



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

Lafayette L. Crump
Commissioner

Vanessa L. Koster
Deputy Commissioner

Ald. Pérez
12th Ald. District

CITY PLAN COMMISSION ZONING REPORT

File No: [240533](#)

Location: 1120 S Barclay Street, located on the east side of South Barclay Street, south of East Washington Street, in the 12th Aldermanic District

**Applicant/
Owner:** MKE Harbor District Holdings, LLC (applicant and building owner)

**Current
Zoning:** Industrial-Office (IO2) & Port of Milwaukee Sub Area B – North Development Incentive Zone (DIZ) Overlay

The Port of Milwaukee Sub Area B DIZ was approved by the Common Council in 2011 with the intent to promote attractive and efficient use, or reuse of land and/or buildings in the Port of Milwaukee Redevelopment Plan area in a manner that provides high quality sites for commercial and industrial development, while benefitting the surrounding community. To accomplish this, the DIZ establishes a list of permitted and prohibited uses to guide uses that support the current operations and growth of the Harbor District and Port of Milwaukee, as well as design standards to ensure that new development contributes to the vitality of the area. **This file relates to a request to deviate from the DIZ use list to allow a 2-year approval of an existing assembly hall within the building located at 1120 S. Barclay Street.**

Background: Foamation Company, the makers of Cheesehead and other associated products, occupied the subject 2-story building from 2016 until May 2022, and used this site as its primary manufacturing facility. The business ended up closing permanently in 2023. In 2019, while Foamation was still manufacturing its product within the building, they requested a deviation from the DIZ overlay use list to allow an event space (classified as an assembly hall, which is a prohibited use within the DIZ overlay) to host events within the existing building at 1120 South Barclay Street. This event space was accessory to the light manufacturing company (an allowable use in the DIZ) and was intended to help support it. When Foamation left the building a few years later, the assembly hall use continued to operate as a principal use. This is contrary to the City Plan Commission’s approval

of the 2019 deviation request, which allowed an assembly hall to operate provided it was accessory to the light manufacturing company.

Proposal:

Since August 2023, the applicant has been working with Harbor District, Inc. (HDI) and DCD Planning staff to identify opportunities to bring other uses to the building that align with the DIZ and the Harbor District’s Water and Land Use Plan (WaLUP) to balance the assembly hall use. The applicant has committed to reserving 8 office spaces within the building for non-event space, focusing on a “makers” mix of businesses including entrepreneurs and artists who will be able to make and sell their products on site, and manage their office functions as well. Two of the offices are on the first floor of the building and 6 are located on the second floor, along with shared space for the tenants. The businesses are anticipated to operate Monday-Friday during typical business hours, bringing activity to the building during the daytime. The event space within the building will serve periodically as a venue to display and sell products, or host organized events during times when the existing event space known as The Factory at Barclay does not have events booked.

As of present, there is one long term tenant in one of the offices and the applicant has recently secured tenants for 2 of the 8 offices. HDI connected the applicant with two arts-focused businesses that have signed 2-year lease agreements for 2 office spaces within the building. Additionally, one of those businesses also signed a 3-year lease to occupy a portion of 1132 S. Barclay to the south of this site, which the applicant also owns. Five artists will utilize it as a shared studio space, which is a permitted use within the DIZ and base (IO2) zoning. The applicant will continue to work to fill the remaining 5 offices within the subject building with allowable uses including but not limited to architectural or engineering offices, artist’s studios, or space for graphic designers, interior designers, or other general office functions, and has committed to keeping the spaces filled in perpetuity.

Deviation Request:

This deviation request is to serve as an interim approval of the existing assembly hall as a principal use while the building owner finalizes plans for the remainder of the building that include uses that are allowed by the DIZ overlay and consistent with the goals of the Harbor District’s Water and Land Use Plan. The deviation request is for 2 years (24 months). Once the building is fully occupied and plans are finalized for how the building will continue to operate moving forward, the building owner will apply for a longer term deviation approval of the assembly hall use.

