



Department of City Development  
City Plan Commission  
Redevelopment Authority of the City of Milwaukee  
Neighborhood Improvement Development Corporation

Lafayette L. Crump  
Commissioner

Vanessa L. Koster  
Deputy Commissioner

4<sup>th</sup> Ald. District  
Ald. Bauman

### CITY PLAN COMMISSION ZONING REPORT

**File No.** [230626](#)

**Location:** 1051 & 1047 N. Vel R. Phillips Avenue, & 500 W. State Street (DPD) and 430 W. State Street (GPD); on the west side of North Vel R. Phillips Avenue, north of West State Street

**Applicant/  
Owner:** Marquee Ventures MKE LLC (applicant)

**Current  
Zoning:** Detailed Planned Development (DPD) known as Block 3 – Arena Master Plan, Phase 1. Additionally, 430 W. State St. (Lot 3) is zoned General Planned Development (GPD – Arena Master Plan).

**Proposed  
Zoning:** 1<sup>st</sup> Amendment to DPD (1051 & 1047 N. Vel R. Phillips Av.) and change in zoning from DPD to GPD (approx. 2,434 sf of 1051 N. Vel R. Phillips will shift to 430 W. State St.)

**Proposal:** In 2016, a General Planned Development (GPD) was established the 8 development blocks within the Deer District. In 2022, the applicant requested that the zoning for a portion of the parcel known as Block 3 in the GPD be changed to a Detailed Planned Development (DPD). That DPD allowed for construction of a multi-story music venue that included a 4,000-person capacity room and an 800-person capacity room. Two plazas on the north side of the venue were also part of the proposal, and land to the west of Block 3 was identified as a private service drive with public access easements and agreements. CSM #9448 was approved and recorded, and divided Block 3 and a portion of Block 2 to the west of this site into 3 lots and 2 outlots. New addresses were assigned to these newly created lots. A new CSM has been submitted re-divide the land within Block 3 to accommodate the changes associated with this amendment.

The applicant is requesting the 1<sup>st</sup> Amendment to the DPD zoning to make changes to the plans, including but not limited to:

- Remove the small theater (800-person capacity).
- Increase the large theater capacity from 4,000 persons to 4,500 persons.

- Changes to the site and building design (as outlined in more detail below).
- Redivision of land to create a new development lot (to be known as Lot 2; remains in the DPD) between the music venue and N. Vel R. Phillips Av., and shift approximately 2,434 sf from Lot 1 (music venue) to the south portion of the site (to be known as Lot 3; zoned GPD) due to the reduced footprint of the music venue. The northeast plaza (to be known as Outlot 1), service drive and north plaza will remain part of the DPD zoning.

**GPD Analysis:**

The GPD establishes general zoning parameters for the entire Arena District, as well as permitted use lists for each of the 8 blocks within the GPD boundary. A music venue is classified by the zoning code as a theater, which is a permitted use this block in the GPD, as well as all downtown zoning districts except for C9A, which is primarily focused on residential uses.

The initial proposal to create a DPD to facilitate construction of the music venue was heard at CPC on 9/26/22. At that time, plans for the venue entailed a 2-theater music venue that was set back from N. Vel R. Phillips Av., creating a (smaller) future development site between the venue and street. When this proposal was initially presented to the Plan Commission, an amendment to the GPD was also proposed in order to allow a building on the future development site that was less than the minimum height (4 stories), as the smaller music venue design entailed an upper floor outdoor patio that would have been blocked by a taller building. CPC recommended conditional approval of the overall project and GPD amendment, with a number of conditions including proposing additional interim treatments or enhanced wall designs for the eastern façade of the venue until such time as development occurred on the future development site along Vel R. Phillips Ave. To respond to that condition and other feedback received from stakeholders, the DPD plans for the venue that were presented to the Common Council and eventually approved in November of 2022 shifted the venue to the east to front directly along Vel R. Phillips Ave., eliminating the future development site.

The removal of the smaller venue that is currently being proposed via this DPD amendment will result in the creation of a future development site along Vel R. Phillips Ave., similar to the initial version that was presented to the CPC in 2022. However, this future development site will be larger than the 2022 version of the plans and the applicant is no longer seeking a request for relief from the minimum height for the future development on new Lot 2, or any other adjustments to the GPD.

Because the proposed use (theater) is a permitted use in the GPD and the building meets the applicable GPD site and building design standards, an amendment to the GPD zoning is not necessary.

**DPD Amendment:**

As mentioned above, the private service drive to the west of the music venue, and the north and east plazas on the north portion of the site remain largely

unchanged from the original DPD approval. Pedestrian easements and agreements remain in place over the sidewalk portion of the private service drive.

