

**CITY PLAN COMMISSION --**

Resolution approving the request for a deviation from the performance standards established by the Historic Mitchell Street Neighborhood Conservation Overlay Zone (NC) for the property located at 1670 South 11th Street, on the east side of South 11th Street, north of West Historic Mitchell Street, in the 12th Aldermanic District.

- Analysis -

This resolution approves the request to deviate from the first floor prohibited use list established by the Historic Mitchell Street Neighborhood Conservation Overlay Zone for a tenant space located within the Schuster's building at 1670 South 11<sup>th</sup> Street.

Whereas, The City of Milwaukee has established a corridor plan and use list (collectively, performance standards) for the review of uses located within the first floor commercial spaces of properties located within the Historic Mitchell Street Neighborhood Conservation Overlay Zone, generally located on the east and west sides of Historic Mitchell Street from South 6<sup>th</sup> Street to South 13<sup>th</sup> Street; and

Whereas, The overlay restricts certain uses from the first floor of buildings within the boundary and notes that non-retail and service oriented uses can still contribute to the vitality of the commercial corridor provided that the uses are placed away from the main retail corridor, such as above or below the first floor (street level) of the building, or behind a street level storefront (typically twenty feet in depth or greater), preferably with a separate entrance located at the side or to the rear of the building; and

Whereas, The applicant, Labor Solutions, Inc., is requesting to deviation from the use list to allow an employment agency with a component of the agency dedicated to day labor, which is a prohibited use in the first floor commercial space of the properties located within the overlay, and

Whereas, While day labor agencies specifically are restricted from first floor tenant spaces, traditional employment agencies are permitted, and per the applicant's submission, the day labor component of their operations is limited to 10-15% of the overall employees; and

Whereas, The applicant's tenant space is located approximately forty feet from Historic Mitchell Street and has a separate entrance along South 11<sup>th</sup> Street; and

Whereas, The applicant has demonstrated that loading areas for employees who require transportation to and from job sites will occur off of Mitchell Street, within the surface parking lot to the rear of the building and employees will access the transportation via a corridor inside the building; and, therefore, be it

Resolved, By the City Plan Commission of Milwaukee that the proposed deviation meets the criteria set forth in the ordinance that the purpose of the overlay zone has been met, the deviation improves the aesthetics of the site (or, in this case, is not applicable), addresses one or more unique site features that make the application of the standard impractical, and is consistent with the comprehensive plan, and is hereby approved conditioned on the following: 1. The waiting area for employees must be large enough to accommodate all employees inside the tenant space. No loitering or queueing is

permitted outside of the business or the rear of the building, other than the small designated area in the surface parking lot to accommodate smoking and waiting for transportation. 2. The exterior of the tenant space and designated outdoor space within parking area must be kept free of debris and litter. 3. Hours of operation stated in the submittal must be adhered to; and, be it

Further Resolved, That the owner, or his assignees, are responsible for maintaining site improvements in accordance with approved plans.

**CPC 02/17/20 CONDITIONALLY APPROVED.**