



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

Lafayette L. Crump
Commissioner

Vanessa L. Koster
Deputy Commissioner

Ald. Perez
12th Ald. District

CITY PLAN COMMISSION ZONING REPORT

Ordinance File Nos. [211078](#)

Location: 106 West Seeboth Street

**Applicant/
Owner:** Robert Popp

**Current
Zoning:** Detailed Planned Development (DPD) known as First Place Condominiums

**Proposed
Zoning:** Minor Modification to the Detailed Planned Development (DPD) known as First Place Condominiums

Proposal: A Detailed Planned Development ([DPD](#)) was established in 2004 for 106 W. Seeboth Street and allowed a 179-unit residential condominium building with approximately 7,650 square feet of commercial space (currently as 5 commercial condos) as well as a Riverwalk. The DPD established, among other things, uses that are allowed in the commercial space of the building, including retail-oriented uses that are permitted in the Industrial Mixed (IM) zoning district, as well as general office, restaurant, dry-cleaning, health club and marina.

While the applicant is requesting to add Assembly Hall and Business Service as permitted uses within the commercial spaces that he specifically owns in order to add a photography studio and event space, this minor modification will allow these two uses in all of the commercial spaces, consistent with the current DPD.

- An assembly hall use is a Limited Use in the IM zoning district and becomes a Special Use (ordinarily requiring Board of Zoning Appeals approval) if the limited use criteria are not met, which is the case with this building, so it would not be allowed currently. The limited use standards state that the use shall be located on the premises of, and accessory to, a restaurant or tavern, shall operate within the business hours of the restaurant or tavern to which it is accessory, and the restaurant or tavern to which the use is accessory holds all licenses necessary to facilitate events in the assembly hall, including

but not limited to food dealer, alcohol beverage or public entertainment premises licenses.

This minor modification file will allow an Assembly Hall use with certain conditions and requirements, as outlined in the zoning exhibits and generally including provisions for hours of operation, requiring valet parking to be available during each event, providing required lavatories, directing deliveries to the service entrance of the building, and requiring the owner/tenant to obtain proper licenses and to have an alcohol policy in place.

- Business Service is a permitted use in the IM zoning district but isn't specifically retail-oriented, so the addition of this use as permitted will clarify any ambiguity relating to it.

For this specific commercial space, no changes to the principal structure, floor area, site plan, or lot coverage will be made. The occupancy load for the existing Tavern use is the same as Assembly Hall use per the International Building Code (IBC). Any future signage will be required to be Type A in order to comply with the DPD zoning.

At the request of the alderman and DCD staff, the applicant reached out to the condo association board and presented his plans to them. The association provided a letter of support for this request and is included in the zoning exhibits. Additionally, the City's ADA Coordinator noted that they do not have any accessibility concerns regarding this proposal.

Adjacent Land Use:

The First Place Condominiums DPD is located south of the confluence of the Menomonee and Milwaukee Rivers within the Riverwalk Site Plan Review overlay zones. Sites directly to the west, south, and east of the subject parcel are zoned Industrial Mixed (IM). Sites across the river to the north and northeast are within the Mixed Activity district (C9G).

DPW:

DPW does not have any comments regarding the proposed minor modification at 106 W Seeboth St. DPW notes that the proposed assembly hall use will replace a permitted restaurant/tavern with a similar capacity within the development.

Consistency with Area Plan:

The proposed minor modification to the Detailed Planned Development (DPD) known as First Place Condominiums is within the planning area of the Near South Side Area Plan, which was adopted in 2009, and amended in 2016.

The commercial land use policies and strategies are intended to strengthen the area's existing commercial corridors and encourage new businesses that create jobs, provide goods and services for local residents and attract customers from the region. The plan encourages mixed-uses, with commercial retail amenities on the first floor, and residential and office on upper floors, in addition to providing opportunities and space for space for community gatherings in commercial

corridors. This proposed minor modification to the DPD is consistent with the Near South Side Area Plan.

Previous City

Plan Action:

07/12/2004 – The City Plan Commission recommended conditional approval of the change in zoning from Industrial Mixed (IM) to a Detailed Planned Development (DPD) known as First Place Condominiums, on land located on the West Side of South 1st Place and North of West Seeboth Street, in the 12th Aldermanic District. (FN [040219](#)).

Previous Common

Council Action:

7/27/2004 – Substitute ordinance is passed relating to the change in zoning from Industrial Mixed (IM) to a Detailed Planned Development (DPD) known as First Place Condominiums, on land located on the West Side of South 1st Place and North of West Seeboth Street, in the 12th Aldermanic District. (FN [040219](#)).

Recommendation:

Since the proposed minor modification will allow additional permitted uses that are complementary to the existing permitted uses and surrounding neighborhood, and the request is consistent with the Near South Side Area Plan, staff suggests that the City Plan Commission recommends approval of the file.