Revisions to the music venue, including increasing the capacity of the large theater and removing the small theater, require changes to the design and placement of the building. The orientation of the building remains the same, with the main entrance along the north side adjacent to the plazas. The bus court for loading and temporary tour bus parking, and the loading docks remain on the west side of the building. With the removal of the small venue, one of the loading docks has been removed. On the interior, the Mezzanine Level within the seating bowl has been removed, and there is no longer a Suite Level or Suites/Skyboxes. This has been replaced with a Terrace Level that provides access to the outdoor terraces along the north portion of the building at the highest level of the seating bowl. Additional square footage has been added at the second level above the back of house/loading area in the southeast corner of the building where the star suites were previously located for the small theater. An open air rooftop patio has been added to the southwest corner of the building at both the Mezzanine and Terrace Levels that had previously been used as grid access and storage. These changes have been reflected in the revised exterior design of the venue.

Active uses within the venue, including lobby, pre-function, circulation corridors, merchandise sales and a box office are located along the north portions of the building that are adjacent to the plazas. The middle section of the east façade of the building is along an interior lot line (set back approx. 95' from Vel R. Phillips Av.) and is blank, as it is anticipated to become a party wall with a future development on Lot 2. The wall will be clad in brick to continue the high quality aesthetic along this frontage. The same condition exists on the south side of the building, adjacent to Lot 3. This property line is set back approx. 160' from W. State St. Building materials remain the same as the previous DPD approval, and include masonry and metal panel. Glass has been utilized to the extent possible based on interior functions of the music venue.

A new lot for future development (Lot 2) is being created in the footprint of the former small venue, and will allow an active building/use to line the east wall of the music venue along N. Vel R. Phillips Av. This lot is larger and deeper than the original proposal, which will make it more developable. The Arena District development team has indicated that they will actively market the site for development that will complement the block. Future development of Lot 2 will allow for the overall street activation and build out requirements of the Arena Master Plan GPD for this block to be achieved. Arena District ownership have committed to aggressively marketing Lot 2 and constructing a building on this site that would bring this portion of the block into compliance with GPD standards, and these commitments were a factor relied upon by DCD in the staff review of this proposal and recommendation related to consistency with the overall intent of the GPD.

An amendment to the DPD zoning will be necessary in the future to approve the specifics of that development. An interim landscaping plan for Lot 2 is proposed and would be approved through this file. Temporary banner signs will also be placed on the east façade of the music venue to further activate this space.

**Circulation, Parking and Loading:**

Pedestrian access: Consistent with the original DPD, the primary pedestrian entrance will be on the north side of the building adjacent to the plazas. A VIP entrance will be located on the south end of the east façade of the building with access via an access easement on Lot 3. A concrete walk will be constructed on this portion of Lot 3. Service entrances will also be on the west side of the building.

Automobile access and parking: Consistent with the original DPD, guests and employees will utilize adjacent parking structures in the district. Existing facilities and options for transit and ride shares will continue.

Bicycle parking: Consistent with the original DPD, 20 short term, outdoor bicycle parking spaces will be provided near the north entry of the large venue. 3 long term “Indoor” bicycle parking spaces will be provided near the building loading area. The bike parking exceeds zoning code requirements.

Loading: Deliveries, staging, and waste collection will be off the private service drive to the west. Dumpsters will be stored inside the building.

On street loading zone: The applicant is requesting to utilize the street frontage directly east of the VIP entrance facing Vel R. Phillips Av. for on-street loading. This area will front Lot 3 but be accessible to the music venue via an access easement. The future commercial development on Lot 2 is intended to share its frontage for loading.

Staging: The staging area west of the music venue will be used as a drop-off and pick-up point when tour buses arrive and depart from the music venue. For larger shows and events, multiple buses may be staging in the area for longer periods for loading and unloading.

**Landscaping:**

A comprehensive and cohesive landscape plan is included in the exhibit. Landscaping has been incorporated along the sidewalks of the private service drives and within the plazas on the north and east sides of the site. A landscape plan has also been included for Lot 2 as an interim condition until development occurs, and must be implemented within the timeline noted in the DPD narrative. Landscaping within this space includes trees within planters, decomposed granite, and lighting. If Lot 3 has not been rezoned to DPD by 1/1/2026, interim edge landscaping shall be installed along the street edge of Lot 3 consistent with “Option A” perimeter landscaping as described in Chapter 295-405-3-a of the zoning code.

**Signage:**

All signage will be designed per requirements of the Milwaukee Zoning Code, section 295-407. All permanent signs listed below may be allowed to have changeable messaging, subject to DCD staff review.

Signage types include:

- Temporary construction signage.
- Temporary perimeter site signage that will consist of a fabric sign material with graphics designed to obscure the construction activity and enliven the block. The fabric sign will cover between 50% and 100% of the perimeter construction fence.
- Wall sign: Internal face lit dimensional letters
- Marquee signage – changeable messaging
- Building identification signs near streets.
- Banner signs as shown on the east façade of the building.

