



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Agenda ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

*ALD. JAMES WITKOWIAK, CHAIR*

*Ald. Willie Wade, Vice-Chair*

*Ald. Michael Murphy, Ald. Robert Bauman, and Ald. T. Anthony Zielinski*

*Staff Assistant, Tobie Black, (414)-286-2231*

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Friday, March 19, 2010

9:00 AM

Room 301-B, City Hall

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1. [091435](#) Resolution designating the St. Marcus Parsonage/Mathis House at 212 East North Avenue, as an Historic Site, in the 6th Aldermanic District.  
**Sponsors:** THE CHAIR
  
2. [091436](#) Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.  
**Sponsors:** THE CHAIR
  
3. [091496](#) Resolution accepting the proposal submitted by Isaac Malone, doing business as Best Choice Mechanicals, to purchase the City-owned vacant lot at 4709 North Hopkins Street, in the 7th Aldermanic District.  
**Sponsors:** Ald. Wade
  
4. [091494](#) Resolution to facilitate housing development in the Metcalfe Park and North Division neighborhoods by authorizing the sale of approximately 40 City-owned vacant lots to Gorman & Company, Inc., in the 15th Aldermanic District.  
**Sponsors:** Ald. Hines Jr.
  
5. [091516](#) Substitute resolution approving a letter of intent and lease between Talgo, Inc. and the Redevelopment Authority of the City of Milwaukee for part of 3533 North 27th Street and part of 3424 North 27th Street, in the 7th Aldermanic District.  
**Sponsors:** Ald. Wade
  
6. [091515](#) Substitute resolution approving the Land Disposition Report for part of a Redevelopment Authority property in the Menomonee Valley Industrial Center for sale to Ingeteam, Inc. for development of an office and manufacturing facility, in the 8th Aldermanic District.  
**Sponsors:** Ald. Donovan
  
7. [091407](#) Resolution approving the Land Disposition Report for the properties at the northeast corner of Muskego and Mitchell for sale to Mitchell Street Market Lofts, LLC, for mixed-use development, in the 12th Aldermanic District.

Sponsors: Ald. Witkowiak

8. [091157](#) A substitute ordinance relating to a change in zoning from Two-Family Residential to Industrial-Office, for parking lot expansion, on land located South of West National Avenue and East of South 22nd Street, in the 8th Aldermanic District.

Sponsors: THE CHAIR

9:30 A.M.

9. [091412](#) Substitute resolution directing the Department of City Development to sell the City-owned property at 1729-1731 W. Galena Street to the owners of the adjoining property at 1733-1735 W. Galena Street.

Sponsors: Ald. Bauman

10. [091372](#) Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

Sponsors: Ald. Bauman and Ald. Bohl

11. [091238](#) An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

Sponsors: THE CHAIR

12. [091319](#) An ordinance relating to regulations for on-premise automatic changeable message signs.

Sponsors: Ald. Davis

13. [081558](#) An ordinance relating to code compliance requirements on foreclosed properties.

Sponsors: Ald. Hines Jr.

*---May be placed on file as no longer needed*

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## Legislation Details (With Text)

**File #:** 091435      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution designating the St. Marcus Parsonage/Mathis House at 212 East North Avenue, as an Historic Site, in the 6th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** HISTORIC STRUCTURE

**Attachments:** Study Report, Comptroller's Certificate, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091435

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution designating the St. Marcus Parsonage/Mathis House at 212 East North Avenue, as an Historic Site, in the 6th Aldermanic District.

**Analysis**

This resolution designates the St. Marcus Parsonage/Mathis House at 212 East North Avenue.

**Body**

Whereas, The Milwaukee Historic Preservation Ordinance, Section 308-81 of the Milwaukee Code of Ordinances, as amended, provides that Historic Sites, Structures and Districts may be designated by the Common Council of the City of Milwaukee upon the recommendation of the Historic Preservation Commission; and

Whereas, The Historic Preservation Commission recommends that the St. Marcus Parsonage/Mathis House at 212 East North Avenue be designated as an Historic Site; and

Whereas, This Site possesses integrity of location, design, setting, materials, workmanship and association and fulfills the following criterion set forth in Section 308-81(2)(e):

e-5. Its embodiment of the distinguishing characteristics of an architectural type or specimen.

e-6. Its identification as the work of an artist, architect, craftsperson or master builder whose individual works have influenced the development of the city of Milwaukee, state of Wisconsin or of the United States.

e-9. Its unique location as a singular physical characteristic, which represents an established and familiar visual feature of a neighborhood, community or of the city of Milwaukee.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the St. Marcus Parsonage/Mathis House at 212 East North Avenue and further described as follows:

John B A Kern's Subd in SE 1/4 Sec 17-2-22 Lots 11 & 12 E 16' Lot 13

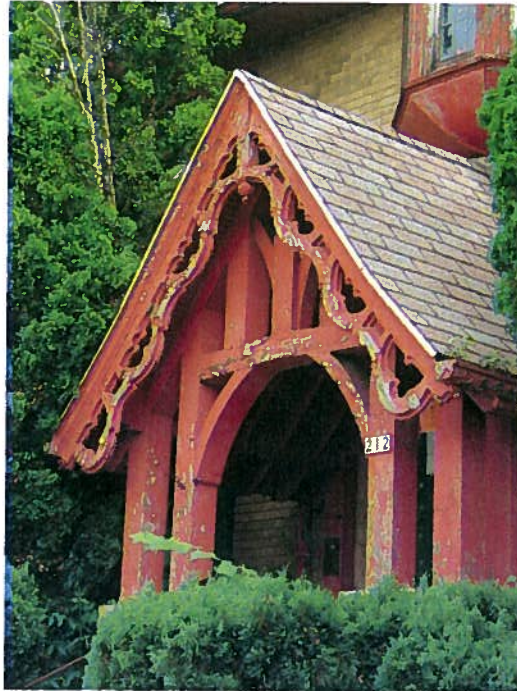
be designated as a Milwaukee Historic Site. The Preservation Guidelines pursuant to the Historic Designation Study Report, a copy of which is attached to this Common Council File, shall apply to this Site and are adopted by the Common Council as part of this File.

**Drafter**

CC-CC

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2/22/10



**PERMANENT HISTORIC DESIGNATION STUDY REPORT**

**ST. MARCUS PARSONAGE / MATHIS HOUSE**

**212 EAST NORTH AVENUE**

**SEPTEMBER 2009**

## PERMANENT HISTORIC DESIGNATION STUDY REPORT

### I. NAME

Historic: **St. Marcus Parsonage**

Common Name: **Mathis House**

### II. LOCATION **212 East North Avenue**

**Legal Description -** Tax Key No. 322-0241-100  
JOHN B A KERN'S SUBD in SE 1 /4 SEC 17-2-22  
LOTS 11 & 12 & E 16' LOT 13

### III. CLASSIFICATION **Site**

### IV. OWNER

Colleen Mathis Christian/Colleen Mathis  
(Apparent heir to estate)  
3391 N. 22<sup>nd</sup> Street  
Milwaukee, WI 53206

City of Milwaukee

**ALDERMAN** Ald. Milele Coggs, 6<sup>th</sup> Aldermanic District

**NOMINATOR** LuAnn Paul, 2430 N. Hubbard Street

### V. YEAR BUILT 1926 (permit number 14452 dated June 11, 1926)

**ARCHITECT:** Hugo C. Haeuser (permit number 14452 dated June 11, 1926)

### VI. PHYSICAL DESCRIPTION

The former St. Marcus Parsonage is located at the northwest corner of East North Avenue and North Hubbard Street in the John B. A. Kern Subdivision. The original parcel on which the parsonage was built consisted of a 46 foot by 100 foot lot with an additional 16 feet from the adjacent lot to the west. The current 108 foot by 100 foot parcel is the result of the purchase of the corner lot, once addressed at 222 E. North Avenue. The house on that lot was demolished around 1971. Both properties are now under one tax key. The neighborhood is predominantly residential in character with houses dating from the 1880s to the early 20<sup>th</sup> century with styles including the Queen Anne, Victorian Gothic and Arts and Crafts. The houses along the north side of North Avenue tended to be large and showy examples of their styles, although many have been demolished or unsympathetically remodeled. Most of the houses are of frame construction so the St. Marcus parsonage stands out due to its brick exterior. Some corner commercial buildings were constructed along the south side of North Avenue. A number have been demolished, a few remain. A new restaurant building has recently been completed at the southwest corner of Palmer Street and E. North Avenue.

The St. Marcus Parsonage building is a two story, hip roofed, brick veneered house with elements of the Prairie and Gothic Revival styles. It was built in 1926. The house is set back from the city sidewalk a number of feet and features foundation plantings. There is a slight berm to the front yard and four concrete steps and a concrete walk lead to the front porch. The

building is located very close to its west lot line with just room for a service walk and no landscaping. The rear yard is located to the north of the house and features grass. A concrete driveway extends adjacent to what had been the original east lot line. The driveway is bordered by grass. To the east is the 46 foot by 100 foot grassy parcel that was once the location of the Richard Elsner House addressed at 222 East North Avenue. It now functions as a side yard and has a wooden shed. The property is bordered by a chain link fence.

The St. Marcus Parsonage elevations feature the "shirtwaist" proportions common with the Prairie style and has a second story that is narrower than the first. A horizontal stone beltcourse wraps the building at the height of the sills of the second story windows and adds a horizontal element to the design. Stone is also used at the sills throughout the house. The masonry extends down to the ground with no demarcation for the basement aside from the basement windows. The roof is clad in three-tab asphalt shingles. A brick chimney rises from the rear roof slope and has been extended in height. There has been some patching to the roof adjacent to the north face of the chimney. Two flat roof dormers extend from the east and west roof slopes. They are clad in what appears to be vinyl siding.

The main elevation of the former parsonage fronts south onto North Avenue. The façade is symmetrically arranged with prominent features positioned at the center, flanked by groupings of windows. The most important architectural feature is the elaborate Gothic style entry porch with shaped and pierced bargeboards and timber framing, an element reminiscent of English design. The timber work sits on brick walls capped by stone trim. Brick knee walls flank the steps. Above this porch is located a three sided oriel window with leaded glass windows on the second story. A grouping of four windows flanks the entry porch on the first story and pairs of windows flank the oriel on the second. Stone capped buttresses are located at either end of the front façade. The entry door and many windows are boarded up so details are not visible but the second story windows feature cottage style, one-over-one sash. A historic photo of the parsonage provided by St. Marcus Church shows that the windows on the first story had arched sash and that all the windows at the front facade had leaded glass.

The west elevation is simpler in design with a side entrance and windows corresponding to the various interior rooms and stairways. The entry is simple in design with no hoods or enframements. There is also a milk chute opening to the right or south of the entrance. At the roof is a dormer. Its rough construction and four-paned sash appear to have been a later addition.

The rear elevation features four window openings on the first floor and three on the second. A door to an airing porch is located on the second story. The platform and brackets survive but the porch railing is gone. The airing porch door is of three-panel three-light design.

The east elevation features a two-story rectangular bay set back near the rear of the house. Windows are arranged singly or in pairs and correspond to the interior room arrangements. The second dormer is located at the east slope of the roof and matches the construction of the west dormer.

A small one car masonry garage, with brick that matches the house, is located at the original northeast property line and is approached by a concrete driveway from North Avenue. It has a hip roof with three-tab asphalt shingles and a wood overhead door.

The shed on the corner parcel or current east side yard is of recent construction and is not contributing to this nomination.

Permit records show that there have been no major alterations to the house or garage. There are no permit records for the dormers or changes to the chimney.



## **VII. SIGNIFICANCE**

The St. Marcus Parsonage is significant as a fine, and previously undocumented example of the work of prominent Milwaukee church architect Hugo Haeuser. The parsonage was constructed about a block away from the congregation's main campus of buildings, located at the northwest corner of N. Palmer Street and E. Garfield Avenue. Haeuser cleverly designed the parsonage to fit into its residential setting. Not overtly religious in appearance, the parsonage reads as a large residence with features of both the Prairie style and the Gothic Revival. It would be at home in most of the North Point neighborhoods. The parsonage is made of the high quality materials, brick, stone, leaded glass, detailed Gothic porch, for which Haeuser was known. Haeuser designed over 300 churches in his career, many of which were for Lutheran congregations, the denomination in which he was raised, and he also designed additions and alterations to churches designed by other architects.

## **VIII. HISTORY**

### **St. Marcus Congregation**

The St. Marcus Congregation has been associated with Brewers Hill from its inception. Although the plat of Sherman's Addition (most of it now part of the Brewers Hill Historic District) was recorded in 1837, making it one of the earlier subdivisions in the city, the neighborhood experienced only sparse settlement until the first portion of the Rock River Canal was constructed along with a dam across the Milwaukee River in 1842. The resulting flour mills and sawmills that located along the canal attracted hundreds of workers and soon there were tanneries and breweries in the vicinity as well. Many of those business owners and workers settled in Sherman's Addition building their own dwellings. Investors also purchased lots and constructed rental cottages and houses in the neighborhood that came to be known as Brewers Hill. By the 1870s the population in the area had grown to a critical mass and churches began to be established. A Catholic monastery was established in 1869 between 4<sup>th</sup>, 5<sup>th</sup>, Brown and Reservoir Streets, and a parish followed known as St. Francis of Assisi. Its first church was built in 1870. In 1865 a Czech/Bohemian Catholic parish was established called St. Johannes de Nepomuc. Its 1859 rectory still stands on 4<sup>th</sup> Street. The Second German Methodist-Episcopal Church was established in 1865 and located on Third Street, then later at Second and Garfield. The Zion Evangelical Church was established in 1869 at Fifth and Walnut Streets. The German Evangelical Trinity Church, a Moravian or Brethren's Church that reorganized as an independent Lutheran church, was organized in 1865 and built a church at Sixth and Vine Streets. Christ Church was a mission church that built at the corner of Fifth and Walnut in the late 1850s then relocated to Fourth between Walnut and Vine in 1873.

St. Marcus Congregation was established in 1875. Its founding members included laborers, skilled tradesmen and a professional gardener. The surnames, Harrass (or Harras), Puestrow, Helm, Erdmann, Krueger, Engel, Bismark, and Jeske, among other, show that these individuals were of German ethnicity and city directories indicate that they lived and worked in the greater Brewers Hill area. After some informational meetings, Ferdinand Harras was elected as president on June 13, 1875. Their first service was held on July 4 of that year. Soon thereafter, the congregation purchased a frame school building at the northwest corner of Garfield and Palmer Streets from St. John's Lutheran. St. John's was the oldest congregation of the Wisconsin Synod, having been established in 1848. Located at Fourth and Highland at the time, St. John's erected a branch school at Garfield and Palmer Streets in 1873 as it was outgrowing its old location. The new congregation purchased this school building from St. John's with the stipulation that they join the Wisconsin Synod. The congregation resolved to adopt the name "German Evangelical Lutheran Congregation of St. Mark." A teacher named J. B. Denninger was hired to organize a school, but he left after a short tenure. An organ was purchased and a choir was organized in 1875. Late in the year reverend Westenberger of Prairie du Chien was hired as pastor and he had the school building converted into a sanctuary. The first service in their own church was held in January, 1876.

Like many congregations, St. Marcus grew and formed a Sunday School and Ladies Society and other social groups. By 1880 there were 85 pupils in the church school and the membership numbered 57 families and a number of individuals. A frame parsonage was constructed behind or west of the church in 1884 and was later addressed as 124 E. Garfield. A new school was built of cream city brick to the north of the church in 1894. It was designed by Henry Messmer (no longer extant).

When the congregation outgrew its frame church, it secured Milwaukee architects Leiser and Holst to design a Neo Gothic Revival style church, built of brick and stone. As the congregation had limited land, the new building was constructed in 1913 on the site of the old church which had to be razed. This church from 1913 is still extant and retains much of its architectural integrity.

The frame parsonage served the pastors of St. Marcus for a number of years. Eventually, as the congregation was reaching its 50<sup>th</sup> anniversary in 1925, the need for a bigger and more modern parsonage became imperative. Being landlocked on Palmer and Garfield Streets, the congregation was able to find a vacant lot on North Avenue about a block away from the church.

The parcel purchased by St. Marcus consisted of Lot 12 of John B. A. Kern's Subdivision as well as the east 16 feet of Lot 13 to the west. The parcel had gone through a succession of owners starting in 1888 when Kern first sold the property to realtor William Schacht. The property was split but sold to the same owner in 1889, Edward Schuster. He probably held onto the land for investment purposes. Patrick H. Shaughnessy eventually acquired the parcel on April 24, 1900. He worked as the principal of the 6<sup>th</sup> District School #2, lived on Garfield Street and did not build on the parcel. Widow Evelyn M. Shaughnessy sole the parcel to St. Marcus on May 25, 1925 for \$4,000 and her daughter Catherine relinquished all claim per deed dated June 17, 1925. (Deeds 248:389; 320:109; 320:110; 396:427; 426:210; 1094:105; 1083:621)

St. Marcus Congregation hired nationally prominent, Milwaukee-based church architect Hugo Haeuser to design their new parsonage. Haeuser was at a mature point in his career, having set up his own practice in 1919. He had trained with the best, Ferry and Clas and Alexander C. Eschweiler. He was the preferred architect for Lutheran congregations, having been raised in the Lutheran faith and knowledgeable about church symbolism. Haeuser designed a unique structure for St. Marcus that fit into its residential setting. It shows elements of the Prairie style with the shirtwaist proportions, broad hip roof and horizontal emphasis. Gothic detail, which he found appropriate for ecclesiastical buildings, dominates the front porch which features an elaborate shaped and pierced bargeboard with trefoil cusps and open timberwork framing. Gothic detail is also found in the corner buttresses.

The permit for the new parsonage was taken out on June 11, 1926, about a year after the lot was purchased. The \$12,000 structure was started on June 19<sup>th</sup> and the building completed in November that year. A matching 12 by 20 foot masonry garage was built in 1930 at a cost of \$500. The brick at the front matched the house while the sides and rear were of concrete block. Pastors E.P. Dornfeld and Walter A. Gieschen served St. Marcus in 1926 but Rev. Gieschen became pastor of Jerusalem Evangelical Lutheran Church the following year. It appears that there were few changes made to the building during its ownership by St. Marcus. Permit records show little activity other than a conversion burner for the furnace and electrical outlets. There was an inquiry about building a 12 by 20 foot frame addition to the garage in 1962 but that was not constructed. The former frame parsonage on Garfield Street was retained behind the church and used as the custodian's residence for the next 70 years. It was later moved to 200 East Brown Street in 1997. The moved was reviewed and approved by the Historic Preservation Commission.

The last pastor to live in the North Avenue parsonage was Rev. Paul W. Knickelbein. City directories show that he was still on the premises in 1967 but that the building was vacant in 1968. On March 3, 1968 a fire caused \$1,000 damage to the second floor joists and studs. The damage was repaired. At some point St. Marcus turned the property over to Milwaukee Housing Improvement Inc. Milwaukee Housing sold the parsonage to Reverend Lee Benefree (sometimes

spelled Beneree) and his wife Elna on August 11, 1969. Reverend Benefree was in charge of the Episcopal Diocese of Milwaukee. The Benefree's held ownership of the parsonage for only a brief time and sold the building to Edward and Louise Mathis on November 10, 1971. The house next door, addressed at 222 E. North Avenue/2307 N. Hubbard Street, was demolished around 1973, and it appears that the city of Milwaukee sold the lot to the Mathis's in 1979. During their ownership, the Mathis's constructed a 12 by 12 foot storage shed in what was now their side yard for \$400 in 1985 and clad the dormers in vinyl siding in 1991 for \$6,361. (Deeds Reel 493:Image1350; Reel 622 Image 575; Reel 1214 Image 323; Permit records, City Directories)

Edward Q. Mathis died on August 26, 1999. Louise Mathis died December 6, 2003. (Social Security Death Index) The property was owned by their estate/descendants. It has been vacant for a number of years and has recently been acquired by the city for delinquent taxes on July 20, 2009. The Department of Neighborhood Services started a raze file on the property on March 31, 2009. There have been numerous service requests to clean up garbage and debris, high weeds and grass, to board up the house, to get rid of squatters living in the house, and violation orders have included repairing gutters, downspouts, doors, windows and painting as well as repairing service walk steps, replacing missing bricks, repairing the garage and so on. It was concern over potential demolition that prompted the nominator, LuAnn Paul, a neighborhood resident, to file the petition for interim designation.

## **THE ARCHITECT**

Hugo Haeuser (1882-1951) was nationally prominent in the field of church design. He made a specialty of Gothic and Neo-Gothic Revival style buildings and reportedly designed more than 300 churches across the United States. His trademark materials were lannon stone from the quarries in the Lannon/Sussex Wisconsin area and red tile roofs, often by Ludowici. Unless required to use brick or frame, Haeuser would ship Wisconsin lannon stone to his projects around the country. Local examples of his churches include Our Savior's Lutheran, 3022 W. Wisconsin Avenue; St. John's Lutheran, 7809 Harwood Avenue in Wauwatosa; Luther Memorial, 2840 S. 84<sup>th</sup> Street in West Allis, Christ United Church of Christ, 915 E. Oklahoma and Pentecost Evangelical Lutheran Church at 5226 W. Burleigh Street.

Hugo Haeuser was born in Milwaukee on January 14, 1882 and attended West Division High School. After graduation he worked from 1898 to 1904 as an apprentice architect and draftsman for the prestigious Milwaukee architectural firm of Ferry and Clas. Between 1905 and 1918 he worked as chief draftsman for the prominent firm of Alexander C. Eschweiler & Co. During the years of World War I when the Eschweilers were in military service, Haeuser served as the firm's chief designer. He is known to have designed some houses on Lake Drive during this time as well as the first pagoda style filling station for Wadhams Oil. The senior member of the firm, Alexander C. Eschweiler might have participated in the design of the Wadhams prototype, but Haeuser continued to receive commissions from Wadhams for most of their stations once he had set up his own practice in 1919. His offices were located at 759 N. Milwaukee Street from 1919 through 1945 then moved to 2051 W. Wisconsin from 1946 through 1951.

Haeuser was known to have been an admirer of architect Ralph Adams Cram who had offices in both New York and Boston. Like Cram, Haeuser had a love for the art and philosophy of Gothic architecture but did design in other styles like the Colonial Revival for the Christian Science churches in Waukesha and Ft. Atkinson. Haeuser was called upon to design auxiliary spaces for existing churches as well and did additions for such congregations as Epiphany Lutheran Church (All People's Gathering Lutheran Church)( locally designated January 18, 2000).

Haeuser was a master of architectural detail and particularly demanding about the quality of the stonework that went into his buildings. His son recalls many field trips to construction sites where his father would critique the quality of the work and actually pick up tools to show masons exactly how the stone should be laid. A multi-talented man, Haeuser designed the leaded and stained glass windows (which were manufactured by Milwaukee art glass companies) and light fixtures for

his churches, designed the furnishings for the churches such as carved altars, pulpits, altar rails, fonts and reredos screens, usually of white oak and designed the iron work for rails, brackets and other decorative elements.

Haeuser also excelled in water colors and played the organ, the piano and the cello. He taught classes in art and design.

Haeuser's son Charles wrote "my father was distinguished in his pursuit of religious meaning in his designs. Trained as a Lutheran in his boyhood, he knew the symbolism of the church unusually well, often being invited to give sermons on the parallels between church architecture and God's Church in its broader, spiritual context." (Wisconsin Architectural Archive. Architect Biography Card)

It appears that Haeuser also continued to design houses and commercial buildings during his career. Examples include the Arthur Haeuser (Hugo's brother) House at 2556 N. Grant Boulevard (1919), the Frank Icke House at 438 N. Pinecrest (1929), a French Norman style dwelling in the Story Hill neighborhood, and the Kriz House at 2442 N. Sherman Boulevard (1922). He also designed the building for H.H. Schwantes at 5528 W. North Avenue (1927), known for its colorful slate roof and unusual tower. Haeuser's residences and commercial buildings stand out in their neighborhoods.

Haeuser's son Charles (1923- ) also became an architect and worked with his father and later a number of firms including Maynard W. Meyer & Assocs. and Grellinger & Rose Archts. (American Architects Directory, p. 276)

The Wisconsin Architectural Archive currently has approximately 160 sets of plans of Haeuser's projects including churches, Christian Science Reading rooms, and exhibition buildings for the Wisconsin State Fair, library additions, schools, apartment buildings and some residences. While he appears to have been the architect of choice for Lutheran congregations, Haeuser also designed churches for other protestant denominations including Presbyterians, Congregationalists, Methodists, and Baptists.

Haeuser was a member of Wauwatosa Lodge F. & A. M., the Kenwood Chapter of the Royal Arch masons and the City Club. He was also a member of the American Institute of Architects and its Wisconsin affiliate. Haeuser died on October 18, 1951 at the age of 69 after an illness of several months, just before his last Neo Gothic style church, Our Savior's Lutheran, was completed. ("Haeuser, 69, Church Architect, Dies" Milwaukee Journal October 19, 1951) The St. Marcus Parsonage at 212 E. North Avenue is a previously unidentified work of Haeuser from his mature period. It demonstrates his ability to combine the more modern Prairie style with traditional Gothic design detail and produce a very substantial and eye-catching commission that fits into its neighborhood setting and bridges the gap between ecclesiastical and secular design.

## **SOURCES**

American Institute of Architects. American Architects Directory. New York: R.R. Bowker Co., 1956

"Haeuser, 69 Church Architect, Dies". Milwaukee Journal. October 19, 1951.

Milwaukee City Building Permits, 212 East North Avenue

Milwaukee City Directories.

Milwaukee County Register of Deeds.

Sanborn Insurance Maps of Milwaukee, Wisconsin. New York: Sanborn-Perris Map Co., 1888, 1894, 1910.

Social Security Death Index. Online Index <http://ssdi.rootsweb.ancestry.com/cgi-bin/ssdi.cgi>

Wisconsin Architectural Archive. Architect Biography Card for Hugo Haeuser.

## **IX. STAFF RECOMMENDATION**

Staff recommends that the St. Marcus Parsonage/Mathis House be given permanent historic designation as a City of Milwaukee Historic Structure as a result of its fulfillment of criteria e-5, e-6 and e-9 of the Historic Preservation Ordinance, Section 308-81(2)(e) of the Milwaukee Code of Ordinances.

- e-5. Its embodiment of the distinguishing characteristics of an architectural type or specimen.

Rationale: The St. Marcus Parsonage/Mathis House is a fine example of a large, well-crafted parsonage building that exhibits characteristics of both the Prairie and the Gothic Revival styles. The Prairie style is evident in the shirtwaist proportions, the horizontal emphasis of the stone beltcourse and the broad, monolithic hip roof. Gothic features include the front porch and corner buttresses. The front porch is the signature feature of the building, with highly detailed and ornamental bargeboards and timberwork framing that is reminiscent of English design. It plays off against the simpler body of the house in a manner that shows its architect was a masterful designer.

- e-6. Its identification as the work of an artist, architect, craftsperson or master builder whose individual works have influenced the development of the city of Milwaukee, state of Wisconsin, or of the United States.

Rationale: Architect Hugo Haeuser had national prominence as a church designer. He trained in the studios of Milwaukee's best architects of his day and went on to design over 300 churches, many in the Midwest and Wisconsin, and many for Lutheran congregations. Haeuser also designed auxiliary buildings and additions to existing churches, as the St. Marcus Congregation Parsonage. The parsonage was built away from the main church campus and used different color brick and because it was set between existing houses, it combined both secular and ecclesiastic details. His preference for Gothic design is evident in the outstanding porch at the St. Marcus Parsonage. His insistence on expert craftsmanship in construction is also evident in this commission.

- e-9. Its unique location as a singular physical characteristic, which represents an established and familiar visual feature of a neighborhood, community or the city of Milwaukee.

Rationale: The former St. Marcus Parsonage stands out among the other houses on East North Avenue. Its size, masonry construction and bold Gothic detail are unique among the surrounding buildings from earlier decades.

## **X. PRESERVATION GUIDELINES**

The following preservation guidelines represent the principal concerns of the Historic Preservation Commission regarding this historic designation. However, the Commission reserves the right to make final decisions based upon particular design submissions. Building maintenance and restoration must follow accepted preservation practices as outlined below. Given the level of detail on this house, review of maintenance projects with historic preservation staff is required.

A. Roofs

Retain the roof shape. Skylights are discouraged but may be added to roof surfaces if they are not visible from the street or public right of way. No major changes can be made to the roof shape of the St. Marcus Parsonage, which would alter the building height, roofline or pitch. The plain, uninterrupted hip roof profile at the front of the house is important to the Prairie lines of the house. Locate mechanical systems and vents on portions of the roof not visible at all from the public right of way and paint them out to minimize impact. If the building gets re-roofed, consultation with historic preservation staff is required to review and approve the new material, flashing, and gutters. The placement and size of any satellite dish are subject to review by staff and the commission. Retain the existing original chimney if possible. No rooftop construction is allowed, as this would interfere with the viewing of the house and its profile. The existing dormers may not be original to the house. Any removal or re-cladding will be reviewed by preservation staff. The construction of new dormers or other rooftop features, addition of skylights and satellite dishes, and re-roofing require review by Historic Preservation staff and a Certificate of Appropriateness.

B. Materials

1. Masonry

- a. Unpainted brick, terra cotta, or stone must not be painted or covered. Painting masonry is historically incorrect and could cause irreversible damage if it was decided to remove the paint at a later date. Covering masonry with other materials (wood, sheet metal, vinyl siding, etc.) is not allowed.
- b. Repoint defective mortar by duplicating the original in color, hardness, texture, joint finish and joint width. See the masonry chapters in the books, *As Good As New* or *Good For Business* for explanations on why the use of a proper mortar mix is crucial to making lasting repairs that will not contribute to new deterioration of the masonry. Replaced mortar joints should be tooled to match the style of the original. Do not use mortar colors and pointing styles that were unavailable or were not used when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before starting any repointing.
- c. Clean masonry only when necessary to halt deterioration and with the gentlest method possible. Sandblasting or high pressure water blasting or the use of other abrasive materials (soda, nut shells, etc.) on limestone, terra cotta, pressed brick, cream brick or other styles of brick surfaces is prohibited. This method of cleaning erodes the surface of the material and accelerates deterioration. Avoid the indiscriminate use of chemical products that could have an adverse reaction with the masonry materials, such as the use of acid on limestone. Work should be done by

experienced individuals. Consultation with historic preservation staff and a Certificate of Appropriateness is required before any cleaning would begin.

- d. Repair or replace deteriorated material with new material that duplicates the old as closely as possible. Do not use new material that is inappropriate for the time period when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before attempting work on the masonry. The masonry portion of the front porch and the brick knee walls flanking the front steps may not be removed or covered over with other material. The front porch may not be enclosed or altered from its historic appearance.

## 2. Wood/Metal

- a. Retain original material, whenever possible. Do not remove architectural features that are essential to maintaining the building's character and appearance.
- b. Retain or replace deteriorated material with new material that duplicates the appearance of the old as closely as possible. Do not cover architectural features with new materials that do not duplicate the appearance of the original materials. Covering wood or metal with aluminum or vinyl or other substitute material is not permitted. Ornamental wood details, from the front porch bargeboards to the front oriel window and elsewhere may not be removed or altered except to restore their appearance. Spot replacement or spot repair of any deteriorated bargeboards, timberwork, porch ceilings, and other wood elements is encouraged rather than complete removal and replication. Any new elements must replicate the pattern, dimension, spacing and wood species of the original. Retain rear airing porch with its brackets and tongue-in-groove soffit. New railings can follow examples in Living With History and require a Certificate of Appropriateness.

