.50 feet, thence West 1626.12 feet more or less, thence North 247.50 feet, thence West
300 feet to the west line of said 1/4 Section, thence North along the west line of the
Northwest 1/4 of Section 33, Township 6 North, Range 22 East, 165 feet more or less,
thence East 1330 feet more or less to the east line of the West 1/2 of said Northwest 1/4
Section, thence South 165 feet more or less to the north line of said Southwest 1/4
Section, thence East along said north line 596.42 feet to the point of commencement.
Excepting therefrom that part thereof described in award of damages recorded on April 3,
1964 in Reel 183, Image 1415, as Document No. 4092784, and excepting therefrom those
lands previously conveyed for road purposes, from General Planned Development (GPD) 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 person, 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:AJF:ajf
02/26/09