**Adjacent Land Use:**

This site is located at the corner of N. Vel R Phillips Avenue and W. State Street, within the Deer District. The Fiserv Forum arena is located directly north of the site and is zoned as DPD Block 1. Turner Hall is located across the street to the east and is zoned as Downtown Mixed Activity (C9G). A parking structure and vacant land are located on Block 2 to the west of the site. Other properties to the east, south, and west are zoned as Downtown Mixed Activity (C9G).

**Consistency with Area Plan:**

The project site is within the boundary of the Downtown Area Plan, adopted by the Common Council in 2023. The Downtown Area Plan recommends to reinforce Downtown as the region’s center of art, culture, entertainment and sports and supports new entertainment venues of all types and size throughout Downtown. The plan encourages large venues and other facilities that may necessitate blank walls to include “liner uses” along the street frontage. The plan also has a goal to create more opportunities for investment in the built environment and encourages buildings to engage the public realm and promote walkability. The new lot being proposed along N Vel R Phillips Avenue creates additional opportunities for investment and street activation that would not be possible under the previously approved DPD. The proposed amendment to the DPD is consistent with the Downtown Area Plan.

**Previous City Plan Commission Action:**

11/23/2015 – The City Plan Commission recommended conditional approval of the change in zoning Downtown - Warehouse and Light Manufacturing (C9H), Downtown - Civic Activity (C9D(A)), and Redevelopment - Park East (RED) to a General Planned Development (GPD) for the arena master plan. (FN 150724)

12/3/2018 – The City Plan Commission recommended approval of the First Amendment to the Arena Master Plan GPD to allow temporary banner signs and lighting on the existing parking structure on Block 2 of the GPD. (FN 181157)

9/26/2022 – The City Plan Commission recommended conditional approval of the Second Amendment to the General Planned Development, GPD, known as Arena Master Plan to allow changes to the zoning standards for Block 3 of the GPD and adjacent lands, located on the west side of North Vel R. Phillips Avenue, north of West State Street, in the 4th Aldermanic District. (FN 220489)

9/26/2022 – The City Plan Commission recommended conditional approve of a change in zoning from General Planned Development, GPD, to a Detailed Planned Development, DPD, known as Block 3-Arena Master Plan, Phase 1 for development of a music venue and associated elements on a portion of 1001 North Vel R. Phillips Avenue, on the west side of North Vel R. Phillips Avenue, north of West State Street, in the 4th Aldermanic District. (FN 220490)

**Previous Common  
Council Action:**

1/19/2015 – The Common Council approved the change in zoning Downtown - Warehouse and Light Manufacturing (C9H), Downtown - Civic Activity (C9D(A)), and Redevelopment - Park East (RED) to a General Planned Development (GPD) for the arena master plan. (FN 150724)

12/18/2018 – The Common Council approved the First Amendment to the Arena Master Plan GPD to allow temporary banner signs and lighting on the existing parking structure on Block 2 of the GPD. (FN 181157)

11/1/2022 – The Common Council Placed on File the Second Amendment to the General Planned Development, GPD, known as Arena Master Plan to allow changes to the zoning standards for Block 3 of the GPD and adjacent lands, located on the west side of North Vel R. Phillips Avenue, north of West State Street, in the 4th Aldermanic District. (FN 220489)

11/1/2022- The Common Council approved the substitute ordinance relating to the change in zoning from General Planned Development, GPD, to a Detailed Planned Development, DPD, known as Block 3-Arena Master Plan, Phase 1 for development of a music venue and associated elements on a portion of 1001 North Vel R. Phillips Avenue, on the west side of North Vel R. Phillips Avenue, north of West State Street, in the 4th Aldermanic District. (FN 220490)

**Staff  
Recommendation:**

A music venue is a permitted use in the existing GPD that serves as the zoning guide for the 8 blocks within the Deer District, and the proposed modifications to the design and placement of the music venue are consistent with the design standards in the GPD. While Lot 2 is not being proposed to developed concurrently with the music venue, Arena District ownership has made commitments that Lot 2 will be actively marketed and developed in the near future in accordance with the development rules established by the GPD, which will bring this portion of the block into adherence to the GPD standards.

When CPC reviewed the initial proposal for the concert venue that relied on

potential future development on Lot 2 to meet the GPD standards, CPC found that the proposal was consistent with the GPD and recommended approval conditioned on the applicant proposing additional interim treatments for the eastern façade of the building and the vacant land on Lot 2, as well as identifying additional actions that will be taken to further improve or activate Lot 3 on an interim basis if development has not occurred by a future date.

The proposed DPD amendment includes elements that incorporate both of these design items that were the focus of CPC's recommended conditions of approval during the creation of the DPD. The proposed use and all other aspects of the amended design remain consistent with the GPD standards.

Based on these factors, staff suggests that the City Plan Commission recommends approval of the subject file conditioned on:

- Applicant submitting an updated and corrected Traffic Impact Analysis (TIA) as required by DPW, and working with DPW to identify any adjustments necessary as the result of the TIA prior to the issuance of building permits.