## C. Windows and Doors

1. Retain existing window and door openings. Retain the existing configuration of panes, sash, surrounds and sills, except as necessary to restore to the original condition. Do not make additional openings or changes in existing fenestration by enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes. Do not change the size or configuration of the original windowpanes or sash. Use storm windows or protective glazing which have glazing configurations similar to the prime windows and which obscure the prime windows as little as possible.
2. Respect the building's stylistic period. If the replacement of doors or window sash is necessary, the replacement should duplicate the appearance and design and material of the original window sash or door. New glass must match the size of the historic glass. Avoid using inappropriate sash and door replacements. Do not fill in or cover openings with inappropriate materials such as glass block or concrete block. Do not use modern style window units, such as horizontal sliding sash or

casements, in place of double-hung sash or the substitution of units with glazing configurations not appropriate to the style of the building.

Any original windows on the St. Marcus Parsonage should be retained and repaired if at all possible, especially any leaded glass windows. That includes windows throughout the house. Vinyl, vinyl clad, metal, and metal-clad or fiberglass prime window units are not permitted. If new windows are required, replacements will be of wood and match the cottage style of the originals. The doors at the front of the house and at the side porch were not visible at the time of this nomination. If the original doors are still extant, every effort should be made to preserve them. If that is not possible, then replacement doors should be appropriate to the historic period of the house, the style of the house, and fit into the original opening. Any changes to doors and windows, including installation of new doors and windows, require consultation with Historic Preservation staff and a Certificate of Appropriateness.

3. Steel bar security doors and window guards are generally not allowed. If permitted, the doors or grates shall be of the simplest design and installed so as to be as unobtrusive as possible. A Certificate of Appropriateness is required for this type of installation.

D. Trim and Ornamentation

There should be no changes to the existing historic trim or ornamentation except as necessary to restore the building to its original condition. Replacement features shall match the original member in scale, design, color and appearance. Existing historic trim in wood and stone, found on the porch and sills and throughout the building, shall not be removed unless it is for the purpose of repair. Consultation with Historic Preservation staff is required before any changes or repairs are made to the building.

E. Additions

No additions will be permitted on the south (front), east (right side) or west elevation (left) elevations of the St. Marcus Parsonage as this would destroy the character defining features of the building. Any other addition requires the approval of the Commission. Ideally an addition should either compliment or have a neutral effect upon the historic character of the building. Approval shall be based upon the addition's design compatibility with the building in terms of window size and placement, building height, roof configuration, scale, design, color, and materials, and the degree to which it visually intrudes upon the principal elevations or is visible from the public right of way. Additions must be smaller than the building and not obscure the historic building.

F. Signs/Exterior Lighting

The installation of any permanent exterior sign or light fixture shall require the approval of the Commission. Approval will be based on the compatibility of the proposed sign or light with the historic and architectural character of the building. Consultation with Historic Preservation staff is required to assist in the selection of exterior fixtures. Plastic internally illuminated box signs are not permitted.

G. Site Features



New plant materials, paving, fencing, or accessory structures (garden sheds, storage sheds, and gazebos) shall be compatible with the historic architectural character of the building and requires a Certificate of Appropriateness. Any rear deck or patio installation requires a Certificate of Appropriateness. No retaining wall is permitted along the front of the property. The current chain link fence may remain. If replacement is considered, new fencing will follow the examples in Living With History and As Good As New. The current concrete driveway was placed in its location before the acquisition of the lot to the east. It may remain. Any changes to the location of the drive will require consultation with preservation staff and a Certificate of Appropriateness. The garage at the rear of the property was built shortly after the parsonage and is part of this nomination. Work on the garage, such as roofing, new garage doors, masonry repair and so on will require a Certificate of Appropriateness. Consultation with Historic Preservation staff is required before starting any work that would involve the landscape features, the position of the driveway and service walks and new construction.

#### H. Guidelines for New Construction

It is important that new construction be designed to be as sympathetic as possible with the character of the structure. No principal dwelling or structure shall be constructed in the rear yard. Small-scale accessory structures, like a gazebo or fountain, may be permitted depending on their size, scale and form and the property's ability to accommodate such a structure. No large, multi unit residential or commercial, industrial, office, medical or religious development can be built in the east, side yard. A single family house had once stood on that site; it was later converted to multi-family. Any request to construct a new garage or small scale single family house, or moving an existing historic house to the site would be subject to review for code compliance and appropriate design and would require a Certificate of Appropriateness.

##### 1. Siting

New construction must respect the historic siting of the building. It should be accomplished so as to maintain the appearance of the building from the street as a freestanding structure.

##### 2. Scale

Overall building height and bulk, the expression of major building divisions including foundation, body and roof, and individual building components, such as overhangs and fenestration that are in close proximity to a historic building must be compatible to and sympathetic with the design of the building. New construction is to be smaller in size and shorter in height than the historic building.

##### 3. Form

The massing of the new construction must be compatible with the goal of maintaining the integrity of the building as a freestanding structure. The profiles of roofs and building elements that project and receded from the main block should express the same continuity established by the historic building if they are in close proximity to it.

##### 4. Materials

The building materials which are visible from the public right-of-way and in close proximity to the historic building should be consistent with the colors, textures, proportions, and combinations of cladding materials used on the historic building. The physical composition of the materials may be different from that of the historic materials, but the same appearance should be maintained and materials not available when the house was constructed should be avoided.

I. Guidelines for Demolition

Although demolition is not encouraged and is generally not permissible, there may be instances when demolition may be acceptable if approved by the Historic Preservation Commission. The following guidelines, with those found in subsection 9(h) of the ordinance, shall be taken into consideration by the Commission when reviewing demolition requests.

1. Condition

Demolition requests may be granted when it can be clearly demonstrated that the condition of a building or a portion thereof is such that it constitutes an immediate threat to health and safety and is beyond hope of repair. See the section on Masonry above with regard to the porches.

2. Importance

Consideration will be given to whether or not the building is of historical or architectural significance or displays a quality of material and craftsmanship that does not exist in other structures in the area.

3. Location

Consideration will be given to whether or not the building contributes to the neighborhood and the general street appearance and has a positive effect on other buildings in the area.

4. Potential for Restoration

Consideration will be given to whether or not the building is beyond economically feasible repair.

5. Additions

Consideration will be given to whether or not the proposed demolition is a later addition that is not in keeping with the original design of the structure or does not contribute to its character.

212 E North Avenue  
 St. Marcus Parsonage  
 July 2009





**Capital Grant Resolution Certification from the  
Comptroller's Office**

The Comptroller's Office has reviewed Common Council Resolution File No. 091438 for the transfer of funds from the Street Improvement State and Federal Aid Program to Local Roads Improvement Program Agreement with the State(City Share \$1,645,741.78 Grantor Share \$1,006,258.22) and approved the resolution as to:

- Sufficiency of funds
- Funding sources (per estimated **grant funding agreement**)
- Sufficiency of reporting for purposes of internal auditing

The following deficiencies were noted:

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The resolution should be corrected and returned to the Comptroller's Office for review.

Signature:           *C. Wisniewski*          

Date:                           2-23-10

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 2/22/10

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note  Substitute

SUBJECT: Resolution designating the St. Marcus Parsonage/Mathis House at 212 East North Avenue, as an Historic Site, in the 6th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:


H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:


PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





## Legislation Details (With Text)

**File #:** 091436      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** HISTORIC PRESERVATION, HISTORIC STRUCTURE

**Attachments:** Study Report, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		



**Number**

091436

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

**Analysis**

This resolution designates the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue.

**Body**

Whereas, The Milwaukee Historic Preservation Ordinance, Section 308-81 of the Milwaukee Code of Ordinances, as amended, provides that Historic Sites, Structures and Districts may be designated by the Common Council of the City of Milwaukee upon the recommendation of the Historic Preservation Commission; and

Whereas, The Historic Preservation Commission recommends that the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue be designated as an Historic Building; and

Whereas, This Site possesses integrity of location, design, setting, materials, workmanship and association and fulfills the following criterion set forth in Section 308-81(2)(e):

e-1. Its exemplification of the development of the cultural, economic, social or historic heritage of the city of Milwaukee, state of Wisconsin or of the United States.

e-3. Its identification with a person or persons who significantly contributed to the culture and development of the city of Milwaukee.

e-9. Its unique location as a singular physical characteristic, which represents an established and familiar visual feature of a neighborhood, community or of the city of Milwaukee.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, and further described as follows:

Original Plat of the Town of Milwaukee, west of the river in Secs (20 & 29)-7-22 Block 39 Lot 16 & Part Lot 13 Com SW Cor Lot 13-th N 10'-th-E 60.2'-th S 7.2'-E 15.43'-th S 1.74'-th W 74.96' to Beg Subj to X-Way Easm't BIDs No. 15, No. 21, TID No. 48

Note: This nomination includes only the building that was constructed by Nicholas Senn and not the other adjacent buildings to the west that today are all included under one tax key. The boundary lines reflect the building's historic lot lines and run concurrent with all four sides of the building.

be designated as a Milwaukee Historic Building. The Preservation Guidelines pursuant to the Historic Designation Study Report, a copy of which is attached to this Common Council File, shall apply to this Site and are adopted by the Common Council as part of this File.

**Drafter**

CC-CC

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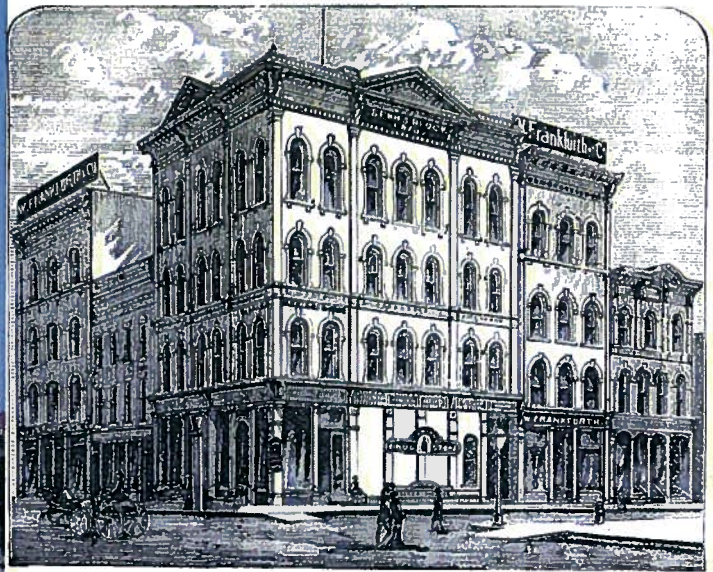
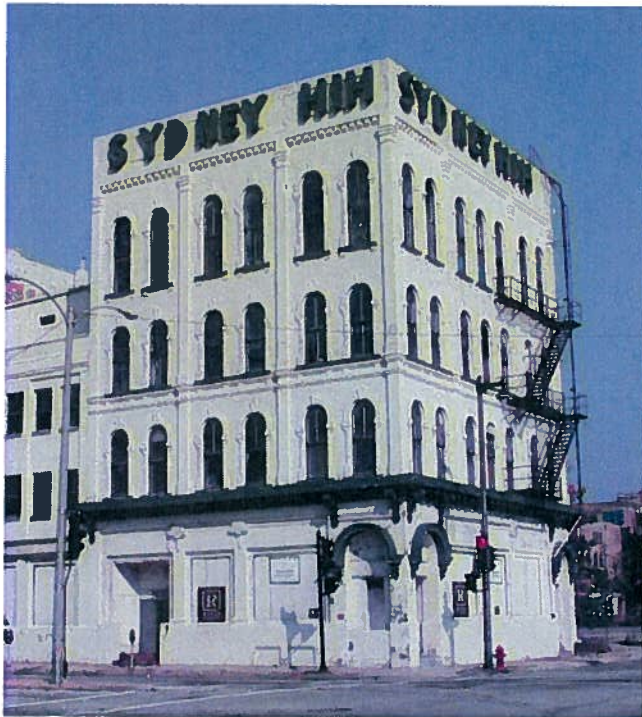
2/22/10



**NICHOLAS SENN, M.D.**  
(1844-1908)

In a laboratory under the sidewalk of his office at this site, in the 1870's, Dr. Senn conducted far-reaching experiments which led to international renown as the "great master of abdominal surgery."

He was one of Wisconsin's greatest surgeons, physicians and medical pioneers, and the 49th president of The American Medical Association. Dr. Senn was a founder of the Association of Military Surgeons of the U. S. A.



# Nicholas Senn Building

"Sydney Hih"

300-318 W. Juneau Ave.

Permanent Historic Designation

Study Report

September 2009

**PERMANENT HISTORIC DESIGNATION STUDY REPORT**

**I. NAME**

Historic: Nicholas Senn Building/Senn Block

Common Name: Sydney Hih

**II. LOCATION**

300-318 W. Juneau Avenue

**Legal Description -** Tax Key No.: 361-040-9100

Original Plat of the Town of Milwaukee, west of the river in SECS (20 & 29)-7-22

Block 39 Lot 16 & Part Lot 13 Com SW Cor Lot 13-th N 10'-th-E 60.2'-th S 7.2'-th E15.43'-th S 1.74—th W 74.96' to Beg

Subj to X-WayEasm't

Bids #15, #21, TID #48

**NOTE: THIS NOMINATION INCLUDES ONLY THE BUILDING THAT WAS CONSTRUCTED BY NICHOLAS SENN AND NOT THE OTHER ADJACENT BUILDINGS TO THE WEST. THE BOUNDARY LINES REFLECT THE BUILDING'S HISTORIC LOT LINES AND RUN CONCURRENT WITH ALL FOUR SIDES OF THE BUILDING.**

**III. CLASSIFICATION**

Building

**IV. OWNERS**

Sydney Hih Development LLC  
270 E. Highland Avenue  
Robert Ruvn, Registered Agent  
Milwaukee, WI 53202

Robert Ruvn  
Registered Agent  
Sydney Hih Development LLC  
1317 Towne Square Road  
Mequon, WI 53092

**ALDERMAN**

Ald. Milele Coggs, 6th Aldermanic District

**NOMINATOR**

Gail Fitch

**V. YEAR BUILT**

1876 (Milwaukee Sentinel March 13, 1876, April 5 1876, May 1, 1876, July 27, 1876)

**ARCHITECT:**

Unknown

NOTE PORTIONS OF THIS REPORT HAVE BEEN TAKEN FROM THE DETERMINATION OF ELIGIBILITY FORM PREPARED IN 2000 AS PART OF THE UNDERTAKING THAT RESULTED IN THE REMOVAL OF THE PARK EAST FREEWAY. THE REPORT WAS PREPARED BY TRACI SCHNELL OF HERITAGE RESEARCH LTD. AS A SUBCONTRACTOR TO HNTB CORP.

**VI. PHYSICAL DESCRIPTION**

The Nicholas Senn Building is a four story, flat roofed, solid masonry cream brick building located at the northwest corner of W. Juneau Ave. and King Dr. The building is approximately forty-five feet wide (Juneau Ave.) by fifty feet deep (King Dr.) and today is joined under one tax key parcel in a complex formerly known as Sydney Hih. The Senn Building and the adjacent three buildings to the west were all built independently of one another. They are the sole survivors of this block following the construction of the Park East Freeway in the late 1960s. The freeway isolated this portion of the city from adjacent commercial areas to the south (Old World Third Street) and the warehouse/industrial/brewery district to the north. The immediate neighborhood is characterized by surface lots at the northeast, southeast, and southwest corners of the intersection and vacant land in the corridor of the old freeway, which was demolished in the early twenty-first century. Most of Juneau Avenue was razed, even the south side of the street, before the freeway was constructed. Spared were the Sydney Hih complex, the Gipfel Brewery, and a few businesses around Fifth Street. With the removal of the Park East Freeway, there are approximately sixteen acres of open land awaiting development.

The Senn Building was designed in the Italianate Style, popular at the time for commercial as well as residential buildings. It has two principal elevations, one fronting on Juneau Ave. (formerly Chestnut) and one on King Dr. (formerly Third). The north and west walls abutted adjacent buildings and are mostly blank. Ornamental features included corbelled brickwork and sheet metal cornices. The first story consists of a storefront while the upper stories feature arched windows, which are a character-defining feature of the Italianate style.

The upper stories are arranged into three bays on each elevation by vertical pilasters at the corners and between groupings of windows. Windows are grouped into pairs except for the center bay on the King Dr. elevation, which features three windows, attributable to the longer length of that façade. Typical of the 1860s and 1870s, windows are enframed with corbelled brick rather than sheet metal. Stone keystones and impost blocks add decorative touches. The windows themselves vary from two-over-sash to two-over-one, one-over-two and one-over-one. The windows of the third story are noticeably taller than on the other floors and indicate a hall was located at this portion of the building. A brick, paneled cornice separates the second from the third story and is topped with a stone stringcourse that forms the sills of the third story windows. The fourth story windows features stone sills supported by small corbels. Above the fourth story windows survives a corbelled band that once supported a sheet metal cornice. A historic image produced in 1877 shows that the broad cornice had a pediment positioned in the center bay of each elevation. The name "Senn's Block" and "1876" appeared directly below the pediment on the King Dr. elevation in the illustration. It is not known if this was artistic license or factual. In place of this original cornice is located block letters spelling out Sydney Hih on both primary elevations. A metal fire escape is located at the north end of the east elevation.

The storefront on the first floor represents a remodeling undertaken by West Side Bank in 1910 and it was designed by the firm of Leenhouts and Guthrie. City directories, Milwaukee Sentinel articles, fire insurance maps and the 1877 illustration show that the first floor had been divided

into two retail spaces each having a center door on Juneau Ave. flanked by large plate glass windows. There appear to be window wells illuminating the basement area. A smaller entrance into the first floor area was located right around the corner from the east most storefront on today's King Dr. Another entrance, accessing the upper floors, was located at the north end of the King Dr. elevation. We do know from permit records that changes were made to the storefront in 1893 and that an entrance was put at the corner right about the time that West Side Bank was organized. More significant changes were made in 1910 when the stone piers were installed, the bulkhead raised and smaller plate glass windows installed. The entire first floor now read as one unified storefront, important since it was occupied by one entity, West Side Bank. It is likely that the copper cornice above the storefront was installed at this time since the more Classical Revival details, modillions, corbels with swags, are not characteristic of the Italianate Style. Such alterations would have been in keeping with the trend toward classicism that banks nationwide were beginning to follow at the time. The raising of the bulkhead also gave a more substantial, secure appearance to the financial institution. The bank's entry was at the corner and called out by two stone arches supported by scrolled corbels. A similar arch called out the entrance to the upper floors at the north end of the King Dr. elevation. The remaining storefront consists of a series of stone piers with decorative tops in between which are located panes of glass (now boarded up). The westernmost storefront bay on Juneau Ave. was cut down to provide an at-grade entrance to the building. After West Side Bank acquired the building next door, once addressed at 306-308 W. Juneau Ave., it extended a matching storefront treatment to that building as well. There were once four or more basement windows, visible in pre-1950s photos, but they have now been blocked up or removed.

The north elevation, as indicated above features a blank wall and once abutted the east wing of the William Frankfurth Hardware Company Building.

The west elevation is mostly blank. It abuts a smaller three-story building to the west. A metal enclosed catwalk on the roof of this latter building extends from the Senn Building to the four-story south facing portion of the Frankfurth Hardware Company Building. Since the building to the west is not as deep as the Senn Building, a portion of the Senn Building extends beyond the rear wall. Here are located two unembellished arched windows, one at the second and one at the third floor. The second story window has a two-paned upper sash while the lower sash has been broken out. It retains its original brick mould. The upper opening has been fitted with a flat-headed window and the brick mould removed. The upper sash is single-paned and the lower sash has been broken out.

Changes to the building have been chronicled above. Virtually all the alterations were made by West Side Bank. The storefront was changed in 1893 and again in 1910. The sheet metal cornice survived into the 1950s and was removed and replaced with bank signage as shown in a 1955 photo in the collection of Milwaukee Central Library. Window sash were replaced as needed although the window openings were retained. Original windows were most likely two-over-two. The windows shown in the 1877 illustration are one-over-one sash while the extant windows show some two-over-two sash. These latter would have been more typical of the time period with later replacements featuring larger panes of glass.

The Senn Building, although undergoing some modifications over its 132-year existence, still exhibits the character defining features of the Italianate Style and is restorable. It can still be identified with the work of the internationally renowned Dr. Senn.

## **VII. SIGNIFICANCE**

The Senn Building is significant as the only remaining building in Milwaukee associated with the life and work of Dr. Nicholas Senn. Dr. Senn attained worldwide recognition while working in Milwaukee due to his pioneering efforts in abdominal surgery, research on asepsis and antiseptic

procedures, and his teaching and wide range of medical publications. He brought recognition to Milwaukee and Milwaukee Hospital as a result of his efforts and influenced an entire generation of surgeons who went on to further enhance the reputation of the city. Dr. Senn had this building constructed to accommodate his broad private medical practice and to serve as a place where students and medical professionals would gather to learn from one another. In the basement of the building he experimented with medical procedures that he would later carry out on patients. We have no other tangible place to associate with him. The building in which he performed surgery at Milwaukee Hospital (later Sinai Samaritan, no longer a medical campus) is long gone. Dr. Senn's residences have also been demolished. Well into the 20<sup>th</sup> century, the Senn Building has been recognized for its associations with Dr. Senn. On May 4, 1960, a Wisconsin Historical Society marker was installed on the building, the result of efforts by the State Medical Society of Wisconsin. Likewise, while virtually all other buildings were removed along Juneau Ave. for freeway construction, the Senn Building and three adjacent neighbors, along with the Gipfel Brewery were spared. In February 2000, when the building was vacant and for sale, the Sydney Hih complex, as it became known, was named among the "10 Most Endangered Buildings 2000" by the Historic Preservation Institute at the University of Wisconsin-Milwaukee's School of Architecture and Urban Planning.

The Senn Building is also a valuable survivor from the period when Juneau Avenue was once a vibrant commercial thoroughfare, crowned by the view of the giant Pabst Brewery to the west. With the exception of a couple of blocks along Old World Third Street and the Senn Building grouping, little remains of the nineteenth century character of Kilbourntown. Twentieth century buildings and large-scale redevelopment projects like the Bradley Center and vacant renewal sites now dominate the area.

The Senn Building likewise represents the kind of nineteenth century building, which has mostly disappeared from Milwaukee's landscape. Large masonry buildings with multiple tenants were fairly common but there was a new type that came into prominence in the 1870s, the commercial block with upper story hall. This building type reflects the explosion in the number of social and fraternal groups that occurred after the Civil War, groups that needed spacious accommodations for their meetings, social events, educational programs and the like. A few examples survive like Stamm's Hall at 221-227 S. 2<sup>nd</sup> Street (c.1865), J.L. Burnham Building Hall at 907-911 W. National Avenue (1875), Lipps Hall in the Lipps' Building at 1103 N. Old World Third Street (1878) and the Schlitz Building and Hall at 2249 N. Humboldt Avenue at North Avenue (1890). City directory research indicates that there were numerous halls of this type located in the downtown and in every major commercial district. With the decline in the numbers of such groups, disinvestment in the city and urban renewal and freeway projects, most such buildings have been demolished. At Senn's Hall, veterans of the famous Civil War Wisconsin Iron Brigade voted to create a permanent veterans' organization in 1880.

In addition to the above factors, the Senn Building acquired social significance in the late 20<sup>th</sup> century as one of the centers of Milwaukee's counter culture. The unique signage on the building and the host of unusual merchants, musicians, and restaurateurs brought a rebirth of activity to the northwest corner of Juneau and Old World third Street. Virtually every baby boomer that lived in the city has some fond memory of Sydney Hih.

## **VIII. HISTORY**

Of the grouping of four 19<sup>th</sup> century buildings that stand at the northwest corner of Juneau Avenue and King Drive known as Sydney Hih, the easternmost building, the Nicholas Senn Block, stands out for the importance of its association with Dr. Nicholas Senn. Senn was one of those rare, larger than life individuals who through genius and determination, made an enormous impact on the international medical field through his research, teaching and publications. An indefatigable person, he experimented, performed surgery, and taught students by day and wrote prolifically through the

night. He is credited with at least twenty-five textbooks and over three hundred articles on medical topics. He was much in demand for consultation, lectures and his administrative abilities and served on the teaching, surgical and consultation staff of a number of hospitals as well the military.

Nicholas Senn was born on October 31, 1844 (some sources cite October 24, 1844) at Buchs, in the Canton of St. Gall, Switzerland and came to the United States with his parents John and Magdalena Senn in 1851 at the age of eight. The family settled in Fond du Lac County/Washington County (sources differ), Wisconsin in the community of Ashford. Senn attended Fond du Lac High School and then taught school before beginning study in 1864 with Dr. Emanuel Munk who was residing in Fond du Lac at the time. Dr. Munk mostly lived in the city of Milwaukee. Senn went on to the Chicago Medical College in 1865, studied medicine and surgery, and graduated in 1868. He served an eighteen-month internship at the Cook County Hospital and in 1869 married Aurelia S. Muehlhaeuser (also spelled Millhauser), who had been born in Blairsville, Indiana County, Pennsylvania but was living in La Crosse, Wisconsin. Shortly after their marriage, the couple returned to Fond du Lac County and located in the community of Ashford. A son, Emanuel J., was born in Elmore, Wisconsin on November 18, 1869. The two communities of Ashford and Elmore are in close proximity to one another. Senn relocated to Milwaukee in 1874 and was appointed chief medical director of Milwaukee Hospital (later known as Sinai Samaritan, the campus is no longer a medical complex), a position he held through 1891. He is said to have built up "in a short time the largest private practice in the city." It was during his tenure in Milwaukee that Senn pioneered many of the surgical breakthroughs for which he became famous. (Gregory Vol II 1931 p. 973; Flower p. 1020, Usher p. 2022 and 2023)

Shortly after moving to Milwaukee, Senn's boundless energy led him to purchase the Hustis Block, located at the northwest corner of N. 3<sup>rd</sup> Street (King Dr. today) and Chestnut Street (W. Juneau Avenue today). The Hustis Block had been the first brick block constructed in Milwaukee, built by John Hustis in 1840 and known for its substantial three-story construction, the location of the printing of the first German newspaper and for its hall in which the first theatrical entertainments were given in the fledgling community. (Buck, Pioneer History, p. 245) A Milwaukee Sentinel report had previously indicated that the building appeared to be ready for a refurbishment in 1874 and maybe there were some repairs done to the building. (MS 1874 April 8/4) By this era, the Hustis Building, while venerated, was considered out of date. Dr. Senn purchased the building on March 8, 1876, for \$11,000 from Joseph and Margareth Phillips and Mary S. Goodrich (the only child and heir of Susan Robinson, deceased). (Deeds 155:446) On March 13<sup>th</sup> the Sentinel reported that Dr. Senn was about to build a block of stores, 45 feet wide and 50 feet long, at the site of the Hustis Block. (MS 1876 March 13 8/2) By May 1<sup>st</sup> the Hustis Block was being demolished and by July 27<sup>th</sup> the new building was nearly completed. It was considered to be an improvement over the old Hustis Block and an asset for Chestnut Street (today's Juneau Avenue). (MS May 1 8/4, July 27 8/3 and November 27 8/3) It was during the construction of the building that Senn's second son, William N. was born on June 1, 1876 and that Senn served as a delegate to the Medical Congress of the United States. (Usher p. 2026; Flower p. 1020)

There were probably several reasons why Senn decided to construct a four-story structure. In the days before the extensive medical complexes we are familiar with today, a physician like Senn would have needed office space for his extensive private practice, for experimentation, and to serve as a gathering place for students and professionals to exchange and gather information. One such meeting was chronicled by the Milwaukee Sentinel when the Milwaukee Medical Society met on March 7, 1878 to hear a paper on and discuss astigmatism of the eye. (MS 1878 Mar 8 2/4) Such a space was not available on the grounds of Milwaukee Hospital or on the premises of the other major medical institution of the time, St. Mary's Hospital. The new building would also generate income through leases to other tenants. Senn's building would have been the in the height of fashion at the time. There were two primary elevations, one facing east onto 3<sup>rd</sup> Street (King Drive) and one facing south on Chestnut Street (Juneau Avenue). The building occupied the east portion of Lot 16 and abutted adjacent buildings to the west and north. The Italianate style building was of solid masonry construction and featured a prominent sheet metal cornice with pediments centered on each elevation. The words "Senn's Block" and the date, "1876", appeared below the east



pediment in an illustration from 1877 and may have actually been on the building and not just part of the rendering. (Milwaukee Illustrated p. 85) A prominent cornice also wrapped around the two principal elevations between the first and second stories. The slightly taller windows of the fourth floor indicate that there was a hall on this topmost floor and this is corroborated with information from news accounts and the city directories.

Early occupants of the building, besides Dr. Senn, included physicians like Dr. John P. Bading, dentists like William A. Fricke and Edward H. Wanko, lawyers as Stephen W. Granger and Scharffenberg Bolle, and photographers Adam Heeb, Jr. and Henry Hercher. There was said to be a barbershop in the basement as well as Dr. Senn's laboratory. It was here that he conducted experiments to perfect his techniques before operating on his patients. There were two ground floor retail storefronts. The west storefront, originally addressed at 304 Chestnut, was occupied Frank Ostermann's dry goods shop. When he died in 1886, his widow took over the business briefly and then turned it over to John W. Dunlap in 1887. The east storefront, addressed at 302 Chestnut, was occupied by Otto Schorse's Union Drug Store. On June 27, 1879, an explosion rocked Schorse's pharmacy, causing damage to the building. Schorse had "prepared quantities of composition for red, blue and yellow lights to be used during evening celebrations of the Saengerfest" and there was spontaneous combustion of the compounds. The large French plate glass storefront windows, four feet wide and six feet high and three-eighths thick, were shattered. Flames and smoke spread to Ostermann's dry goods shop and combustibles were burned in the basement. The fire department quickly put out the fire before any damage extended beyond the first floor. Schorse's stock of chemicals, medicines and drugs, valued at \$8,000, was destroyed but Schorse escaped unharmed. Dr. Senn was in his office immediately above the pharmacy and felt the concussion but likewise was unharmed. Schorse resumed his occupancy of the storefront once the building was repaired.

