



NEW LAND

ENTERPRISES

VIA EMAIL:

planadmin@milwaukee.gov

City Plan Commission
City of Milwaukee
809 North Broadway Ave., 2nd floor
Milwaukee, WI 53202

RE: City Plan Commission meeting on March 8th, 2021

Dear Member of the Milwaukee City Plan Commission:

We are in receipt of a copy of a letter sent to the Commission from Diane Building Corp. (Diane) dated 3/4/2021 regarding our request for a zoning change at 1237 N. Van Buren Street.

We respectfully request that the Commission dismiss their request to hold this item and adopt the file as recommended by Department of City Development staff. Based on our efforts over the last several months to meet and engage with Diane, this request for delay stems from a hardship of their own making.

Diane's assertion of only learning about the project this year is demonstrably false. The developer has attempted to solicit input from Diane and learn of any questions or concerns they have regarding our acquisition and development of the site over the last seven months. We have been met with little or no response. In stark contrast to their lack of action, our similar efforts to reach out to our other neighbor, Jewish Family Services, were ongoing and productive. In fact, you have a letter of support from them in your packet today. Through our good faith efforts in reaching out to them, Diane has had more than enough time review our plans and engage in conversation. Their choice not to do so should not penalize the applicant or jeopardize our project.

In August of 2020, the developer first reached out to Berengaria Development – the real estate development related entity associated with Marcus and Diane – to inform them of our development plans at 1237 N Van Buren Street. Despite our requests for an expedient meeting, the conversation only resumed in October, with discussion of plans and scope on October 22. We requested, and were initially told, that the conversation would include other members of Diane, though none were ultimately present. At the time, we informed Diane's representative that we were on track for construction in the Summer of 2021 and invited them to share their concerns. On October 27, the Milwaukee Business Journal published a story citing the size of the development, and on October 30 messages were exchanged acknowledging the story, confirming internal discussions have been taking place at Marcus and informing New Land that a

competing developer had been in contact with Marcus. On December 1, a site plan for the development indicating setbacks was shared with Diane.

On December 8, the Milwaukee Journal Sentinel and other Milwaukee media outlets ran stories indicating the size, height, and scope of the proposed development as per plans submitted to the City. New Land received no response from Diane until a conversation on January 13 during which no concerns were raised and at such time a request was made by New Land to incorporate an easement for a small area of the building in exchange for cross access easements for maintenance, which Diane states they are still considering.

As before, despite repeated attempts by New Land to schedule earlier, a review of plans and images was finally held on February 3, with others from Diane invited but not present. Supposed interest in the project was expressed and an investment package was requested, and shared, with Diane on February 12. Additional requests for feedback and accommodation for the easement were made by New Land with no concerns expressed by Diane.

We have received no feedback other than this request to the Commission for a last-minute delay. Diane has had seven months during which they were aware of the potential development of the site neighboring their property and had multiple opportunities to engage the developer, evaluate the redevelopment potential of their site as it relates to this project. During those seven months our door has been opened to assist them in that evaluation. In fact, New Land even received permission to access the U.S. Post Office site plan from the city. Despite that communication, at no time did Diane raise any concerns about our plans or how they may or may not affect the future development of their site.

As the Plan Commissioners know, any potential development or redevelopment of the Post Office site in no way relies on, or is compromised by, our development. Their redevelopment potential is guided by building and zoning codes and they have every right to petition the city for the same rezoning process that we are engaged in today. As they have stated in their letter, we are more than happy to work with them on cross easements that will allow them to access their building from our property.

We urge the commission to adopt the recommendation of staff to approve our plans without delay. Holding this file will jeopardize the project – we are in the final stages of loan negotiations and securing investors. In addition, this unnecessary delay will negatively affect our plans, permits, zoning, and lease-up timetable. For example, we are committed to deconstruct (instead of demolish) the existing buildings in May. That process is estimated to take ~60 days, putting us at the deadline for a July construction start, leaving no room for delays.

Based on the Common Council schedule this file is to be heard by the Zoning, Neighborhoods and Development Committee on March 16th and the full Common Council on March 23rd. We pledge to make ourselves available to representatives of Diane throughout that time to consider their concerns and work with them on any reasonable requests.

I thank you for your time and consideration, and ask that, given the significant amount of support and alignment with the downtown master plan, the approval of this file is considered and approved in a timely manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Gokhman', with a long horizontal flourish extending to the right.

Tim Gokhman
Managing Director

Cc: Lafayette Crump, Commissioner (lafayette.crump@milwaukee.gov)
Vanessa Koster, Deputy Commissioner (vkoste@milwaukee.gov)
Sam Leichtling, Department of City Development (sleich@milwaukee.gov)