



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

10th Ald. District
Ald. Murphy

**CITY PLAN COMMISSION
ZONING REPORT**

File No. [231146](#)

Location: 9000 West Chester Street (north side of West Chester Street, east of S South 92nd Street)

**Applicant/
Owner:** Greywolf Partners, Inc. (manager, on behalf of Geneva Exchange Fund L LLC, owner)

**Current
Zoning:** Detailed Planned Development (DPD) known as Honey Creek Corporate Center Phase IV

**Proposed
Zoning:** Minor Modification to DPD

Proposal: The entire Honey Creek Corporate Center is zoned Planned Development (PD). More specifically, in 1989, a General Planned Development (GPD) was established and serves as a zoning guide for all of the properties within the Honey Creek Corporate Center. The GPD breaks the corporate center down in to 4 phases, and Detailed Planned Developments (DPD) were established for each of the four multi-tenant buildings as they were ready to be constructed. In 2002, a Detailed Planned Development (DPD) known as Honey Creek phase IV was approved for the subject site, and allowed the construction of a 3-story, 63,600 sf building. The DPD exhibit included the list of uses that are permitted within the Phase IV building, as established by the GPD.

Allowable uses within the Honey Creek Corporate Center generally fall in the categories of general office and business service. Additionally, the DPD currently allows a number of Education Uses that are within the “School, personal instruction” use classification in the zoning code. This is defined as “a business, professional, trade or other specialty school. This term includes, but is not limited to, a school offering instruction in music, art, dance, martial arts, GED preparation, computer use or programming, or cosmetology.”

The applicant, Greywolf Partners, is requesting a minor modification to the Phase IV DPD to add “College” to the list of permitted uses for this building. The zoning

code defines College as “an educational institution authorized by the state to award baccalaureate or higher degrees, or any campus of the state vocational, technical and adult education system. This term includes any classroom, laboratory, sporting facility or office associated with such institution.” The applicant is currently building out a space for a new tenant that is a university, which falls under the “college” definition in the zoning code.

Adjacent Land Use: Land to the north and east of this site are a part of the Honey Creek GPD boundary. Interstate I-94 is to the south. Properties to the west are designated as Multi-Family Residential (RM1).

Consistency with Area Plan: The Honey Creek Corporate Center Phase IV DPD is located in the West Side Area Plan boundaries. The West Side Area Plan (WSAP) was adopted in 2009 and guides land use decisions for the area. Relevant WSAP policies for civic and institutional uses include “support higher education facilities that serve the local and outlying population” and “locate civic and institutional uses with high traffic generation on commercial corridors rather than in predominantly residential areas” (p. 65). The WSAP also includes a market analysis which contemplates the conversion of office space to related industries such as education and healthcare. The request to add the use of “College” to the DPD is consistent with the recommendations of the West Side Area Plan.

Previous City Plan Commission Action:

DPD Phase IV Files

05/02/2016 – City Plan Commission recommended for adoption a substitute resolution relating to a Minor Modification to the Detailed Planned Development known as Honey Creek Corporate Center, Phase IV, to permit additional building wall signage at 9000 West Chester Street, located on the north side of West Chester Street, east of South 92nd Street, in the 10th Aldermanic District. ([FN 151837](#))

12/2003 – City Plan Commission recommended for adoption a substitute ordinance relating to the First Amendment to a Detailed Planned Development (DPD) known as Honey Creek Corporate Center, Phase IV to allow changes to allowable signage on land located on the North Side of West Chester Street and East of South 92nd Street, in the 16th Aldermanic District. ([FN 030977](#))

11/2002 – City Plan Commission recommended for adoption a resolution permitting a Minor Modification to the Detailed Planned Development (DPD) known as Honey Creek IV to allow changes to the site located on the North Side of West Chester Street and East of North 92nd Street, in the 16th Aldermanic District. ([FN 021268](#))

04/2002 – City Plan Commission recommended for adoption a substitute ordinance relating to the change in zoning from Multi-Family Residence (R/D/40) to Detailed Planned Development (DPD), known as Honey Creek IV to allow

construction of the subject building on land located on the North Side of West Chester Street and East of South 92nd Street, in the 16th Aldermanic District. ([FN 011153](#))

GPD Files

8/1999 – City Plan Commission recommended for approval the Second Amendment to the General Planned Development to allow for building identification signs and tenant signage ([FN 990521](#))