Not a lot of detail is known about the rental hall operations but it would have been typical for different fraternal and social organizations to use such halls for meetings, social events, educational programs and the like. We do know that singing societies were meeting in Senn's Hall. Among them were the Gesang Verein Milwaukee and the Schweitzer Maennerchor. An historic event took place here as well in 1880, related to the forming of a Civil War veterans' organization. In a meeting held on June 10, 1880, during a reunion of members of Wisconsin's famous Iron Brigade, it was decided to form a permanent organization of the Iron Brigade veterans. A dues structure was discussed and members pledged to take "measures which will perpetuate the social and fraternal feelings arising from service together through many campaigns." (Milwaukee City Directory; Dix p. 4; MS 1897 June 28 3/1; MS 1880 June 11 7/4)

Dr. Senn was not only a talented surgeon but also an inspiring and brilliant teacher and "[s]tudents flocked to him." Historian Gregory subsequently lists a number of physicians who were taught and inspired by Senn including John Bading, Blanchard A. Lynde, Anna M. Connell, and Dr. Harriet Francis Sercombe among a host of others. Senn was known for extensive experimental work. Among the physicians associated with him in breaking new medical ground were Dr. Horace Manchester Brown, Dr. Gilbert E. Seaman and Dr. William Mackie. His office on today's Juneau Avenue was used as an informal classroom where all who were interested in medicine attended quizzes. (Gregory, Vol II 1931 p. 974)

During Senn's career in Milwaukee and afterwards, he was considered one of the most distinguished surgeons of the world. He continued his own education at the University of Munich, Germany, in 1878 and graduated in 1879. In 1887, his work on the repair of intestinal perforation, begun as an attempt to heal a gunshot wound, became known worldwide. An indefatigable worker, Senn wrote at least twenty-five medical textbooks and contributed to hundreds of papers. Among his writings are:

- Experimental surgery
- Intestinal Surgery
- Surgical Bacteriology
- Principles of Surgery

Pathology and Surgical treatment of Tumors  
Abdominal Surgery on the Battlefield  
The Surgery of the Pancreas  
The Surgical Treatment of Intestinal Obstruction  
(Usher p. 2025, Sinai Samaritan Medical Center Manuscript Collection index)

In addition, after investigating the failure of carbolic spray to prevent sepsis, Dr. Senn determined that bacteria was coming from the hands of the surgeons and infecting the patients. "Dr. Senn probably was one of the first surgeons to use gloves (cotton gloves, boiled) in operating." (Dix p. 5)

Senn's services were in demand outside of Wisconsin while he maintained his Chief of Staff position at Milwaukee Hospital. From 1884 through 1887 he served as professor of surgery at Chicago's College of Physicians and Surgeons, now the medical school of the University of Illinois. He was elected professor of practical and clinical surgery of Rush Medical College in 1890, a post he held until his death. He also served as the professor of surgery at the University of Chicago, was the attending physician at the Presbyterian Hospital and worked as surgeon in chief at St. Joseph's Hospital. (Usher p. 2023)

Senn's contribution to military surgery was also legendary throughout the world and he sought to make antiseptic and aseptic surgery simpler on the battlefield than they were in civil practice. He was appointed surgeon General of Wisconsin in 1888, and Surgeon General of the Illinois National Guard in 1892. In 1891 he established the Association of Military Surgeons of the National Guard of the United States. In 1898 he was appointed chief surgeon of the Sixth Army Corps and became chief of operating staff surgeons with the American army during the Spanish American War. He actually served in Santiago, Cuba. (Usher p. 2024-2025)

Among his other affiliations were the American Surgical Association (president), the German Congress of Surgeons, corresponding member of the Harveian Society of London, and honorary member of the Edinburgh Medical Society. He was president of the Rock River Medical Society and vice-president of the State Medical Society. In 1890 he was chosen an American delegate to the International Medical Congress and in 1901 went abroad as delegate to the international Red Cross conference. In 1897 he served as the 49<sup>th</sup> President of the American Medical Association. Senn was also responsible for donating over seven thousand volumes of medical texts, collected by noted physicians Dr. William Baum and Dr. DuBois Raymond, to the Newberry Library of Chicago in 1894. (Usher p. 2024; Flower p.1020)

For a number of years, Senn commuted between his practices in Milwaukee and Chicago. He permanently relocated to Chicago in 1891 following his appointment at Rush Medical College and sold the Senn Building to George Koch on June 29, 1891 for \$40,000. (Deeds 279:612) Senn died in Chicago on January 2, 1908 of heart disease following a condition contracted from mountain climbing in South America. (He also wrote a number of travel texts) The head of Marquette University's medical department, Dr. W. H. Earles, stated upon Senn's death ""Dr. Senn was to my mind, one of the ablest surgeons in the United States, if not in the world...He was an able surgeon, an able teacher, and an able writer. Many medical men are one of these three, but it is seldom indeed that one finds a man who is an [sic] adept in each of the three lines." Dr. A. H. Levings, president of the College of Physicians and Surgeons, stated, "Dr. Senn was the greatest surgeon in the country...He seemed to be possessed of unlimited endurance and his capacity for work was wonderful." ("Dr. Nicholas Senn Dies in Chicago" Milwaukee Sentinel January 3, 1908)

"A variety of books addressing the history of medicine note Dr. Senn's contribution to surgery. *A Cyclopedia of American Medical Biography* (1912), states that Senn is considered "the greatest surgeon, medical authority and writer the West had ever produced and his innovative work in abdominal surgery won him international acclaim." Sixty-five years after his death Senn's work remained in the history books as

*The Story of Medicine in America* (1973) reads, "N. Senn laid the groundwork, in a way, for a sub-specialty by his work in intestinal surgery." Posthumous tributes to the doctor include the Chicago-based, Nicholas Senn Club (organized in 1908), the 1952 Senn Wing at the Milwaukee Hospital (now Sinai Samaritan Health Care Center: wing dedicated in 1952) [note: this campus was sold off to developers and no longer serves as a health care facility] and the Senn Journal (a publication of the Milwaukee Hospital from 1960-1976)." (Traci Schnell, Heritage Research Determination of Eligibility, pp. 7-8)

Senn's legacy was still being honored well into the 20<sup>th</sup> century. In 1958 efforts began in the State Medical Society of Wisconsin to erect a historic marker memorializing the great doctor. The site chosen was the Senn Building at the northwest corner of Juneau Avenue and King Drive, a place most fitting. The building in which Dr. Senn worked at Milwaukee Hospital was no longer extant. His residences were gone. A Wisconsin state historic plaque was installed on the building on May 4, 1960. It was stolen in 1968 and never recovered. (Dix p. 6)

George Koch (1863-March 7, 1922), who purchased the Senn Building in 1891, was a Milwaukee native who was employed in a variety of occupations before entering banking. He worked for Frankfurth Hardware, for Manufacturers Bank, and as a grain, feed and commission merchant. Koch returned to banking when a branch of the Merchants & Exchange Bank was established in the Senn Block. It was formally reorganized as a state bank under the name West Side Bank in July 1894 when its parent institution merged with the First National Bank. Koch held the most stock in the bank and served as the institution's cashier through the remainder of his career. It was considered one of the strongest and soundest financial institutions in the city by 1920. The title to the Senn Building apparently remained in Koch's name and then his estate after his death. West Side Bank acquired the property from Koch's estate on February 23, 1937. (Bruce, p. 360; 707; Fifth Semi-Annual Report of the Bank Examiner p.76; Deeds 279:612; 1462:490)

There were a number of alterations to building following its occupancy by the bank. On March 23, 1893, the storefront was changed and the entrance was moved to the corner. It is likely the dual storefronts from Senn's day were consolidated into one unified front at this time. West Side Bank made the most significant change to the building's exterior in 1910. They contracted with the firm of Leenhouts and Guthrie who added a large copper cornice that wrapped the building above the first story. The bulkhead was raised and clad in stone and stone piers were installed with large plate glass windows inserted between the piers. It is likely the corner entrance was embellished with arches at this time as well. Sign bands reading "West Side Bank" were installed beneath the modillions of the new copper cornice on both the Juneau Avenue and King Drive elevations. Two smaller signs reading "Established 1893" were positioned over the double-arched corner entrance. Permit records do not indicate when the sheet metal cornice was removed, but historic photos in the collection of the Milwaukee Central library show that it had been removed by the 1955 and replaced with large flat signboards that read "West Side Bank". The building was not painted at this time.

The bank began to acquire property to the west during the 20<sup>th</sup> century. Its immediate neighbor to the west, once addressed as 306-308 W. Juneau Avenue, underwent remodeling by the bank in 1956 that removed its attractive two-story sheet metal bays and reduced the façade to the bland appearance it has today. City directories began to list number 308 as the rear entrance to the bank around 1955. (Milwaukee Central Library photo collection Juneau Avenue; permit records January 4, 1956) It is not clear how much of the upper floors were utilized by West Side Bank. The second floor was remodeled in 1918, partitions were changed on the first and second floor in 1953, and other permits refer to cutting in openings in masonry walls for access to adjacent buildings. When the bank first occupied the building, there were still some professional tenants on the upper floors such as Dr. Louis G. Nolte who was in the building from at least 1900 to the early 1940s. Access to the upper floors was through an entrance on King Dr. addressed at Number 365. Beginning in the 1920s, in addition to Dr. Nolte, there was a janitor, then his widow, living on the premises. The Milwaukee County American Legion Drum Corps also occupied one of the upper levels, perhaps the former hall, as shown in the 1940 city directory. After World War II, the upper floors were

consistently shown as vacant in the city directories. West Side Bank changed its name to Continental Bank & Trust on September 7, 1967 and relocated to a new twelve-story structure at 735 W. Wisconsin Avenue in 1968. It is now known as Wells Fargo Bank. This relocation was occurring at the time that most of Juneau Avenue was cleared for the construction of the Park East Freeway.

Permit records show that an application to install a "For Sale" sign on the building was taken out on February 9, 1970. The former Senn Block sat vacant for several years before being sold to the Knapp Street Realty Corp., Sydney Eisenberg, president, on land contract on June 15, 1971 and then through warranty deed July 23, 1971. The property conveyed the Senn Building as well as the adjacent property once addressed at 306-308 W. Juneau Avenue. (Deeds R592: 235, R600: 1451, and R600: 1453) The old Frankfurth Hardware Building, once addressed at 310 W. Juneau Avenue was conveyed by Continental Bank & Trust to Knapp Street Realty Corp. at the same time. (Deeds R592: 235, R600: 1451 and R600: 1453). Knapp Street Realty Corp. also purchased the building once addressed at 312-316 W. Juneau Avenue from the Peckarsky family in 1971. Eisenberg renamed the complex Sydney Hih (Hih is Yiddish for "In Honor Of").

The Senn Building now entered into a period of rebirth, although it was somewhat short lived. Its exterior, as well as the exterior of the other three buildings, was painted into a multi-colored checkerboard palette to highlight the unique mix of tenants that Eisenberg collected into the complex. Many Baby Boomers have recollections of the place, as it became the hub of counter-culture activity along with Brady Street. Here the tenants were concentrated vertically on different floors rather than along a street. This may have been the first time that an attempt was made to collect artists and creative types into one setting for commercial purposes. Tenants in 1973 included The Industrial Arts Co., a group of commercial artists in Number 312. In the Senn Building were the Delhi Emporium Gift Shop, Dreams and Dragons art gallery, Fermentation Plantation (home winemaking consultants), Main Stream Records, The Mouse Trap gift shop, The Playhouse gifts, Puerto Rican Valley, and Western Tradition Leather retail shop. The Mine Shaft, a restaurant and bar, was located in the basement. Merkt's Cheese occupied Number 310, the Shish Kabob Restaurant occupied Number 312, a rooming house was located at Number 314, and the Fertile Dirt Cooperative Health Food restaurant was located in Number 316. Betty's Bead Bank was the longest tenant, occupying a first floor space from 1976 through 1999. Permit records reflect dozens of occupancy permits for the building from 1971 through 2001 and included candle shops, jewelry stores, plant stores, and ice cream vendors, among others.

By 1980 many of the trendy shops had disappeared and permit records refer to fire damage on the property. The tenants included a business that did typesetting and one that provided legal briefs. Many of the upper floors were utilized as art and music studios with band names like Johnny and the Lewers and the Water Buffaloes Band. In the year 2000 the complex was put up for sale and the buildings painted uniform beige. The Park East Freeway was taken down in recent years and the vacant land around Sydney Hih/Senn Building awaits redevelopment. The current owner, Robert Ruvin, Sydney Hih Development LLC, purchased the complex on June 17, 2005. The developer's original proposal called for preserving the Senn Block and most of the rest of the complex, removing the building at 312-316 and sliding the Gipfel Brewery Building onto that slot. The Senn Building would have served as the entrance to a new office/ hotel/condo development designed by the team of Brian Johnsen and Sebastian Schmaling. In April 2008, a new development proposal was announced, with a new architectural team, HKS. This new proposal would remove all remnants of Sydney Hih and utilize some salvaged bricks for a pathway. (Schumacher, "History Lost")

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## **IX. STAFF RECOMMENDATION**

The commission could consider three criteria in deciding whether to recommend permanent historic designation for the Dr. Nicholas Senn Building, 300-318 W. Juneau Avenue.

**e-1 Its exemplification of the development of the cultural, economic, social, or historic heritage of the City of Milwaukee, State of Wisconsin, or of the United States.**

RATIONALE: The Senn Building or Sydney Hih was one of the centers of Milwaukee's counter culture during the 1970s. A unique collection of tenants that ranged from artists' studios to leather shops to vegetarian restaurants offered the hip and trendy a place to hang out and purchase unique goods. There was nothing like it in the city. There are currently no landmarks that commemorate Milwaukee's counter culture period.

**e-3 Its identification with a person or persons who significantly contributed to the culture and development of the City of Milwaukee**

Without question, Dr. Nicholas Senn holds a prominent place in 19<sup>th</sup> century American medical history. He owned the building and used a portion of it for his office and his laboratory for a period of years before moving to Chicago. We recommend that the Commission discuss the following questions with regard to this criteria:

- 1) Does a man responsible for medical discoveries and the education of local physicians meet the definition of one who "significantly contributed to the culture and development of the City of Milwaukee"?
- 2) Does the fact that Dr. Senn had the building constructed and used a portion of it for offices before moving to Chicago confer sufficient status on the building to designate it under criteria e-3?

**e-9 Its unique location as a singular physical characteristic which represents an established and familiar visual feature of a neighborhood, community, or of the City of Milwaukee.**

The building is well-known among contemporary Milwaukeeans as the "Sydney Hih" building, and is highly visible amidst the surrounding vacant land of the Park East corridor. We suggest the Commission discuss the following questions with regard to this criteria:

- 1) The building remained standing despite freeway construction in the 1960s and more recent freeway demolition. Is the building an "established and familiar

visual feature” because its context was destroyed, or because of its individual significance?

- 2) The building has been significantly altered many times in its history, beginning about 30 years after it was constructed. Do the alterations adversely affect its significance as a visual landmark? Have the alterations acquired historic significance of their own? The State Historic Preservation Office found the building not eligible for National Register listing for its association with Dr. Senn due to alterations that occurred after Dr. Senn’s ownership. Are the alterations reversible?

## **X. PRESERVATION GUIDELINES**

The following preservation guidelines represent the principal concerns of the Historic Preservation Commission regarding this historic designation. However, the Commission reserves the right to make final decisions based upon particular design submissions. Building maintenance and restoration must follow accepted preservation practices as outlined below. Review of maintenance projects with historic preservation staff is required. Note: this designation only applies to the Nicholas Senn Building and not to the other three buildings in the Sydney Hih Complex. As in all designations, historic status does not require the removal of alterations made prior to the designation. It is not intended to prevent new construction on the remainder of the property owned by the developer.

### **A. Roofs**

Retain the appearance of the flat roof shape. Fire insurance maps show that skylights were once located at the roof and illuminated various spaces including a photographer’s studio. It is not known if any of the skylight structures survive. Skylights may be restored, if existing, or added to roof surfaces if they are not visible from the street or public right of way. No additional full stories may be added to the roof, as this would alter its nineteenth century appearance. Locate mechanical systems and vents on portions of the roof not visible from the public right of way and paint them out to minimize impact. Satellite dishes are to be located on portions of the roof not visible from the public right of way. There is a rooftop penthouse unit or structure that shelters an access stair to the roof. It can be rebuilt as needed or removed as needed. The addition of any new small penthouse must be set back from the parapet walls to minimize being visible from the public rights-of-way. The addition of skylights, satellite dishes, penthouses, stair enclosures and re-roofing require review by Historic Preservation staff and a Certificate of Appropriateness.

### **B. Materials**

#### **1. Masonry**

- a. Unpainted brick, terra cotta, or stone must not be painted or covered. Painting masonry is historically incorrect and could cause irreversible damage if it was decided to remove the paint at a later date. Covering masonry with other materials (wood, sheet metal, vinyl siding, etc.) is not allowed. The building appears to have been unpainted through the mid-1950s per historic photographs but may have been cleaned. The polychrome checkerboard paint scheme applied when the building was renamed Sydney Hih was repainted with beige paint when the building went up for sale in 2000. This beige paint can remain. If the owner would want to remove the paint, that would be appropriate. See section c below.

- b. Repoint defective mortar by duplicating the original in color, hardness, texture, joint finish and joint width. See the masonry chapters in the books, As Good As New or Good For Business for explanations on why the use of a proper mortar mix is crucial to making lasting repairs that will not contribute to new deterioration of the masonry. Replaced mortar joints should be tooled to match the style of the original. Avoid using mortar colors and pointing styles that were unavailable or were not used when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before starting any repointing and one or more test panels must be prepared and approved before work can proceed.
- c. Clean masonry only when necessary to halt deterioration and with the gentlest method possible. Sandblasting or high pressure water blasting or the use of other abrasive materials (soda, nut shells, etc.) on limestone, terra cotta, pressed brick or cream brick surfaces is prohibited. This method of cleaning erodes the surface of the material and accelerates deterioration. Avoid the indiscriminate use of chemical products that could have an adverse reaction with the masonry materials, such as the use of acid on limestone. Work should be done by experienced individuals. Consultation with historic preservation staff and a Certificate of Appropriateness is required before any cleaning would begin. The stone at the first floor storefront area may be cleaned.
- d. Repair or replace deteriorated material with new material that duplicates the old as closely as possible. Avoid using new material that is inappropriate or was unavailable when the building was constructed. Consultation with historic preservation staff and a Certificate of Appropriateness is required before any work would proceed on repairs to the stone and brick.

## 2. Wood/Metal

- a. Retain original material, whenever possible. Avoid removing architectural features that are essential to maintaining the building's character and appearance. Historic Preservation staff would support the retention of the copper cornice that wraps the building between the first and second story. It appears to have been installed in the 1910 remodeling of the first story. It can be repaired. Should the owner choose to return to the original cornice as illustrated in 1877, consultation with Historic Preservation staff will ensure that appropriate materials and design and construction will result in an authentic appearance. The upper cornice and pediments were removed in the mid-1950s and replaced with signage that read "West Side Bank". This signage was replaced with the letters reading "Sydney Hih" in the early 1970s. New use for the building would most likely require removal of the letters. The owner can choose to exactly replace the original cornice if he would want or to work with Historic Preservation on an appropriate alternative, be that signage or cornice. Historic Preservation staff would support the removal of the metal fire escape on the east elevation if the owner chooses to remove it.



- b. Retain or replace deteriorated material with new material that duplicates the appearance of the old as closely as possible. Avoid covering architectural features with new materials that do not duplicate the appearance of the original materials. Covering wood or metal with aluminum or vinyl is not permitted. As stated above, the copper cornice above the first story is repairable and does not need to be removed.

C. Windows and Doors

1. Retain existing window and door openings. Retain the existing configuration of panes, sash, surrounds and sills, except as necessary to restore to the original condition. Avoid making additional openings or changes in existing fenestration by enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes. Avoid changing the size or configuration of windowpanes or sash. Use storm windows or protective glazing which have glazing configurations similar to the prime windows and which obscure the prime windows as little as possible. The storefront configuration as seen today is the result of a 1910 remodeling for the building's second owner, the West Side Bank. An alteration to that storefront was made in the westernmost bay to cut in an entrance at grade. Historic Preservation staff supports retaining the storefront in its 1910 appearance. The stone piers are sound, as are the arches above the corner entry. The owner may restore the west end bay to conformity with the remainder of the storefront if he chooses. Historic Preservation staff also supports and would assist in a complete restoration of the storefront to its 1877 appearance if the owner would choose to do so. A restoration to the 1877 appearance is not required.
2. Respect the building's stylistic period. If the replacement of doors or window sash is necessary, the replacement should duplicate the appearance and design and material of the original window sash or door. New glass must match the size of the historic glass. Avoid using inappropriate sash and door replacements. Avoid the filling-in or covering of openings with inappropriate materials such as glass block or concrete block. Avoid using modern style window units, such as horizontal sliding sash or casements, in place of double-hung sash or the substitution of units with glazing configurations not appropriate to the style of the building.

Any original windows on the Senn Building should be retained and repaired if at all possible. The 1877 illustration of the building shows that the arched windows were one-over-one sash. Physical evidence, however, shows that windows were originally two-over-two. Some of the windows or portions of the sash were replaced over time and there is now a mix of two-over-two, two-over-one, one-over-two, and one-over-one sash. Historic Preservation staff will work with the owner on appropriate replacement sash. Each era produced different brick mould profiles. The brick mould profiles around the sash here must be retained, as they are an essential feature of the Italianate style. Vinyl or metal clad prime window units are not permitted. Glass block basement windows are not permitted where visible from the public right of way. Retain and existing art glass/leaded glass windows that may be located beneath the boarded up windows. Changes to doors and windows require consultation with Historic Preservation staff and a Certificate of Appropriateness.

3. Steel bar security doors and window guards are generally not allowed. If permitted, the doors or grates shall be of the simplest design and installed so as to be as unobtrusive as possible. A Certificate of Appropriateness is required for this type of installation.

D. Trim and Ornamentation

There should be no changes to the existing historic trim or ornamentation except as necessary to restore the building to its original condition. See discussion of cornice and stone above. Replacement features shall match the original member in scale, design, color and appearance. Essential features of the building such as the brick pilasters, corbelling at the upper level, paneled cornice between the second and third story and corbelled surrounds with keystones around the windows are to be retained. Consultation with Historic Preservation staff is required before any changes or repairs are made to the trim features.

E. Additions

It is not anticipated that additions will be made to the building's east (King Dr.) and south (Juneau Ave.) elevations because the building sits right at the property line. Rooftop additions have been covered under Roofs. No hanging balconies or projecting bays may be applied to the building at the east and south elevations, as this would adversely affect the building's character defining features. The north and west elevations were mostly blank party walls abutting to adjacent buildings. If the Senn Building is incorporated into new construction care must be taken to preserve the building as a free-standing entity with connectors set back from the main body of the building. Any addition or connector requires the approval of the Commission. Ideally an addition should either compliment or have a neutral effect upon the historic character of the building. Approval shall be based upon the addition's design compatibility with the building in terms of window size and placement, building height, roof configuration, scale, design, color, and materials, and the degree to which it visually intrudes upon the principal elevations or is visible from the public right of way. Additions must be smaller than the building and not obscure the historic building.

F. Signs/Exterior Lighting

The installation of any permanent exterior sign or light fixture shall require the approval of the Commission. Approval will be based on the compatibility of the proposed sign or light with the historic and architectural character of the building. Plastic internally illuminated box signs are not permitted.

G. Site Features

Given that the building occupies its entire site and is bordered by city sidewalks, it is unlikely that landscape features will be incorporated into the property. Should landscape matters come up, consultation with Historic Preservation staff, and a Certificate of Appropriateness is required before starting any work.

H. Guidelines for New Construction that Results in Alteration of the Designated Structure

Given that the building occupies its entire site and is bordered by city sidewalks, it is unlikely that there would be room for new construction except in the form of

additions or connectors as discussed above. If new construction would somehow apply to the property, the following guidelines would apply. It is important that new construction be designed to be as sympathetic as possible with the character of the structure.

1. Siting

New construction must respect the historic siting of the building. It should be accomplished so as to maintain the appearance of the building from the street as a freestanding structure.

2. Scale

Overall building height and bulk, the expression of major building divisions including foundation, body and roof, and individual building components, such as overhangs and fenestration that are in close proximity to a historic building must be compatible to and sympathetic with the design of the building. New construction is to be smaller in size and shorter in height than the historic building.

3. Form

The massing of the new construction must be compatible with the goal of maintaining the integrity of the building as a freestanding structure. The profiles of roofs and building elements that project and receded from the main block should express the same continuity established by the historic building if they are in close proximity to it.

4. Materials

The building materials that are visible from the public right-of-way and in close proximity to the historic building should be consistent with the colors, textures, proportions, and combinations of cladding materials used on the historic building. The physical composition of the materials may be different from that of the historic materials, but the same appearance should be maintained and materials not available when the house was constructed should be avoided.

I. Guidelines for Demolition

Although demolition is not encouraged and is generally not permissible, there may be instances when demolition may be acceptable if approved by the Historic Preservation Commission. The following guidelines, with those found in subsection 9(h) of the ordinance, shall be taken into consideration by the Commission when reviewing demolition requests.

1. Condition

Demolition requests may be granted when it can be clearly demonstrated that the condition of a building or a portion thereof is such that it constitutes an immediate threat to health and safety and is beyond hope of repair.

2. Importance

Consideration will be given to whether or not the building is of historical or architectural significance or displays a quality of material and craftsmanship that does not exist in other structures in the area.

3. Location

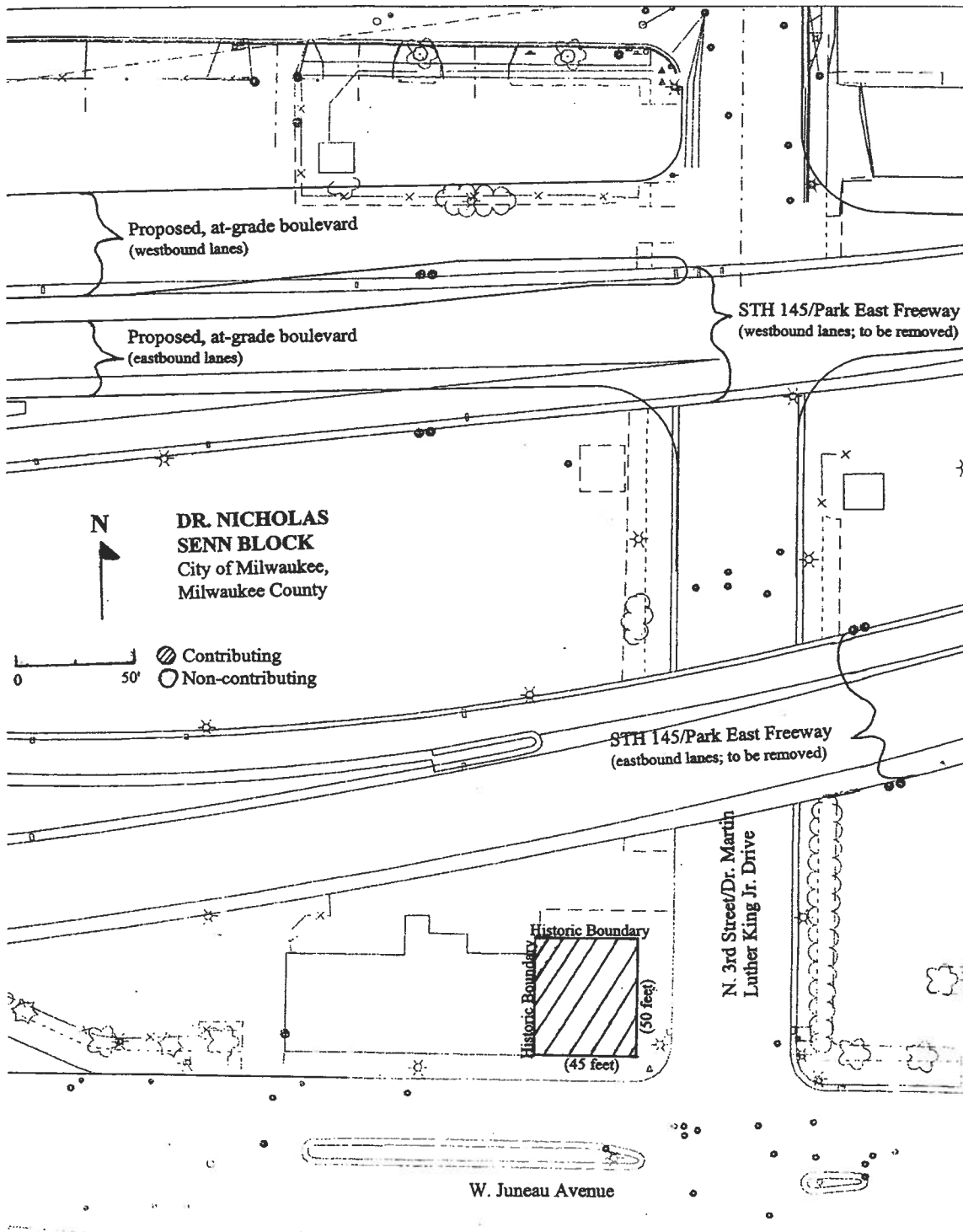
Consideration will be given to whether or not the building contributes to the neighborhood and the general street appearance and has a positive effect on other buildings in the area.

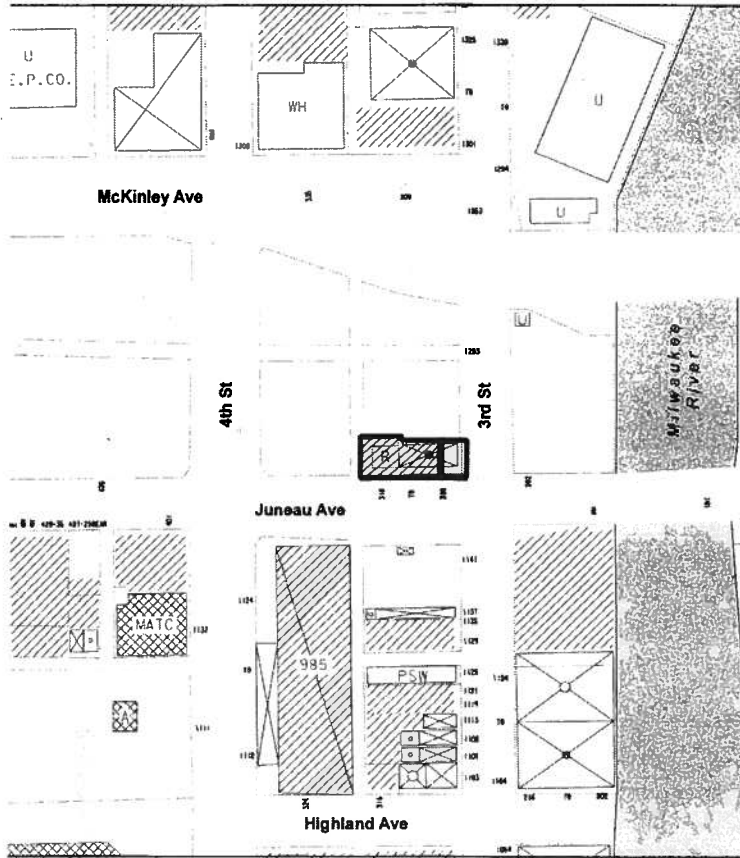
4. Potential for Restoration

Consideration will be given to whether or not the building is beyond economically feasible repair.

5. Additions

Consideration will be given to whether or not the proposed demolition is a later addition that is not in keeping with the original design of the structure or does not contribute to its character.





**Nicholas Senn Building**  
 300 - 318 W Juneau Avenue

 Parcel Boundary

Produced by:  
 Department of City Development Information Center, RTW  
 Project File:  
 W:\Map Requests\2008\Historic Preservation\senn building.mxd  
 Map File:  
 W:\Map Requests\2008\Historic Preservation\senn building.pdf  
 Generated: 25-August-2008, Scale = 1:2,000



0 100 200 400 Feet



# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 2/22/10

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note  Substitute

SUBJECT: Resolution designating the Nicholas Senn Building, "Sydney Hih," at 300-318 West Juneau Avenue, as an Historic Building, in the 6th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:


H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:


PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





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## Legislation Details (With Text)

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**File #:** 091496      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution accepting the proposal submitted by Isaac Malone, doing business as Best Choice Mechanicals, to purchase the City-owned vacant lot at 4709 North Hopkins Street, in the 7th Aldermanic District.

**Sponsors:** ALD. WADE

**Indexes:** CITY PROPERTY, LAND DISPOSITION REPORTS, PROPERTY SALES

**Attachments:** Land Disposition Report, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091496

**Version**

ORIGINAL

**Reference****Sponsor**

ALD. WADE

**Title**

Resolution accepting the proposal submitted by Isaac Malone, doing business as Best Choice Mechanicals, to purchase the City-owned vacant lot at 4709 North Hopkins Street, in the 7th Aldermanic District.

**Analysis**

This resolution authorizes the sale of Development Property according to the conditions in a Land Disposition Report pursuant to Section 304-49-7, Milwaukee Code of Ordinances.

