



## Legislation Text

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**File #: 081710, Version: 1**

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081710  
SUBSTITUTE 1

ALD. KOVAC

Substitute ordinance relating to the First Amendment to a Detailed Planned Development known as Downer Avenue Redevelopment, Phase II, for a boutique hotel, banquet hall and restaurant, on land located generally on the East Side of North Downer Avenue and South of East Park Place and land located generally on the West Side of North Downer Avenue and the East Side of North Stowell Avenue, North of East Webster Place, in the 3rd Aldermanic District.

This amendment will allow for the construction of a boutique hotel with 40 guest rooms, a banquet hall and a restaurant in place of the approved medical clinic.

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).0144.

(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 amended 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 reaffirms the zoning for the two areas bounded and described as follows:

The centerline of East Webster Place, the centerline of North Stowell Avenue, a line 162.70 feet North and parallel to the north line of East Webster Place, a line 130 feet West and parallel to the west line of North Downer Avenue, the centerline of East Bellevue Place, and the zoning line within North Downer Avenue.

The zoning line within North Hackett Avenue, the zoning line within North Downer Avenue, the zoning line within East Park Place to a point 125.72 feet East and parallel to the east line on North Downer Avenue, thence South 35 feet to a point, thence South 34 deg. 27 min. 28 sec. West 92.17 feet, thence North 55 deg. 32 min. 32 sec. West 13.41 feet, thence South 00 deg. 00 min. 23 sec. East 117.99 feet, thence South 55 deg. 32 min. 32 sec. East 66.64 feet to the zoning line within North Hackett Avenue.

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

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05/04/09