5/1997 – City Plan Commission recommend for approval the First Amendment to the General Planned Development known as Honey Creek Corporate Center. (FN 961721)

6/1989 – City Plan Commission recommend for approval the General Planned Development known as Honey Creek Corporate Center; amending the zoning map to change the area from Institutional (T/D/40) to General Planned Development (GPD). (FN 881840)

Previous Common Council Action:

DPD Phase IV Files

05/24/2016 – Common Council approved a substitute resolution relating to a Minor Modification to the Detailed Planned Development known as Honey Creek Corporate Center, Phase IV, to permit additional building wall signage at 9000 West Chester Street, located on the north side of West Chester Street, east of South 92nd Street, in the 10th Aldermanic District. ([FN 151837](#))

1/21/2004 – Common Council approved a substitute ordinance relating to the First Amendment to a Detailed Planned Development (DPD) known as Honey Creek Corporate Center, Phase IV to allow changes to allowable signage on land located on the North Side of West Chester Street and East of South 92nd Street, in the 16th Aldermanic District. ([FN 030977](#))

12/20/2002 – Common Council approved a resolution permitting a Minor Modification to the Detailed Planned Development (DPD) known as Honey Creek IV to allow changes to the site located on the North Side of West Chester Street and East of North 92nd Street, in the 16th Aldermanic District. ([FN 021268](#))

05/14/2002 – Common Council approved a substitute ordinance relating to the change in zoning from Multi-Family Residence (R/D/40) to Detailed Planned Development (DPD), known as Honey Creek IV to allow construction of the subject building on land located on the North Side of West Chester Street and East of South 92nd Street, in the 16th Aldermanic District. ([FN 011153](#))

GPD Files

09/28/1999 – Common Council approval the Second Amendment to the General Planned Development to allow for building identification signs and tenant signage ([FN 990521](#))

6/1997 – Common Council approval the First Amendment to the General Planned Development known as Honey Creek Corporate Center. (FN 961721)

7/25/1989 – Common Council approved of the General Planned Development known as Honey Creek Corporate Center; amending the zoning map to change the area from Institutional (T/D/40) to General Planned Development (GPD). (FN 881840)

Criteria for Minor

Modification:

Section 295-907-2-I of the zoning code states that the Common Council may by resolution approve modifications to approved detailed plans which are consistent with the spirit and intent of the general planned development or a previously approved detailed planned development provided the Common Council finds that the modification will not:

1. Change the general character of the planned development.
2. Cause a substantial relocation of principal or accessory structures.
3. Cause a substantial relocation or reduction of parking, loading or recreation areas.
4. Cause a substantial relocation of traffic facilities.
5. Increase the land coverage of buildings and parking areas.
6. Increase the gross floor area of buildings or the number of dwelling units.
7. Reduce the amount of approved open space, landscaping or screening.

Staff

Recommendation:

This proposed minor modification is to add “college” as a permitted use to the Detailed Planned Development that covers the existing building within Honey Creek Corporate Center Phase IV. No exterior building modifications are being proposed via this minor modification. A college use is similar to many of the other existing approved uses within the DPD, including other educational uses that are already permitted, and is consistent with the mix of uses that are appropriate in a modern office park. College uses are generally permitted within the City’s commercial and downtown zoning districts. Similar educational uses have operated in the Honey Creek IV building in the past without any known negative land use impacts. Staff have reviewed the proposal and find it is consistent with the criteria found in City Ordinances for a minor modification (listed above) and find that the proposal is also consistent with the Comprehensive Plan. Therefore, staff recommend approval of the subject file.

A number of letters of opposition have been submitted to the City Plan Commission in relation to this item as of the date of this staff report. The letters in opposition raise significant concerns about a potential future college tenant that proposes to locate at Honey Creek Phase IV. Those concerns include issues related to the proposed tenant’s business practices, such as high tuition costs, poor educational outcomes, deceptive advertising practices, and high rates of student loan defaults. DCD staff have reviewed the specific objections to this proposal that were included

within letters of opposition, including consulting with the City Attorney's Office on the degree to which it would be permissible to consider those factors when reviewing this request for a minor modification.

Ultimately, based on guidance from the City Attorney's Office, DCD's recommendation on this matter is limited to a review of the specific land use and planning impacts of permitting college as a permitted use within the Honey Creek Phase IV DPD, guided by factors set forth in State Statute and City Ordinances that can be considered when reviewing land use and zoning applications, including the Minor Modification criteria listed in 295-907-2-I.