**Body**

Whereas, Isaac Malone has submitted an unsolicited offer to purchase the City-owned vacant lot at 4709 North Hopkins Street that adjoins his business as summarized in a Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, Section 304-49-7 of the Milwaukee Code of Ordinances allows the City of Milwaukee ("City") to accept unsolicited offers to purchase property when the City receives fair compensation, whether monetary or non-monetary; and

Whereas, The Department of City Development ("DCD") has reviewed the offer and the development proposal and has determined that the proposed price and development represents fair compensation to the City considering the offering price and investment in the neighborhood; and

Whereas, DCD recommends sale of this lot with closing contingent on DCD approval of final site plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proposal submitted by Isaac Malone for the City-owned vacant lot at 4709 North Hopkins Street is accepted; and, be it

Further Resolved, That the Commissioner of DCD or designee is authorized to release any deed restrictions that inhibit development and execute other legal documents on behalf of the City and to close the transaction according to the terms of the Land Disposition Report; and, be it

Further Resolved, That the sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee, shall be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Drafter**

DCD/Real Estate

YSL:ysl

03/02/10/A

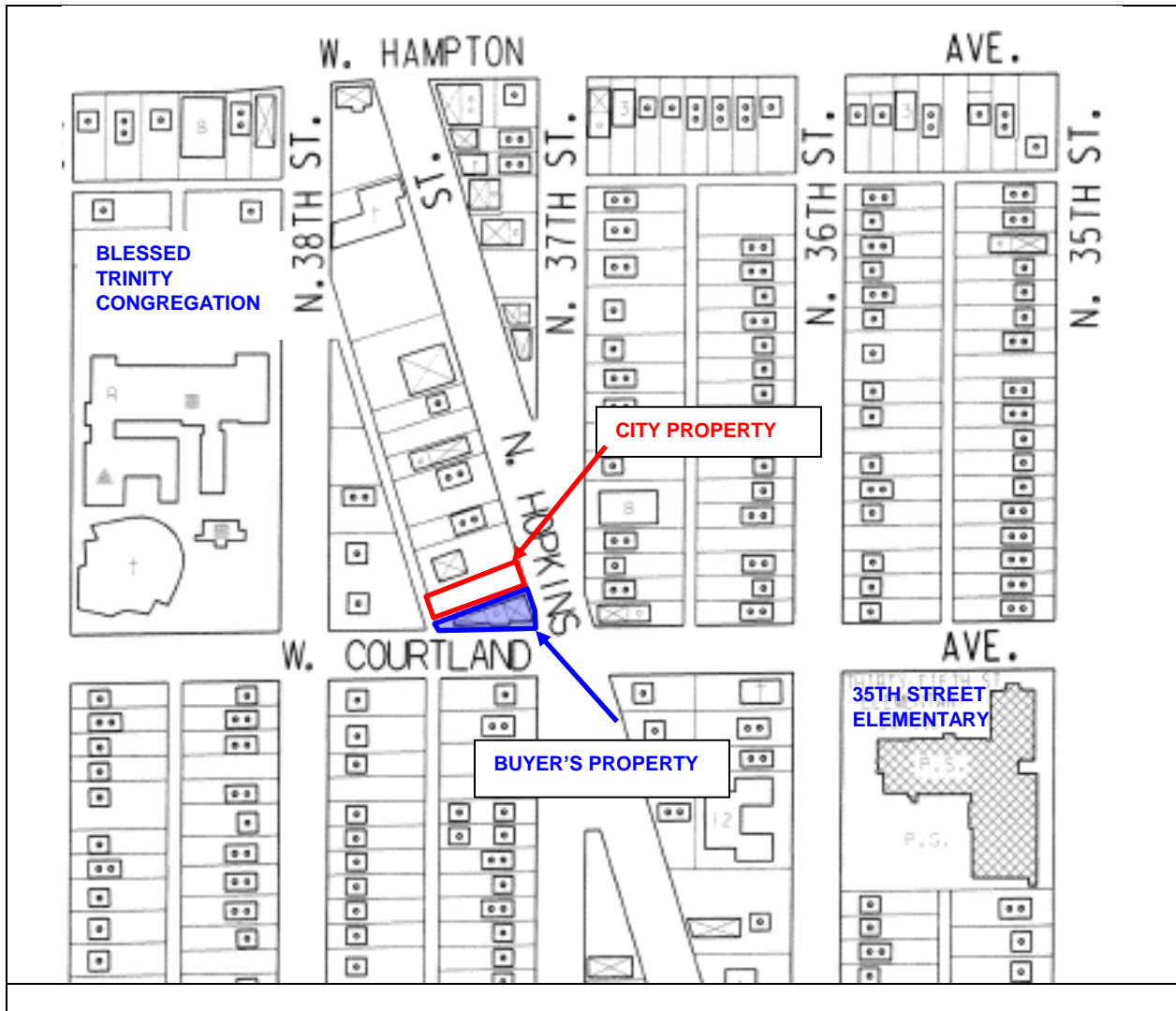
**LAND DISPOSITION REPORT**  
**COMMON COUNCIL OF THE CITY OF MILWAUKEE**

**RESPONSIBLE STAFF**

Yves LaPierre, Real Estate Section (286-5762)

**PROPERTY**

4709 North Hopkins Street. A vacant lot measuring 30 feet wide by 120 feet deep and 3,600 square feet with alley access. The property was acquired in 2009 through tax foreclosure.



**BUYER**

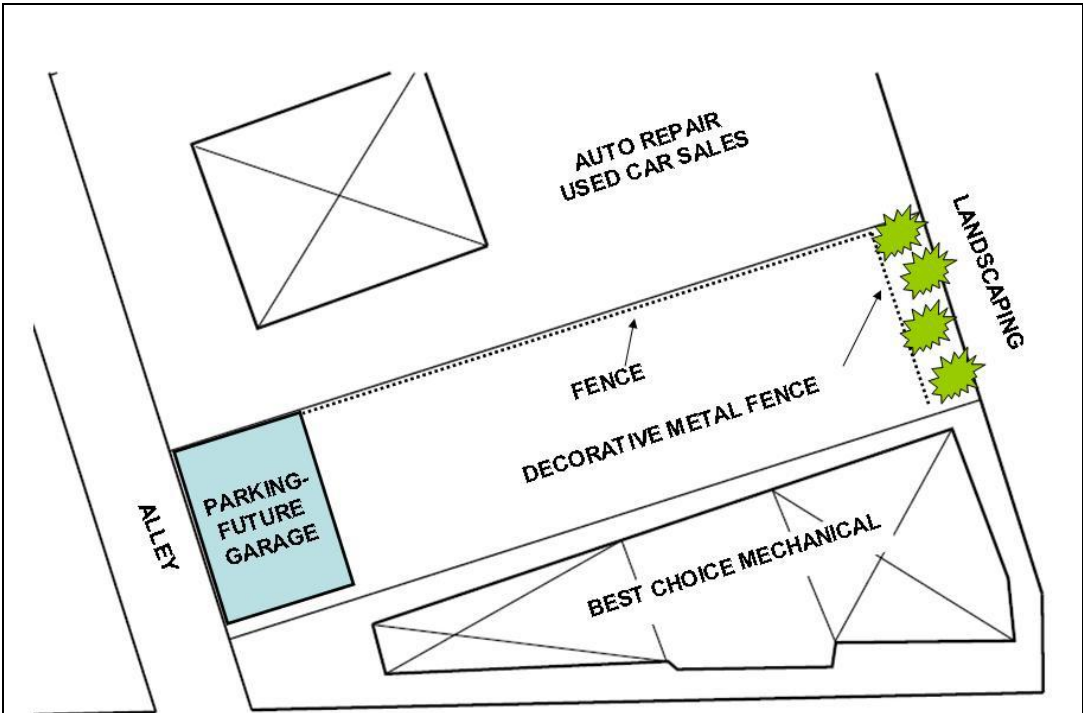
Isaac Malone, owner of the adjacent property at 4703 North Hopkins Street, which he purchased from the City of Milwaukee in April of 2009. Isaac Malone has renovated his property and it now houses his business, Best Choice Mechanicals.

**PROPERTY USE**

Green space and garage parking to support Mr. Malone's business. The lot will be fenced and secured. The street frontage on North Hopkins will be fenced with decorative metal fencing and landscaped with trees and shrubs.



NEW RENOVATED HOME OF BEST CHOICE MECHANICALS AT 4703 NORTH HOPKINS STREET



PROPOSED SITE IMPROVEMENTS FOR 4709 NORTH HOPKINS STREET

**OFFER TERMS AND CONDITIONS**

The lot will be sold for \$500. The property will be sold "as is" without representations or warranties, including but not limited to, soil quality and subsurface conditions. Sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee, shall be credited to the Reserve For Tax Deficit Fund. Closing will occur within six months of Council approval and is subject to final approval of site plans and Buyer obtaining permits. The parcel at 4709 North Hopkins will be joined to 4703 North Hopkins and a deed restriction will prohibit selling 4709 North Hopkins separately from the Buyer's property.

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 03/02/10

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note  Substitute

SUBJECT: Resolution accepting the proposal submitted by Isaac Malone, doing business as Best Choice Mechanicals, to purchase the City-owned vacant lot at 4709 North Hopkins Street, in the 7th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, Department of City Development

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Offer to Purchase	0001-334106		\$500 (less sale expenses & a 30% disposition cost reimbursement to RACM)	
<b>TOTALS</b>				\$500	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE







## Legislation Details (With Text)

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**File #:** 091494      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution to facilitate housing development in the Metcalfe Park and North Division neighborhoods by authorizing the sale of approximately 40 City-owned vacant lots to Gorman & Company, Inc., in the 15th Aldermanic District.

**Sponsors:** ALD. HINES JR.

**Indexes:** CITY PROPERTY, HOUSING, PROPERTY SALES

**Attachments:** Land Disposition Report, Fiscal Analysis, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091494

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. HINES

**Title**

Resolution to facilitate housing development in the Metcalfe Park and North Division neighborhoods by authorizing the sale of approximately 40 City-owned vacant lots to Gorman & Company, Inc., in the 15th Aldermanic District.

**Analysis**

This resolution authorizes the sale of Neighborhood Property according to the conditions in a Land Disposition Report pursuant to Section 304-49-7, Milwaukee Code of Ordinances.

**Body**

Whereas, Gorman & Company, Inc. ("Gorman") has proposed to develop single-family, scattered site housing in the Metcalfe Park and North Division neighborhoods by constructing rental homes using federal affordable housing tax credits as summarized in a Land Disposition Report, a copy of which is attached to this Common Council File; and

Whereas, Gorman has offered to purchase approximately 40 City-owned vacant lots in the two target areas bounded by North 27th to North 30th Streets and West Meinecke Avenue to West Center Street and bounded by North 8th to North 11th Streets and West Center Street to West Locust Street; and

Whereas, After the expiration of the federally required rental period, the homes will be sold to the residents for homeownership; and

Whereas, Section 304-49-7 of the Milwaukee Code of Ordinances allows the City of Milwaukee ("City") to accept unsolicited offers to purchase property when the City receives fair compensation, whether monetary or non-monetary; and

Whereas, Sale of these lots will allow Gorman to provide affordable rental housing with a commitment for future homeownership to qualified households and will provide the City with fair compensation through additional tax base and housing opportunities; and

Whereas, The Department of City Development ("DCD") has reviewed the offer and the development proposal and has determined that the proposed price and development represents fair compensation to the City considering the offering price and investment in the neighborhood; and

Whereas, DCD recommends sale of these lots with closing contingent on DCD approval of final site and building plans; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the offer to purchase submitted by Gorman & Company, Inc. for approximately 40 City-owned vacant lots in the target areas stated herein is accepted; and, be it

Further Resolved, That the Commissioner of DCD or designee is authorized to execute an Offer, Option to Purchase, Agreement for Sale, release any deed restrictions that inhibit development and execute other legal documents on behalf of the City and to close the transaction according to the terms of the Land Disposition Report; and, be it

Further Resolved, That in the event additional City-owned vacant lots in the target areas become available through tax foreclosure, by City demolition of existing improved property or by termination of existing offers to purchase, the Commissioner of DCD is authorized to amend the Option to Purchase with Gorman to included these properties for

this project upon the consent of the local member of the Common Council; and, be it

Further Resolved, That the sale proceeds shall be credited to the Reserve For Tax Deficit Fund Account No. 0001-334106.

**Drafter**

DCD/Real Estate

YSL:ysl

03/02/10/D

**LAND DISPOSITION REPORT**  
**COMMON COUNCIL OF THE CITY OF MILWAUKEE**

**RESPONSIBLE STAFF**

Yves LaPierre, Real Estate Section (286-5762)

**PROPOSED ACTIVITY**

Authorize an Option to Purchase with Gorman Company for the construction of up to 40, lease-to-own, affordable housing units. The new homes will be constructed on infill sites in the Metcalfe Park and North Division neighborhoods.

**BUYER**

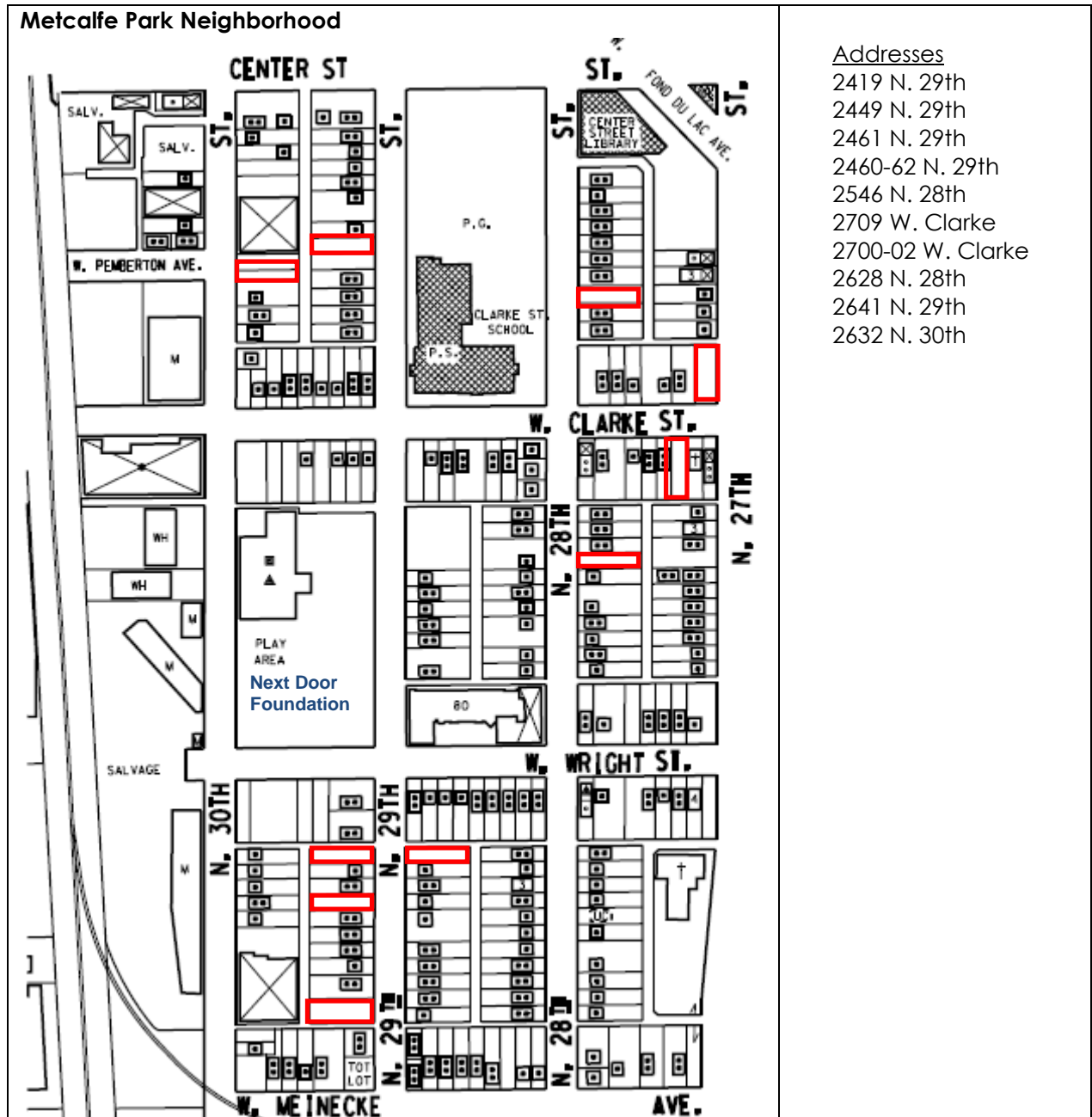
Gorman Company, a Madison-based developer that specializes in developing affordable housing. Gorman completed 30 units of lease-to-own homes in Metcalfe Park in 2008. Gorman's other Milwaukee projects include the Pabst Blue Ribbon Lofts, Kunzelman Esser Lofts, The Majestic and Historic Fifth Ward Lofts. The Milwaukee Urban League and The Next Door Foundation are Gorman's community partners.

North Division Neighborhood		
<p><u>Addresses</u>            2741 N. 8th            2745 N. 8th            2751 N. 8th            2757 N. 8th            2761 N. 8th            2728 N. 9th            2732 N. 9th            2752 N. 9th            2756 N. 9th            1039 W. Hadley</p>	<p>1029 W. Hadley            2736 N. 11th            2738-40 N. 11th            2744 N. 11th            2735 N. 11th            2739 N. 11th            2743 N. 11th            2747 N. 11th            2807 N. 11th            2811 N. 11th            2813-15 N. 11th</p>	<p>2819 N. 11th            2821 N. 11th            2825 N. 11th            2847 N. 10th            2851 N. 10th            2855 N. 10th            2858-60 N. 10th            2862-64 N. 10th            2866-68 N. 10th            2872 N. 10th</p>

**PROPERTIES**

Development will be focused in two neighborhoods. In Metcalfe Park, 10 proposed building sites will complement past home construction in the neighborhood and will be clustered around The Next Door Foundation's facilities. In the North Division neighborhood, 30 proposed building sites will be clustered in the area bounded by 8th to 11th Streets and Center to Locust Streets.

The final mix of building sites in each neighborhood may shift based on the availability of building sites. If any lots are determined to be infeasible for construction as Gorman prepares building plans or certified survey maps or additional lots become City-owned, the Commissioner of DCD may substitute a similar lot in the target areas upon approval from the local alderperson.



**PROJECT DESCRIPTION**

The Lease-to-Own Homes project will consist of up to 40 single-family units, one to two stories and ranging from 1,300 to 1,600 square feet in size. Units will have a mix of three and four bedrooms and incorporate universal design standards. The target market is households with incomes that are 50% to 60% of the County Median Income. After the 15-year tax credit compliance period, the homes will be sold to tenants that have built up the needed equity through the rental payments. Total project costs are estimated at \$6,385,499.

**OFFER TERMS & CONDITIONS**

The purchase price will be \$1.00 per City lot and conveyance will be on an "as is" basis. A purchase and sale agreement shall be drafted by the City Attorney. A \$2,000 performance deposit will be submitted at closing and shall be held until satisfactory completion of the project. All sale proceeds shall be deposited in the Reserve For Tax Deficit Fund. Final building and site plans must be approved by the Department of City Development.

The total option period is for two years so as to allow multiple applications for WHEDA tax credits in the event the project does not receive a 2010 allocation. The base option is until March 31, 2010, to allow the Redeveloper time to submit an application to WHEDA for the federal housing tax credits. When the Buyer submits the application, the option will be automatically extended four months, or until WHEDA makes its initial allocation of tax credits. Upon award of the tax credit allocation, the option is automatically extended until December 31, 2010. If the Buyer requires additional time beyond December 31st to obtain financing or final plans, the Commissioner of DCD may extend the option for a six-month period upon submission of a \$500 non-refundable renewal fee and satisfactory progress report on the project. If the project does not receive a 2010 allocation, the Commissioner may renew the base option until 2011 to allow a second WHEDA application. If the Buyer fails to make any required submissions to WHEDA, the option may be cancelled immediately by the Commissioner.

**LEGISLATIVE REFERENCE BUREAU FISCAL ANALYSIS**

**ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE**

**MARCH 19, 2010**

**Item 4, File #091494**

File Number 091494 is a resolution authorizing the sale of approximately 40 City-owned vacant lots in the Metcalfe Park and North Division neighborhoods to Gorman & Company, Inc., for development of scattered-site, single-family rent-to-own housing

**Background**

1. Gorman & Co., Inc., is an Oregon, WI-based developer of residential and mixed-use projects with considerable experience in the Milwaukee market. Gorman specializes in urban infill housing and in adaptive re-use of existing structures using public/private financial partnerships, including state and federal tax credits for historic preservation and affordable housing. Examples of Milwaukee projects completed by Gorman include the Majestic (renovation of historic 14-story building on Wisconsin Avenue into 135 apartments), Historic Fifth Ward Lofts (conversion of a 5-story former warehouse at 133 W. Oregon Street into 98 apartments) and the Metcalfe Park Owner Initiative (a scattered-site development of 30 rent-to-own single-family homes in the area near 35<sup>th</sup> and North).
2. Gorman & Co., Inc., has submitted an unsolicited offer to purchase approximately 40 City-owned vacant lots in two areas on the Near North Side: Metcalfe Park (bounded by 27<sup>th</sup> and 30<sup>th</sup> Streets, Meinecke Avenue and Center Street) and North Division (bounded by 8<sup>th</sup>, 11<sup>th</sup>, Center and Locust Streets). The proposed sale price is \$1 per lot.
3. Gorman has proposed the construction of rent-to-own single-family homes on the lots in question. The project would be financed in part with federal affordable housing tax credits. Federal regulations require that the homes be rented out for a period of 15 years, after which they are to be sold to residents for homeownership.

**Discussion**

1. This resolution accepts Gorman & Co.'s unsolicited offer to purchase approximately 40 vacant, City-owned lots in the Metcalfe Park and North Division neighborhoods for \$1 apiece. It further authorizes the Commissioner of City Development to execute the necessary sale documents, including any deed restrictions and releases of those restrictions, and to close the sale transaction in accordance with the land disposition report attached to the file.
2. The sale of these lots will be contingent upon Department of City Development approval of the final site and building plans for the individual homes.

3. Although the lots are being sold for only \$1 each, the City’s surplus property disposition ordinance provides that sales “may be to designated persons or entities for adequate fair market consideration, which consideration may recognize monetary as well as nonmonetary consideration,” including but not limited to “public policy consideration s of property and neighborhood stabilization, health, safety and welfare concerns, future improvements to or development or remediation of the parcel, returning the parcel to the tax rolls, and promoting home ownership” (s. 304-49-4 and 7 of the Code of Ordinances). Gorman’s purchase and development of these lots will serve to stabilize neighborhoods that have been challenged by numerous vacant and/or blighted properties. The development of privately-owned rent-to-own housing will also return these parcels to the tax rolls and, ultimately, increase home ownership in the Metcalfe Park and North Division neighborhoods.
4. This resolution also provides that, in the event that additional City-owned vacant lots in the two target neighborhoods become available for development, the Commissioner of City Development is authorized to amend Gorman & Co.’s offer to purchase to include those lots for this housing development project, subject to the consent of the local Common Council member.

**Fiscal Impact**

1. Adoption of this resolution will have a negligible direct fiscal impact on the City – total revenue of approximately \$40.
2. In the long term, as homes are constructed and properties returned to the tax rolls, the Gorman project will result in considerable additional tax revenues for the City each year. Existing similar homes in the Metcalfe Park Owner Initiative are generating about \$435 each in annual City property tax revenues.

Prepared by: Jeff Osterman, X2262  
LRB-Research & Analysis Section  
March 15, 2010

cc: Rocky Marcoux  
Martha Brown  
Yves LaPierre  
Joe’Mar Hooper



# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 03/02/10

FILE NUMBER: \_\_\_\_\_

Original Fiscal Note  Substitute

SUBJECT: Resolution to facilitate housing development in the Metcalfe Park and North Division neighborhoods by authorizing the sale of approximately 40 City-owned vacant lots to Gorman & Company, Inc., in the 15th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, Department of City Development

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	City-owned vacant lot sales	0001-334106		\$1.00 for each lot sold	
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:


H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:


PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





## Legislation Details (With Text)

**File #:** 091516      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution approving a letter of intent and lease between Talgo, Inc. and the Redevelopment Authority of the City of Milwaukee for part of 3533 North 27th Street and part of 3424 North 27th Street, in the 7th Aldermanic District.

**Sponsors:** ALD. WADE

**Indexes:** AGREEMENTS, LEASES, RAILROADS, REDEVELOPMENT, REDEVELOPMENT AUTHORITY

**Attachments:** Lease Report as of 3-16-10, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/17/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

091516

Version

SUBSTITUTE 1

Reference

050190, 090325, 090454

Sponsor

ALD. WADE

Title

Substitute resolution approving a letter of intent and lease between Talgo, Inc. and the Redevelopment Authority of the City of Milwaukee for part of 3533 North 27th Street and part of 3424 North 27th Street, in the 7th Aldermanic District.

Analysis

**This substitute resolution approves a letter of intent and lease between Talgo, Inc. and RACM for part of the Century City parcel.**

Body

Whereas, The Redevelopment Authority of the City of Milwaukee ("RACM") acquired from Milwaukee Industrial Trade Center, LLC ("MITC") on December 15, 2009, roughly 84 acres of land, called Century City, due to the parcels' inclusion in a RACM Redevelopment Plan project area known as Century City (the RACM Century City Plan was approved by Common Council File No. 050190); and

Whereas, RACM's acquisition from MITC was authorized by Common Council File No. 090454, which resolution directed RACM, following acquisition of the parcels, to demolish improvements, as needed, to conduct environmental remediation, and to redevelop the site for industrial use to expand job opportunities in the 30th Street Industrial Corridor; and

Whereas, Among the parcels that RACM acquired from MITC are 3533 North 27th Street and 3424 North 27th Street; and

Whereas, The Common Council, by File No. 090325, also approved creation of TID No. 74 and the TID Project Plan, therefore, and in furtherance thereof, the City of Milwaukee and RACM entered into a Cooperation Agreement; and

Whereas, Talgo, Inc. ("Talgo"), an entity that assembles and produces high-speed trainsets, in a search for a suitable site for trainset assembly, selected the Century City site, as the location, and after discussions with RACM, Talgo and RACM entered into a March 2, 2010 Letter of Intent ("LOI") calling for RACM remediation, RACM build-out, and RACM and Talgo to enter into a lease for a part of the 3533 North 27th Street parcel and a part of the 3424 North 27th Street parcel (the "Covered Area"); and

Whereas, RACM, by resolution, approved the LOI and the Lease Report, a copy of which is attached to this Common Council File, and authorized, contingent on Common Council approval, RACM's entry into a lease in furtherance of the LOI and, as contemplated thereby, RACM taking appropriate actions under and in furtherance of the lease; and

Whereas, The Talgo operations will provide jobs and economic growth and stimulus and will improve the area, thereby furthering the RACM Plan and blight removal and elimination efforts; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Lease Report and LOI are approved and that RACM, in consultation and cooperation with the City Attorney's Office, is authorized to prepare, negotiate, and enter into a lease with Talgo, as contemplated and required by the LOI, which lease shall follow the basic parameters of the LOI, which the Common Council recognizes calls for an option to purchase, and to take all actions contemplated and required under the LOI and lease, including remediation and improvement.

Drafter

DCD:DM:dm

03/16/10

## LEASE REPORT

### LEASE OF PART OF 3533 NORTH 27<sup>TH</sup> STREET AND PART OF 3424 NORTH 27<sup>TH</sup> STREET REDEVELOPMENT AUTHORITY OF THE CITY OF MILWAUKEE

#### DATE

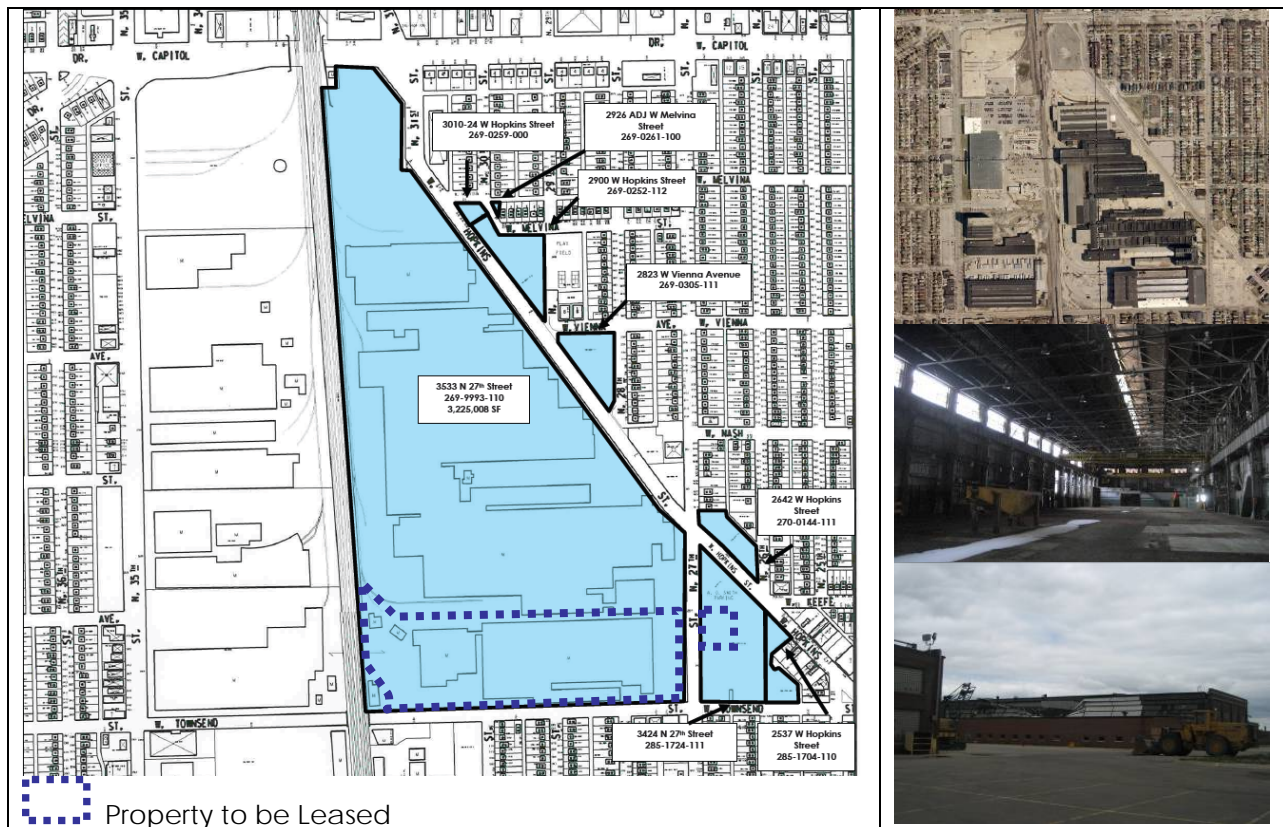
March 18, 2010

#### RESPONSIBLE STAFF

Benji Timm (414-286-5756)

#### PROPERTY HISTORY AND LOCATION

3533 North 27<sup>th</sup> Street and 3424 North 27<sup>th</sup> Street: two component parcels of the 84-acre Century City site that RACM acquired on December 15, 2009 from Milwaukee Industrial Trade Center, LLC, which site was the former Tower Automotive Site, and before that the former A.O. Smith Site. The Site has a long history of industrial use in the City. Unfortunately, the Site in recent times fell into disrepair, underutilization, and blight.