The applicant has outlined their plan of operation for the existing event space business, The Factory on Barclay, below. This reflects current and anticipated operations:

- Capacity: Up to 400 people (the previous approval from 2019 had anticipated a 200-300 person event space)
- Hours of Operation: Events are booked and scheduled as requested. Typical hours are:

Sunday - Thursday : 10am - 11:00pm
Friday and Saturday : 10am - 1:00 am

- Parking Plan: The applicant has identified available off-street parking at the following locations
 - 1132 S Barclay St (owned by applicant) – 24 spots in exterior lot
 - 1132 S Barclay St (owned by applicant) – 12 spots inside at north side of building
 - 1100 S Barclay St – 20 spots within the lot to the north of the 1120 S Barclay building
 - Additionally, the following sites have been identified as potential parking spots if a parking lot agreement is made:
 - 125 E. Greenfield Ave – 8 to 10 spots available
 - 1010 S. 1st St – 20 to 25 spots available
 - 1435 S. 1st St – 20 to 25 spots available
 - The applicant states that they are in discussion with management at the Cermak grocery store (1236 S. Barclay) to coordinate additional parking for large events (greater than 300 people).
- Loading Plan: An application for a loading zone permit will be submitted for the front of 1120 S Barclay St to be used for guest drop off/pick up and ride-share services.

Deviation Criteria:

Following is a summary of the applicant’s response for the four criteria set fourth in the zoning code with respect to a deviation. DCD staff has reviewed these responses and concludes that they have been met:

1. *The purpose of the overlay is met.*

- The light manufacturers, artist/design studios and event space will be a synergistic group of businesses that will produce a consistently high level of jobs.
- The large gathering space will offer a venue for artists with the ability to enjoy the space and connect with the local vendors via art shows or fundraisers for the community.
- Several community organizations have expressed interested in collaborating on utilizing the event space.

2. *The deviation improves the aesthetic of the site.*

- The improvements to the interior and exterior of the building and grounds have enhanced the property and stabilized the long-term ownership by adapting the property to a modern post-COVID business model that will energize this portion of Barclay Street.
- All improvements have been done in a fashion that is respectful to the original building.

- Creation and installation of artist murals and various art sculptures and streetscapes is anticipated.
3. *If applicable, the deviation addresses one or more unique site factors that make application of the standard impractical.*
- Applicant intends to reactivate the space with an emphasis on light manufacturing and makers mark businesses that was previously in place with the prior business.
 - The applicant states due to COVID the former businesses were forced to disengage, and the intent of the deviation is to reestablish those relationships
 - The new collection of businesses has the potential to offer a more sustainable long term solution because it is not based on a single light manufacturing business but a wide range of light manufacturing businesses and artists.
 - Allowance of this deviation will allow the maintenance of a viable business and provide potential for further enhancement of adjacent vacant properties.
4. *The deviation is consistent with the comprehensive plan.*
- The applicant notes “This site is located within the Water and Land Use Plan, which contemplated and supported this type of non-industrial use tied to a manufacturer. The plan state as follows: With the exception of the Freshwater Plaza development between Greenfield Avenue and Scott Street, maintain Barclay Street from National Avenue to Lapham Boulevard as a light industrial and “maker” corridor, providing employment and innovation opportunities with flexible building forms that can adapt to a variety of businesses. Housing should be discouraged, except as a live-work arrangement, to preserve the employment and innovation focus of the corridor. Retail should also be discouraged, unless as art of a make/sell arrangement or other use complementary to the light industrial “maker corridor”. ”
 - The applicant states there is no housing planned for this facility.

Adjacent Land Use:

Surrounding land uses are a mix of industrial uses zoned Industrial Office (IO2) and Industrial Heavy (IH). To the south is a Planned Development which includes a grocery store, bank, and other retail uses.

