



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

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September 17, 2013

To the Honorable Members of the  
Zoning, Neighborhoods and Development Committee  
City of Milwaukee  
City Hall, Room 205

Dear Committee Members:

File No. 130451 relates to the change in zoning from Two-Family Residential (RT3) to Local Business (LB2), for lot consolidation, on land located on the north side of West Hayes Avenue, east of South 27th Street, in the 8th Aldermanic District. This zoning change was requested by Hussein Govani, and would permit the vacant lot at 2644 West Hayes Avenue to be combined with the adjacent, existing used car sales facility at 2366 South 27th Street, which is zoned commercial. The vacant lot would be used as additional space to display used cars for sale. A zoning change is required for this site in order to combine 2644 West Hayes Avenue (zoned Residential, RT3) with the existing used car facility at 2366 South 27th Street (zoned Commercial, LB2), as mixed zoning on a site is not permitted. It should be noted that a used car sales facility is a limited use in the Local Business (LB2) zoning district. While the current facility is legal nonconforming, the expansion of this facility will require special use approval by the Board of Zoning Appeals. The layout of the expansion parcel, if approved, must conform to the LB2 zoning as well.

Planning staff received calls from three residents, including neighbors immediately north of the east-west alley, and immediately east of the subject site, who received public hearing notices in the mail, and stated that they were opposed to the proposed zoning change. Neighbors expressed concerns regarding the current operations of the existing used car facility. They stated that its customers park in the public alley and between the site and the street, in the sidewalk area, as well as on the street. The street parking in this predominantly residential area is difficult, and there is concern that expansion will take away more street parking for residents. The neighbors also stated that litter and garbage on the site, and subsequently surrounding properties, is a problem. The owner did not have adequate dumpsters on the site to dispose of trash generated by the used car facility, despite neighbors discussing the problem with the operator. The neighbor to the immediate east of the subject site was concerned about exhaust fumes entering his home, as cars are often idling to warm up, particularly in cold weather.

On September 16, 2013, a public hearing was held and at that time, Alderman Donovan's Legislative Assistant stated that the alderman had met with the applicant and his architect several months back and subsequently sent out a postcard survey to residents around the subject site. The alderman's office did not receive any negative responses to the proposal; however, given concerns of the neighbors at this time, the alderman's office requested proof from the owner that the residents' concerns were being addressed. The operator of the existing facility stated that additional dumpsters were added to the site, and provided a written contract with a private contractor for refuse collection at the public hearing. Given the support of the Alderman's office and precedent of other businesses that exist adjacent to residential neighborhoods, a motion was made to recommend approval of the change in zoning. However, there was no second to the motion to approve. Another motion was made to deny the zoning change because of the concerns expressed by the neighbors and inconsistency with the comprehensive plan policy to not encroach commercial uses into existing residential areas. That motion passed, and the CPC at its regular meeting on September 16th recommended that the subject ordinance be placed on file.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

cc: Ald. Robert Donovan