The Site is within the Century City Redevelopment Plan, dated June 14, 2005, and TID 74 approved September 1, 2009.

#### LESSEE

Talgo, Inc. ("Talgo"), an assembler of high-speed, articulated trainsets, has a contract with the State of Wisconsin Department of Transportation ("DOT"), and Talgo wishes to use a part of 3533 North 27<sup>th</sup> Street and a part of 3424 North 27<sup>th</sup> Street (the "Covered Area") for its operations producing and assembling trainsets, including those it will assemble and sell to DOT.

**COVERED AREA**

The Covered Area is comprised of roughly 14.8 acres at 3533 North 27<sup>th</sup> Street and roughly 2 acres at 3424 North 27<sup>th</sup> Street as depicted above. The area at the 3424 North 27<sup>th</sup> Street parcel will be used for vehicular parking. The area at the 3533 North 27<sup>th</sup> Street parcel will include Talgo's use of Building 36 as well as exterior space for Talgo's trainset assembly and maintenance operations, and will include rail-spur access.

**LEASE TERMS AND CONDITIONS**

The lease terms and conditions will follow, in material manner, the provisions of the March 2, 2010 Letter of Intent ("LOI") between RACM and Talgo, which will require Talgo to pay rent at \$2.59 per year per square foot for about 133,000 SF of Building 36 interior space, with Talgo having the right, as spelled out in the LOI, to use other areas of Building 36 (including flex space primarily for storage and warehousing not for work stations or maintenance services). Talgo will also have a right of first refusal to rent other space in Building 36 along with the right to expand the roughly 133,000 SF area which expansion, or add-on square footage, Talgo would also have to pay rent on.

The initial term of the lease will be 2 to 4 years, depending on whether Talgo is able to obtain binding purchase agreements (with parties other than the Wisconsin DOT) for assembly of at least 18 trainsets at the site by September 30, 2011. In any event, Talgo will have 2 options of 5 years each to extend the lease term, with rent adjustment in any extended term being adjusted upward based on the CPI.

The LOI requires RACM to build-out improvements to the Covered Area by July 1, 2010, with the exception that exterior rail improvements by RACM may be completed by August 1, 2010. RACM must complete the improvements on time or face risk of liability to Talgo as spelled out in the LOI.

In addition, RACM is responsible for environmental remediation of pre-existing conditions at the site.

Talgo will also have an option to purchase the Covered Area during the term of the lease at fair market value, to be determined by appraisal to be performed by an appraiser jointly selected by RACM and Talgo, with the cost of appraisal being split between Talgo and RACM.

**FUTURE ACTIONS**

RACM is arranging for undertaking and completion of remediation and improvements as required by the LOI, and RACM, in consultation with the City Attorney's Office, is preparing a lease based upon the LOI terms and conditions. Upon approval of this Report and transaction by RACM, approval by the Common Council will be sought.

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 03/16/10

FILE NUMBER: 091516

Original Fiscal Note  Substitute

SUBJECT: Substitute resolution approving a letter of intent and lease between Talgo, Inc. and the Redevelopment Authority of the City of Milwaukee for part of 3533 North 27th Street and part of 3424 North 27th Street, in the 7th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, DCD

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:				\$346,000 rent per year plus utilities, certain maintenance expenses and insurance	
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE







## Legislation Details (With Text)

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**File #:** 091515      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 3/2/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution approving the Land Disposition Report for part of a Redevelopment Authority property in the Menomonee Valley Industrial Center for sale to Ingeteam, Inc. for development of an office and manufacturing facility, in the 8th Aldermanic District.

**Sponsors:** ALD. DONOVAN

**Indexes:** LAND DISPOSITION REPORTS, MENOMONEE RIVER VALLEY, REDEVELOPMENT AUTHORITY

**Attachments:** Land Disposition Report, Term Sheet as of 3-16-10, Term Sheet Exhibit A, Term Sheet Exhibit B, Term Sheet Exhibit C, Term Sheet Exhibit D, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
3/2/2010	0	COMMON COUNCIL	ASSIGNED TO		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/17/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number  
091515  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
ALD. DONOVAN

Title  
Substitute resolution approving the Land Disposition Report for part of a Redevelopment Authority property in the Menomonee Valley Industrial Center for sale to Ingeteam, Inc. for development of an office and manufacturing facility, in the 8th Aldermanic District.  
Analysis

This substitute resolution will permit the Redevelopment Authority to convey said land according to the conditions in the Land Disposition Report.

Body  
Whereas, The Redevelopment Authority of the City of Milwaukee ("Authority") has been preparing the Menomonee Valley for industrial development by conducting activities such as environmental remediation, flood mitigation, geotechnical improvements, road construction, surveys and subdivision plat preparation as part of the Menomonee Valley Industrial Center; and

Whereas, Ingeteam, Inc. has offered to purchase an approximately 8.1-acre portion of the site lying North and West of Canal Street and South of Milwaukee Road for development of a manufacturing facility and offices for Ingeteam, Inc.; and

Whereas, On March 18, 2010, the Authority held a Public Hearing on the proposed land sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Land Disposition Report dated March 18, 2010, with respect to the proposed sale of the following property, is approved.

REDEVELOPMENT PROJECT AREA

Milwaukee Road Shops

PARCEL ADDRESS

Milwaukee Road

REDEVELOPER

Ingeteam, Inc.

; and, be it

Further Resolved, That the proper City officials are authorized to execute an Emerging Business Enterprises Agreement with the Redeveloper and the Authority and any other City of Milwaukee easements or documents necessary to close the transaction.

Drafter  
DCD-Redevelopment Authority  
DPM:dpm  
03/16/10

**LAND DISPOSITION REPORT  
REDEVELOPMENT AUTHORITY  
COMMON COUNCIL OF THE CITY OF MILWAUKEE**

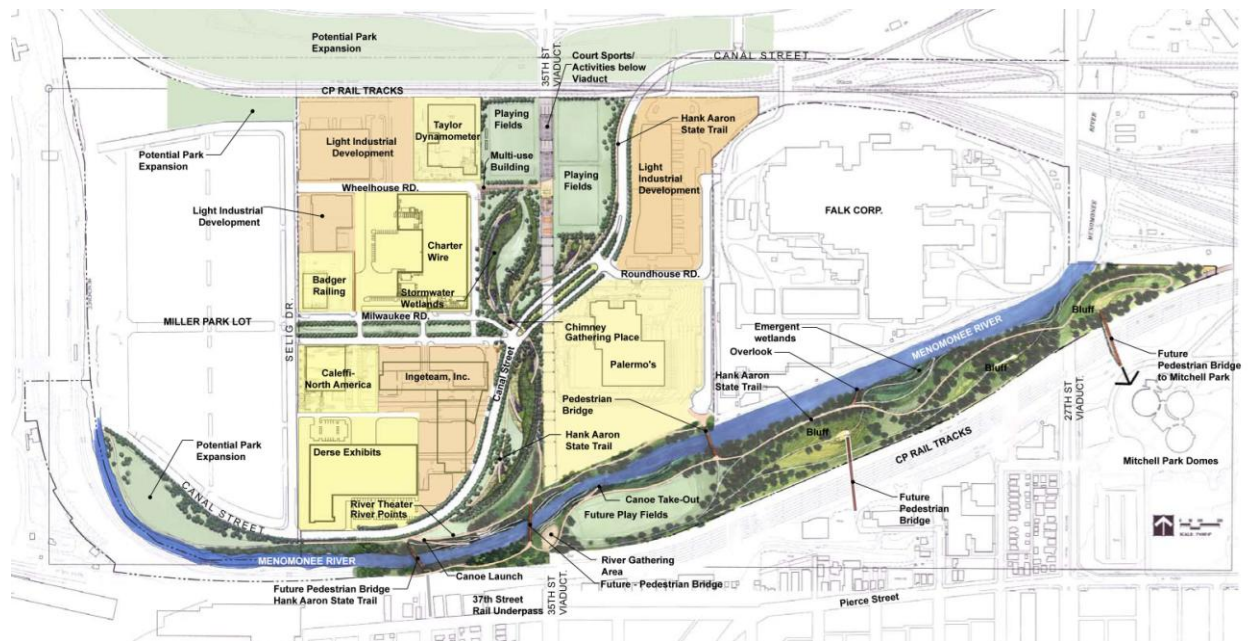
**DATE:** March 18, 2010

**RESPONSIBLE STAFF**

Dave Misky (286-8682), Assistant Executive Director - RACM

**REDEVELOPMENT PROJECT AREA**

Menomonee Valley Industrial Center (MVIC): The Redevelopment Authority acquired approximately 130 acres in the Menomonee Valley in July 2003 from CMC Heartland Partners. Since acquisition, the Authority has been preparing the area for redevelopment by conducting environmental remediation, removing old building foundations and making geotechnical improvements, adding and compacting fill to raise the property out of the flood plain and conducting property surveys. Extension of West Canal Street through the project area was completed in April 2006. Since then, Palermo's, Badger Railing, Caleffi International, Taylor Dynamometer, Derse, Inc., and Charter Wire have moved to the MVIC.



**REDEVELOPER**

Redeveloper is Ingeteam, Inc. from Bilbao, Spain. Ingeteam will construct its corporate office and manufacturing facility and will be the company's first manufacturing facility of wind turbines in the United States. Ingeteam has agreed in principal with MSI General for architectural and construction services and to apply the Valley Guidelines. MSI performed the same services for Badger Railing, Taylor Dynamometer, and Charter Wire.

**PROJECT DESCRIPTION**

Approximately 8.1 acres located west of W. Canal Street and south of W. Milwaukee Road. The exact area and configuration will be determined during preparation of a Certified Survey Map. The site will be developed with an 114,000 SF (+/-) manufacturing facility, warehouse and offices for Ingeteam/Indar but with expansion plans up to 157,000 square feet. Estimated project cost is \$17.5 million and the Redeveloper will be required to enter into an Emerging Business Enterprise

Agreement. Redeveloper plans to begin construction in 2010 for December 2010 occupancy.

Ingeteam, Inc. would employ 50 to 60 full-time employees in Milwaukee in 2010 and has plans to expand in the Valley to employ up to 275 people by year 2015. Hourly wages average \$16.50/hr. Benefits include medical, life, and 401 (k).



**Preliminary Rendering**

#### **OPTION AGREEMENT TERMS AND CONDITIONS**

The purchase price shall be \$120,000 per acre. The Redevelopment Authority will provide the Redeveloper reasonable access to the property so that it can complete its environmental and geotechnical investigations. Further, the Redevelopment Authority will provide the Redeveloper with the Disclosure Material (as defined in the Term Sheet). A \$5,000 Earnest Money Deposit Fee is required to be submitted with execution of the Agreement for Sale of Land and shall be credited toward the purchase price at closing. In addition, a \$10,000 Performance Deposit will also be required at closing to guarantee satisfactory completion of the improvements.

Additional terms and conditions are identified in the attached Term Sheet.

#### **PAST ACTIONS**

The Redevelopment Authority held a public hearing on March 18, 2010, after which it conditionally approved sale to the Redeveloper.

#### **FUTURE ACTIONS**

Upon approval by the Common Council and any required approvals by regulatory bodies, and after entry into the Agreement, RACM's Closing will be conditioned on RACM staff approving the site and building plans, satisfactory evidence of buyer financing, and receipt of an approved and complete subdivision plat and/or certified survey map of the site.

**RACM / INGETEAM, INC.**  
**TERM SHEET**  
**FOR ACQUISITION OF LAND**  
**IN MENOMONEE VALLEY INDUSTRIAL CENTER**

**Property:** Approximately 8.1 acres located in the RACM Menomonee Valley Industrial Center (the “Center”) consisting of all of the unsold land lying North and West of Canal Street and South of Milwaukee Road, as the same is identified on Exhibit A attached hereto (the “Property”). The actual acreage is to be confirmed by a survey.

**Purchase Price:** \$120,000 per acre, payable in cash at closing.

**Closing:** Closing shall occur on or before April 15, 2010, or as mutually agreed.

**Property Condition:** RACM has completed installation of all public streets and an alley, sewer, water and other public infrastructure serving the Property. A sidewalk along Canal Street must be installed, at public expense. RACM shall complete all filling, grading, surcharging, environmental remediation and other site preparation at the Property pursuant to the specifications described in Exhibit B attached hereto. RACM shall be responsible for obtaining case closure from the WDNR. All of the foregoing work shall be at RACM’s cost and expense. RACM shall indemnify Ingeteam from and against any claims relating to adverse environmental conditions existing on or prior to closing. Ingeteam shall provide RACM with reasonable access to the Property after closing to accommodate case closure requirements, such as installation and testing of monitoring wells. RACM shall allow Ingeteam to dispose of any fill from the Property at any vacant location in the Center without paying any tipping fees.

**Project:** Ingeteam shall construct and occupy a new office, manufacturing and warehouse facility on the Property of approximately 114,000 square feet, with associated parking and landscaping facilities, as more further described on the attached Exhibit C (the “Project”). Ingeteam anticipates completion of construction of the Project within 12 months of closing.

**Design Guidelines:** Ingeteam shall develop and operate the Project in compliance with the design guidelines attached hereto as Exhibit D. These design guidelines have been incorporated into a Redevelopment Plan approved by RACM and the City of Milwaukee which include the Property and other lands developed in the Center.

**Human Resources:** Ingeteam shall utilize Emerging Business Enterprises (as such term is defined in the Milwaukee Code of Ordinances) for of the construction cost in development of the Project and shall enter into an Emerging Business Enterprise Agreement to evidence and memorialize same.

**Stormwater Maintenance:** As part of the overall development of the Center, RACM is installing a master stormwater management system (the “Stormwater System”) that will serve the Property and other parcels within the Center. The cost of installation of the Stormwater System is included in the purchase price. Subsequent to closing, Ingeteam shall be obligated to pay

RACM, or a property owner's association for the Center, Ingeteam's pro rata share of the cost of operating and maintaining the Stormwater System.

**Subsequent Documentation:** RACM and Ingeteam shall enter into an agreement for sale of land containing RACM's customary provisions with respect to the conveyance of the Property and consistent with the provisions of this term sheet. The conveyance shall be subject to customary permitted encumbrances such as utility, access, stormwater, and other easements. The Property and Project shall be subject to the provisions of the Redevelopment Plan.

1089-2009-3434:153317

Exhibit A

Description of the Property



Exhibit B

Site Preparation

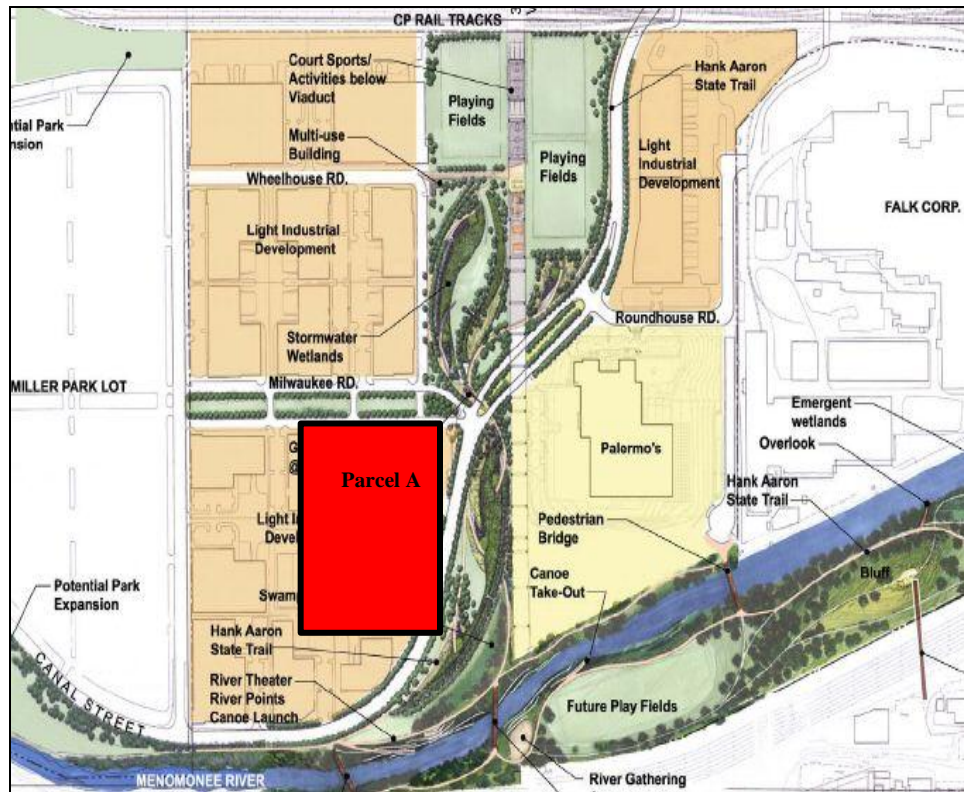
## Exhibit C

### Description of Project

## Exhibit D

### Design Guidelines

# Exhibit A Proposed Location of Ingeteam, Inc.



**City of Milwaukee Commitments  
to  
Stormwater Management, Environmental Remediation and  
Geotechnical Improvements  
for the  
Shops Property  
March 2006**

The City of Milwaukee is redeveloping the former Shops area (Site) into about 70 acres of light industrial space and another 30 acres of greenspace for stormwater management / recreational use. The greenspace will be used for both active and passive recreation.

The Site is a former heavy industrial site (i.e., rail yard) that was originally built in the estuary of the Menomonee River. As such, there are issues with floodwater/stormwater management, environmental contamination, and soil conditions. The City is making extensive investments in addressing those issues during the redevelopment process. This memorandum summarizes the commitments that the City is making to stormwater management, environmental remediation, and geotechnical improvements to the Site. By providing this summary, the City hopes to provide important Site background information to prospective developers.

**Stormwater/Floodwater Management**

Integral to the overall redevelopment of the Site is an approximately 30-acre area of greenspace known as the “Stormwater Park”. The Stormwater Park includes the area dedicated to future soccer fields, walking trails, and a central stormwater management area for the 70 acres of industrial land use. The handling and treating of stormwater is an integral part of the overall greenspace design. Stormwater will not be treated through a conventional detention pond, but rather a series of filtering processes that are part of the Park’s landscape. This approach should meet both water quality and quantity requirements by which all new development needs to comply. Thus, developers are not required to dedicate their own space for stormwater management or construct a site-specific stormwater facility.

The City will:

- Build the stormwater park, including the stormwater treatment component.
- Obtain initial permits from the WDNR.
- Install the storm sewers along public streets/alleys for drainage from future development sites.

The responsibilities of future developers will be to:

- Provide the drainage infrastructure for their properties to public storm sewers.
- Obtain an individual permit from the WDNR to connect to this regional facility.
- In addition, the City would like to encourage good onsite stormwater management practices that further reduce pollutant runoff and will thereby extend the life of the stormwater treatment facility.

The Stormwater Park – both the recreational and stormwater treatment aspects – will be managed by the City or a public/private partnership. A typical declaration for business parks will be developed through which annual fees will be assessed to property owners for the maintenance of the stormwater treatment systems. Thus property owners will contribute to the maintenance costs but will not have direct responsibility for maintenance of the stormwater facility.

The Site is currently in the regulated flood plain and is listed as a flood fringe area. Because the Site will be raised as part of filling, the Site will be removed from the regulated flood plain. The City will eventually work through FEMA to develop new flood plain maps.

### **Environmental Remediation**

The City is making significant investments to address environmental issues at the Shops. The general remediation approach consists of placing several feet of soil over the existing contaminated soil and monitoring groundwater long-term. Free product will be recovered in a very limited area. “Hot spots” of soil have been removed. The goal of the City is to achieve an NR 726 flexible closure for the Site. Thus future property owners will not be required to manage environmental closure of their sites.

The City will:

- Undertake soil and free product management required for WDNR closure.
- Perform long-term groundwater monitoring associated with closure
- Convey the property to the developer with the assurance that the property is or will be closed.
- Provide an onsite placement area for impacted soil that is excavated as part of future developments.

Future developers will have some responsibilities to comply with site closure requirements. These are:

- Provide long-term right-of-entry agreements to the City so that they can access monitoring wells for groundwater sampling. The wells will be located at locations mutually agreeable to the developers and the City. Wherever possible, monitoring wells will be located on public right of way.
- Agree to maintain the 2-foot clean soil cover (or acceptable equivalent)– either through the final design of the landscaping, building, or parking areas.
- Acknowledge that soil generated during the excavation of building foundations, utilities, truck docks or other structures may need special handling and placement. The handling, transport, and placement of those soils to an onsite placement area are a developer responsibility. The City will provide an onsite placement location. The developer will not have long-term responsibility for those soils relocated onsite but are only responsible for their relocation.

In addition, methane generation is a potential issue across the entire Valley. Many new buildings constructed during the past decade in the Valley included passive methane/soil gas management systems. The need for methane abatement is very site specific. Developers will need to assess their own needs for a methane gas management system.

## **Geotechnical Requirements**

The City has completed a geotechnical engineering site feasibility study of the Site. The study indicates that a variety of geotechnical conditions could affect future building design. These conditions include:

- A layer of organic silts and soft clays that will pose the potential for settlement. The thickness of the organic silt layer varies across the Site.
- Relic floor slabs, sewers, and foundations from the Milwaukee Road facility and other developments.
- The addition of ten feet of compacted structural fill across the Site.

The City intends to address the existing soil conditions such that relatively lightweight, single story, industrial buildings can be built on shallow footings. Settlement sensitive equipment and process may require special foundations. Heavier or multi-story buildings would likely require piles. However, as with any site, it is emphasized that each potential owner will need to conduct their own comprehensive geotechnical exploration and site analysis to determine design characteristics for their planned development. The City has collected extensive data across the Site and will make all data available to prospective developers.

The City is addressing soil conditions by the following.

### Monitoring Long-term Settlement of the Organic Silt and Soft Clay Layer

- The City filled the Canal Street corridor in early 2004. As part of that effort, it is undertaking settlement monitoring associated with the additional roadway embankment soil loads. Most settlement of the underlying native organic silts and soft clays is expected to occur within the first year of filling. The roadway embankment monitoring results will be made available to the future owners. Again, each potential owner will have to conduct its own geotechnical evaluation and make its own determination of settlement potential, based on the Site specific soil conditions, expected building/structure loads and their settlement tolerance.
- Other settlement plates are being installed across the Site as various sections are filled. Settlement data will be collected during 2004 and 2005 and will be made available to developers.

### Addressing Relic Structures

- The former Milwaukee Road facility built a system of stormwater and process sewers to drain the Site. The City is making reasonable attempts to locate and abandon these structures. In particular, sewers more than 18-inches in diameter and less than 6-feet below existing ground surface are being abandoned. Sewers greater than 6-feet below grade will be left in place as is. After the additional fill is placed on the Site, these sewers will be at depths generally greater than 15 feet below the new ground surface.
- The existing building slabs and roads will be broken in place. Breaking the slabs will serve two purposes. First, it will help verify that there are no relic structures under the slabs. Second, if the developer deems necessary, it will allow piles to be pushed through the broken slabs in the future, if needed in areas conducive to piling. All known relic structures will be mapped and the location provided to the potential future owners. Some parts of the Site have had many known structures and others had very few known structures. The presence of buried structures will vary across the Site.

### Compaction of Additional Recent Fill Placed on the Site

- The development portion of the Site will be filled to a depth of about 10 feet. The City is treating this portion of the Site as an engineered fill Site. The City is only accepting material suitable for building pad construction as Site fill and the fill will be compacted and tested to at least 90% Modified Proctor value. Soil compaction results will be available for the developer to review.

The responsibilities of the developer will be to:

- Conduct its own geotechnical investigation, as required for any building project.
- Using the information provided by the City and other data it may choose to collect as part of its own investigation, design its own building foundations, floor slab and utilities consistent with the requirements of that particular building.



**Attachment B  
Shops Development Site  
Geotechnical Limitations**

The redevelopment of this 100-acre Site for industrial/commercial use is the focus of this technical memorandum. The Redevelopment Authority of the City of Milwaukee has a goal of entering into developer agreements as soon as the Site is filled to final grade in 2005/2006. There are a number of limitations that the City, and developers, should be aware of on this Site that will affect constructability depending on which portion of the Site is being considered.

**History--Summary**

The Site area was almost entirely used as a series of rail yards, with parallel sidings and main line tracks, maintenance shops for rolling stock, locomotive repair shops, roundhouses and ancillary buildings supporting these facilities. The Site was a former large marshy estuary associated with the Menomonee River that opened onto Lake Michigan. It was filled in, starting about 1875, beginning at about 44<sup>th</sup> Street and along the north bluff (present I-94 location), until about 1890.

**Subsurface Conditions—Summary**

The entire development area is thus underlain by organic clay and peat deposits of the marsh that are now buried under approximately 8 to 20 feet of mixed rubble, cinder, foundry sand and clay fill. Larger buildings in the CMC Shops area were founded on timber piles, and in some cases steel piles, driven through the fill and organics into the dense lake sands that underlie the entire Site. Bedrock ranges from approximately 30 to 80 feet below grade prior to filling depending on location. The groundwater table is approximately even with the Menomonee River that bounds the Site on the south and east, that is, about 6 to 8 feet below grade prior to filling. In summary, the large wetland marsh still exists, but it is entirely covered by the mixed fill.

**City Demolition Work—Summary**

The Site will have a major arterial road, West Canal Street, traversing it from NE to SW that is being built first, ahead of general Site preparation. This means the street will be on an elevated earthen embankment initially, that will be later filled against from both sides.

In 2004 and 2005, the entire Site was raised to create building pads, but also to bring the entire development Site above the 100-year floodplain elevation.

There are several hundred thousand square feet of concrete slabs remaining from the buildings. The slabs are generally about 6-inches to 12-inches thick. Slabs have been broken in place to a size of approximately 1-foot pieces. By breaking the slabs, the City was better able to determine the conditions around and under the slabs and where sub-surface structures exist. Concrete structures at or near the ground surface were demolished. Some of the former buildings had basements that were filled in with loose rubble when demolished in the years between 1993 and 2001. All known basements, utility vaults, and other sub-surface structures are being exposed

and mapped on record drawings. Where filled in with debris, these basements have been cleaned out and structurally backfilled with crushed stone and/or compacted fill. Removal of some of the larger utility lines crossing the Site was completed. Sewer pipes larger than 18-inch diameter located within 6 feet of pre-filling grade were excavated and crushed in place. Smaller diameter pipes were left in place as-is, if located within 6 feet of pre-filling grade. All pipes regardless of size were left in place if located below 6 feet of the pre-filling grade.

All relic structures could not be practically removed. Some footings, piles, and smaller diameter sewers remain. These relic structures may be underneath future building footprints, causing a potential for differential settlement of new buildings built over them. The existing fill lying between and around the relic structures remains in place. The existing fill was buried under new fill as discussed below.

### **Filling the Site**

The Site is in the process of being filled an average depth of ten feet. Compaction of new fill will be controlled by inspection and testing: Compaction to at least 90% Modified Proctor (ASTM D-1557) Density will be the minimum standard. This level of compaction should achieve an approximately 2,000 psf allowable bearing capacity within the fill mass. However, each potential owner should perform a geotechnical engineering exploration and analysis to determine design characteristics for their planned development and risk tolerance.

New fill over both these dissimilar elements will help spread out future foundation loads, but will not eliminate the potential for differential settlement. The greater the fill depth, the more these risks are reduced.

The addition of the new fill material placed over the relic structures and older fill will exert new downward pressures, re-starting, or accelerating settlement. The underlying native organic layers below these elements may experience some additional settlement also. It is difficult to predict how much settlement will occur and exactly where it will occur. Some Site areas will experience next to nothing, while others could settle up to 5 inches over ten years.

A way to better control the potential for settlement is to leave the new fill in place for 1 to 2 years and/or accelerate the settlement rate by using wick drains or drawdown wells on the future building sites. Settlement plates are being placed in the fill areas to monitor the rate and magnitude of new fill induced settlement.

### **Limitations for Development**

#### Deep Foundations—heavy building loads

Much of the Site will have limitations for the development of buildings requiring deep foundation support systems. In general, this will be any structure exceeding three stories, and any reinforced or precast concrete structure exceeding two stories. Many underground obstructions from residual foundations, piles, sewers, and structures remain, particularly in the northwest and

northeast quadrants of the Site. Historically, there were very few structures in the southeast corner of the Site and deep foundations can be considered in this area.

In addition to encountering obstructions due to pile driving or drilled shaft installations, the Site is underlain with environmentally-impacted soil. The Wisconsin Department of Natural Resources (WDNR) has restrictions to driving deep foundation units through such soils, because the units can become downward migration conduits for impacted groundwater that can contaminate deeper, clean, substrata.

#### Shallow Foundations—light building loads

The Site is not be restricted for light building loads that can economically be supported by spread footing systems. Despite rigorous field efforts to expose subsurface conditions, there will be voids under these footings from historic uses of the Site, particularly in the northwest portion of the Site. Site-specific designs for foundations, floor slabs, and utilities are expected to be more rigid than standard and need to be evaluated by each potential owners design team.

The mass Site-filling and grading was designed to surcharge the softer, natural subsoil underlying the Site. However, long-term settlement of the deeper organic clays may continue for many years, creating superficial cracking, or even structural distress to walls, floor slabs and utilities. The thickness of deeper organic clays varies across the Site. The organic soils are generally thicker in the northern half of the Site compared to the southern half. Again, long-term settlement potential will need to be addressed on a site-specific basis.

The amount of this residual settlement potential is on the order of 1 to 4 inches, and possibly more if the permanent water table is ever drawn down below present levels. This might happen as a result of low adjacent river levels, covering most of the Site with paved surfaces, or if organic soils above the water table continue to lose support by internal decay of their organic fractions.

The total amount of settlement that could be experienced is the sum of the above primary and secondary consolidation of the organic substrata and the primary consolidation of the new fill mass itself due to increased loads. Though the fill mass was subject to rigorous compactive effort and placement in thin lifts, some settlement, of up to approximately 1 inch, may occur within the fill mass itself several years after filling operations are completed. The sum of potential settlements at building pads could thus be on the order of 2 to 5 inches.

Further, because remaining building foundations were left in place in many areas, new buildings straddling these buried structures may experience some settlement in places and none at all in other, adjacent parts of new buildings or utility lines.

As a result, on a preliminary basis, maximum allowable soil bearing values in the compacted fills should not exceed 2,000 psf for footings placed in the upper 5 feet of the placed fill, and should not exceed 1,500 psf for footings placed from 5 to 8 feet into the newly-placed fill. Even with these low allowable bearing values, differential settlement exceeding 1 inch to 2 inches could occur between building columns spaced at 30 to 40 feet. Building structure types and exterior

walls, floor slabs and utilities should be designed with this amount of settlement potential considered.

An option for light building load construction would be to place buildings and foundations on floating-slab construction at final grade, supported by a free-draining bed of 12 to 16 inches of open-graded crushed gravel. Drainage and insulation to reduce frost heave needs to be considered with this type of system. This option would provide the most positive means of reducing differential settlement.

#### Loading Docks, Depressed Slabs, Basements

Loading docks typically are depressed 4 to 5 feet below finished grade floor elevations. By adding more fill to the entire Site at building pads, there will still be 4 to 5 feet of new, compacted soil under loading dock slabs. Drainage utility lines at loading docks may be deep enough to encounter obstructions in some areas of the Site, and developers should be aware of that possibility.

Basements are not recommended for any building pad on this project. Waterproofing would be required; impacted groundwater will be encountered during excavations; the strata at the bottom of basement excavations will be old, loosely-placed mixed rubble and clay, rather than the controlled, compacted upper new fill mass.

Elevator pits are not recommended for any building pad on this project, but may be a necessity for some building types. Pits should not extend deeper than 7 feet below final building pad grades, for the same reasons as above for restricting basement construction.

