

February 18, 2003

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

Dear Committee Members:

Attached is File No. 021013, being a substitute ordinance relating to the First Amendment to the Detailed Planned Development (DPD) known as Kilbourn Tower, located on the southeast corner of East Kilbourn Avenue and North Prospect Avenue, in the 4<sup>th</sup> Aldermanic District.

The Kilbourn Tower Detailed Planned Development was originally approved by Common Council on June 25, 2002. This amendment will allow for the following changes: an increase in the number of stories in the building from 31 to 33 stories, an increase to the floor area from 259,406 to 271,300 square feet, an increase in the maximum number of dwelling units from 64 to 74 units and an increase in underground parking from 144 to 164 stalls maximum. Amenities within the building include a fitness area, a lounge area and 2 guest suites. Outdoor amenities include balconies with views to the lake and downtown. The units would range from 2000 to 8800 square feet. The 2 main entrances to the tower are on East Kilbourn Avenue and North Prospect Avenue. The lobby has windows facing the corner. An 800 square foot commercial space has been added in the southeast corner of the building.

This amendment also refines the building elevations. The building will be composed of utility brick with stone accents at the lower level and lobby. A glass curtain wall system containing double glazed windows with a low 'E' coating will comprise the majority of the building enclosure. The balcony railings will be perforated metal panels. All signage will comply with zoning code standards. There will be minimal lighting of the building. The lower 2 levels and upper penthouse level will be lit and entries and balconies will have recessed lighting or sconces.

On Monday, December 9, 2003, the City Plan Commission held a public hearing. At that time, an attorney representing the Lakefront coalition and Regency House residents spoke in opposition to the proposed amendment. The major issues of discussion included obstructed views and traffic, as discussed in the initial zoning change in last June. The City Plan Commission at its regular meeting on December 9, 2003 recommended to refer to staff until the development team received approval of a state variance request to the fire code. This variance would allow for more than 25% glazing on the south building elevation if additional fire protection measures would be taken.

On Monday, February 17, 2003, the City Plan Commission held another public hearing. Since December, the developer has requested an increase in underground parking spaces from 154 stalls to a maximum of 164 stalls. An attorney representing the Lakefront coalition was in attendance and raised issues regarding obstructed views, traffic and loading issues, process of approval and legal indictments against one of the former developers. The Commission felt that all issues relating to views and traffic have been thoroughly addressed by City staff. City staff indicated that the zoning file and legal issues are separate matters and explained how proper procedures were followed for noticing all public hearings relating to the zoning change. A few residents of the Regency House spoke in opposition to the proposal also. One resident explained that she wasn't against the proposal now, but felt she couldn't trust the developers now since they were adding additional stories to the building and they could come back for several more amendments. It was explained that these changes were deemed necessary as part of the final design development and engineering of the building and occasionally happen as projects are being finalized. Since this proposed zoning amendment is consistent with the previously approved detailed plan and the developer has been granted a State variance, the City Plan Commission at its regular meeting on February 17, 2003 recommended approval of the attached substitute ordinance.

Sincerely,

Julie A. Penman  
Executive Secretary  
City Plan Commission of Milwaukee

cc: Ald. Henningsen