

November 10, 2004

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

Dear Committee Members:

Attached is File No. 040668 being a substitute ordinance creating the East Village Neighborhood Conservation Overlay Zone and approving the neighborhood Conservation plan for this area.

This substitute ordinance creates an overlay zone under the provisions of s. 295-1003 of the City Code. The neighborhood conservation overlay zone is intended to provide a vehicle that can be used to initiate and implement programs for the revitalization or conservation of older areas or districts possessing distinctive features, identity or character worthy of retention and enhancement. The establishment of this overlay zone includes a neighborhood conservation plan (Exhibit B) and a set of development standards (Exhibit C) that will insure that new developments will not adversely affect surrounding areas. The overlay zone may alter the development standards of the underlying zoning or it may add standards over and above those of the underlying zoning district.

Neighborhood Plan (Exhibit B)

The "Neighborhood Plan for the East Village Neighborhood Conservation Overlay District" describes this area as being representative of an early immigrant neighborhood. The housing styles consist predominantly of modest frame structures, including workers' cottages, "Polish flats," single family houses and duplexes, as well as a handful of brick buildings, interspersed with a scattering of commercial structures, all densely packed into an approximately four-square block area with an irregular street pattern and small, narrow lots.

Much of the original building stock has survived, and although individual buildings have been modified, the overall character of the neighborhood remains intact. Some workers' cottages still have examples of windows with punched or machine-tooled enframements and porches with turned posts and jigsawed ornaments. A common house form is the simple two story front gabled structure and infill bungalows. The irregular street pattern, minimal building setbacks and the survival of many "Polish flats" and rear cottages combine to preserve, in a remarkable degree, the flavor of a crowded nineteenth century urban "village."

To protect and preserve the neighborhood character, fabric and setting the plan calls for sensitive exterior restoration following historic design principles particularly when repairing or rebuilding front porches, doors, windows, siding and front lawns. To foster new construction that is in harmony with the scale and physical character of the original buildings of the neighborhood, the plan also call for the height and general shape of new buildings to be limited to the predominant height of existing buildings and that the existing lot configuration should be retained without resubdividing or combining lots.

Development and Design Standards (Exhibit C)

These standards relate to both site and building features. Site features include fences, walls, yards, garbage/recycling carts and dumpsters, garages and lot size. Building features include front

porches, front doors, windows, siding and height. In addition to the design standards, Exhibit C requires that appeals to decisions regarding the issuance of permits are to the City Plan Commission, that all applications for new construction permits be forwarded to the Alderman's Office which shall be responsible for notifying the East Village Association and the department will be responsible for notifying the East Village Association of all demolition permits as soon as the demolition permit is applied for.

A public hearing was held on November 9, 2004 at which time considerable discussion took place and a number of documents were submitted for the record: 1) a Chronology of the East Village Conservation District, 2) Documentation Against Proposed Conservation District Submitted by Eugene Pogorzelski, 3) copies of signed petitions protesting the overlay zone (originals will have to be submitted to the City Clerk no less than 48 hours prior to the Common Council Meeting) and 4) a letter of support from a board member of Milwaukee Preservation Alliance.

Generally, opponents sited onerous design standards, excessive administrative costs, administrative time delays, inability to redevelop small lots without combining lots, many marginal properties that do not deserve to be preserved and that increasing market demands should be allowed to express itself without additional limitations. Proponents indicated that it would protect and strengthen the neighborhood's unique character, promote compatible alterations or in-fill development, will provide clear guidelines for remodeling and new construction and will prevent blight and deterioration.

Based on this information, the City Plan Commission, at it regular meeting of November 8, 2004 recommended the conditional approval of a substitute ordinance. The conditions included: 1) revisions to the development and design standards, 2) working out administrative processes, 3) making the ordinance effective April 1, 2005 and 4) the City Attorney's determination that the ordinance meets legal requirements.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

Attachment
File
Cc: Ald. D'Amato
ZTXLTR.040668.doc