#### Utility Lines—New Construction

All underground new laterals from under buildings are expected to be placed in the new fill materials that will exist by the time building pads are ready for construction. These lines are expected to perform with a minimum of settlement deformation, except as noted above. Deep lines that will be placed more than 10 feet below grade will encounter obstructions that cannot be removed. These lines will also encounter groundwater that may, or may not, be contaminated, depending on the Site location.

#### Paved Areas and Parking Lots

There will be no restriction on the construction of on-grade pavements and parking lots associated with building pads other than to maintain a cover. Please note that the mass-grading fills will be clays with high frost-susceptibility. Their equivalent CBR-values for the mass-graded fill will generally exceed 5, meaning that soil support indexes will allow the design of both flexible and rigid pavement for truck traffic.

## Disclosure of Current Data

The City will make all geotechnical data from the Canal Street and Shops Sites available to any developer for review. The City will also make all compaction testing data on the mass fill/grading and documentation of all demolition work available. Known relic slabs, foundations and utility lines left in place will be documented and mapped; these maps will be made available to developers as well.

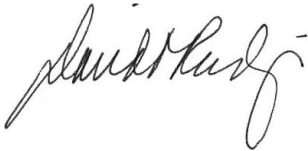
## Disclaimers

Even with fulltime inspection of demolition and compaction operations, neither Milwaukee Transportation Partners (MTP) nor the City of Milwaukee can guarantee that obstructions will not continue to exist below the newly-placed fill mass, or that settlement of up to 5 inches may not occur over a ten year period or longer at building pads. The Site is still fundamentally a filled-over marsh. Each potential owner must have a site specific geotechnical engineering exploration and analysis performed so that they can evaluate the cost and potential risk to their operation.

If greater assurances of settlement performance are needed for developers, then settlement monitoring and attendant observations should continue for 24 months after the mass filling is completed. The deeper the new fills are on this Site, the better the likelihood is that settlement will be more uniform and that it will occur earlier.

Any planned building construction should be accompanied by an independent geotechnical engineering exploration and analysis, as would be the case on any site. In fact, developer agreements should state specifically that the developer or builder is not relying exclusively on the City-supplied information, as the purpose of the City preliminary investigations was not to provide specific geotechnical design information for final design of a specific building, pavement, and associated utilities of any particular type or loading at any specific location.

Prepared by



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**WEST MILWAUKEE ROAD**

MAXIMUM AREA OF PHASE 2

FACTORY PARKING

FACTORY PARKING

SHADED AREA REPRESENTS  
MAXIMUM SIZE OF PHASE 1

**PROPOSED  
MACHINES FACTORY**

SCULPTURAL ELEMENT  
TO BE DETERMINE

DUMPSTER

PROPOSED OFFICE

OUTDOOR SEATING AREA

SECURITY FENCE

DUMPSTER

**PROPOSED  
CONVERTERS FACTORY**

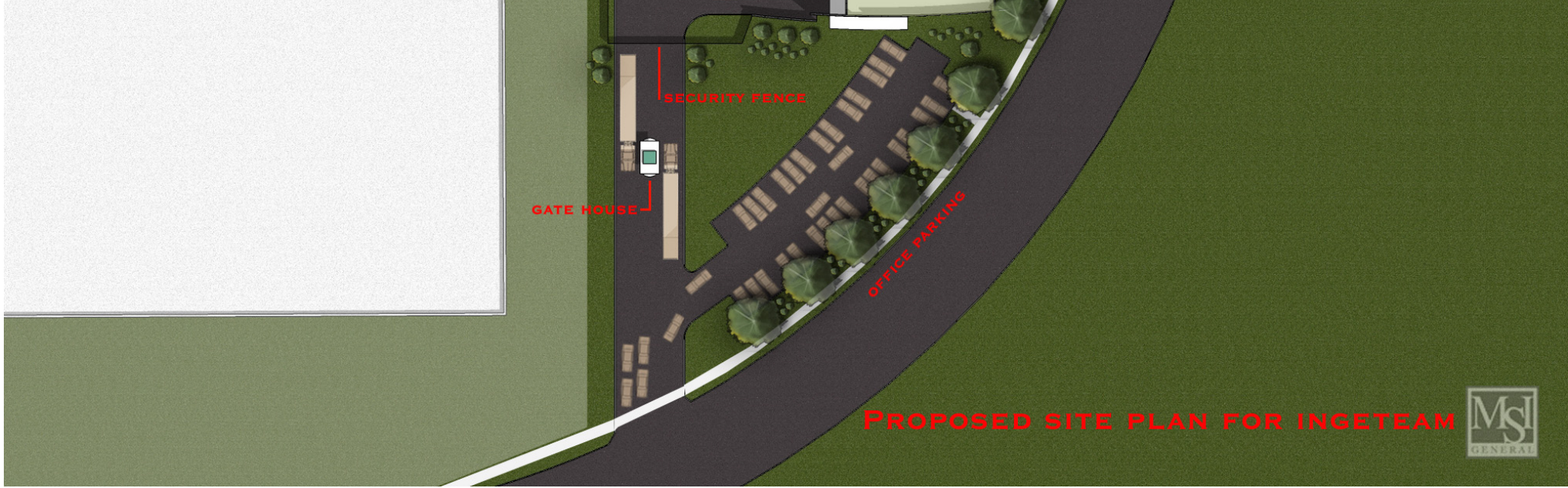
MAXIMUM AREA OF PHASE 2

SHADED AREA REPRESENTS  
MAXIMUM SIZE OF PHASE 1

GUEST PARKING

**WEST CANAL STREET**





**PROPOSED SITE PLAN FOR INGETEAM**



MENOMONEE VALLEY INDUSTRIAL CENTER

**Development Guidelines**

Redevelopment Authority of the City of Milwaukee (RACM)  
Milwaukee, WI

Prepared by:  
Department of City Development  
March 2006



Context or Planning Area	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Land Use of Plan Area and/or Context			
Principal Uses	Permitted, Special and Prohibited Land Uses are enumerated in Table 295-803-1 of the Milwaukee Code of Ordinances		Certain uses permitted in the City of Milwaukee IH zoning regulations have been further restricted in this renewal area. Please refer to the development objectives for the status of specific uses.
Accessory Uses	Accessory Uses are defined in Table 295-803-3 of the Milwaukee Code of Ordinances. Accessory Uses are not permitted to stand alone from the Principal Use of Land. Accessory Uses must be on the same parcel as the Principal Use.	Negative off-site effects should be considered in site selection and layout of specific parcels, especially when adjacent to public streets or differing land use categories.	
Outdoor Storage			No articles, goods, materials, finished or semi-finished products, incinerators or storage tanks shall be kept outdoors without written application to, and prior approval of, RACM.
Noise			Noise levels within a site activity in occupied areas on a Site shall produce a sound level that exceeds a maximum interior Noise Criteria of 35 db. No activity shall produce an exterior noise level that exceeds a reading of 50 db when measured at the property line.
Site Build-out		Parcel layout may accommodate area for future expansion, but should not contemplate additional space that does not have a specific purpose.	
Initial Site Build-Out			Building to Land Ratio. Initial build-out must achieve a ratio of total gross floor area to total lot area of at least 1:3.
Full Phase Build-Out			Building to Land Ratio. Build-out of all phases of a development must achieve of ratio of total gross floor area to total lot area of at least 2:3.
Street Hierarchy of Plan Area and/or Context			

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Street Hierarchy		<p>Within industrial parks, a street prioritization system shall address the hierarchy of streets. This order is Primary ("A"), Secondary ("B"), and Other ("C") streets. "A" streets require the highest degree of street wall build-out and street activation. Construction along "B" and "C" streets is encouraged to address design standards for "A" streets, but not required to do so.</p>	<p>The attached exhibit (Diagram 1) indicates the Street Classification System for the Menomonee Valley Industrial Center.</p>
Street Connectivity		<p>Enhance linkages to surrounding uses, especially public services and amenities.</p>	
<b>Overall Site Planning and Building Form</b>			
<b>General Provisions</b>			
Building Placement		<p>Design site and buildings to create a cohesive and inviting sense of place and fit within the larger context of the site.</p>	<p>Design sites to create and maintain cohesive "setting" for the Menomonee Valley Industrial Center.</p>
Massing/Scale		<p>Relate to the physical character and scale of the neighborhood and any adjacent buildings.</p>	<p>Create a pleasant, safe and productive environment for employees and visitors.</p>
Building Typology		<p>Ensure that the scale and design of new buildings are compatible with adjacent buildings.</p>	<p>Building forms are generally industrial buildings with attached or integral office space. No height restrictions.</p>
Building Orientation			<p>Where possible, use the industrial park's east-west orientation to align buildings to maximize daylighting benefits.</p>
Street Wall			<p>Buildings may not be constructed within 10 feet of any other property line. Side yards on the street sides of corner lots shall have no minimum required width.</p>

		Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
	Define Street Edges		Locate buildings and other street edge elements such as significant landscaping, architectural fencing, and architectural walls in a manner that defines street edges and corners.	Enhance street frontages to enhance the pedestrian experience.
	Corner Treatments		Incorporate special design features into buildings at street intersections and structures that form the corner of a group of buildings. Buildings at intersections of two "A" Streets or at the street entrance to the business park require the most significant corner treatments.	Emphasize street corners by locating buildings and/or street-edge elements at the corner. The attached exhibit XX indicates corners requiring highest degree of design detail.
	"Anchor Points" Location		Buildings located at the intersection of two Primary Streets or at the street entrance to the business park or development area should have the most significant corner treatments.  Within the industrial park, specific corners shall be established as locations needing "anchor points." Locate main building entrance, customer reception and executive office areas at anchor points. Focus the building's highest level of design detail at anchor points. Provide street-activating features.	The attached exhibit (Diagram XXX) indicates anchor points within the Menomonee Valley Industrial Center.
	Special Context			
	Street Terminating Vistas		In the design process, thoughtfully consider the view of the business development from key adjacent streets and elevation changes.	
	Adjacencies			
	Parks and Rec Space		Where public open spaces and amenities are adjacent and/or available to the business park development, provide access to them. Facades and site elements that face public open spaces should have design detail similar to that required for Primary Streets.	Development layouts should support public access to greenspace and the river. Development of parcels adjacent to the river should optimize views, orientation and access to the River Greenway and Hank Aaron Trail.
	Site Specific Issues			

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
<b>General</b> <b>Property Components</b>		<p>An industrial property should be designed to be functional, allow for expansion of the business, and lend itself to adaptation by future users. Further, it should provide attractive and appropriate edges along streets and adjacent properties, incorporate green building and sustainable practices into its design and offer workers and visitors transportation choices and pleasant work amenities. Industrial design requirements should serve to raise the value of the entire surrounding industrial area.</p>	<p>From the outset of the development project, integrate site, landscape and soil needs into architectural design and construction sequences.</p>
<b>Bldg-Site / Layout-Configuration</b>		<p>The siting of various required components is critical to a good overall design. An industrial property is generally composed of a large building where areas are devoted to production, shipping and receiving, post-production, finishing, storage and the housing of mechanicals. A smaller area is typically devoted to offices for executives and administration, sales, engineering, and support services for employees. In businesses producing certain products, visitor areas for conference rooms, showrooms and limited retail outlets may be provided.</p>	
<b>Office</b>		<p>Place the office, visitor, and employee services areas of an industrial building along street frontages so as to break down the scale of the building. This placement also serves to activate the street and provides optimal location for these activities.</p>	
<b>Parking</b>			

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Truck Loading Docks / Utility Location		<p>Minimize parking between the front office area of the building and the street. Limit parking between the office area of the building and the street to one double-sided row; landscape the parking area with a significant urban edge treatment. Use paved concrete, preferably of a porous nature, for parking on the front of the building. Create a strong connection between the parking area and the street, using wide, concrete pedestrian walkways and other outdoor plaza features.</p>	<p>Parking in front of a building shall be limited to one single-sided row, unless the building contains a retail component, in which case one double-sided row of parking is allowed.</p>
Outdoor Storage		<p>Loading docks, required outdoor mechanicals, and expansion area temporary walls of the larger building should be to the rear or to the sides and screened from public streets and the offices of neighboring buildings.</p>	
Principal Building		<p>Locate outdoor storage at the rear of the property or be behind buildings or appropriate screen wall and landscaping. The zoning code requires substantial landscape screening of these areas.</p>	
Setbacks			
Setbacks ("A" and "B" streets)	<p>Table 295-805-2 of the Zoning Code has no setback requirements, unless the industrial use is adjacent to or across from residential or other non-industrially zoned property.</p>		<p>Building up to the street property lines is strongly encouraged. Buildings should not be set back more than 10' from a property line unless for the specific purpose of a building's function, expected expansion or to respect an established easement for utility or multiple property access.</p>
Building Massing			
Principal Building Height			
Scale of Principal Building	<p>When an industrial property is adjacent to a residential district, height adjustments to meet context shall be required in accordance with 295-805-4e.</p>		

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Street Wall Build-out		The building should be appropriately sized in relation to its site. While space for expansion is appropriate, the proposed use should have enough programmatic needs for the size of the parcel.	Establish hierarchy between building elements. For example, define and articulate entrances and building corners.
Overall Design and Hierarchy of Areas			Along Primary Streets, buildings should generally fill out a greater proportion of the street wall along the Primary Street frontages. Where building massing does not occur, other elements, such as landscaping, are needed to establish continuity of the street wall.
Office Area Design		The office area should generally receive a larger amount of design attention with respect to a more striking/signature design. Elements of such design may include large windows, more articulate detailing, higher quality materials, etc.	
Industrial Space/Office Correlation		While more design and detail should likely occur on the office portion of the facility rather than on the large "box" of the factory or storage areas, the design of the larger components should correlate and be compatible with the more articulated office area. This can be achieved by design elements such as limited, high windows that are proportioned to windows on the main building, base banding articulation that is carried over to the large box element, continuation of cornice details, etc.	
Corners of Principal Buildings			Corners of industrial buildings should be articulated with some special design elements so buildings do not appear merely as large boxes. This can be achieved in a number of ways, including larger windows, extruded elements, and possibly more articulated pre-cast score lines.

		Industrial Zoning Requirements	General Industrial Guidelines	Memomonee Valley Industrial Center Specific Guidelines
	Street Activation			<p>Articulate the corners of the building to avoid it appearing merely as a large box. This may be achieved through the use of larger windows, extruded elements, or additional pre-cast score lines. <u>Create Corner Hierarchy</u></p>
	Entrance Activation Requirements		Use entrance area to help activate the street frontage.	Building entrances shall be clearly visible from the street and easily accessible to pedestrians.
	Glazing		Glazing on office portions of buildings and entrances to industrial buildings should be transparent vision glass.	
	Street Activating Outdoor Uses		Outdoor areas that can be utilized for breaks, presentations, dining, and other activities are encouraged. Such areas enliven the exterior of industrial buildings, and contribute to a positive work environment.	
	Facades			
	Orientation			Orient front facades toward the major public streets in the business park.
	Building Modulation and Scale			Blank walls facing streets are not permitted. All facades visible from public streets, pedestrian walkways and recreational trails shall be modulated across the entire facade with articulated bays, windows and openings, varying color and texture and/or other architectural details that relate to the human scale
	Horizontal Articulation			At pedestrian areas of the building, use awnings, landscaping, windows and doors to reduce the scale of the building.

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
		<p>Building design should result in a distinct base, middle and top. If pre-cast tip-up panels are used, these articulations could be cast into the panels as scoring lines, with different relief at top and bottom. Colorization of pre-cast panels or painting bases differing tones could also help achieve these goals. Different materials, such as masonry bases with metal systems above, could also help achieve this articulation.</p>	
<p>Vertical Articulation</p>		<p>Incorporate both vertical and horizontal articulation in the design of the larger, more production- or storage- oriented areas of the property. Break down long stretches of blank walls into smaller distinct areas. If pre-cast, tip-up panels are used, consider chamfering vertical joint lines to break down long stretches of walls. The large box element should typically have either a series of high, smaller punched openings, a continuous clerestory or a combination of elements to both better articulate the building, and provide natural day lighting to interior areas as an appropriate green building practice.</p>	
<p>Facade Materials</p> <p>Preferred Materials</p> <p>Restricted Materials</p>		<p>A variety of materials and construction methods may be used. All materials should have finished quality appearance. Street facing sides should utilize higher quality materials. Pre-cast panels should be articulated with scoring and other techniques to provide a higher quality finish. Brick veneer, ground face block and other finished quality materials may be used.</p>	<p>All walls visible from public streets shall contain the most architecturally significant materials and fenestration. Significant building materials include decorative masonry, brick, cut stone, glass, architectural-finished metal cladding and architectural precast concrete panels</p>



		Industrial Zoning Requirements	General Industrial Guidelines	Memomonee Valley Industrial Center Specific Guidelines
			Use utility concrete block only on rear portions of buildings. Split-face block should generally be used only for base elements, unless detailed within specific patterns. Metal walls may be used if they are limited in area, generally are above a masonry base, have banding, cornice lines and other articulation, and are finished quality materials. EFIS may be used but should be avoided near office entrance areas and areas where durability is important.	Exterior insulation and finish systems shall not exceed 30% of the exterior wall area and shall not be used on the lower two-thirds of the building. Corrugated sheet metal, vinyl siding, reflective glass and imitation stone siding are discouraged.
	Roofs			
	Shapes		The building technology and construction typology should be detailed appropriately. The larger building box area should have parapet walls and/or appropriately detailed tops/cornices in order to properly drain and divert storm water.	
	Details			Screen or locate roof-top mechanical equipment so it is not visible from the street.
	Pre-engineered Buildings		Pre-engineered metal building portions typically need to be site-modified in order to meet the above design requirements. Exercise care in the use of "stock" building components to ensure their overall coordination into the building design.	
	Accessory Buildings			
	Accessory Buildings General		Accessory buildings should follow the design requirements of the main building. Otherwise accessory buildings shall be located at non-overshadowed rear areas of the property and/or be screened with landscaping from streets and common areas.	
	Accessory Buildings Along Street Frontages			

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
	Loading docks shall be screened with Type "G" landscape (opaque fence or wall) as described in 295-405, per requirements of 295-805-4g.		If a building includes a truck canopy, it shall either be architecturally screened from view using materials identical to, or structurally and visibly compatible with those used for the main building. Landscaping and screening shall be in accordance with the guidelines of the business park, and must receive the prior approval of RACM.
<p>Accessory Buildings at Rear or Internal to Site</p> <p>Towers</p>	Antenna Tower Systems must comply with requirements of 295-805-4e-2g.		Antenna Towers should only be ancillary to the business located on the parcel.
Stockpiles			Stockpiles are not allowed.
<p>Motor Vehicle Parking</p> <p>Parking Lot Setbacks</p>	Parking lot shall have a perimeter landscaping along street frontage of at least 5' in width per requirements of Table 295-405-1c.		
Access Point			Minimize drive openings per site and provide appropriate traffic control measures at all entrance to public rights-of-way. Align new driveways with driveways across the street where possible.
Parking Lots	Parking spaces shall meet the requirements of 295-403-3. There are no minimum parking space requirements in IH zoning.	Parking areas should be no larger than needed by current work force of the facility. A number of smaller, well placed parking lots are generally better than one large expansive area.	In general, provide no more than 1.5 parking spaces per 1,000 S.F. of building on site. Use proportional number of street parking spaces for additional parking needs. (See illustrative public parking diagram attached at end of guidelines). Minimize employee and customer parking stall dimensions to 9' x 18' in order to minimize parking lot size and allow for a larger building footprint.
Shared Parking/Carpools			Consider shared parking where possible. Where possible, provide preferred parking for carpools.
Parking Lot Design			

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Parking Lot Surface			Where possible, use concrete pavement rather than asphalt to keep parking areas cool. Consider using porous paving systems to extend the life of the pavement, allow for stormwater infiltration, reduce maintenance costs, and reduce the heat island effect in summer.
Parking Lot Street Edge Landscape	Provide perimeter Type "B" landscaping along parking lots that front on streets. This includes trees spaced no more than 25' on center, two rows of shrubs, spaced no more than 4' on center, and inclusion of a decorative metal fence. See Table 295-405-1c for full requirements.		
Parking Lot Interior Landscaping	Parking lots shall have interior parking lot trees in accordance with 295-407-2, which includes a minimum of one tree for every 9,000 square feet of surface area of parking lot, with no space more than 54 feet from a tree.		
Lighting	Lighting shall be designed in accordance with 295-409, which requires that no light source be visible from adjoining properties or the public right of way.		
Pedestrian Access			
Pedestrian Walkway to Main Entrance		Provide direct, continuous, safe, and accessible pedestrian walkways between public sidewalks and all building entrances.	
Public Transit Accommodations		Provide pedestrian connections to public transportation locations.	
Bicycle Accommodations	Parking for at least 10 bicycles is required for buildings over 20,000 sq. ft. in size per requirements of 295-403-3c.	Provide bike racks for employees in secure areas.	

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
<b>Outdoor Areas</b>			
Storage Areas			
Location and Screening	Outdoor Storage shall be screened with Type "E" or Type "F" landscaping as described in 295-405, which includes per requirements of 295-805-4g.		Locate outdoor storage areas at the rear of the property or behind an 8-foot high opaque fence.
Truck Docks			
Location and Configuration			Provide shared service areas for multiple buildings within a single site.
Truck Access Points	Access drives shall not exceed 30 feet in width per 295-805-4.		
Screening	Loading docks shall be screened with Type "G" landscape as described in 295-405, which includes per requirements of 295-805-4g.	Incorporate wing walls into the design of loading docks on side walls of buildings, in order to screen truck and loading activity from view.	Screen service and loading areas using wing walls that continue from the main building mass.
<b>Landscaping</b>			
Landscaping Buffers to Adjacent Land Uses	Per the requirements of 295-805-4, transition buffers incorporating substantial landscaping and opaque fencing are required when an industrial use is adjacent to residentially zoned property.		
General Site Landscaping			
Planting Requirements			Landscape all open areas, except those required for driveways, parking, or walks, not later than 6 months after occupancy.
			Use native plantings for required landscape screening or where portions of the site are to remain unused.

	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Landscape Design Coordination			Specify native plant and tree species for at least 80% of planted area. Use drought-resistant plantings, reducing the need for irrigation other than collected rainwater. Use deciduous shade trees, vegative cover and exterior structures such as louvers, arbors and trellises to provide 30% shade over non-roof impervious area within 5 years. Standard sod should generally not be used for lawn. Appropriate mixture grasses such as those listed in Appendix XX are preferred.
Landscape Design Elements			Design landscaping to coordinate with the landscaping in the common spaces of the Menomonee Valley Industrial Center.
Landscape Installation Standards			No berms are allowed along public streets.
Temporary Landscape Areas		Plant future expansion areas in a manner that provides a finished appearance in the interim period. These areas should not be used for storage or other purposes unless appropriately screened.	Where rooting area will be limited, use strategies such as connected planting beds, rooting breakouts under parking, or walkways floating on root-permeable soils to extend rooting space and increase plant vigor. Establish engineering specifications for these strategies, drainage patterns, and installation of structural soils as part of the building design and site grading plan.
Fences	Fences Allowed		
Fences at Street Sides and Sides of Front Yards		Fences/walls used along street property lines and in front yards of buildings should be decorative metal fencing, finished product masonry walls, or other high-quality materials.	Fences and walls should be decorative metal, finished product masonry, or similar high quality materials. Vinyl coated chain link fences are not permitted.
Fences Along Interior Lines, Within Rear Yards	An ornamental fence or combination of brick piers with ornamental fencing is allowed to a height up to 6 feet along street frontage as long as a 5 foot Type "A" landscaped setback is provided per Section 295-805-SI-2a.		

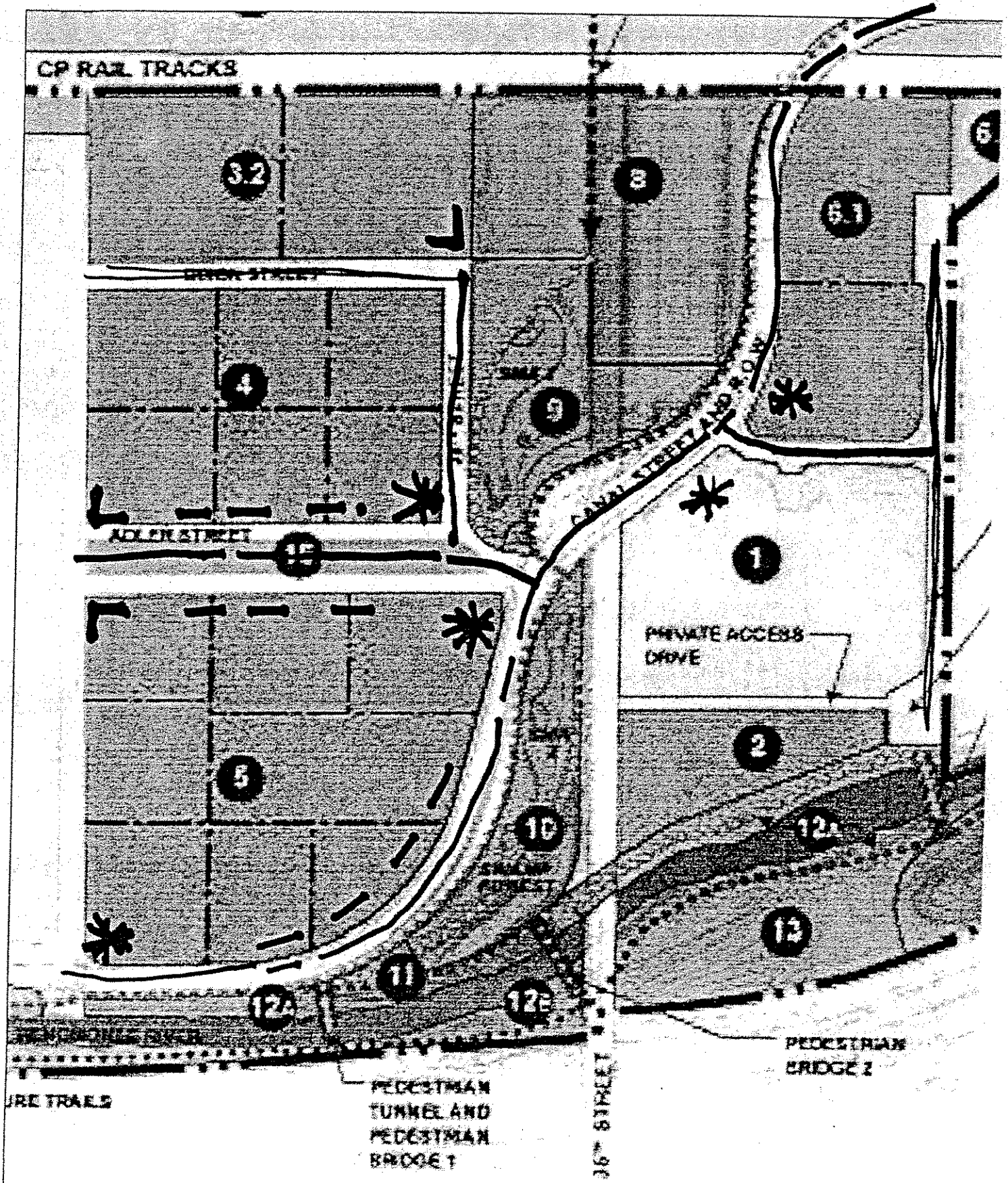
	Industrial Zoning Requirements	General Industrial Guidelines	Memomone Valley Industrial Center Specific Guidelines
	A fence along a side or rear property line can be up to 9' in height per 295-805-5-13.	Decorative metal fences that are coordinated with the street side and front yard are encouraged.	
Fences Prohibited		Black or green vinyl coated chain link fences are limited to the rear portion of side property lines, rear property lines and to rear yard enclosures not visible from a public street or public common space.	
Fences at Street Sides and Sides of Front Yards		Chain link, wood and other non-approved fences are prohibited along public streets, in front yards and facing common areas. Barbed wire is prohibited in these areas. Razor wire is prohibited on all portions of the property.	
Fences Along Interior Lines, Within Rear Yards			Barbed wire, razor wire, and similar products are not allowed at any portion of the property. Decorative metal fences with security design are allowed.
Fences Required Along Certain Streets			Along Selig Drive a minimum 4' decorative metal fence is required along the street property line. See attached exhibit xx for the fence specifications. The required fence is allowed to be up to 8' tall as long as specifications are met.
Along Parking Lot Edges			A decorative metal fence (3'-4' height) is required along parking lot edges on Primary Streets.
Fences Prohibited			
Barbed Wire, Razor Wire	Per Section 295-805-5-16, barbed wire fences are restricted and razor wire and concertina wire fences are all prohibited.		Barbed wire, razor wire, and similar products are not allowed at any portion of the property.

		Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Utility	General Provisions			
	Storm Water Management		Consider stormwater management techniques and connections from the onset of the design process.	Utilize energy and resource-saving techniques to significantly reduce operating costs.
				All developments within the Menomonee Valley Industrial Center must use the central stormwater management facility. Stormwater management plans must illustrate connection to the central facility.
	Mechanicals and Utility Connections		Utility locations and connections, gas meters, condensers and similar mechanical equipment should be located at rear or side areas, and should be screened and/or painted to coordinate with the building.	Connect stormwater conveyance systems to onsite storm sewers that will pipe stormwater to treatment areas, SMA 1, 2 or 3 (see map x)
Waste Collection				Design to accommodate areas for recycling of waste materials. Provide a centralized ground-floor location for collection and storage of recyclables.
	Dumpster Screening	Dumpster and waste storage shall be screened with opaque walls as required for Type "G" landscaping as described in 295-405 and 295-805-4f.	Enclose and screen dumpsters and recycling units with 6-foot high fences of solid material.	
	Utility Service			Where feasible, install utility lines underground.
Lighting				
				Exterior light rays shall not be directed into the street rights-of-way or upward into the atmosphere.