Consistency with Area Plan:

This site is located in the boundary of the Harbor District Water and Land Use Plan (WaLUP), which was adopted by the Common Council in 2018. The WaLUP focuses on encouraging a mix of uses throughout the district, while retaining manufacturing uses and providing a home for modern manufacturing firms that

provide opportunities for the public to view manufacturing processes. This parcel is located within the S. 1st Street sub-district within the larger plan area. The WaLUP calls for this stretch of Barclay Street, adjacent to S. 1st Street and the Freshwater Plaza development to remain industrial, with a focus on “maker” businesses and businesses who create and sell their products in the same facility. The Plan identifies this area as a light industrial and maker corridor that provides employment and innovation opportunities with flexible building forms that can adapt to a variety of businesses. Entertainment and retail uses are generally discouraged, unless as part of a make/sell arrangement or other use complementary to the light industrial “maker corridor.” As such, the deviation request for an interim approval of the assembly hall as a principal use while the building owner finalizes plans for the remainder of the building for uses that are allowed by the DIZ overlay and the vision and goals for the Barclay Street maker corridor in the WaLUP are consistent with the recommendations of the Harbor District’s Water & Land Use Plan.

**Previous City
Plan Action:**

5/13/2019 – City Plan Commission approved a resolution approving the request for deviation from the performance standards established by the Port of Milwaukee Development Incentive Zone (DIZ) for the property located at 1120 South Barclay Street, on the east side of South Barclay Street, south of East Washington Street, in the 12th Aldermanic District. (FN [190143](#))

11/2014 – City Plan Commission approved a substitute ordinance relating to the First Amendment to a Development Incentive Zone known as Port of Milwaukee Sub Area B - North, and the change in zoning from Industrial-Mixed and Industrial-Heavy to Industrial-Office (FN [141110](#))

6/2011 – City Plan Commission approved a substitute ordinance to establish a Development Incentive Zone known as Port of Milwaukee Sub Area B - Center, on land generally bounded by railroad right-of-way to the north and east, East Bay Street to the south and South Allis Street to the west (FN [101550](#))

6/2011 – City Plan Commission approved a substitute ordinance to establish a Development Incentive Zone known as Port of Milwaukee Sub Area B - North, on land generally bounded by the Milwaukee River to the east, South 1st Street to the west, South Kinnickinnic Avenue to the south and West National Avenue to the north (FN [101549](#))

**Previous Common
Council Action:**

12/16/2014 – Common Council approved a substitute ordinance relating to the First Amendment to a Development Incentive Zone known as Port of Milwaukee Sub Area B - North, and the change in zoning from Industrial-Mixed and Industrial-Heavy to Industrial-Office (FN [141110](#))

7/6/2011 – Common Council approved a substitute ordinance to establish a

Development Incentive Zone known as Port of Milwaukee Sub Area B - North, on land generally bounded by the Milwaukee River to the east, South 1st Street to the west, South Kinnickinnic Avenue to the south and West National Avenue to the north, in the 12th Aldermanic District (FN [101549](#))

7/6/2011 – Common Council approved a substitute ordinance to establish a Development Incentive Zone known as Port of Milwaukee Sub Area B - Center, on land generally bounded by railroad right-of-way to the north and east, East Bay Street to the south and South Allis Street to the west, in the 14th Aldermanic District (FN [101550](#))

Recommendation:

An assembly hall use was approved for this site in 2019 as an accessory element to an existing light manufacturing company. The assembly hall continued to operate as a standalone use within the building since May 2022. The applicant/owner has worked with DCD and HDI to create a plan to fill spaces within the building with uses that align with the WaLUP's vision for a maker corridor along this stretch of Barclay Street, and has begun to implement that plan by signing leases with two maker and arts-focused tenants, one of which will also occupy a portion of the adjacent building as an artist's studio. The event space within the building will be shared with these arts and maker-focused tenants, creating a synergy between these uses. Staff feels that the plan carries the vision of the DIZ and comprehensive plan, and supports the 2 year approval of the assembly hall to allow it to continue to operate as a principal use within the building while the applicant/owner continues to secure additional tenants for the non-event spaces. Staff also believes the applicant has adequately responded to the four deviation criteria. For these reasons, staff recommends approval of the subject file conditioned on the applicant applying for a new deviation for the assembly hall use within 2 years and informing DCD and HDI of any changes to the plans as outlined in Exhibit A attached to this file.