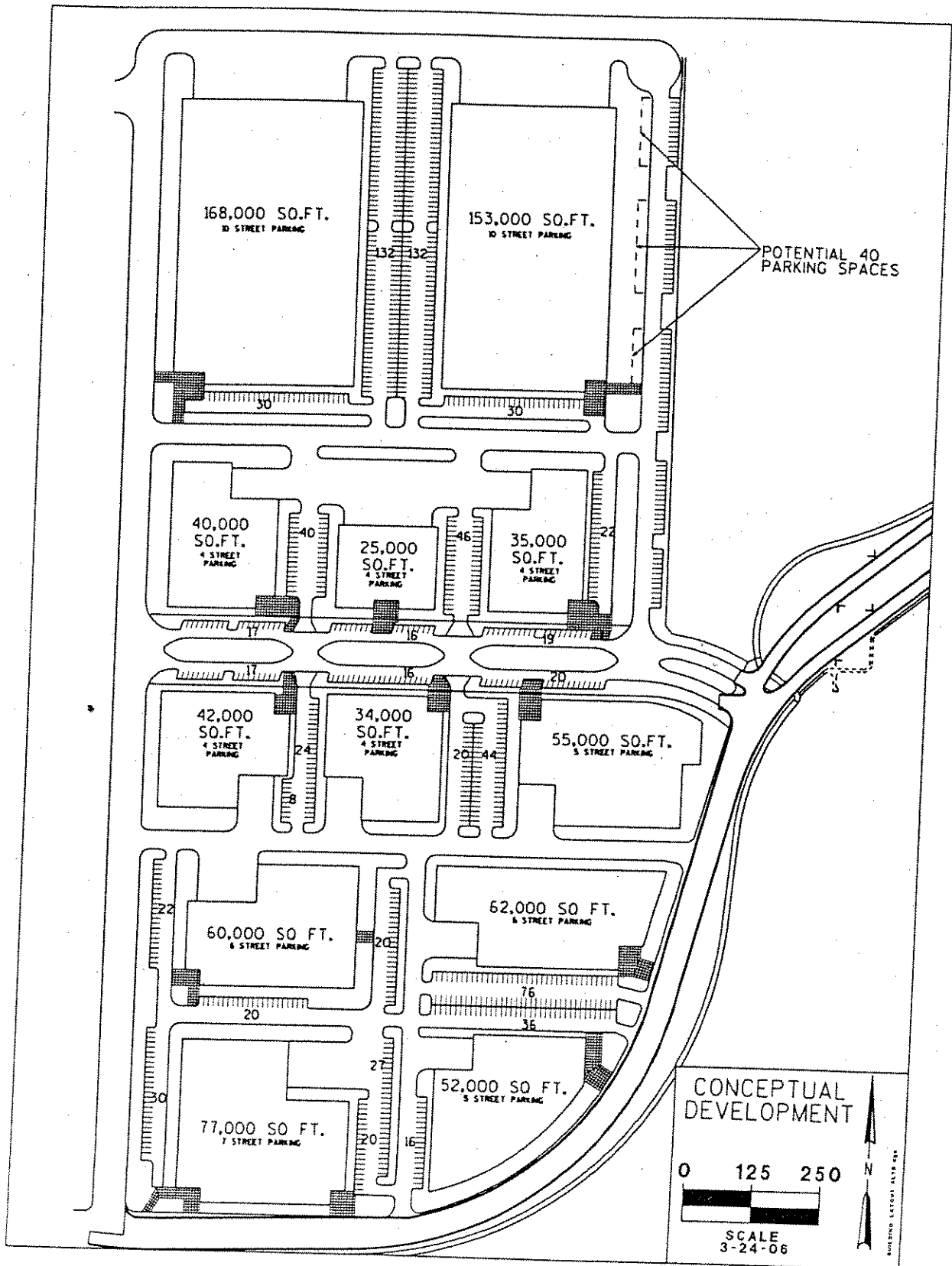
	Industrial Zoning Requirements	General Industrial Guidelines	Memomonee Valley Industrial Center Specific Guidelines
Pedestrian Path Lighting			All exterior lighting fixtures shall use high efficiency lamps (metal halide or high pressure sodium) with low cut-off angles and down-lighting for landscaping. Utilize reflective-type lighting fixtures to reduce or eliminate glare and provide safer, more human-scaled nightscapes. No direct-beam exterior lighting shall be emitted at or beyond a site's property line.
Parking Lot Lighting	Lighting for parking lots and shall be in accordance with Section 295-405 of the Zoning Code.		To reduce dependence on high-wattage electrical lighting at night, use light-colored or reflective edges along driveways or walkways.
Landscape Lighting			Design lighting to enhance the architecture of the building and provide enhanced security and visual appeal.
Signage			
General		Only corporate identification, directional and interpretive signs are allowed.	All signs shall be attached to the vertical surface of a building or to a ground-mounted base and shall not flash, pulsate, rotate or be affixed with moving apertures.
Freestanding Signs	Per requirements of 295-805-5, no more than one freestanding sign per site, with a maximum display area of 80 square feet for a Type A sign no more than 8' in height. All provisions for Type A Freestanding Sign are found in 295-407-2b1.	Only Type A freestanding signs are allowed. Type B "Pylon" styled freestanding signs or other box signs are not allowed.	Internally illuminated monument signs shall be framed and coordinated with other site elements and building materials.
Wall Signs	Per requirements of 295-805-5, the main wall identification sign shall be a Type "A" sign. All provisions for Type A Wall Signs are found in 295-407-2b2. The maximum size of the sign, assuming placement on a façade of at least 50' in width, is 120 square feet for a Type A, individual letter sign.	Larger, individual letter wall signs are encouraged on the larger building area to help better articulate the wall and to emphasize the commerce that is occurring.	Internally illuminated box signs are not permitted, unless they are recessed into the building and are an integral part of the building design and do not exceed 64 square feet in area (on facades greater than 50 feet in width.)
Awning Signs			



	Industrial Zoning Requirements	General Industrial Guidelines	Menomonee Valley Industrial Center Specific Guidelines
Roof Signs	The maximum area of signage on any awning shall not exceed 20 square feet. Per 295-405-5.	One roof sign per building is permitted.	Internally illuminated awnings are not permitted. Signage on fabric awnings is permitted. The design shall relate to each window or entrance.
Other Signs		Only Type A Roof Signs are allowed and must be coordinated with the overall facade design.	
Directional Signs			
Temporary Signs	Directional site sign shall not exceed 5 square feet in area per Section 295-407-3.		
Construction, Sale and Leasing Signs	Temporary banner signs may be used for events such as grand openings and anniversaries. They may be displayed for up to 60 days.		
Off-Premise Billboards	Construction signs are limited to the requirements of Section 295-407-4 of the Zoning Code and shall be no larger than 48 square feet.		Billboards (off-premise signs) are not permitted.



- A STREETS
- B STREETS
- C STREETS
- ANCHOR POINT
- SIGNIFICANT CORNER
- STREET EDGE CONTINUITY



Public Parking Space Illustrative Diagram

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 03/16/2010

FILE NUMBER: 091515

Original Fiscal Note  Substitute

SUBJECT: Substitute resolution approving the Land Disposition Report for part of a Redevelopment Authority property in the Menomonee Valley Industrial Center for sale to Ingeteam, Inc. for development of an office and manufacturing facility, in the 8th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, Department of City Development

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:


H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:


PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





Legislation Details (With Text)

**File #:** 091407      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/9/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution approving the Land Disposition Report for the properties at the northeast corner of Muskego and Mitchell for sale to Mitchell Street Market Lofts, LLC, for mixed-use development, in the 12th Aldermanic District.

**Sponsors:** ALD. WITKOWIAK

**Indexes:** CITY PROPERTY, LAND DISPOSITION REPORTS, PROPERTY SALES

**Attachments:** Land Disposition Report, Proposed Substitute A, Fiscal Note-Substitute, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091407

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. WITKOWIAK

**Title**

Resolution approving the Land Disposition Report for the properties at the northeast corner of Muskego and Mitchell for sale to Mitchell Street Market Lofts, LLC, for mixed-use development, in the 12th Aldermanic District.

**Analysis**

This resolution will permit the Redevelopment Authority of the City of Milwaukee to convey said land according to the conditions in the Land Disposition Report.

**Body**

Whereas, Mitchell Street Market Lofts, LLC, has offered to purchase properties from the Redevelopment Authority of the City of Milwaukee ("Authority") for a mixed-use development; and

Whereas, On February 18, 2010, the Authority held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Land Disposition Report dated February 18, 2010, with respect to the proposed sale of the following described properties, is approved:

REDEVELOPMENT PROJECT AREA

South Muskego Avenue-West Mitchell Street

PROPERTY ADDRESSES

1902 West Mitchell Street  
1928 West Mitchell Street  
1664 South Muskego Avenue  
1668 South Muskego Avenue  
1670 South Muskego Avenue  
1674 South Muskego Avenue

REDEVELOPER

Mitchell Street Market Lofts, LLC

; and, be it

Further Resolved, That the proper City officials are authorized to execute an Emerging Business Enterprise Agreement with the Redeveloper; and, be it

Further Resolved, That the sale proceeds, less sale expenses and a 30 percent expense reimbursement to the Authority, shall be deposited with the Community Development Grants Administration; and, be it

Further Resolved, That the proper City officials may execute all documents necessary to

effect closure, including easements and releases of City deed restrictions that interfere with development.

**Drafter**

DCD:RACM:MFH:mfh

02/09/10/A



**LAND DISPOSITION REPORT  
REDEVELOPMENT AUTHORITY  
COMMON COUNCIL OF THE CITY OF MILWAUKEE**

**DATE**

February 18, 2010

**RESPONSIBLE STAFF**

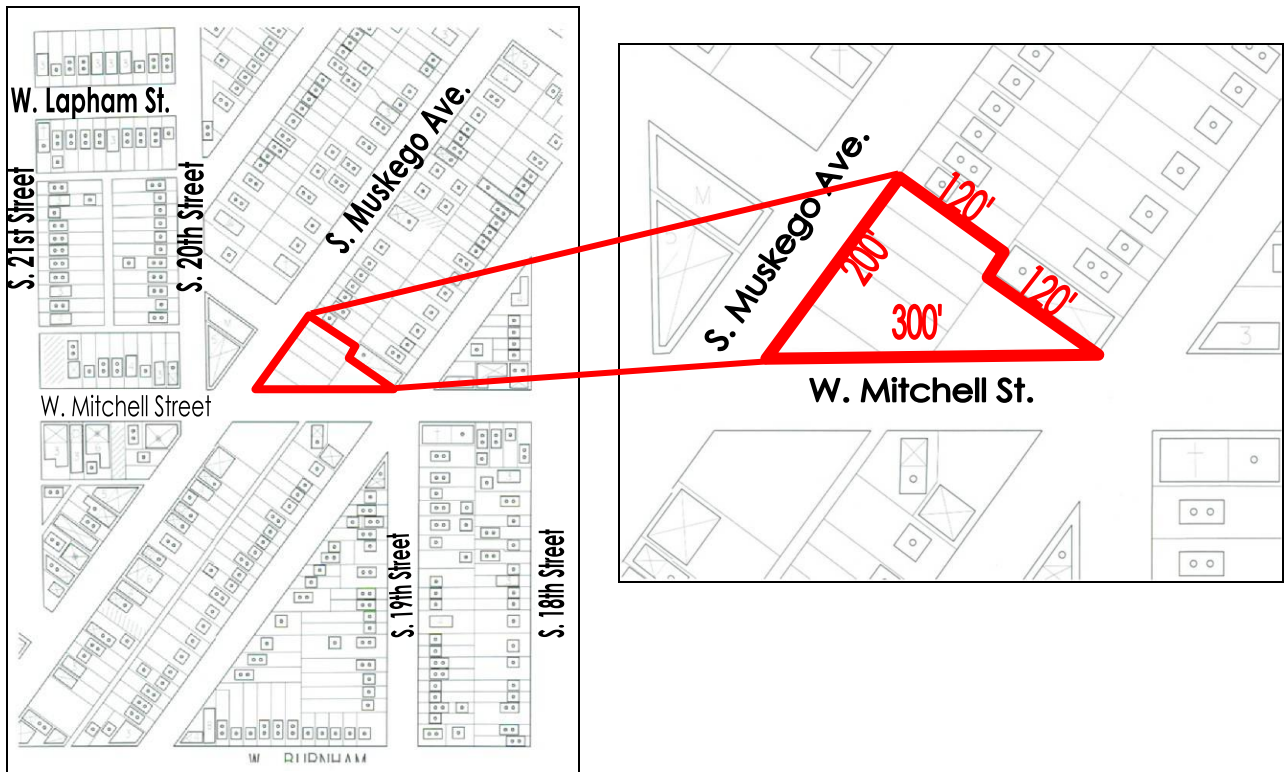
Matthew Haessly, Real Estate Section (286-5736)

**REDEVELOPMENT PROJECT AREA**

West Mitchell Street & South Muskego Avenue. The redevelopment area was created in 1990 to acquire one blighted property and assemble it with vacant City-owned tax deed lots to create a development site suitable for commercial and/or residential redevelopment.

**PROPERTIES**

1902-28 West Mitchell Street and 1664-74 South Muskego Avenue: Five contiguous lots with a combined area of approximately 24,500 SF. Phase II environmental testing was conducted in 2006 and revealed some environmental concerns. The Redeveloper is solely responsible for developing a Remedial Action Plan based on its proposed project. The Authority will convey the property in "as is, where is" condition.



**REDEVELOPER**

Mitchell Street Market Lofts, LLC, a limited liability company that will be formed primarily by Tina Anderson, Orlando Neal and Sherry Terrell-Webb -- three graduates of Marquette's Associates in Commercial Real Estate (ACRE) Program. Other owners include Robert Lemke and Todd Hutchison -- principals in Wisconsin Redevelopment, LLC -- who have completed a variety of urban community developments, such as Johnson Park Lofts, King Drive Commons I and II, Riverwalk Plaza and Columbia Square. Mr. Lemke also serves as an instructor for the ACRE Program and serves as a mentor. Wisconsin Redevelopment also has expertise in sustainable architecture and

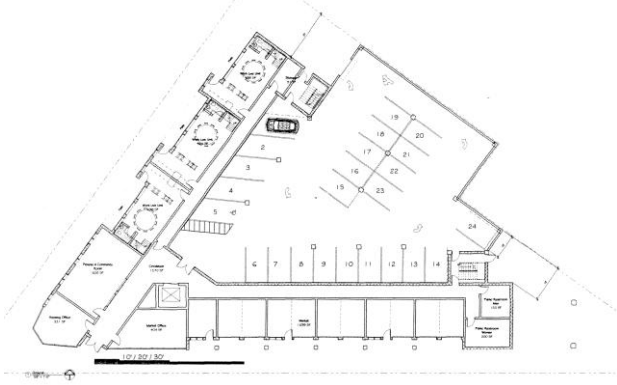
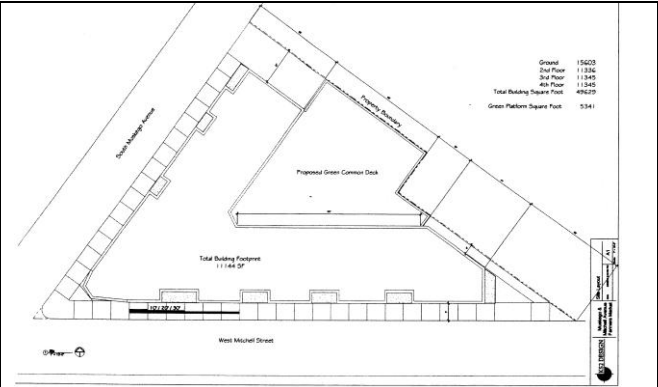
development, finance, tax credit investments, historic preservation, construction and supporting emerging businesses.

**PROPOSED DEVELOPMENT**

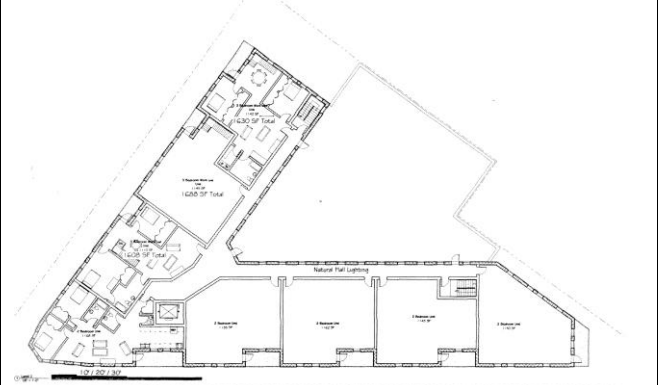
Mitchell Street Market Lofts, a four-story mixed-use building with 24-affordable apartments, including three live-work units and approximately 2,000 SF of commercial space. The apartments will be two or three-bedroom units ranging in size from about 1,100 SF to 1,600 SF. The building will have 24 indoor parking spaces. The total building area will be approximately 49,600 SF. The development also may include a 5,000 SF green roof above the indoor parking garage.



Conceptual elevation  
Looking NE Muskego & Mitchell



First Floor



Upper Level

Total development costs are about \$5,500,000. The project will be financed in part through federal affordable housing tax credits allocated by WHEDA. Additional funding will be provided through conventional financing. The Redeveloper is committed to a strong EBE involvement and is aiming for 30% EBE participation.

**OPTION TERMS AND CONDITIONS**

The purchase price is \$110,250 and is based on land value, environmental condition and past environmental expenditures by the Authority. A \$2,800 non-refundable Option Fee is required within 10 days of Common Council approval and shall be credited toward the purchase price if the sale closes prior to December 31, 2010.

If the Redeveloper requires additional time to sell the tax credits or obtain firm financing or final plans, the Executive Director may extend the option until June 30, 2011, upon submission of a \$500 non-refundable renewal fee and a progress report on the efforts to obtain financing and plans.

Closing contingencies include Authority approval of final construction plans and firm financing. Prior to closing, an Agreement for Sale that provides for reversion of title in the event of non-performance will be negotiated with the Redeveloper. The Executive Director is authorized to grant a feasibility credit at closing based on demonstrated economic hardship. A \$10,000 Performance

Deposit must be submitted at closing and shall be held until satisfactory completion of the building. Sale expenses, including the Authority's 30% development fee, shall be deducted from the Purchase Price and the net proceeds shall be returned to the Community Development Grants Administration and the Reserve For Tax Deficit Fund.

In addition to the aforesaid terms, the sale will be further conditioned as required in the Redevelopment Authority resolution adopted on February 18, 2010, and in the Option to Purchase to be negotiated by the Authority and the Redeveloper.

**PREVIOUS ACTIONS**

In 2006, the Authority advertised the property in a Request for Proposal. One proposal was submitted, however, the Developer was unable to close the transaction.

Since 2007, the Authority has had seasonal license agreements with Growing Power, Inc. to occupy the site as the Mitchell Street Farmers Market. Previously, Milwaukee Alliance, Inc. had operated a farmer's market at the site.

**FUTURE ACTIONS**

Upon Council approval, the Redeveloper will apply for affordable housing tax credits or other affordable housing financing mechanisms provided by WHEDA. The Redeveloper also will obtain a Remedial Action Plan for DNR approval prior to closing and final construction plans and firm financing. Construction plans must be substantially similar to the conceptual drawings that the Redeveloper submitted to obtain the Option to Purchase or any major revision will require future Authority action. Once all project elements are in place, the Redevelopment Authority will enter into an Agreement for Sale with the Redeveloper and will proceed to close in accordance with the terms and conditions expressed herein and contained in the resolution adopted by the Authority.

..Number  
091407  
..Version  
PROPOSED SUBSTITUTE A  
..Reference

..Sponsor  
ALD. WITKOWIAK

..Title  
Substitute resolution approving the Land Disposition Report for the properties at the northeast corner of Muskego and Mitchell for sale to Mitchell Street Market Lofts, LLC, for mixed-use development, in the 12th Aldermanic District.

..Analysis  
This substitute resolution will permit the Redevelopment Authority of the City of Milwaukee to convey said land according to the conditions in the Land Disposition Report.

..Body  
Whereas, Mitchell Street Market Lofts, LLC, has offered to purchase properties from the Redevelopment Authority of the City of Milwaukee ("Authority") for a mixed-use development; and

Whereas, On February 18, 2010, the Authority held a Public Hearing on the proposed sale as required by Wisconsin Statutes; and

Whereas, Pursuant to Wisconsin Statutes and as a condition precedent to the sale, lease or transfer of land, the Authority submits herewith a Land Disposition Report describing the terms and conditions of the proposed sale; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Land Disposition Report dated February 18, 2010, with respect to the proposed sale of the following described properties, is approved:

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1668 South Muskego Avenue  
1670 South Muskego Avenue  
1674 South Muskego Avenue

#### REDEVELOPER

Mitchell Street Market Lofts, LLC

; and, be it

Further Resolved, That the proper City officials are authorized to execute an Emerging Business Enterprise Agreement with the Redeveloper; and, be it

Further Resolved, That the sale proceeds, less sale expenses and a 30 percent development fee to the Authority, shall be deposited with the Community Development Grants Administration and the Reserve For Tax Deficit Fund; and, be it

Further Resolved, That the proper City officials may execute all documents necessary to effect closure, including easements and releases of City deed restrictions that interfere with development.

..Drafter  
DCD:RACM:MFH:mfh  
02/17/10

# CITY OF MILWAUKEE FISCAL NOTE

A) **DATE** February 17, 2010

**FILE NUMBER:** 091407

Original Fiscal Note  Substitute

**SUBJECT:** Substitute resolution approving the Land Disposition Report for the properties at the northeast corner of Muskego and Mitchell for sale to Mitchell Street Market Lofts, LLC, for mixed-use development, in the 12th Aldermanic District.

B) **SUBMITTED BY (Name/title/dept./ext.):** David P. Misky, Assistant Executive Director-Secretary

C) **CHECK ONE:**  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) **CHARGE TO:**  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
<b>SALARIES/WAGES:</b>					
<b>SUPPLIES:</b>					
<b>MATERIALS:</b>					
<b>NEW EQUIPMENT:</b>					
<b>EQUIPMENT REPAIR:</b>					
<b>OTHER:</b>	Option to Purchase	Community Development Grants Administration and Reserve For Tax Deficit Fund		\$110,250 (less sale expenses and a 30% development fee to RACM)	
<b>TOTALS</b>				\$110,250	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) **LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:**


H) **COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:**


PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE February 17, 2010

FILE NUMBER: 091407

Original Fiscal Note  Substitute

SUBJECT: Substitute resolution approving the Land Disposition Report for the properties at the northeast corner of Muskego and Mitchell for sale to Mitchell Street Market Lofts, LLC, for mixed-use development, in the 12th Aldermanic District.

B) SUBMITTED BY (Name/title/dept./ext.): David P. Misky, Assistant Executive Director-Secretary

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 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

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SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Option to Purchase	Community Development Grants Administration and Reserve For Tax Deficit Fund		\$110,250 (less sale expenses and a 30% development fee to RACM)	
TOTALS				\$110,250	

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





Legislation Details (With Text)

**File #:** 091157      **Version:** 1

**Type:** Ordinance      **Status:** In Committee

**File created:** 12/22/2009      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** A substitute ordinance relating to a change in zoning from Two-Family Residential to Industrial-Office, for parking lot expansion, on land located South of West National Avenue and East of South 22nd Street, in the 8th Aldermanic District.

**Sponsors:** THE CHAIR

**Indexes:** PARKING LOTS, ZONING, ZONING DISTRICT 08

**Attachments:** City Plan Commission Letter, Proposed Zoning Change Map, Opposed-Revers-Crossman, Affidavit for Zoning Change, Notice Published on 2-8-10 and 2-15-10, Parking Agreement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
1/4/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/2/2010	1	CITY CLERK	DRAFT SUBMITTED		
2/8/2010	1	CITY CLERK	PUBLISHED		
2/17/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/23/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/11/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		



Number  
091157  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
THE CHAIR

Title

A substitute ordinance relating to a change in zoning from Two-Family Residential to Industrial-Office, for parking lot expansion, on land located South of West National Avenue and East of South 22nd Street, in the 8th Aldermanic District.

Analysis

This zoning change was initiated by the owner, David Samuel, to allow for the expansion of the surface parking lot adjacent to the north.

Body

Resolved, That the Mayor and Common Council of the City of Milwaukee, do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances a new section to read as follows:

Section 295-801.1.0003. The zoning map is amended to change the zoning for the South 30 feet of Lot 7, in Block 16, of Clark's Addition, in the Southwest 1/4 Section of Section 31, Township 7 North, Range 22 East, from Two-Family Residential (RT4) to Industrial-Office (IO2).

Drafter

DCD:AJF:ajf

02/01/10

January 25, 2010

To the Honorable Common Council  
Zoning, Neighborhoods and Development Committee  
City of Milwaukee

Dear Committee Members:

File No. 091157 relates to a change in zoning from Two-Family Residential (RT4) to Industrial Office (IO2), to expand a parking lot on land located South of West National Avenue and East of South 22nd Street, in the 8th Aldermanic District.

This zoning change is initiated by the owner, David Samuel, to allow for the expansion of a surface parking lot adjacent to the north. The site at 824 S. 22nd Street is vacant except for a garage at the rear of the site. This garage is to be razed by order of the Department of Neighborhood Services (DNS). The site is currently unpaved and has been cited by the DNS for vehicles parking on the unpaved surface. If the zoning is changed and the site is used for additional parking, the expanded parking area must be paved and landscaped per code; including a landscaped residential buffer between the parking area and the residential property adjacent to the south.

Per the owner/applicant (David Samuel), the expanded parking is needed to allow for expansion of two existing businesses adjacent and to the north of this site (along West National Avenue). One existing business is Midwest Foods and the other is International Produce. In addition, there will be space in the building for several additional businesses. In all, the expanded and new businesses will likely result in 15 to 20 new jobs.

The neighbor immediately to the south of the subject property called DCD staff and stated his opposition to the proposed zoning change. In the past, semi trucks have parked there and idled engines. He stated that noisy vibrations have caused damaged to both the foundation of his house and basement pipes. The owner spoke with the neighbor prior to the meeting and, according to the owner, the neighbor stated that he would not be opposed to the zoning change as long as the parking is restricted to automobiles (trucks would be prohibited).


On January 25, 2010, a public hearing was held and at that time nobody spoke in opposition. Since the proposed change is consistent with the Near South Side Comprehensive Area Plan, the City Plan Commission at its regular meeting on January 25, 2010 recommended approval of the subject file.

Sincerely,





Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

cc: Ald. Robert Donovan

**FN 091157  
RT4 to IO2  
January 2010**

 Proposed Zoning Change

**Residential Districts**

-  Single Family (RS1-6)
-  Two-Family (RT1-4)
-  Multi-Family (RM1-7)
-  Residential and Office (RO1-2)

**Commercial Districts**

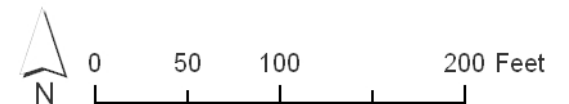
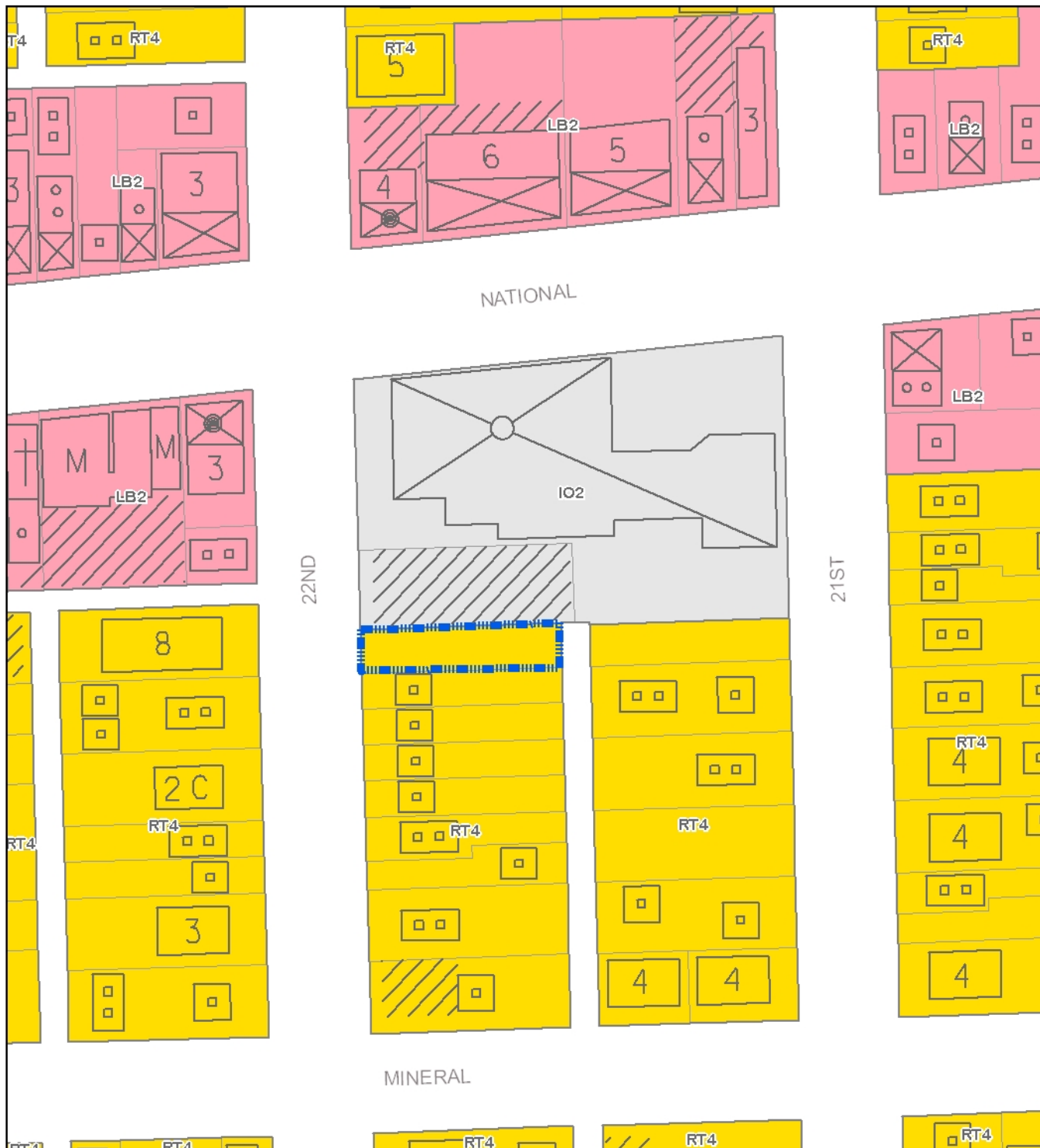
-  Neighborhood Shopping (NS1-2)
-  Local Business (LB1-2)
-  Commercial Service (CS)
-  Regional Business (RB1-2)
-  Central Business (C9A-C9H)

**Industrial Districts**

-  Industrial - Office (IO)
-  Industrial - Light (IL1-2)
-  Industrial - Mixed (IM)
-  Industrial - Heavy (IH)

**Special Districts**

-  Parks (PK)
-  Institutional (TL)
-  Planned Development (PD, DPD)
-  Redevelopment (RED)



Data source: Department of City Development 2009

**Connelly, Kristin D.**

---

**From:** Franitza, Al  
**Sent:** Tuesday, January 19, 2010 8:39 AM  
**To:** Koster, Vanessa  
**Cc:** Schiller, Lynn; Connelly, Kristin D.  
**Subject:** FN 091157 - CPC PH 1:35 PM - Zoning Change 824 S. 22nd.

**Importance:** High

Vanessa,

I received a phone call on Friday from Mr. Steve Revers-Crossman, the owner of the residential property at 828 S. 22nd St, adjacent to the proposed zoning change. He is very much opposed to the rezoning. In the past, semis have parked there and idled engines. Noisy, vibrations caused foundation damage and damage to basement pipes. Since he is unable to attend the PH, I suggested that he send us a letter or an email detailing his concerns, which we should be receiving this week. But just in case I wanted to get his opposition to you for the record.

Al

Address of parcel(s): 824 S. 22nd St.

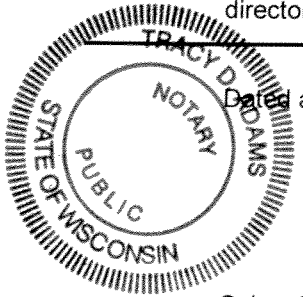
### Affidavit for Zoning Change

1. POLICY (s. 295-313). Each applicant for a zoning map amendment or approval of a planned development, and each applicant for a use variance or special use permit, shall submit to the city plan commission or the board of zoning appeals, as the case may be, a signed affidavit indicating whether the applicant is: (NOTE: DISCLOSE ALL RELEVANT AND REQUIRED INFORMATION ON A SEPARATE SHEET AND ATTACH TO THIS SHEET UPON SUBMITTAL)

- a. Delinquent in the payment of any property tax, special assessment, special charge or special tax due to the city, provided that all appeals of the tax, assessment or charge have been concluded or the time to appeal has expired. YES  NO  *Not subject property, process of being transferred.*
- b. A party against whom the city has an outstanding judgment, provided that all appeals of the judgment have been concluded or the time to appeal has expired. YES  NO
- c. A party against whom the city has outstanding health or building and zoning code violations or orders from the commissioner of health or commissioner of neighborhood services that are not actively being abated, provided that all appeals of orders to correct violations have been concluded or the time to appeal has expired. YES  NO
- d. A party who has been convicted of violating an order of the commissioner of health or commissioner of neighborhood services within the past year, provided that all appeals of the conviction have been concluded or the time to appeal has expired. YES  NO
- e. The owner of premises found to be in violation of s. 80-10 to whom the commissioner of neighborhood services has charged the costs of police enforcement pursuant to s. 80-10-4, provided that all appeals of these charges have been concluded or the time to appeal has expired. YES  NO

### 2. NON-INDIVIDUAL APPLICANTS

- a. Corporations. If the applicant is a corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation as well as each shareholder owning 5% or more of voting stock, fits any of the descriptions in sub. 1-a to e.
- b. Partnerships. If the applicant is a partnership or limited partnership, a duly authorized partner, general partner or limited partner shall submit the affidavit required by sub 1. The affidavit shall attest to whether each partner, general partner and limited partner fits any of the descriptions in sub. 1-a to e.
- c. Limited Liability Companies. If the applicant is a limited liability company, a duly authorized member or manager of the company shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each member and manager of the company fits any of the descriptions in sub. 1-a to e.
- d. Nonstock Corporations. If the applicant is a nonstock corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation fits any of the descriptions in sub. 1-a to e.



Dated at Milwaukee, Wisconsin, this 23 day of November, 2009.

[Signature]  
**Petitioner (signature)**  
DAVID SAMUEL - owner  
(print name, relationship to project)

Subscribed and sworn to before me  
This 23<sup>rd</sup> day of November, 2009  
Tracy D. Adams  
Notary Public, State of Wisconsin  
My commission expires: July 4, 2010

# PROOF OF PUBLICATION

STATE OF WISCONSIN } SS  
MILWAUKEE COUNTY

ANN E. RICHMOND, being the first duly sworn on oath, says that she is the publisher as of January 1, 2004, of THE DAILY REPORTER - that the notice of which the printed one attached is a true copy, which copy was clipped from said newspaper, was inserted and published in said newspaper on

02/08/2010 02/15/2010

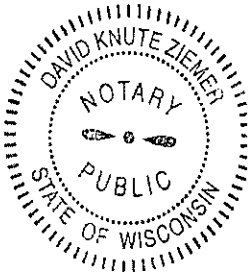
*Ann E. Richmond*

Subscribed and sworn to before me

February 15, 2010

*[Signature]*

Notary Public, Milwaukee County, Wisconsin  
My Commission Is Permanent



C. NO. 65  
FILE NUMBER 091157

## OFFICIAL NOTICE Published by Authority of the Common Council of the City of Milwaukee Office of the City Clerk

Notice is hereby given that an ordinance that was introduced at the December 22, 2009 meeting of the Milwaukee Common Council, the essence of which is as follows:

A substitute ordinance relating to a change in zoning from Two-Family Residential to Industrial-Office, for parking lot expansion, on land located South of West National Avenue and East of South 22nd Street, in the 8th Aldermanic District.

Resolved, That the Mayor and Common Council of the City of Milwaukee, do ordain as follows:

Part 1. There is added to the Milwaukee Code of Ordinances a new section to read as follows:

Section 295-801.10003: The zoning map is amended to change the zoning for the South 30 feet of Lot 7, in Block 16 of Clark's Addition, in the Southwest 1/4 Section of Section 31, Township 7 North, Range 22 East, from Two-Family Residential (RT4) to Industrial-Office (IO2).

Notice is hereby further given that the foregoing matter will be given a public hearing by the Committee on Zoning, Neighborhoods and Development in Room 301-8, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, on Tuesday, February 23, 2010 at 9:00 A.M., pursuant to the provision of Sub-Section (7)(d) of Section 62.23 of the Revised Statutes of the State of Wisconsin.

PLEASE NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

b) If you have difficulty with the English language, you may bring an interpreter with you, at your own expense, so that you can answer questions and participate in the hearing.

c) Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language, interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX) 286-3456, (TDD) 286-2025 or by writing to the ADA Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

d) Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) of the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

e) This meeting will be web-cast live at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).

RONALD D. LEONHARDT,  
City Clerk

Date: March 10<sup>th</sup>, 2010

TO WHOM IT MAY CONCERN

CARGO TRUCK PARKING AT 824 SOUTH 22<sup>ND</sup> STREET, MILWAUKEE, WISCONSIN

Residents residing at 828 So. 22nd St. consent to city of Milwaukee and the owner of the property located at 824 s 22<sup>nd</sup> to change the required zoning to allow parking on the stated lot.

All initial disagreements have been reviewed and resolved and the owner/management company will take all measures moving forward to minimize any Truck disturbances at the site.

Attached - Parking guidelines !

Signature Mary-Revers-Crossman Date: 3-12-2010  
Print Name Mary-Revers-Crossman

Signature S-K Crossman Date: 03-11-10  
Print Name S-K CROSSMAN

**NOTICE TO MIDWEST FOODS AND INTERNATIONAL PRODUCE**

**Regarding**

**Parking at 824 South 22<sup>nd</sup> Street**

All Cargo truck parking on this lot will cease immediately, except under the listed guidelines. If property management is notified of the parking violations there will be an automatic fine of \$50 for each occurrence.

Guidelines for parking on 824 S 22<sup>nd</sup> Street Lot are as follows:

- No parking of Trucks between 9pm - 7 am on this lot and at no time within 10ft of residential houses.
- Parking will be allowed during the day after 7 am and before 9 pm but will be limited only to accommodate switching of parking assignments and limited to 30 minutes stay.
- No trucks will be allowed to idle on this parking lot.
- Truck drivers will do everything possible to limit noise and disturbance to the neighbors at all hours.

Your cooperation is appreciated.



**Midwest Foods**



**International Produce**







## Legislation Details (With Text)

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**File #:** 091412      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/9/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution directing the Department of City Development to sell the City-owned property at 1729-1731 W. Galena Street to the owners of the adjoining property at 1733-1735 W. Galena Street.

**Sponsors:** ALD. BAUMAN

**Indexes:** CITY PROPERTY, DEPARTMENT OF CITY DEVELOPMENT, PROPERTY SALES

**Attachments:** Land Disposition Report, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/26/2010	1	CITY CLERK	DRAFT SUBMITTED		
3/11/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

Number  
091412  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
ALD. BAUMAN  
Title

Substitute resolution directing the Department of City Development to sell the City-owned property at 1729-1731 W. Galena Street to the owners of the adjoining property at 1733-1735 W. Galena Street.

Analysis

This resolution directs the Department of City Development to sell the vacant, City-owned property at 1729-1731 W. Galena Street to Leonard Massey and Annie L. Massey, the owners of the adjoining property at 1733-1735 W. Galena Street.

Body

Whereas, The vacant, City-owned property at 1729-1731 W. Galena Street is surplus to City needs;  
and

Whereas, The owners of the adjoining property at 1733-1735 W. Galena Street, Leonard Massey and Annie L. Massey, desire to purchase the property at 1729-1731 W. Galena Street to combine it with their property; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of City Development is directed to sell the City-owned property at 1729-1731 W. Galena Street to Leonard Massey and Annie L. Massey; and, be it

Further Resolved, That the Department of City Development is further directed to negotiate the terms of the sale, including the sale price, with the purchasers in consultation with the local Common Council member.

Requestor

Drafter  
LRB10068-2  
JDO  
02/25/2010

**LAND DISPOSITION REPORT  
COMMON COUNCIL OF THE CITY OF MILWAUKEE**

**RESPONSIBLE STAFF**

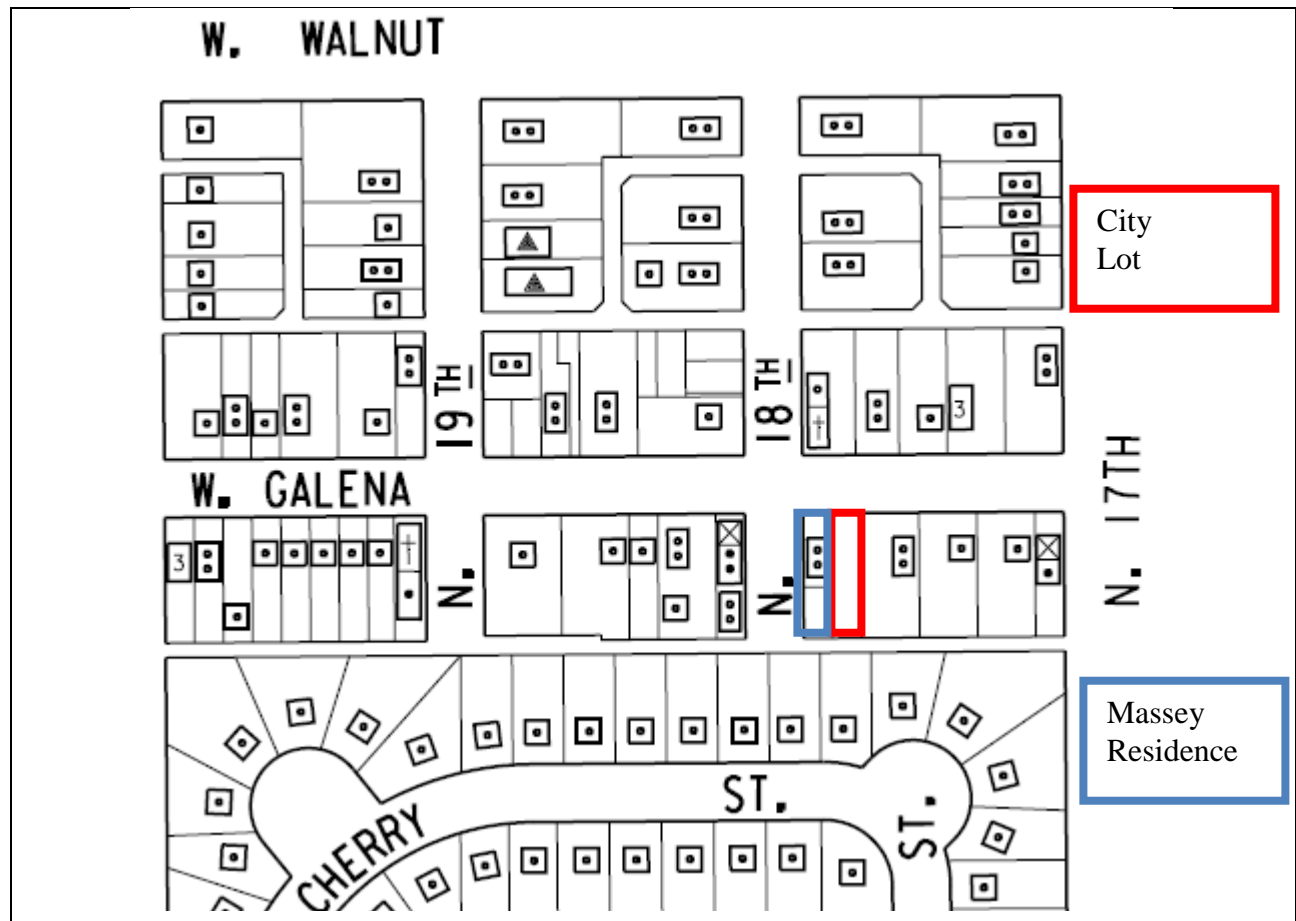
Yves LaPierre, Real Estate Section (286-5762)

**PROPERTY**

Sale of 1729-1730 West Galena Street a 30' x 130', 3900 SF City-owned vacant lot with alley access.

**BUYER**

Leonard Massey and Annie L. Massey, owners of 1733-1735 West Galena, the adjacent property to the west.



**OFFER TERMS AND CONDITIONS**

The sales price will be negotiated with the buyers. Property must be sold by December 31, 2010, otherwise it will be returned to the City inventory. The property will be sold "as is." Sale proceeds, less sale expenses and a 30 percent disposition cost reimbursement to the Redevelopment Authority of the City of Milwaukee, shall be credited to the Reserve For Tax Deficit Fund. Deed restrictions will require that 1729-1731 West Galena Street be maintained as green space and prohibit selling the lot separately from the 1733-1735 West Galena Street property.

**CITY OF MILWAUKEE FISCAL NOTE**

A) DATE 03/02/10

FILE NUMBER: 091412

Original Fiscal Note  Substitute

SUBJECT: Substitute resolution directing the Department of City Development to sell the City-owned property at 1729-1731 West Galena Street to the owners of the adjoining property at 1733-1735 West Galena Street.

B) SUBMITTED BY (Name/title/dept./ext.): Rocky Marcoux, Commissioner, DCD

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Offer to Purchase	0001-334106		Sales price to be negotiated (sales revenue to 0001-334106 will be less sales expenses & a 30% disposition cost reimbursement to RACM)	
TOTALS					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





Legislation Details (With Text)

**File #:** 091372      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/9/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

**Sponsors:** ALD. BAUMAN, ALD. BOHL

**Indexes:** AMERICAN RECOVERY AND REINVESTMENT ACT, RECYCLING, SOLID WASTE DISPOSAL

**Attachments:** Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO	Pass	13:2
2/9/2010	0	CITY CLERK	Sponsor added		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/23/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091372

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. BAUMAN and ALD. BOHL

**Title**

Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

**Analysis**

This resolution temporarily suspends razing and demolition activities which are funded by NSP Phase 1 and 2, until the Department of Neighborhood Services has developed a pilot program for building recycling (deconstruction) that would be funded by the NSP Phase 1 and 2 demolition funds. Included in these modifications are bonding and insurance requirements as well as any other provisions which impede or discourage deconstruction activities. Two exceptions are made to the temporary suspension: executed contracts where the city has sent the contractor a notice to proceed, and demolition necessitated by emergency circumstances.

**Body**

Whereas, The City of Milwaukee has received \$1,312,500 for demolition of foreclosed homes and blighted properties in target areas through the Housing and Economic Recovery Act of 2009, known as NSP Phase 1 funds; and

Whereas, A portion of the NSP Phase 1 home demolition money was ear-marked for deconstruction activities; and

Whereas, No deconstruction activities have taken place due to the bidding requirements, including bonding and insurance, of the City's Department of Neighborhood Services; and

Whereas, An additional \$2,012,000 has been awarded to the City for demolition as part of the National Economic Stimulus Package, known as NSP Phase 2; and

Whereas, These additional funds offer further opportunities for deconstruction projects; and

Whereas, Deconstruction projects allow for reclamation and recycling of building materials as opposed to adding to land fill, as well as creating job training opportunities; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that razing and demolition activities, funded by NSP Phase 1 and 2, be temporarily suspended until the Department of Neighborhood Services has developed a pilot program for building recycling (deconstruction) that would be funded by the NSP Phase 1 and 2 demolition funds; and, be it

Further Resolved, That razing and demolition activities, funded by NSP Phase 1 and 2, shall not be resumed until the Department of Neighborhood Services submits its pilot program for building recycling (deconstruction) to the Common Council for review and approval; and, be it

Further Resolved, That two exceptions are made to the temporary suspension: executed contracts



where the city has sent the contractor a notice to proceed, and demolition necessitated by emergency circumstances.

**Requestor**

**Drafter**

LRB10055-1

MET

2/3/10

# CITY OF MILWAUKEE FISCAL NOTE

A) DATE 02/22/10

FILE NUMBER: 091372

Original Fiscal Note  Substitute

SUBJECT: Resolution temporarily suspending razing and demolition activities funded by NSP Phase 1 and 2 until the Department of Neighborhood Services has made modifications in bidding requirements allowing for deconstruction activities.

B) SUBMITTED BY (Name/title/dept./ext.): Tobie Black/Staff Assistant/City Clerk's Office/X2231

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENT ACCOUNT(DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
<b>TOTALS</b>					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN **ANNUAL** BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT **SEPARATELY**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





## Legislation Details (With Text)

**File #:** 091238      **Version:** 0

**Type:** Ordinance      **Status:** In Committee

**File created:** 1/20/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

**Sponsors:** THE CHAIR

**Indexes:** SIGNS, ZONING

**Attachments:** Zoning Meeting Letter 2-11-2010, Notice Published on 2-19-10 and 2-26-10, City Plan Commission Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/20/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/22/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/22/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/3/2010	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
2/19/2010	0	CITY CLERK	PUBLISHED		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091238

**Version**

ORIGINAL

**Reference**

070548

**Sponsor**

THE CHAIR

**Title**

An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

**Sections**

295-407-4-d am

**Analysis**

On March 18, 2008, the Common Council passed Common Council File 070548, thereby revising that portion of the zoning code pertaining to automatic changeable message signs. Included in these revisions were conforming conditions for the operation of off-premise electronic and tri-vision automatic changeable message signs, specifically:

1. The signs may change as frequently as once every 8 seconds.
2. No sign shall be located within 400 feet of any residential district from which the sign is visible.
3. A minimum distance of 1,000 feet is required between any 2 signs which are visible to drivers facing the same direction.
4. Audio speakers and all forms of pyrotechnics are prohibited.
5. Nuisance light, and by definition certain levels of spill light, is prohibited.
6. A light standard of 5,000 NITs (candelas per square meter) during daylight hours and 500 NITs (candelas per square meter) from dusk to dawn shall be enforced.
7. A sign determined to cause interference with traffic signals or controls, create a confusing or dominating background which might reduce the clarity or effectiveness of a traffic control device, or otherwise obstructs a motorist's line of sight with traffic signals or controls, shall be turned off.
8. A malfunctioning sign that causes a glare shall be considered an acute traffic hazard and shall be turned off.

A sunset clause was included whereby these zoning code provisions pertaining to off-premise electronic and tri-vision automatic changeable message signs shall become null and void on and after March 31, 2010. This date coincided with the expected completion of a federal highway administration study on the effect of commercial electronic variable message signs on driver behavior and the potential risks to traffic safety.

This ordinance extends the expiration date of these zoning code regulations relating to off-premise

automatic changeable message signs to March 31, 2011. The aforementioned federal highway administration study is in the final stages of completion, and this extension will allow the department of public works necessary time to assess and recommend any revisions to the zoning code consistent with this report.

**Body**

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Part 11 of Common Council File 070548, passed March 18, 2008, and effective April 5, 2008, is amended to read:

Part 11. Section 295-407-4-d of this ordinance, pertaining to off-premise automatic changeable message signs, shall be null and void on and after March 31, ~~[[2010]]~~>>2011<<.

**LRB**

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

**Attorney**

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

**Requestor**

DPW - ISD - Traffic and Lighting Design

**Drafter**

LRB10011-1

MST

1/11/10

February 11, 2010

The Honorable  
Members of the Zoning, Neighborhoods and Development Committee

Honorable Members:

Pursuant to s. 295-307-7-b of the Milwaukee Code of Ordinances, the Zoning Code Technical Committee, on February 10, 2010, reviewed Common Council File Number 091238, an ordinance extending the expiration date of zoning code regulations to off-premise automatic changeable message signs.

Based on this review, the Committee found as follows:

With respect to legality and enforceability, the proposed ordinance meets this standard.

With respect to administration efficiency, the proposed ordinance meets this standard.

With respect to consistency with the format of the zoning code, the proposed ordinance meets this standard.

Respectfully Submitted,

Teodros W. Medhin, Ph.D.  
Chair, Zoning Code Technical Committee

# PROOF OF PUBLICATION

STATE OF WISCONSIN } ss  
MILWAUKEE COUNTY

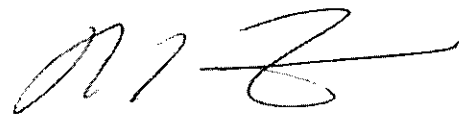
ANN E. RICHMOND, being the first duly sworn on oath, says that she is the publisher as of January 1, 2004, of THE DAILY REPORTER - that the notice of which the printed one attached is a true copy, which copy was clipped from said newspaper, was inserted and published in said newspaper on

02/19/2010 02/26/2010

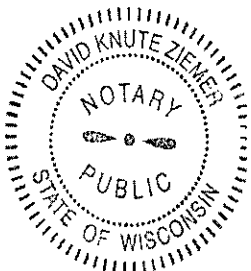


Subscribed and sworn to before me

February 26, 2010



Notary Public, Milwaukee County, Wisconsin  
My Commission Is Permanent



**C. NO. 66**  
**FILE NUMBER 091238**

**OFFICIAL NOTICE**  
**Published by Authority of**  
**the Common Council of the**  
**City of Milwaukee**  
**Office of the City Clerk**

Pursuant to law a public hearing will be held by the City Plan Commission on Monday, March 8, 2010, at 1:30 p.m. in the first floor board room at 809 North Broadway at which time persons interested in the following proposed legislation will be given an opportunity to be heard:

An ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

The original of the legislation is on file in the office of the Planning Division, Department of City Development located on the third floor, 809 North Broadway, Milwaukee, Wisconsin, where said proposed legislation may be examined on any week day between 8:45 a.m. and 4:45 p.m.

PLEASE NOTE: If you have difficulty with the English language, you may bring an interpreter with you, at your own expense, so that you can answer questions and participate in the hearing.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX) 286-3456, (TDD) 286-2025 or by writing to the Coordinator at Room 205, City Hall, 205 E. Wells Street, Milwaukee, WI 53202.

RONALD D. LEONHARDT,  
City Clerk.

10757472/2-19-26



March 8, 2010

To the Honorable Common Council  
Zoning, Neighborhoods and  
Development Committee  
City of Milwaukee

Dear Committee Members:

File No. 091238 extends the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

On March 18, 2008, the Common Council passed Common Council File 070548, thereby revising that portion of the zoning code pertaining to automatic changeable message signs. Included in these revisions were eight conforming conditions for the operation of off-premise electronic and tri-vision automatic changeable message signs.

A sunset clause was included whereby these zoning code provisions pertaining to off-premise electronic and tri-vision automatic changeable message signs shall become null and void on and after March 31, 2010. This date coincided with the expected completion of a federal highway administration study on the effect of commercial electronic variable message signs on driver behavior and the potential risks to traffic safety.

This file extends the expiration date of these zoning code regulations relating to off-premise automatic changeable message signs to March 31, 2011. The aforementioned federal highway administration study is in the final stages of completion, and this extension will allow the department of public works necessary time to assess and recommend any revisions to the zoning code consistent with this report.

The Zoning Code Technical Committee (ZCTC) met on February 10, 2010 and reviewed the original ordinance. ZCTC decided that the proposed ordinance met the standards of legality and enforceability, administrative efficiency, and consistency with the format of the zoning code.

Since the proposed amendment meets the standards of legality, enforceability, administrative efficiency, and consistency with the zoning code, the City Plan Commission at its regular meeting on March 8, 2010, recommended approval of the file.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

c: E. Richardson

**CITY OF MILWAUKEE FISCAL NOTE**

CC-170 (REV. 6/86)  
Ref: GEN\FISCALNT.MST

A) DATE: March 17, 2010

FILE NUMBER: 091238

Original Fiscal Note  Substitute

SUBJECT: An Ordinance extending the expiration date of zoning code regulations relating to off-premise automatic changeable message signs.

B) SUBMITTED BY (NAME/TITLE/DEPT./EXT.): Jeffrey S. Polenske, City Engineer, DPW, ext. 2400

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.  
 LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENTAL ACCOUNT (DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS:					

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





Legislation Details (With Text)

**File #:** 091319      **Version:** 0

**Type:** Ordinance      **Status:** In Committee

**File created:** 1/20/2010      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** An ordinance relating to regulations for on-premise automatic changeable message signs.

**Sponsors:** ALD. DAVIS

**Indexes:** SIGNS, ZONING

**Attachments:** Zoning Meeting Letter 2-11-10, Notice Published on 2-19-10 and 2-26-10, City Plan Commission Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
1/20/2010	0	COMMON COUNCIL	ASSIGNED TO		
1/22/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/22/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/3/2010	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
2/3/2010	0	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
2/19/2010	0	CITY CLERK	PUBLISHED		
3/11/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
3/12/2010	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		

**Number**

091319

**Version**

ORIGINAL

**Reference****Sponsor**

ALD. DAVIS

**Title**

An ordinance relating to regulations for on-premise automatic changeable message signs.

**Sections**

295-407-4-c

**Analysis**

This ordinance changes the maximum frequency for changing the display area of an on-premise automatic changeable message sign from once every 60 seconds to once every 30 seconds.

Within 4 ½ years of the effective date of this ordinance, the commissioner of public works shall evaluate the traffic-safety impacts of this ordinance's increase in the maximum allowable frequency of message changes on an on-premise automatic changeable message sign and report the findings of this evaluation to the common council. The ordinance shall be null and void 5 years after its effective date unless reauthorized by the common council.

**Body**

Whereas, The Common Council finds that an increase in the maximum frequency for changing the message on an on-premise automatic changeable message sign from once every 60 seconds to once every 30 seconds is a reasonable regulatory change in that a 30-second frequency is more consistent with the maximum allowable frequency for changing the message on an off-premise automatic changeable message sign (8 seconds) and that a change to a 30-second frequency is likely to facilitate commerce and public-service messages without substantially harming the public health, safety and welfare; and

Whereas, To the extent that passing motorists view the messages displayed on on-premise automatic changeable message signs, the frequency at which the messages on these signs change may have an impact on traffic safety; and

Whereas, The Common Council finds that the traffic-safety impacts of any increase in the maximum allowable frequency of message changes on an on-premise automatic changeable message sign should be carefully monitored and analyzed; and

Whereas, The Common Council finds that a period of 4 ½ years is of sufficient duration to permit City staff to conduct a meaningful analysis of the traffic-safety impacts of an increase in the maximum allowable frequency of message changes on an on-premise automatic changeable message sign; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-407-4-c of the code is amended to read:

**295-407. Signs.**

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**4. AUTOMATIC CHANGEABLE MESSAGE SIGNS.**

c. The display area, other than time and temperature displays, and each portion thereof may be changed not more frequently than once every ~~[[60]]~~ >>30<< seconds.

Part 2. Within 4 ½ years of the effective date of this ordinance [city clerk to insert date], the commissioner of public works shall evaluate the traffic-safety impacts of this ordinance's increase in the maximum allowable frequency of message changes on an on-premise automatic changeable message sign and report the findings of this evaluation to the common council. This ordinance shall be null and void 5 years after its effective date [city clerk to insert date] unless reauthorized by the common council.

**LRB**

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

**Attorney**

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

**Requestor**

**Drafter**

LRB10021-1

JDO

01/20/2010

February 11, 2010

The Honorable  
Members of the Zoning, Neighborhoods and Development Committee

Honorable Members:

Pursuant to s. 295-307-7-b of the Milwaukee Code of Ordinances, the Zoning Code Technical Committee, on February 10, 2010, reviewed Common Council File Number 091319, an ordinance relating regulations for on-premise automatic changeable message signs.

Based on this review, the Committee found as follows:

With respect to legality and enforceability, the proposed ordinance meets this standard.

With respect to administration efficiency, the proposed ordinance meets this standard.

With respect to consistency with the format of the zoning code, the proposed ordinance meets this standard.

Respectfully Submitted,

Teodros W. Medhin, Ph.D.  
Chair, Zoning Code Technical Committee

# PROOF OF PUBLICATION

STATE OF WISCONSIN } SS  
MILWAUKEE COUNTY

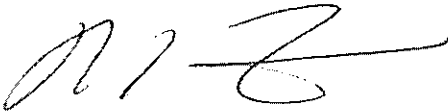
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02/19/2010 02/26/2010

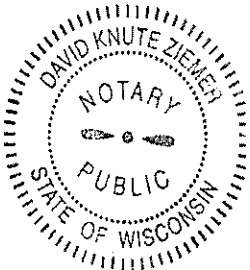


Subscribed and sworn to before me

February 26, 2010



Notary Public, Milwaukee County, Wisconsin  
My Commission Is Permanent



**C. NO. 68  
FILE NUMBER 091319**

**OFFICIAL NOTICE  
Published by Authority of  
the Common Council of the  
City of Milwaukee  
Office of the City Clerk**

Pursuant to law a public hearing will be held by the City Plan Commission on Monday, March 8, 2010, at 1:40 p.m. in the first floor board room at 809 North Broadway, at which time persons interested in the following proposed legislation will be given an opportunity to be heard:

An ordinance relating to regulations for on-premise automatic changeable message signs.

The original of the legislation is on file in the office of the Planning Division, Department of City Development located on the third floor, 809 North Broadway, Milwaukee, Wisconsin, where said proposed legislation may be examined on any week day between 8:45 a.m. and 4:45 p.m.

**PLEASE NOTE:** If you have difficulty with the English language, you may bring an interpreter with you, at your own expense, so that you can answer questions and participate in the hearing.

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**RONALD D. LEONHARDT,  
City Clerk.**

10757474/2-19-26



March 8, 2010

To the Honorable Common Council  
Zoning, Neighborhoods and  
Development Committee  
City of Milwaukee

Dear Committee Members:

File No. 091319 relates to regulations for on-premise automatic changeable message signs.

This file changes the maximum frequency for changing the display area of an on-premise automatic changeable message sign from once every 60 seconds to once every 30 seconds.

Within 4 ½ years of the effective date of this ordinance, the commissioner of public works shall evaluate the traffic-safety impacts of this ordinance's increase in the maximum allowable frequency of message changes on an on-premise automatic changeable message sign and report the findings of this evaluation to the common council. The ordinance shall be null and void 5 years after its effective date unless reauthorized by the common council.

The Zoning Code Technical Committee (ZCTC) met on February 10, 2010 and reviewed the original ordinance. ZCTC decided that the proposed ordinance met the standards of legality and enforceability, administrative efficiency, and consistency with the format of the zoning code.

Since the proposed amendment meets the standards of legality, enforceability, administrative efficiency, and consistency with the zoning code, the City Plan Commission at its regular meeting on March 8, 2010, recommended approval of the file.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

c: E. Richardson

# CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)  
Ref: GEN\FISCALNT.MST

A) DATE: March 17, 2010

FILE NUMBER: 091319

Original Fiscal Note  Substitute

SUBJECT: An Ordinance relating to regulations for on-premise automatic changeable message signs.

B) SUBMITTED BY (NAME/TITLE/DEPT./EXT.): Jeffrey S. Polenske, City Engineer, DPW, ext. 2400

C) CHECK ONE:  ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.  
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.  
 LIST ANTICIPATED COSTS IN SECTION G BELOW.  
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO:  DEPARTMENTAL ACCOUNT (DA)  CONTINGENT FUND (CF)  
 CAPITAL PROJECTS FUND (CPF)  SPECIAL PURPOSE ACCOUNTS (SPA)  
 PERM. IMPROVEMENT FUNDS (PIF)  GRANT & AID ACCOUNTS (G & AA)  
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:	Labor	DPW O&M Account	\$35,200		
	Fringe Benefits	DPW O&M Account	\$21,900		
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS:			\$57,100		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

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H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE

Estimate Based on Projected Labor and Associated Fringe Benefit Costs for Data Collection and Analysis

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PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE





## Legislation Details (With Text)

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**File #:** 081558      **Version:** 0

**Type:** Ordinance      **Status:** In Committee

**File created:** 3/3/2009      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** An ordinance relating to code compliance requirements on foreclosed properties.

**Sponsors:** ALD. HINES JR.

**Indexes:** BUILDING CODE

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
3/3/2009	0	COMMON COUNCIL	ASSIGNED TO		
3/5/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
3/5/2009	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		

---

**File #:** 081558      **Version:** 0

---

**Number**

081558

**Version**

ORIGINAL

**Reference**

**Sponsor**

ALD. HINES

**Title**

An ordinance relating to code compliance requirements on foreclosed properties.

**Requestor**

**Drafter**

cc  
rdl  
3/3/09